

planning process. This is a far more responsible and transparent process than many Federal expenditures, and it is opposite of a slush fund.

The allegation that the Land and Water Conservation Fund has drifted from its original intent is also false. The purpose of the program is to provide balance. As we allow oil companies to reap massive profits from Federal oil reserves, we should set some of the revenue aside for conservation purposes, and that is still what LWCF does today.

Funding for State matching grants has fluctuated over the years, but that is not a drift. That is the result of previous Congress' appropriations decisions, many of which were made during Republican Congresses.

□ 1745

The truth is, LWCF is under attack precisely because for 50 years it has not drifted from its conservation goals. We do not need to rob LWCF in order to pay the maintenance costs. Federal land management agencies have maintenance backlogs because Congress refuses to give them the funding they deserve and need. Any Member concerned about backlogged maintenance should contact the Committee on Appropriations immediately and express support for an increase in maintenance budgets. You can do this without gutting LWCF.

Finally, LWCF is not a Federal land grab. At least 40 percent of LWCF money goes to States in the form of matching grants. The Federal funding is targeted at in-holdings, already surrounded by Federal land. Acquiring an in-holding does not increase the size of the Federal footprint. Buying in-holdings can provide access to parcels that are closed because there is no public access route. These purchases are from willing sellers. These are people who want to sell their land.

Those who oppose this motion to instruct or oppose LWCF are part of a larger campaign to hand over all remaining open space to private development. Oil and gas companies, mining conglomerates, timber companies, real estate developers, and large scale agribusinesses would love to get their hands on the open space in the West. Some in Congress want to help them, and they see LWCF standing in the way because it conserves open space for public and not private use.

Congress should reauthorize and strengthen this program. We face more habitat fragmentation, greater urban sprawl, and more severe climate change than ever before. It is time to double down on the promise of the Land and Water Conservation Fund, not fold so developers can cash out.

The energy bill is the place to do that, and I urge the adoption of the motion to instruct.

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

The SPEAKER pro tempore (Mr. CULBERSON). Without objection, the pre-

vious question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. GRIJALVA. 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.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5055, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 743 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5055.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1849

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Colorado (Mr. POLIS) had been disposed of, and the bill had been read through page 80, line 12.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. WELCH

Ms. KAPTUR. Mr. Chair, I ask unanimous consent that the request for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. WELCH) be withdrawn to the end that the Chair put the question de novo.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

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

There was no objection.

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

The amendment was rejected.

AMENDMENT NO. 34 OFFERED BY MR. PITTENGER

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds made available by this Act may be used to revoke funding previously awarded to or within the State of North Carolina.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from North Carolina (Mr. PITTENGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PITTENGER. Mr. Chairman, I rise today in full support of this very critical amendment. The objective of this amendment is to prohibit the President of the United States from restricting funds to go to North Carolina.

The President's emissaries have stated through the Department of Transportation, Department of Education, Department of Justice, Department of Housing and Urban Development, and, yes, through Valerie Jarrett and through his press secretary, Josh Earnest, that funds should not be dispensed to North Carolina until North Carolina is coerced into complying with the legal beliefs of the President and his political views.

We believe that this is an egregious abuse of executive power and that the State of North Carolina should not be required to comply with the President's wishes. The President is not a monarch; he is not a dictator; he doesn't issue fiat. We are a constitutional divided government.

This amendment I am offering today stops the President from bullying States, stops the President from bullying North Carolina. What he seeks to do in North Carolina, he has sought to do around the country. He has sent letters to the Departments of Education in every State giving them guidelines. Already 11 States in the country have sued the Federal Government over the abuse of these egregious powers.

This is not a fight about a city ordinance with wording that was poorly edited or about a legislature. This is about a constitutional divided government. To that end, I would submit to our colleagues in the House of Representatives that it is critical that we address this and we rein in this President, who has time and again used his authority and abused his power; that we must submit to the President and to the will of the people that we are a country of the people, by the people, and for the people, and this is a constitutionally divided government.

I yield such time as he may consume to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. Mr. Chairman, today I rise in support of this amendment.

President Obama and his administration are threatening to remove Federal funding to North Carolina's educators, law enforcement, and critical infrastructure as punishment for its passage of the Public Facilities Privacy & Security Act. This is despite the fact that this administration's lawsuit against North Carolina is still pending and unresolved. Simply put, our courts have not yet found North Carolina in violation of the law.

To punish or to threaten to punish North Carolina before our courts have properly ruled on the case violates our Constitution. It is for our courts, not President Obama, to adjudicate whether someone has violated the law.

Further, our Nation was founded on the strength of diverse values. During this time of heated rhetoric, we must focus on maintaining a civil society where the government does not punish people for what they believe, but allows an open discourse to all where all are free to follow their beliefs.

This is why this amendment is necessary—to protect North Carolinians from President Obama's executive overreach and maintain our constitutional system.

Mr. PITTENGER. Mr. Chairman, I submit to my colleagues in the House of Representatives that now is the time that we must stand. We cannot allow the President of the United States to continue to bully. We must wait on the adjudication by this court action with the Department of Justice. We must wait and allow the people to decide and make these determinations through its constitutionally divided government.

I thank my colleagues, and I thank Mr. SIMPSON for his leadership on this bill.

Mr. Chairman, I reserve the balance of my time.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIR. The gentlewoman will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Chairman, I would like to assure the Members that the following amendment is the one that we are debating: "None of the funds made available by this act may be used to revoke funding previously awarded to or within the State of North Carolina."

Is this the amendment that the gentleman is offering?

The Acting CHAIR. Amendment No. 34, as printed in the CONGRESSIONAL RECORD, is pending.

Ms. KAPTUR. Okay. I thank the Chair so very much. In such case, I claim the time in opposition to the amendment.

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

Ms. KAPTUR. Mr. Chairman, I rise in strong opposition to this amendment which ties the hands of several departments—certainly the Department of Energy, the Army Corps of Engineers, the Bureau of Reclamation, all of our independent agencies that are con-

tained in the bill, like Denali and Northern Border—from making responsible financial decisions and basic oversight of Federal dollars going into North Carolina.

I find it interesting that my colleagues on the other side of the aisle support this amendment, as they normally are such strong supporters of fiscal responsibility and government accountability and fiscal oversight. Prohibiting the Federal Government from being able to withhold or revoke funding in a particular State would abandon that principle.

How do we know that contractors are meeting their obligations? How do we know that criminal activity is not occurring inside the State of North Carolina related to Federal expenditures in that State?

If this amendment were accepted, the Department of Energy, the Army Corps of Engineers—these are huge contracting departments—would be prohibited from conducting investigations of performance issues related to contracts or financial assistance awards. The departments could not terminate financial assistance agreements for material noncompliance.

I don't think that the gentleman wishes to promote irresponsibility, but I think that is what his amendment actually does. If an award winner wanted to terminate their relationship with one of the departments or agencies under our bill for whatever reason, the Federal Government could not accept that termination. This throws a wrench into every Federal project inside of your State. I don't think the gentleman really wants to do that.

If an organization which receives funding, for example, from the Department of Energy commits fraud, the Department of Energy has no recourse. They can't report on the performance of the organization because it could prevent them from winning future awards.

I can think of no greater irresponsible or unjust system than building on restrictions that deny the American people a proper functioning oversight by the Federal Government, including the literally billions of dollars that go into the State of North Carolina. Those don't only come from our committee or our subcommittee, but they are significant.

I must oppose this amendment. I urge my colleagues to vote "no."

Mr. Chairman, I reserve the balance of my time.

Mr. PITTENGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON).

□ 1800

Mr. SIMPSON. I thank the gentleman for yielding.

I actually support this amendment, and I don't think it was as drastic as was just characterized by the ranking member. The fact is you can still have oversight; you can still do what is nec-

essary to make sure that contractors at various sites are doing their job; it doesn't mean that you just have to pay them no matter what.

The reality is that this administration, as we all know, is using its pen and phone to execute executive orders, and they are punishing the State of North Carolina because they don't like something that North Carolina did. It is in a court. And the Federal Government should not have the ability to come in and prejudge the outcome of that determination by the court by withholding funds from the State of North Carolina simply because it doesn't like what North Carolina did.

So this is a good amendment, and I compliment the gentleman for bringing it forward.

We have got numerous provisions in this bill to stop the administration and their efforts to impose policies without regard to current law or the support of the Congress. I compliment the gentleman.

Mr. PITTENGER. Mr. Chairman, I submit this is a good amendment. I do believe that what we do with this amendment is prevent the egregious abuse of power by our President and allow the adjudication of this process to be completed by the Justice Department.

I yield back the balance of my time. The Acting CHAIR (Mr. LOUDERMILK). The gentleman will avoid inappropriate references to the President.

Ms. KAPTUR. Mr. Chair, may I inquire how much time I have remaining, please?

The Acting CHAIR. The gentlewoman from Ohio has 2 minutes remaining.

Ms. KAPTUR. Mr. Chair, I hate to disagree with the chairman of our subcommittee. But let me just say that the amendment actually reads: "None of the funds made available by this act may be used to revoke funding previously awarded."

"None of the funds." That means there can be no oversight. If criminal activity is occurring, none of the funds may be used to revoke funding previously awarded.

What kind of an amendment is this? This is a very irresponsible amendment, and it shouldn't be on this bill. If the gentleman has got some problem down there he wants to solve, we will be happy to work with him on that on. But I think to tie the hands of our government in making sure that every taxpayer dollar is properly managed and has oversight is really wrong-headed.

Again, I urge my colleagues to vote "no" on the Pittenger amendment.

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

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

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

Ms. KAPTUR. Mr. Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. GARAMENDI

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used by the Bureau of Reclamation to issue a permit for California WaterFix or, with respect to California WaterFix, to provide for compliance under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) or section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

About an hour ago, this House of Representatives kicked off a new quarter in the ongoing California water war. This House passed a piece of legislation that will ultimately gut the Endangered Species Act; the Clean Water Act; the biological opinions protecting salmon and smelt; the health of the largest estuary on the West Coast of the Western Hemisphere, the San Francisco Bay; and salmon up and down the Pacific Coast.

This amendment is designed to stop the ultimate threat to the California Sacramento-San Joaquin Delta and San Francisco Bay. The ultimate threat is the twin tunnels that are being proposed by the Brown administration, tunnels that are sized at 15,000-cubic-feet-per-second capacity, tunnels that have the capability to take half or take all of the water out of the Sacramento River.

Six months of the year, the Sacramento River flows somewhere between 12,000 and 18,000 cubic feet per second. These tunnels, if ever built, will be capable of literally sucking the Sacramento River dry and destroying the largest estuary on the West Coast of the Western Hemisphere.

This amendment is designed to protect the delta by denying the State of California the opportunity to use the Federal Government to build such a destructive system. We don't need that system.

There are solutions to the delta problem. There are solutions that are capable of addressing the water issues of California. They have been proposed for many, many years. But this particular proposal that has been on the books for, now, nearly half a decade is the ultimate vampire ditch that will suck the Sacramento River dry and destroy

the largest estuary on the West Coast of the Western Hemisphere. It is not needed. It is, at a minimum, a \$15 billion boondoggle that will not create 1 gallon of new water. It will only destroy. It will be the ultimate death.

Some day, what was proved here in the House of Representatives not more than an hour ago, some day the votes will be there both in the House of Representatives and in the Senate and a bill will be sent to the President that will not be able to be vetoed. We will see the death of the largest estuary, the most important estuary on the West Coast of the Western Hemisphere from Alaska to Chile. There is no other place like this.

The solutions are known. They have been proposed. They have been out there. Build the infrastructure.

I have introduced a bill that would provide the Federal Government to work with the State government, in proposition 1 at the State level, to bring into harmony reservoirs, underground aquifers, conservation, recycling, desalinization, community water supplies.

It is in the legislation. It is available to us today. All of that, without destroying the delta and also operating it in such a manner that we let science determine what to do—not legislation, not legislation here, not the desire of the Governor of California, but, rather, science.

Where are the fish? Are they going to be harmed? Ramp the pumps down. If they are not going to be harmed, then turn the pumps on—very simple. But the solution that passed the House today doesn't do that. Oh, it gives some bypassing words to the Endangered Species Act, to the biological opinions. But, in reality, what it does, it says turn the dam pumps on anyway. Let them rip. Let them destroy the delta.

This bill speaks to the second threat to the delta—not the legislation that was passed today, but the issue that is before the California voters in November, the issue that is before the California Legislature and others today—and that issue is: Should the tunnels be built?

The tunnels must never be built. They must never be built because they are the ultimate existential threat to the delta. With their size, 15,000 cubic feet per second, they are perfectly capable of taking all of the water out of the Sacramento River half of the year. Don't ever build something that is so destructive.

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

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

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

Mr. VALADAO. Mr. Chairman, I really wish on this floor that there was a requirement that we had to tell the whole truth and nothing but the truth.

Mr. Chairman, the amendment that is being offered here, there is a huge

exaggeration that is going on now. There were periods this past year alone, just in the last few months, that there were 150,000 cubic feet per second flowing through that delta.

Now, these tunnels, I do not believe are the ultimate solution for the delta and for the valley, but I do believe that taking more options off the table and an option that, actually, the Governor of California—a close friend of the person that offered this amendment—does support, and making sure that we have an honest debate as we go forward to solve the problems of the delta, that we have to have all options on the table.

I have looked for every opportunity to have an honest dialogue across the aisle. We have had those conversations. Those who were in the room with us walked away and told the press they never existed or were never a part of them. Now they are coming back and asking for those same private conversations again, and we are not going to play that game anymore. We want to make sure we have an honest dialogue.

In conference, as this bill moves forward and as long as language is there, we have the opportunity to have that dialogue and keep those options on the table that the Governor of California actually supports. Anybody who supports this amendment is actually closing more opportunities for us to have that open dialogue, so I rise in opposition to this.

I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the chairman.

Mr. CALVERT. Mr. Chair, here we go. This last winter, as the gentleman pointed out, actually upwards of 200,000 cubic feet per second were moving through the delta. On days like that, we were pumping 2,300 cubic feet per second at the pumps.

Now, the Governor believes—and many believe—that the solution, because they were afraid it was going to reverse flow, the delta, when 200,000 cubic feet are moving through the delta, is to build these tunnels. And now, if these tunnels are built, we are saying we are going to suck dry the Sacramento River. Come on. That couldn't happen. We can't even pump up to the biological opinion.

We are not talking about eviscerating the Endangered Species Act. We are talking about pumping water up to the biological opinion of 5,000 cubic feet per second. We all know that those pumps are capable of pumping up to 11,000 cubic feet per second. They couldn't even pump 15,000 cubic feet per second, because they can only go up to 11,000 cubic feet.

Saying that, this is a solution that is on the table. It has been thought out. It costs a lot of money. I know there are some questions that have to be answered. But the solution that the gentleman keeps bringing up is a solution that nobody can agree to.

So we are doing the best we can in the majority to make sure that we

have water for the people in the Central Valley—and, by the way, for southern California, where our economy is suffering because of this; certainly, the Central Valley is suffering because of this—and to come up with solutions that can work.

Mr. VALADAO. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. VALADAO. Mr. Chairman, again, I have to rise in opposition to this. I think we have to have an open dialogue on water legislation going forward, and it obviously needs to be transparent and open for the world to see.

We have tried working quietly with some folks and, obviously, that didn't produce anything. This is the next best option: having that option to have an open dialogue with all options on the table. We already have the option that is being performed today, where my district is suffering, unemployment is through the roof, and people are truly suffering, and that needs to be fixed.

We are asking for a simple solution to this. Legislation has been introduced. It has been part of a couple pieces of legislation now. I think it is a very reasonable request, and I strongly recommend a "no" on this amendment.

I yield back the balance of my time.

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

The amendment was rejected.

□ 1815

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to prepare, propose, or promulgate any regulation or guidance that references or relies on the analysis contained in—

(1) "Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866", published by the Interagency Working Group on Social Cost of Carbon, United States Government, in February 2010;

(2) "Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866", published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013 and revised in November 2013; or

(3) "Revised Draft Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA Reviews", published by the Council on Environmental Quality on December 24, 2014 (79 Fed. Reg. 77801).

Mr. GOSAR (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

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

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment that will protect American jobs and our economy by prohibiting funds from being used to implement the Obama administration's flawed social cost of carbon valuation.

This job killing and unlawful guidance sneakily attempts to pave the way for cap-and-trade-like mandates. Congress and the American people have repeatedly rejected cap-and-trade proposals.

Knowing that he can't lawfully enact a carbon tax plan, President Obama is attempting to circumvent Congress by playing loose and fast with the Clean Air Act and unilaterally implementing this unlawful new requirement under the guise of guidance.

The committee was wise to raise concern about the administration's abuse of the social cost of carbon valuation in the report. My amendment explicitly prohibits funds from being used to implement this deeply flawed guidance in the bill text.

The House voted in favor of similar measures to reject the social cost of carbon four times last Congress and multiple times over the past couple of years.

Roger Martella, a self-described, lifelong environmentalist and career environmental lawyer, testified at the May 2015 House Natural Resources Committee hearing on the revised guidance and the flaws associated with the social cost of carbon model, stating that the social cost of carbon estimates suffer from a number of significant flaws that should exclude them from the NEPA process.

Among these flaws are:

One: The projected costs of carbon emissions can be manipulated by changing key parameters, such as timeframes, discount rates, and other values that have no relation to a given project undergoing review.

Two: OMB and other Federal agencies developed the draft social cost of carbon estimates without any known peer review or opportunity for public comment during the developmental process.

Three: OMB's draft social cost of carbon estimates are based primarily on global rather than domestic costs and benefits.

Four: There is still considerable uncertainty in many of the assumptions and data elements used to create the draft social cost of carbon estimates, such as the damage functions and the modeled time horizons.

Mr. Martella's testimony was spot on. Congress, not Washington bureaucrats, at the behest of the President should dictate our country's climate change policy.

The sweeping changes that the White House is utilizing did not go through the normal regulatory process, and there was no public comment.

Unfortunately, this administration just doesn't get it and continues to try to circumvent Congress to impose an extremist environmental agenda that is not based on the best available science.

Worse yet, the model utilized to predict the social cost of carbon can be easily manipulated to arrive at the desired outcome.

For instance, the administration recently attempted to justify the EPA's methane rule using the social cost of carbon. Using this flawed metric, they claim that the EPA's methane rule will yield climate benefits of \$690 million in 2025 and that those benefits will outweigh the \$530 million that the rule will cost businesses and job creators that year alone.

Clearly, the social cost of carbon is the administration's latest unconstitutional tool to deceive the American people and to enact job-killing regulations.

The House voted in favor of similar measures to reject the social cost of carbon four times last Congress and multiple times over the last couple of years.

This amendment is supported by the Americans for Limited Government, Americans for Tax Reform, Arch Coal, the Council for Citizens Against Government Waste, FreedomWorks, the National Taxpayers Union, the Taxpayers Protection Alliance, and the Gila County Cattle Growers Association.

I ask that all Members join me once again in rejecting this flawed proposal and in protecting job rights here in America.

I commend the chairman and the committee for their efforts on this legislation and for recognizing that the NEPA process is in desperate need of reform.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise to claim the time in opposition to this amendment.

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

Ms. KAPTUR. Mr. Chairman and Members, this amendment tells the Department of Energy to ignore the latest climate change science. Even worse, the amendment denies that carbon pollution is harmful.

According to this amendment, the cost of carbon pollution is zero. That is science denial at its worst, and, frankly, it is just simply wrong.

Tell homeowners in Arizona or those who live up in Canada, where the wildfires have just raged and who have seen their homes ravaged by drought-stoked wildfires, that there are no costs from climate change.

If you are a gardener, like I am, even the backs of seed packets have changed, because what used to be a

Tennessee tomato, now we grow it in Ohio. The climate zones are moving north. It is getting warmer.

Tell that to the firefighters who have to put everything else on the line to fight those fires that rage in California and points west or north.

Tell that to the children and the elderly that will be plagued by heat stress and vulnerable to increased disease.

Tell that to the people evacuated from the Isle de Jean Charles in Louisiana who will lose homes as their island vanishes under the rising sea.

Or how about Houston, Texas, with the flash flooding? That is one of the most recent.

These people are looking to us to protect America and to protect them, and they are looking to the Republicans to finally be reasonable.

The truth is that no one will escape the effects of unmitigated climate change. It will have an impact on all of us, and, frankly, it is having an impact on all of us.

But this amendment waves a magic wand and decrees that climate change imposes no costs at all. House Republicans can vote for this amendment. They can try to block the Department from recognizing the damage caused by climate change and the potential damage, but they cannot overturn the laws of nature. They are powerful.

We should be heeding the warnings of the climate scientists, not denying reality. Thank God we have them. We don't have to operate in ignorance.

Recently, our Nation's leading climate scientists released the National Climate Assessment, which continues to show evidence confirming the ongoing impacts of climate change.

Leading scientists around the world, not just here, agree the evidence is unambiguous. This amendment tells the Department to ignore some of the wisest people in the world.

The latest science shows that climate change is expected to exacerbate heat waves—those have been felt around the country—droughts—look at Lake Mead in Las Vegas. Look at the rings going down.

Look at millions and millions of acres now enduring wildfires. Look at the added floods, water- and vector-borne diseases, which will be greater risks to human health and lives around the world.

The security of our food supply will diminish, resulting in reductions in production and increases in prices.

According to a leading climate science body, the IPCC, increasing global temperatures and drastic changes in water availability, which we have just heard about on this floor, in California, for heaven's sake, combined with an increase in food demand poses large risks to food security globally and regionally.

When I was born, there were 146 million people in this country. By 2050, we will have 500 million. It takes more animals, it takes more machines, it

takes more energy, to feed that population, and it takes much more to feed the global population.

Human beings and our way of life do have an impact on what happens on this very, very suspended planet in the Milky Way galaxy.

This amendment tells the Department to ignore these and many other impacts, and, frankly, I view that as irresponsible.

Federal agencies have a responsibility to calculate the costs of climate change and take them into account. It is plain common sense, and it is a life-and-death matter.

That is exactly what the Obama administration is doing. An interagency task force worked over the course of several years to estimate the costs of the harm from carbon pollution.

The cost calculation was first issued in 2010 and updated in 2014 and continues to be refined by incorporating new scientific and technical information and soliciting input from leading experts.

This was a very constructive calculation and a conservative one at that, with the full costs of climate change almost certainly being higher. But it is better than the previous estimate and much, much better than assuming the costs are nothing.

Unfortunately, that is what this amendment would require the government to assume: zero harm, zero costs, zero danger, from carbon pollution and climate change.

The truth is that unchecked climate change would have a catastrophic economic and human impact here and across the world.

I urge my colleagues to oppose this amendment.

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

Mr. GOSAR. Mr. Chairman, if I could inquire from the Chair how much time I have.

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. GOSAR. Mr. Chairman, the Earth's climate has been changing since the beginning of time, and that is something on which I think we can all agree.

MIT researchers have looked at a massive extinction some 252 million years ago as a result of a massive buildup of carbon dioxide. Funny, man wasn't around.

The nonpartisan Congressional Research Service estimates that the administration squandered \$77 billion, with a B, between fiscal year 2008 and fiscal year 2013 in trying to study all this.

Now, if the President, the emperor himself, would like to bypass Congress, that is fine. But Congress has a fiduciary duty and a responsibility legislatively to actually pass something that the agency should enforce.

We talked about wildfires. Well, there we go again. It has been mismanagement of our forests that have

created these catastrophic wildfires. Take it from somebody in Arizona who should know.

So I ask all of my colleagues to vote for this amendment.

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

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

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

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

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

AMENDMENT NO. 29 OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have amendment No. 29 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. (a) For an additional amount for "Bureau of Reclamation—Water and Related Resources" for an additional amount for WaterSMART programs, as authorized by subtitle F of title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. ch. 109B), section 6002 of such Act (16 U.S.C. 1015a), title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 (42 U.S.C. 390h et seq.), and the Reclamation States Emergency Drought Relief Act (43 U.S.C. ch. 40), there is hereby appropriated, and the amount otherwise made available by this Act for "National Nuclear Security Administration—Weapons Activities" is hereby reduced by, \$100,000,000.

(b) None of the funds made available by this Act for "National Nuclear Security Administration—Weapons Activities" in excess of \$120,253,000 may be used for the W80-4 Life Extension Program.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I believe this is known as amendment 116.

I think most of us should be aware that we are well into the first quarter of a new nuclear arms race this time with not only Russia, but with China. And perhaps there are some others out there that would like to build nuclear weapons and armaments.

This amendment goes directly to one of the critical parts of that arms race, which is the development of what is essentially a new nuclear bomb. Some would like to say it is simply a refurbishment of an older weapon, and I guess you can get away with that if you stretch the words a bit.

But this is the W80-4 nuclear bomb. It is the warhead that will go on the new cruise missile, sometimes called the LSRO. It is a very expensive proposition.

This particular budget calls for \$240 million to be spent this year on the

early stages of the refurbishment. We are probably looking at twice that level of funding over the next decade to develop a few hundred of these weapons or these bombs.

We need to wake up. We need to be paying attention to this trillion-dollar enterprise. Over the next 25 years, we will be spending \$1 trillion on a new nuclear arms race.

To what effect? Well, some would say that what we have is old and we ought to have something that is new. Well, what is old actually continues to work for many, many years.

So it is not just the nuclear bombs that will be refurbished or rebuilt or life-extended or whatever words you want to use, but they are new and are extraordinary expensive and, obviously, extraordinarily dangerous.

□ 1830

We are going to develop an entire new array of delivery systems. Discussed on the House floor not so long ago in debate was the question of whether we ought to have new intercontinental ballistic missiles in the silos in the upper Midwest. It was an interesting debate. The result of the debate was, well, we ought to build new ICBMs for those silos without paying too much attention to the cost, and we ought to have a whole new array of nuclear-armed submarines, a new Stealth Bomber, and a new cruise missile.

So what are we talking about here? A trillion dollars. At the same time, we debate on the floor whether we have any money for Zika. Apparently, we don't; although that is a real threat, and it is real today. We talk about our community water systems, and we don't have any money for those either. I will tell you where the money is. It is in this nuclear arms race.

It is not about disarmament. Nobody is suggesting that. It is about are we going to spend all this money and perpetuate what is already underway without giving thought to the impact it is going to have on the things that we know we must do—educate our children, provide the infrastructure for our communities, our water, our sanitation systems, and our transportation systems—or are we going to go about building new nuclear bombs.

Apparently, that is what we are going to do because there is \$240 million right here, money that we didn't have available for Zika, money that we don't have for the water systems of Flint, Michigan, or our own State of California. But it is here.

The W80—keep that number in mind, ladies and gentlemen. You are going to see that coming back before you as we appropriate more and more dollars for not only this new nuclear bomb, but for many others.

So I draw your attention to this issue. I ask that we move about \$100 million of this money out of this nuclear bomb that we really don't need for another decade. We don't need it tomorrow. We may never need it. It

won't be on any piece of equipment for at least a decade. So why don't we spend this money on our communities? Why don't we spend it on Flint, Michigan? Why don't we spend it on the communities in Central Valley, California, that we have heard so much about?

There are communities that don't have water systems, communities in the San Joaquin Valley that we heard so much about just a moment ago where the children have to take their water out of a horse water trough, not out of a tap.

No, we are going to spend our money building a new nuclear bomb. I think that is wrong. I think it is not necessary. In fact, I know it is not necessary. But that is what we are going to do.

So I ask you to make a choice, to make a choice to spend our money on what we need today: clean water systems, transportation, and education, not on a new nuclear bomb.

Mr. SIMPSON. Mr. Chair, I claim the time in opposition.

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

Mr. SIMPSON. Mr. Chair, I respect the gentleman's comments, and I respect the gentleman.

He mentioned many of the functions that are necessary for the government that we should be doing. The one he didn't mention was defending the security of the United States. That is one of the fundamental purposes of the Federal Government.

What this amendment would do is take money out of the program to continue the life extension program of the W80 warhead, the only cruise missile in the U.S. nuclear arsenal. The gentleman says we don't need it now, so let's spend the money somewhere else; and if we need it next year, I guess we can just spend the money next year.

But you can't develop this, and you don't do these life-extension programs in just a year. These are long-term investments. The life extension program will replace the nonnuclear and other components to support the Air Force's plan to develop the long-range standoff cruise missile, or the LRSO. If the gentleman believes the LRSO is not necessary, I would point him at the Air Force, whose leadership has testified on numerous occasions before Congress that we need to sustain our nuclear capabilities and we need to make these investments.

We must do the work that is needed to extend the life of this warhead as long as there is a clear defense requirement for maintaining a nuclear cruise missile capability. While the LRSO is still at an early stage of development, these warheads are very complex, and there is a considerable amount of work to accomplish between now and then. Performing development work earlier in the schedule will allow the NNSA to reduce technical risks and limit any cost growth by validating the military requirements at an early stage.

The gentleman's amendment will not stop the program but would only add

additional risks into the schedule and raise the cost for modernizing the warhead down the line.

I should point out also that the gentleman's amendment also proposes to move defense funding to nondefense without any regard to the firewalls negotiated in previous budget deals.

Mr. Chairman, I urge Members to vote against this amendment.

I yield back the balance of my time.

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk, Gosar 221.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used for the Department of Energy's Climate Model Development and Validation program.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment to save taxpayer money, help the Department of Energy avoid duplicative programs, and ensure the agency's limited resources are focused on programs directly related to its mission to ensure energy security for the United States.

This simple amendment would prohibit the use of funds for the Climate Model Development and Validation program within the Department of Energy. This exact same amendment passed this body in fiscal year 2015 and 2016.

This year, this amendment is even more important because, despite this amendment getting approval from this body multiple years in a row and being denied funding from the bipartisan Appropriations Committee multiple years in a row, the President was given access to about half of what he requested previously to create this new duplicitous and wasteful program.

With our Nation more than \$19 trillion in debt, the question must be asked: Why would Congress give millions of dollars to the President for new computer-generated climate models? The administration is already manipulating the social cost of carbon models to deceive the American people and to enact job-killing regulations.

For example, the administration recently attempted to justify the EPA's methane rule using the social cost of carbon valuation model. Using this flawed metric, they claimed that the EPA's methane rule will yield climate benefits of \$690 million in 2025 and that those benefits will outweigh the \$530

million that the rule would cost businesses and job creators that year alone.

If funded, the Climate Model Development and Validation program will be yet another addition to the President's ever-growing list of duplicative global warming, research, and modeling programs currently being hijacked by the EPA to manufacture alleged climate benefits and force new regulations like the EPA's Clean Power Plan and WOTUS down the throats of the American people. The nonpartisan Congressional Research Service estimates this administration has already squandered \$77 billion from fiscal year 2008 through fiscal year 2013 studying and trying to develop global climate change regulations.

This amendment is about fiscal responsibility and priorities. While research and modeling of the Earth's climate—including how and why Earth's climate is changing—can be of value, it is not central to the department's mission and is already being done by dozens of government, academic, business, and nonprofit organizations around the world. With more than 50 universities and academic institutions around the globe engaged in climate modeling, this particular issue is being addressed very well by the academic and nonprofit sector with much greater efficiency and speed than any government bureaucracy can offer. Further, the research and models utilized by our universities are not being manipulated to impose a partisan agenda.

Regardless of your opinion on climate change, I feel strongly that the House of Representatives must continue its firm position that we should not be wasting precious taxpayer resources on programs that are duplicitous in nature and compete with programs funded by private investment.

The wastefulness of the Climate Model and Validation program has been recognized by several outside spending and watchdog groups. This amendment proposal has been supported in the past by the Council for Citizens Against Government Waste, the American Conservative Union, Eagle Forum, and the Taxpayers Protection Alliance.

The House of Representatives has wisely declined to fund this program in fiscal years 2014, 2015, and 2016. Considering the extensive work being done to research, model, and forecast climate change trends by other areas in government, the private sector, and internationally, funding for this specific piece of President Obama's climate agenda is not only redundant, but inefficient. Considering the Nation's \$19 trillion in debt, it is also irresponsible.

I thank the chairman, ranking member, and committee for their work.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to this amendment.

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

Ms. KAPTUR. Mr. Chair, years ago, there were people that served in this body that denied that America should pass a Clean Water Act. Today, in many places in our country when we turn on the tap, we trust what we drink. We had to change our way of life. Yes, we had to make investments, but we produced a stronger country.

There were those who fought against the Clean Air Act. You can go back and read the RECORD. There are always those folks who have difficulty embracing the future.

This amendment blocks funding for the Department of Energy's Climate Model Development and Validation program. This is climate science denial at its worst.

It used to be that people said, well, it is okay that industry dumps in the water. It kind of washes everything out somewhere. Well, when the bald eagle became an endangered species, it became pretty clear that all of that pollution was causing long-term damage. Now the world's top scientists are telling us that we have a rapidly closing window to reduce our carbon pollution before the catastrophic impacts of climate change cannot be avoided.

So far, the world has already warmed by 0.9 degrees Celsius, and we are already seeing the effects of climate change. Most scientists agree that 2 degrees Celsius is the maximum amount we can warm without really dangerous tipping points, although many scientists now believe that even 2 degrees is far too much, given the effects we are already experiencing all around the world. But absent dramatic action, we are on track to warm 4 to 6 degrees Celsius by midcentury. That is more than 10 degrees Fahrenheit.

Even with the pledges to reduce carbon emissions as part of COP 21, we are still in danger of experiencing the drastic consequences of climate change, including increased frequency and intensity of extreme weather events and drought. The International Energy Agency has concluded that increased efforts are still needed—in addition to existing pledges—to stay within the 2-degree limit.

We are already seeing the devastation from climate change, including, recently, the evacuation of climate refugees from the Isle de Jean Charles near New Orleans. So you sort of think to the world you knew versus the world of the future, and you have to embrace the future, and you have to help those who are going to follow us.

There are multiple lines of evidence, including direct measurements, that life is changing. The projections that these models anticipate are critical as they provide the guideposts to understanding how quickly and how steeply the world needs to cut carbon pollution in order to avoid the worst effects of climate change.

The goal of the Department of Energy's Climate Model Development and Validation program is to further improve the reliability of climate models

and equip policymakers and citizens with tools to predict the current and future effects of climate change, such as sea level rise, extreme weather events, and drought.

This amendment scraps this program. It says “no” to enhancing the reliability of our climate models. Who wouldn't want that? It says “no” to investing in the security of the people of this Nation and the Nation's assets themselves. It says “no” to improving our understanding of how the climate is changing, and it says “no” to informing policymakers about the consequences of unmitigated climate change. That is absolutely irresponsible and an outcome this Nation cannot afford.

It is interesting. There is an author, Richard Louv, who has written a book, “Last Child in the Woods.” What it talks about is how America has become so technologically sophisticated that most people have lost a real connection to nature, especially our children, who spend 8 hours in front of a blue screen. But perhaps it is because of that technological advancement and lack of connection to nature that we do not have a population—including, perhaps, some who serve in this Chamber—that observe what nature is actually doing in her powerful force.

I would urge our colleagues to read that book and to think a little bit about reconnecting to nature, paying attention to what the temperature is of the lake near you or the ocean near you. Pay attention to what is happening in our coastal communities. Pay attention to what is happening in agriculture and our ability to produce food for the future because of changes in weather.

What is happening with rainfall? There is a lot going on. What happens to clouds in your region of the country? How close do they come to the Earth? When the rain falls, how severe are those weather events? These events are happening around our country and around our world.

Mr. Chairman, I have to rise in opposition, obviously, to this amendment and urge a “no” vote on this amendment because I don't think it leads us into the future. I think it takes us back into the past, to a world that does not exist anymore.

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

□ 1845

Mr. GOSAR. Mr. Chairman, could I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. GOSAR. Mr. Chairman, this amendment is not about making a statement about climate change or the validity of science. This amendment is about fiscal responsibility and efficiency.

More than 50 universities and institutions around the globe are engaged in

climate modeling. This particular issue is being addressed very well by the academic and nonprofit sector, with much greater efficiency and speed than government bureaucracy can offer.

Can I remind you of the VA? The government doesn't do anything very well at all, and we need to start looking at this.

When we talk about responsibility, \$19 trillion in debt, there are some apples that we need to start coming to look at. When we start looking at institutions that are actually doing this, they are hardly second-tier institutions—the Massachusetts Institute of Technology, MIT for short; the University of California, Berkeley. There are some really good people out there doing this work on our behalf.

When we start looking at efficacies and effectiveness, we need to look no further than the private sector and the universities that are already doing this. This is something we don't need to be duplicitous in and be partisan in our outcomes.

I ask my colleagues to vote for this amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MR. AL GREEN OF TEXAS

Mr. AL GREEN of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. In addition to the amounts otherwise provided under the heading "Department of the Army—Corps of Engineers—Civil—Construction", there is appropriated \$311,000,000 for fiscal year 2017, to remain available through fiscal year 2026, for an additional amount for flood control projects and storm damage reduction projects to save lives and protect property in areas affected by flooding on April 19th, 2016, that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided*, That such amount is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, as a preamble to my amendment, please allow me to thank the chairman, Mr. SIMPSON, for his courtesies. I would also like to thank the ranking member, Ms. KAPTUR, for her courtesies.

Mr. Chairman, if you live in Houston, Texas, you monitor the weather. You

monitor the weather, Mr. Chairman, because, over the last year, Houston, Texas, has been declared a disaster area not once, but twice. If you live in Houston, Texas, you monitor the weather because, in the last year, we have spent billions in recovery damages. If you live in Houston, Texas, you monitor the weather because, in the last year, we have lost 17 lives to flooding.

Houston has a problem. But there is a solution. This amendment—which is based upon H.R. 5025, an emergency supplemental bill—would accord \$311 million that will eventually be spent. This is not money that will not be spent in Houston, Texas, but money that will be spent on projects that are already authorized. The projects are authorized. The money is going to be spent.

However, we can take a piecemeal approach and do some now, some later, and spend billions more in recovery efforts, which is what we are doing. We are spending billions after floods when we could spend millions before and save money, save lives, and give Houston, Texas, and the citizens therein some degree of comfort.

Mr. Chairman, I believe that my friends in this House have a great deal of sympathy and a good deal of empathy for Houston, Texas, as is evidenced by the fact that over 70 Members have signed onto the bill, H.R. 5025. And we have bipartisan support. We have Republicans at the committee level who are doing what they can within the committee. We also have Democrats who are working to try to help Houston, Texas.

So I am honored tonight to stand in the well of the House to make this request, that Houston, Texas, be made a priority and that the Corps of Engineers, when they do assess the needs of the Nation, that Houston be given some degree of preference because money is being spent that need not be spent.

But, more importantly, Mr. Chairman and Madam Ranking Member, lives are being lost. Houston, Texas, has what are captioned as flash floods. You can find yourself in a circumstance from which you cannot extricate yourself, and you may lose your life when we have one of these inclement, adverse weather conditions.

They happen more often than prognosticated some years ago. It can be debated as to whether we are having 100-year floods or 500-year floods. That is debatable. But what is not debatable is the fact that we are having billion-dollar floods—billion-dollar floods—in Houston, Texas, a major American city declared a disaster area not once, but twice in the last year.

Mr. Chairman, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Chair, on April 18th the City of Houston and Harris County, Texas were subjected to paralyzing flooding which claimed the lives of seven of our citizens and required the rescue of 1,200 more.

Approximately 2,000 housing units were flooded and we are currently working to figure out where to house the folks who cannot return to their homes.

This is the second major flooding disaster Houston has experienced in the last six months and the City is expecting additional rain and thunderstorms on Friday and Saturday of this week.

Residents in our congressional district as well as other Member's districts have been severely affected and we must do something to stop the needless loss of life.

The President has recognized the significance of the catastrophe and a fulfilled a request for a disaster declaration.

Now it's the job of Congress to help our constituents.

I have worked closely with my neighbor and friend, Rep. AL GREEN to offer this amendment to the Energy and Water Appropriations bill.

The amendment would provide \$311 million dollars to the U.S. Army Corps of Engineers for the construction, and in most cases, completion of our bayous and flood control projects.

Flooding is not new in Houston but we've learned how to control it.

Our bayou system has saved countless lives and millions of dollars of damage since creation.

Unfortunately, due to consistent budget pressure, the Army Corps of Engineers cannot adequately fund these projects.

This amendment would ensure that our federal, state, and local authorities have the resources necessary to expedite the flood control projects we know protect people and property.

Mr. Chair, we can help the victims in our neighborhoods and we must help them.

I urge this body to pass this emergency funding legislation and do so quickly.

POINT OF ORDER

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

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

Mr. SIMPSON. I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment includes an emergency designation and, as such, constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

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

Mr. AL GREEN of Texas. Mr. Chairman, I would like to be heard, if I may.

The Acting CHAIR. The gentleman is recognized on the point of order.

Mr. AL GREEN of Texas. Would Chairman SIMPSON allow me to give my closing comments before we receive the ruling from the Chair, which will be just a few seconds more, I believe?

How much time do I have remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining on the amendment.

Does the gentleman wish to be heard on the point of order?

Mr. AL GREEN of Texas. Well, yes, on the point of order, if so, in so doing, I may speak to the flooding in Houston, Texas. I want to be appropriate as I do this, and I will yield to the wisdom of the Chair.

The Acting CHAIR. The Chair will rule.

The Chair finds that this amendment includes an emergency designation.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

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

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

Ms. KAPTUR. Mr. Chairman, I yield to the fine gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Chairman, I thank Ranking Member KAPTUR.

Please allow me to continue with just a brief commentary. I have a colleague who is not here, the Honorable GENE GREEN. He has asked that his statement with reference to this amendment be placed in the RECORD.

I would also add this. A good deal of my comments have emanated from, as I indicated, H.R. 5025.

This bill has bipartisan support. I see in the Chamber my good friend and colleague, the Honorable TED POE, who is one of the cosponsors of the legislation.

Some of my other colleagues who are cosponsoring from Texas would include the Honorable JOHN CULBERSON, the Honorable RANDY WEBER, the Honorable SHEILA JACKSON LEE, also the Honorable GENE GREEN whom I have mentioned. There are others as well.

This is bipartisan. This is a recognition that we are going to have problems that we can solve that will create greater circumstances than we should have to endure.

There is little reason for us to be back here a year or so from now indicating that we have had another flood, a billion-dollar flood—maybe less, maybe more—and that we may have lost lives in that future event.

My hope is that, while this amendment is not in order—and I accept the ruling of the Chair—my hope is that we will find a means by which we will do sooner that which we will do later, spend the \$311 million after we have had additional billion-dollar floods.

This amendment makes good sense. It is a commonsense solution.

I thank the ranking member for her very kind words and the opportunity that she has accorded me.

I thank you, Mr. SIMPSON, for being so generous as well.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. Mr. Chairman, I appreciate the gentleman's passion with

this and his obvious concern and interest. I will tell you that there is a great deal of support for what the gentleman is proposing.

Congressman POE, Congressman CULBERSON, as well as Members on your side of the aisle, have talked to us repeatedly about the issues that you address here.

While this amendment is out of order, I will promise to the gentleman that we will work with him to try to address this problem of one of America's great cities.

Mr. AL GREEN of Texas. Mr. Chairman, I thank the gentleman. As he knows, I believe his word is as good as gold.

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

AMENDMENT OFFERED BY MR. YOHO

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used by the Department of Energy to employ in excess of 95 percent of the Department's total number of employees as of the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chair, my amendment is simply a commonsense measure to help reduce the size of out-of-control Federal departments that continue to grow annually unchecked, increasing both scope, size, and increasing our spending, both discretionary and mandatory.

Our Nation is over \$19 trillion in debt—let me repeat that—\$19 trillion in debt. This Chamber, us, we, the people, in government, or Members of the people's House in charge of the taxpayers' purse strings, must start taking action to actively reduce our expenditures.

I appreciate the chairman and ranking member for their hard work on this bill. But I am concerned that the cost it will place on the American people is too great. We can do better and we must do better.

This amendment is offered as a modest solution and establishes a 5 percent across-the-board cut to the Department of Energy's total employees.

In the private sector, when scrambling to cover your costs, you have to make decisions, including sometimes the elimination of positions that are not essential to the overall purpose and mission of the organization, or you simply can't afford it.

Not only is reducing the current size of the Department's full-time staff essential, but I think it also should be accompanied by a 1-year hiring freeze.

In 2013, when the government was shut down—and I want to remind peo-

ple that the government shut down over money, and it wasn't from an excess; it was from a lack of it—the Department of Energy was faced with this very dilemma and made a decision to furlough 69 percent of its workforce. These workers were deemed non-essential.

I understand the circumstances were extraordinary, but the Department was still able to target areas within it that were not deemed essential to maintaining its most necessary functions.

My amendment is only requiring the Department to reduce its full-time employees by 5 percent, which in the scheme of things is nominal, but essential, in getting our country back on track fiscally, and it is the right thing to do.

For our Nation to remain prosperous and to keep the American Dream alive for generations to come, we must make these decisions now. We must scale back Federal spending. One cannot have personal freedom without financial freedom.

That same philosophy also applies to nations if they wish to pass on to their future generations the blessings of our past and our current posterity, liberties, and freedoms.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

□ 1900

Mr. SIMPSON. Mr. Chair, I claim the time in opposition to the amendment.

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

Mr. SIMPSON. Mr. Chair, I understand the desire for an efficient and effective Federal Government with an appropriately sized workforce. In fact, if the gentleman has specific programs or offices that he believes are currently overstaffed, I would be happy to work with him to see if that is the case and to figure out a way to address any problems we may find; but this amendment doesn't look at specific details and make targeted reductions.

It requires the Department of Energy to furlough 5 percent of its employees on October 1. It doesn't allow the Department time to review whether it might need more people to carry out its national security responsibilities, for instance, or fewer people to carry out other programs whose work is ramping down or is being reduced by this bill. That is not good government. That is putting almost 800 people across the country out of work for no good reason.

The underlying bill, on the other hand, includes reasonable and targeted reductions to funding levels for the Department's administrative accounts. The departmental administration account was \$36 million below the President's budget request in the bill that was brought to the floor, and amendments already passed by the House have resulted in further cuts to the departmental administration. Federal

salaries and expenses for the National Nuclear Security Administration are \$30 million below the President's request. The funding levels in this bill send a clear message about growth in the Federal workforce. Requiring an automatic 5 percent cut across the board is a step too far. As I said, it is not good government.

For these reasons, I oppose this amendment, and I urge my colleagues to vote against it.

I would also note that when the gentleman said that during the government shutdown, it furloughed 60-some-odd percent of its employees, remember, we are talking 16 days here, and these employees were labeled as "non-essential." The same thing happened in Congress. At least I know in my office—and I would suspect in the gentleman's office—we had to declare which employees were nonessential. Those employees now work for me again and have been rehired. I would suspect they have been in the gentleman's office, too. Just because they were furloughed during a 16-day government shutdown doesn't mean they are, essentially, nonessential.

I don't think this is a well-thought-out amendment. I oppose it, and I urge my colleagues to oppose it.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Ohio.

Ms. KAPTUR. I thank the gentleman.

Mr. Chair, I join the chairman in opposing this amendment. It is, truly, a blunt cut—5 percent to the Department of Energy from its current level with no analysis, no consultation, no consideration of impact. It is just a blunt cut. It would actually mean about 700 people who would be fired at headquarters, at field offices, even at our Power Marketing Administrations across the West. Layoffs of this magnitude would profoundly impede the Department of Energy's ability to oversee its nuclear security responsibilities, its science and energy and environmental cleanup mandates.

I strenuously oppose this amendment and urge the gentleman to bring back a more thoughtful amendment at some point if he wishes, but I don't support the blunt cut.

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

Mr. YOHO. Mr. Chair, I appreciate the chairman and ranking member's opposition.

I would like to remind them that this amendment is a necessary step in reducing the size and scope of the Federal Government. We are approaching \$20 trillion in debt. That approximates to about \$60,000 for every man, woman, and child in America. When we talked about nonessential employees, I didn't have any in my office. Everybody in my office was essential, so we didn't lay anybody off. We didn't put them off.

The gentleman laughs, which is fine.

The executive departments and agencies have gradually taken on the per-

sonification of the 1958 horror flick, "The Blob." Departments like the DOE are consuming everything in their path and increasing their own presence in the private sector.

At what point do we say enough is enough? At what point do we say we are going to get our spending under control?

This is a small, 5 percent incremental change to the Department of Energy. It is not specific because it gives the flexibility to the Department to come up with the changes that it wants, keeping in mind that our Federal Government's number one task is national security; so the people who are tasked to run the Department of Energy can make the commonsense and the needed reforms that they need to.

Again, in the private sector, you see the major companies changing and laying off people as they need to. Government continues to grow, and it adds not just to the discretionary spending, but also to the mandatory spending that goes into Social Security and retirement.

We have a responsibility to the American people and to future generations to fix the problems at hand instead of giving rhetoric and saying: Well, it is not specific enough. We need to stand up and say: The time is now. If we start now with small, incremental changes, we can change the direction of our Nation's debt while we still have the option because the day will come when we will not have that option with our out-of-control spending.

I am telling my colleagues, if they really want to change the debt structure in this country and get a handle on it, it is time we start now and stop talking about it. I urge people to support this.

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FOSTER

Mr. FOSTER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used by the Secretary of Energy for the Experimental Program to Stimulate Competitive Research.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

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

I offer an amendment on behalf of me and my colleague, Congressman SCOTT GARRETT, who is my Republican co-chair of the Payer State Caucus, which is a group of Members opposed to the

massive transfer of wealth between one set of States to another.

This amendment is a very simple one that would prohibit any of the funds in this bill from being used in the Experimental Program to Stimulate Competitive Research, otherwise known as EPSCoR. EPSCoR was started in 1978 as an experimental program in the hopes of strengthening research infrastructure in areas of the country that receive less than their fair share, however defined.

As a scientist and as an American, I think this goal is commendable, but the implementation of this program—and, in particular, the formulas used to earmark grants to a specific set of States—is absurd. The ability to participate in EPSCoR opportunities is based solely on whether or not a State has received less than 0.75 percent of the NSF research funding in the previous 3 years. Let me reiterate that. The Department of Energy's EPSCoR eligibility is determined by how much NSF research funding a given State has received in the previous 3 years.

There is no rational basis for earmarking a grant program in one area of spending based on the spending in another unrelated program. Moreover, because EPSCoR considers the funding on a per-State basis rather than on a per capita basis, it has devolved into just another one of the many programs that steers money into States that already get far more than their fair share of Federal spending.

EPSCoR is emblematic of a larger problem we have in this country. Every year, hundreds of billions of dollars are transferred out of States that pay far more in Federal taxes than they receive back in Federal spending—the payer States—and into States that receive a lot more Federal spending than they pay back in taxes—the taker States. In the case of Illinois, our economy loses \$40 billion a year because we pay far more in Federal taxes than we receive back in Federal spending. As for my colleague from New Jersey, his State on a per capita basis has it even worse. This alone is responsible for the fiscal stress in both of our States.

This is an enormous and unjustifiable redistribution of wealth between the States. This amendment takes a first small step to begin rolling back these taker State preferences by eliminating one of the many—but one of the most unjustifiable of them—the EPSCoR program.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chair, I claim the time in opposition to the amendment.

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

Mr. SIMPSON. Mr. Chair, I appreciate my colleague's passion for the Office of Science. I am a strong supporter of the Office of Science and the work that they do.

As the Nation's largest supporter of basic research in the physical sciences, the Office of Science directs important research funding to the national laboratories and universities across this

country. The EPSCoR program extends this even further by supporting research in areas where there has historically been less Federal funding.

The program has been successful in laying the foundation and in expanding research programs in the basic sciences across the Nation. Taking away this funding puts existing grants and partnerships in jeopardy at the many universities that receive EPSCoR grants. Therefore, I must oppose this amendment and urge other Members to do the same.

Mr. Chair, I yield such time as he may consume to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the chairman for yielding.

Mr. Chair, I rise in opposition to this amendment, which would eliminate funding for the Department of Energy's EPSCoR program.

For more than 40 years, the Department of Energy has provided academic research funding to colleges and universities around the Nation, and it has been critical to ongoing research that is essential to maintaining our competitive edge in energy advancement.

The DOE's Experimental Program to Stimulate Competitive Research, commonly known as EPSCoR, is a science-driven, merit-based program, whose mission is to help balance the allocation of DOE and other Federal research and development funding to avoid an undue concentration of money to only a few States.

This successful program has had a profound impact on my home State of Rhode Island by allowing our academic institutions to increase research capacity, to enrich the experiences of their students, and to contribute to important advances in a variety of fields. Currently, 24 States, including Rhode Island, and three jurisdictions account for only about 6 percent of all DOE funding despite the fact that these States account for 20 percent of the U.S. population. EPSCoR has helped to stabilize this imbalance in funding, and it should continue to do so in the 2017 fiscal year and beyond.

In order to ensure robust academic research and outcomes across the country, geographic diversity in funding should be considered to ensure that we are taking advantage of the particular experiences, knowledge, and perspectives of academic institutions from every State. This amendment to eliminate this successful program would be a step backward for the United States' commitment to research and development. Investments in critical programs, such as EPSCoR, are essential to creating jobs, innovating for the future, and maintaining our competitive edge in scientific research and a global economy.

I urge my colleagues to join me in strongly opposing this amendment.

Mr. FOSTER. Mr. Chair, I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from Illinois has 2 minutes remaining.

Mr. FOSTER. Mr. Chair, first off, I would like to emphasize that this does not take away funding from the Office of Science. It eliminates a very poorly designed set-aside that is based on spending that is completely unrelated to the actual Office of Science.

If the goal of this program were to equalize the funding in the Office of Science, then it should be based on the actual expenditures of the Office of Science so that States that are underrepresented there would, presumably, be able to qualify for these. It does not do that. If it were designed to equalize the spending between States that receive a lot more Federal funding than those that don't, then you would see a very different set of States in this.

Particularly the fact that it is not based on a per capita basis is the fundamental flaw in this thing. If you look at those States, the single distinguishing characteristic is not that they are poor or rural or anything else; it is that they have small populations, which means that they are overrepresented in the Senate.

One of the main mechanisms for transferring wealth out of large States like New Jersey, like Illinois, like California, and a large number of other States into smaller States are spending formulas that have, frankly, been cooked up in the Senate, where small States are overrepresented and the formulas steer large amounts of money into them.

If this were based on a per capita basis, it would, at least, be rational. If the Office of Science's funding were based on actual expenditures, at least in the Department of Energy, it would be rational. What we see are States receiving EPSCoR funds that get far more than their share both in Federal funding and in Department of Energy funding overall. A rational program would, first off, collect all research funding in all areas and base the set-asides on that. Secondly, it would do it on a per capita basis.

These are fundamental flaws, and at this point it is preferable to just eliminate the entire program and start over if people think it is a useful thing.

I urge my colleagues to support this bipartisan amendment.

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

□ 1915

Mr. SIMPSON. Mr. Chair, I appreciate the gentleman's arguments. It sounds like we are back at the Constitutional Convention: Should we have the legislative branch of government be represented by the population, or should it be represented by the States? I know. Let's compromise. Let's have two bodies, one that represents the States with an equal number from each State, and one that represents the population. We will call one the House of Representatives, and we will call one the Senate. That is how it works out.

We are one Nation, and we try to make sure that funds go to all States.

Some of them have a disadvantage just by the sheer size. And if you look at Idaho, we are the 12th largest State, and, I suspect, populationwise, we are down there substantially. Montana is probably even worse off than we are. So it is almost impossible for the universities and so forth to compete with some of the larger States.

So we can argue about whether the formulas are correct or absolutely correct or if they shouldn't be modified or anything else like that, and I am more than willing to do that, but to eliminate the program I think is just an entire mistake.

I would urge my colleagues to vote against this amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT OFFERED BY MRS. BLACK

Mrs. BLACK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. 508. None of the funds made available by this Act may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACK. Mr. Chairman, sanctuary cities flaunt our laws and put our citizens at risk. We need only to look at the tragic 2015 murder of Kate Steinle in San Francisco to see the grave danger of allowing cities to ignore the Federal immigration policy. We cannot allow this to stand. That is why I am introducing this amendment to the Energy and Water Development and Related Agencies Appropriations bill that would ban funding to any State or city that refuses to comply with our immigration laws.

Mr. Chair, I recognize that some of my colleagues may say that an amendment like this is better suited on the Homeland Security or the Commerce, Justice, Science Appropriations bill; and, indeed, I joined my colleague, Congressman GOSAR, on a letter to the subcommittees asking that similar language be attached to their bills as well. But the truth is, Mr. Chairman, amnesty for lawbreakers impacts every aspect of our society: our jobs, our security, and, in the case of Ms. Steinle, a young innocent woman's life.

I believe the crisis of sanctuary cities demands a multipronged response, and this amendment can be a piece of that effort. If cities choose to put their citizens at risk in defiance of Federal law—yes, in defiance of Federal law—there is no reason to continue spending Federal money on their energy and water projects. It is really that simple.

I urge my colleagues to take a vote for your constituents and support this commonsense amendment.

I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition.

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

Ms. KAPTUR. Mr. Chair, the Black amendment would prohibit financial assistance to any State or political subdivision that is acting in contravention of the Illegal Immigration Reform and Immigrant Responsibility Act. But this is an energy and water bill. This isn't a part of our bill.

I rise in opposition to the amendment because it is, frankly, non-germane. The Department of Energy isn't involved. The Army Corps of Engineers or the Bureau of Reclamation or the regional independent agencies that are under the jurisdiction of this bill have nothing to do with the concern that the gentlewoman raises.

Why are we debating immigration policy on an Energy and Water Appropriations bill? It doesn't make any sense.

Frankly, the amendment would prohibit funding for State and local governments that have policies against the sharing of information related to immigration status, but State and local law enforcement routinely and automatically share biometric information with ICE that is used to determine immigration status. They do so through the same electronic system that shares these biometrics with the FBI for checks against the criminal databases. So even if this amendment were germane, I don't think the amendment is necessary or would do what the gentlewoman believes that it would do.

Even more to the point, if the premise of the amendment is that local law enforcement agencies aren't notifying ICE prior to releasing from custody individuals who fit ICE immigration enforcement priorities, then the amendment is misguided because the Department of Homeland Security has established a priority enforcement program, known as the PEP, designed to better work with State and local law enforcement to take custody of criminal aliens who pose a danger in public safety before they are released into our communities.

Prior to that program's establishment, 377 jurisdictions refused to honor some or all of ICE detainers. But as of early this year, 277 of those jurisdictions, or 73 percent, have now signed up to participate in that program by responding to ICE requests for notification, honoring detainer requests, or both.

So the Department of Homeland Security is making good progress in soliciting the participation of State and local law enforcement in the PEP program, and we should support them in those efforts and avoid muddling the issue and reject this amendment.

The Department of Homeland Security is not a part of the Appropriations Energy and Water Development, and Related Agencies Subcommittee; and it is doubtful that this amendment would have any effect, even if it were germane to the bill and not subject to a point of order.

Because this biometric sharing system is in effect across the country, no jurisdiction currently refuses to share information about immigration with ICE. So, as a result, it is difficult to see how this amendment would have any effect whatsoever, even if it were offered on the Commerce, Justice, Science, and Related Agencies Committee or the Department of Homeland Security bills.

I urge my colleagues to oppose this amendment. Frankly, it is not germane to this bill.

I yield back the balance of my time.

Mrs. BLACK. Mr. Chair, it really is ironic that this amendment is even necessary. It would not be necessary if the executive branch and the Department of Justice and Homeland Security were all doing their job and applying the law to each one of these sanctuary cities.

I do want to point to the fact that, back in February of this year, Attorney General Loretta Lynch testified before the House Appropriations Committee. It was in that committee that she talked about cracking down on what is happening in these sanctuary cities. I want to read what was in The Washington Times that came as a result of that testimony:

"The Obama administration is preparing to crack down on sanctuary cities, Attorney General Loretta Lynch told Congress on Wednesday, saying she would try to stop Federal grant money from going to jurisdictions that actively thwart agents seeking to deport illegal immigrants."

It goes on to say that there was a follow-up in a letter to Mr. CULBERSON that week that the Justice Department said that if it determined that a city or a county receiving Federal grants is refusing to cooperate with ICE agents, they could lose money and face criminal prosecution.

So, hopefully, we will see the administration crack down on what really is unlawful, and that is for these sanctuary cities to be in operation at all. They should not be receiving any Federal funds in each one of these appropriation bills, and that is exactly what this amendment does.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCNERNEY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. No Federal funds under this Act may be used for a project with respect to which an investigation was initiated by the Inspector General of the Department of the Interior during calendar years 2015, 2016, or 2017.

Mr. MCNERNEY (during the reading). Mr. Chair, I ask unanimous consent that my amendment be considered read.

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

Mr. SIMPSON. Mr. Chairman, I would object to waiving the reading.

The Acting CHAIR. The Clerk will continue to read.

The Clerk continued to read.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, California, like much of the West, has been enduring a devastating drought. This affects the livelihoods of families, farmers, and small businesses throughout the State.

California's Governor now wants to move forward with something called WaterFix tunnels plan, which will build two massive tunnels to divert water from one part of the State to another.

I agree with every other Californian that we need long-term, statewide solutions to our State's water needs. I agree that there needs to be some level of certainty for the families, farmers, and small businesses about our water supply. To do that, we need to focus on conservation, recycling, reuse, storage, and leak detection and fixing. The WaterFix tunnels do none of these things. It creates no new water at all.

California voters and the State legislature haven't agreed on whether or not to fund this project, which is expected to exceed at least \$25 billion, and that cost keeps rising. In addition, the Federal Government is expected to contribute \$4 billion.

The cost of this plan is an even more important issue now that the Department of the Interior inspector general has opened an investigation into the possible illegal use of millions of dollars by the California Department of Water Resources in preparing environmental documents for the WaterFix tunnels plan. Instead of funding important habitat improvements, the State

administration may be using Federal funds for the tunnel plan that will harm critical habitat for at least five endangered and threatened species.

California needs a water solution for the entire State, not one that is too expensive, doesn't create water, and is potentially the source of misappropriated funds. We have to use the funding for projects that make sense for California, that make California resilient and regionally self-sufficient.

My amendment will ban the government from funding tunnels taking our water, especially while subject to Federal investigation.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

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

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

Mr. SIMPSON. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment imposes additional duties.

I ask for a ruling from the Chair.

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

If not, the Chair is prepared to rule.

The Chair finds that this amendment requires a new determination on the Federal officials covered by the bill with regard to investigations of the Department of the Interior.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. MCNERNEY. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. The amendment has been ruled out and is no longer pending.

□ 1930

AMENDMENT OFFERED BY MR. BYRNE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. In allocating funds made available by this Act for projects of the Army Corps of Engineers, the Chief of Engineers shall give priority to the Dog River, Fowl River, Fly Creek, Bayou Coden, and Bayou La Batre projects.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from Alabama and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my amendment would allow for a number of important Army Corps of Engineers projects in my home district of coastal Alabama to move forward.

In many areas, our Nation's waterways are the lifeblood of the economy. Being from a port city, I certainly understand this and appreciate the work the Army Corps of Engineers does to keep our waterways well maintained.

I know the Army Corps works hard in tandem with Congress to prioritize projects to keep our waterways and ports open for commerce. Unfortunately, at times, it seems like smaller projects in our more rural areas get ignored or forgotten altogether. While they may not include a major waterway, these projects are vital to many of our local communities and have a significant economic impact from commercial and recreational fishing as well as tourism in general.

My amendment seeks to prioritize some projects in southwest Alabama that are long overdue. These include a project to dredge Fly Creek in Baldwin County, where depths need restoring after severe flooding in 2014. Another project would allow for Dog and Fowl Rivers to be dredged to help accommodate commercial and recreational fishing. This project hasn't been touched since 2009. Yet another project that needs attention is Bayou Coden, which is an important area for local shipbuilding.

I must thank the Army Corps of Engineers for their attention to a few projects in coastal Alabama, such as dredging Perdido Pass and the Bon Secour River. These are critical projects, but more work remains.

Mr. Chairman, I understand that my amendment may not be allowed under House rules, but I believe it is important to have this debate and remind the Committee on Appropriations as well as the Army Corps of Engineers about the importance of these smaller projects that really make a huge difference in communities across the United States.

In these tight budget times, I know it can be difficult to balance the need for major Army Corps projects with smaller projects like the one I have mentioned, but I hope the Army Corps will work with Congress to seek a proper balance that ensures our smaller waterways receive the maintenance and attention they deserve.

Mr. Chairman, I reserve the balance of my time.

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

Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. SIMPSON. Mr. Chairman, I do understand the gentleman's concern. In fact, this is an issue we hear about

from quite a few Members. The administration's insistence on budgeting on tonnage alone with no other consideration is shortsighted. That is why this bill provides additional funding specifically for small navigation projects, and the report encourages the administration to correct its budget criteria.

Unfortunately, the gentleman's amendment would establish priority in funding for specific projects. That is not something I can support, particularly in light of the House prohibition on congressional earmarks.

I would urge my colleague to withdraw his amendment and instead continue to work with the committee to show the administration the importance of small navigation projects.

Mr. BYRNE. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, I appreciate the gentleman's words. He is a man of his word. I appreciate his understanding the importance of these projects.

Having heard his words, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. MCNERNEY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to issue Federal debt forgiveness or capital repayment forgiveness for any district or entity served by the Central Valley Project if the district or entity has been subject to an order from the Securities and Exchange Commission finding a violation of section 17(a)(2) of the Securities Act of 1933 (15 U.S.C. 77q(a)(2)).

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, my amendment is being raised to raise awareness of a very unjust situation. My amendment would ban Federal funding for debt forgiveness to any entity that has been subject to an order finding a violation of the Securities Act of 1933.

This is timely because there was a hearing yesterday in the Committee on Natural Resources that included two bills that would affirm a drainage settlement between the United States and Westlands Water District. This settlement would award Federal forgiveness

to Westlands, which has violated such an SEC order.

These agreements matter because they will result in a \$300 million taxpayer giveaway. They also fail to address or solve the extreme water pollution these irrigation districts discharge into the San Joaquin River and California delta estuary.

These settlement agreements do not require enough land retirements and provide more access to water, further draining the delta, and there are no real performance standards or oversight if pollution runoff is mismanaged.

Considering recent news of the SEC fining Westlands due to its conduct in misleading investors about its financial health, the lack of specific performance standards and enforcement tools makes the current settlement terms even more questionable.

My amendment will ban the government from funding the debt forgiveness of these agreements not only because these agreements are bad for California, but no entity should have Federal debt forgiveness when they have violated Federal laws.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. BYRNE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. (a) None of the funds made available by this Act may be used for the Energy Information Administration.

(b) The amount otherwise made available by this Act for "Department of Energy—Energy Programs—Energy Information Administration" is hereby reduced to \$0.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my amendment would prohibit any funding from going to the Energy Information Administration, which under this bill is set to receive \$122 million in taxpayer money.

Mr. Chairman, rule XXI of the House rules prohibits funding programs that are not authorized under law. The authorization process is so important because it gives Congress the ability to set each agency's agenda, provide proper oversight, and ensure the agency is fulfilling the mission it was designed by Congress to meet.

Nearly one-third of the Federal discretionary spending goes to programs whose mandate to exist has expired. In this bill, we will fund 28 programs that

have expired authorizations, many which expired in the 1980s. One program that we are funding has existed since the 1970s, but has never been authorized by Congress.

The Energy Information Administration, which this amendment would block funding for, is one of the worst offenders. Its authorization expired in 1984, over 30 years ago. That means that the last time this agency received proper congressional instructions, oversight, and review, the Los Angeles Raiders had won the Super Bowl, Ronald Reagan was in the White House, and "Ghostbusters" was in the theaters.

The Energy Information Administration has seen its fair share of challenges since it was last authorized. In fact, a few years ago The Wall Street Journal wrote an article about how errors by the EIA caused a significant jump in oil prices. The same story noted that the agency was vulnerable to hacking and that information could be easily compromised, yet this body has not acted on an authorization.

Mr. Chairman, I don't question that there may be some important functions performed by this agency, but at some point we must have accountability in the authorization process. If my amendment is approved, we can send a message as a House that we are serious about fiscal discipline and demand that, if a program is worthy to receive taxpayer funds, it should be authorized by the Congress.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. SIMPSON. Mr. Chairman, this is kind of a hard one because I have to tell you, in all honesty, I agree with the gentleman. There are too many programs that are not authorized. Unfortunately, it is not the Committee on Appropriations' responsibility. It is the authorizing committees that haven't been doing their job.

It is not the EIA's fault that they are not reauthorized. It is that Congress has not done their job in reauthorizing them. As the gentleman has stated, there are many, many programs throughout. I think the whole Department of State is up for reauthorization and hasn't been reauthorized.

The gentleman is absolutely right. We need to do something about that. We have been debating and discussing how exactly you do that. We have had various proposals. In fact, members of our Conference are looking at it now. I know Mr. MCCLINTOCK is very interested in doing this. We have talked about it several times. We are trying to find some way to force the authorizing committees to actually do their job and do the reauthorizations that are necessary.

But I rise to oppose this amendment. The amendment proposes to eliminate

funding for the Energy Information Administration, a semi-independent agency that collects, analyzes, and disseminates impartial energy statistics and information to the Nation. The EIA performs essential work for understanding the electricity generation and energy consumption in the complex energy markets that make up our Nation. The EIA provides a statistical and informational service to the private sector that the private sector would not.

Eliminating this funding would immediately impact the ability to perform energy policy and would remove essential reports on the energy market. Eliminating the EIA would have virtually no effect on the total spending in this bill, but would negatively impact our ability to make energy policies.

I must oppose this amendment, although I sympathize with what the gentleman is trying to do. I would be willing to work with him and any others who are willing to work with a way to force the authorizing committees to do the authorizations that should be being redone or the reauthorizations that should be redone.

The reason things expire and the reason they need to be reauthorized is because you need to look to see if they are doing what we intended when we enacted them. Sometimes they are. Sometimes they are not. Sometimes they need to be modified. Sometimes they need to be amended. But if we don't get back to reauthorizing them, that never happens, and that is our fault, Congress' fault.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Ohio.

Ms. KAPTUR. I appreciate the chairman yielding to me. I agree with his opposition to this amendment.

Why blame one of the best parts of our government, in my opinion, for Congress not doing its job? I am always impressed with the Energy Information Administration. Their data is stellar. They are professionally run. The business community looks to them. Frankly, the global energy community looks to them.

I think the amendment is short-sighted and would eliminate one of the best, most important sources of information that guides all of our decisions. They are so precise. The data that they present also can be easily understood. They have maps. They have charts. They have continuous data over a number of years.

I think the gentleman wants to solve a problem, but I think that one could say that this amendment might be penny wise and pound foolish because, if you have had any experience with the Energy Information Administration, you know how excellent they really are and their work is.

We depend on it in order to make solid decisions to save money or to make decisions that are sound rather than unsound. Don't rip the heart out

of one of the most important administrations that we have at the Federal level on the energy front.

I thank the chairman for yielding.

I would urge that this amendment be defeated.

Mr. SIMPSON. Let me just explain that this is something that I have been trying to find a solution to for a number of years. When I was chairman of the Interior, Environment and Related Agencies Appropriations Subcommittee—this has been like 4 years ago—the Endangered Species Act had not been reauthorized for 23 years at the time. It is like 27 years now that it has not been reauthorized. We brought down the Interior appropriation bill, and we put no money in it for endangered species listing or for critical habitat designation, and the intent was to force the Committee on Natural Resources to do a reauthorization of the Endangered Species Act.

□ 1945

The individual who was supporting me the most was the then-chairman of the Natural Resources Committee. Well, of course, we lost an amendment because nobody wants to eliminate all the funding for the Endangered Species Act. But the gentleman that supported me the most was the chairman of the Natural Resources Committee at the time, who had the ability and authority to go do a reauthorization of the Endangered Species Act, but didn't do it. And it still hasn't been done.

It is frustrating. I want to work with anybody in this body that is willing to try to find a way to put pressure on the committees to do their job.

I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I appreciate the gentleman's remarks. I accept his offer. I look forward to working with him. We have got to start somewhere, and this is a good place to start.

I heard the gentlewoman's remarks. The Wall Street Journal reported that this agency caused an increase in oil prices by one of its malfunctions. So I don't think it is quite a perfect agency as she made it out to be. This is a point that we need to make. And I intend to continue to make this point as we go through the appropriations process.

I urge a "yes" vote on this amendment.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used in contravention of

Executive Order No. 13672 of July 21, 2014 ("Further Amendments to Executive order 11478, Equal Employment in the Federal Government, and Executive Order 11246, Equal Employment Opportunity").

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, last week, I came to the floor to offer an amendment to preserve basic workplace protections for LGBT Americans. My amendment would have kept taxpayer dollars from going to government contractors who discriminate against LGBT employees. That is it. It said you cannot take taxpayer dollars and fire people just for being gay.

There are 28 million Americans working for employers who receive taxpayer dollars, and simple math will tell you millions would have been protected from arbitrary firing. So it made sense, it was fair, and it deserved a fair vote.

When the vote was held, a bipartisan majority of this House, including 36 members of the majority party, supported my amendment. That tally clock right there showed 217 "yes" votes—4 more than the 213 needed that day to pass. With all time expired, it was clear as can be that equality had won the vote.

But when the world watched, something else happened. Something shameful happened. Something about sticking up for basic workplace fairness for LGBT Americans rankled certain people around here.

Even though my amendment simply would have applied the same standard to LGBT employees that we have long applied when people are fired because of their race or gender or religion or disability, it simply was too much. Even though we would have preserved time-honored religious exemptions, it was too much. Something about treating LGBT people fairly just wouldn't do.

So people went to work. Even though all Members had voted, strangely, the expired clock stayed up four times longer than it should have. The gavel did not fall. And as we all watched, the tally began to change: 217, 216, 215. The votes in support were dropping. Members of this House were changing their votes. Why? From being in support of fairness, they were now changing them to be opposed to it.

Down the vote went, 214, 213, and yet no one came to the well, as is customary, to announce their vote. It was all in secret, happening out of sight, so no one might see the ugly reality of what was happening.

And what happened? Well, when it hit 212, one vote shy of the majority it needed to pass—one vote shy of the majority it had a few moments earlier—the gavel came down and the result was declared. A defeat.

It was a shameful exercise, made more shameful in that it took place on

a civil rights vote that enjoyed a bipartisan majority of support in this House. From Portland, Maine, to Des Moines, Iowa, to southeast Oregon, to Bakersfield, California, newspaper editorial boards, radio hosts, and ordinary citizens joined a chorus that was heard first on this floor. "Shame," they said. Shame on those who would betray the will of this House, who would betray this vote, and shame on anyone who would rig this vote and rig our democracy.

Shame on those who snatched discrimination from the jaws of equality, especially those "Switching Seven" who, having at first voted for fairness, allowed themselves to be dragged backward into voting for discrimination.

On Friday, at a meeting of my Veterans' Advisory Board back home, I spoke to decorated military heroes and civilians who have dedicated their lives to the service of this country. To a person, they were outraged by what happened on the floor of this House.

One member of the group, Edie, who served as a first lieutenant and combat medic in Vietnam, said when she heard about the rigged vote, she thought of her daughter, who right now is serving her country in the military. And Edie's daughter is a lesbian.

Edie said:

When my daughter finishes her active military service, she will enter the civilian workforce—perhaps for a government contractor, as so many vets do. Will they be able to fire her, even though she and I are both veterans?

Mr. Chairman, does Edie's service in combat count for anything here? Does her daughter's service right now to this country count for anything here?

Her daughter isn't alone. There are 71,000 Active Duty LGBT servicemen and -women right now and over 1 million LGBT veterans. Making it easier to fire LGBT Americans, even LGBT veterans, isn't honoring our values. It is sacrificing them to preserve a worn out and dying prejudice that weakens our Nation rather than strengthening it.

So, today, I want to thank Speaker RYAN for allowing an open process so that I can offer my amendment again. It is through this open process that we can give our colleagues another chance—a second chance—to do the right thing and to stand for equality.

Let us this time ensure that no taxpayer dollars will be used to discriminate against hardworking Americans simply because of who they are, simply because of who they love. And we will also reaffirm legitimate religious exemptions that the President also included in his executive orders on this subject.

Discrimination has no place in our law. It does not make our water cleaner. It does not power our homes. It doesn't defeat ISIS. It doesn't support our veterans.

Every American deserves the right to work, support a family, and achieve the American Dream, regardless of who they are or who they love.

I urge my colleagues to stand up to discrimination and adopt my amendment to the bill.

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

AMENDMENT OFFERED BY MR. PITTS TO AMENDMENT OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

Mr. PITTS. Mr. Chairman, I have an amendment to the amendment.

The Acting CHAIR. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

In the section proposed to be added, insert before the period at the end the following: “, except as required by the First Amendment, the Fourteenth Amendment, and Article I of the Constitution”.

Ms. KAPTUR. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes on the amendment to the amendment.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PITTS. Mr. Chairman, I would like to offer this perfecting amendment to my colleague's amendment.

This is amendment is very simple. It would merely state that, as the Federal Government spends money with regard to contracting, the administration must not run afoul of the First Amendment, the 14th Amendment, or Article I of the Constitution.

The President's executive order referred to in the Maloney amendment defines a law that was never defined by Congress. It violates the equal protection rights of individuals who are merely seeking work from the government.

With this amendment, this Congress can help ensure that, while funds may be going out the door to implement this policy, he must respect Congress' authority to write the law, respect an individual's right to exercise his or her religion, and respect their rights to work.

Does anyone in this Chamber seriously oppose Article I of the Constitution, the First Amendment, or the 14th Amendment?

I urge my colleagues to join me in supporting the Constitution and limiting the damaging effects of this executive order.

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

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, may I have the amendment read back? Does it include only the First Amendment, the 14th Amendment, and the Equal Protection Clause?

The Acting CHAIR. Without objection, the amendment to the amendment will be reported.

There was no objection.

The Clerk reported the amendment.

The Acting CHAIR. The gentleman from New York is recognized.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chair, I would like to ask my colleague what is meant by Article I of the Constitution, if he could clarify that for us.

No one who supports my amendment—certainly, not I—has any problem with the First Amendment, the 14th Amendment, particularly the Equal Protection Clause, or with Article I of the Constitution, I assure the gentleman.

I also, however, would note—and I am sure the gentleman would appreciate—that many times throughout American history, Presidents, under their authority under the Constitution, have acted in the area of workplace discrimination, particularly in the executive branch.

For example, would the gentleman oppose President Truman's action to integrate the armed services? Perhaps he would like that order to be circumscribed in some way, if he thinks that violates Article I of the Constitution, the 14th Amendment, or the First Amendment to the Constitution?

In other words, the President has, throughout American history, under his constitutional authority, taken actions to widen the circle of opportunity and to end discrimination in the executive branch.

Nothing in my amendment is in any way at odds with the Constitution of the United States or the amendments thereto, but it should not be allowed to go unchallenged on the floor of this House to suggest that President Obama, in his executive action in 2014, ran afoul of any of those things either.

Indeed, I am unaware of any legal challenge to the President's action in those executive orders of 2014. It is pretty clear to me that, if there was something illegal or unconstitutional about them, there would have been a challenge.

I don't think anybody seriously contests the President's authority to do what he did in 2014, and many Americans welcome it as one of the signature equal protection actions by a Commander in Chief or by a President of the United States.

So, far from being concerned about reconciling our activities with the Constitution, we believe they are perfectly consistent. Therefore, I would ask the gentleman if he would be willing to also include, since we are so fond of the Constitution, Article II of the Constitution which specifies the powers of the President?

If the gentleman would answer that question.

In other words, if we are so fond of the Constitution, what do you say we follow the whole thing, including the Civil War amendments, including some of the things about equal protection and due process. You might have heard something about that. We had a little

bit dispute about that in the mid-19th century.

What do you say we abide by the whole Constitution; the part that tries to make it more progressive, more inclusive of people like me, of people of color, of women, of people who are shut out when it was written?

How about we include the whole Constitution? Can we do that?

The Acting CHAIR. The gentleman will address his remarks to the Chair.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, how about we include the whole Constitution? Can we do that?

Hearing no objection, I assume we are including the entire Constitution, including the powers of the President under Article II.

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

The Acting CHAIR. The gentleman from Pennsylvania has yielded back his time.

Therefore, the gentleman from New York is recognized on the amendment to the amendment.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. SEAN PATRICK MALONEY of New York. Well, then, let me just say again, the point of today's vote is to redo a mistake that was made in this House.

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But of course it wasn't really a mistake, was it?

It was an effort to change the outcome of a bipartisan majority supporting an amendment to end discrimination in Federal contracting.

So today, what we are doing is getting a second bite at that apple, giving Members a chance to vote their conscience, to do the right thing, free from any pressure, free from any vote swapping or switching, free from a clock being held open long after it should have closed.

The American people want to know if their government is on the level, so let's have this vote on the level. We know there is a bipartisan majority for equality in this House, and, if allowed a fair vote, we know what the outcome will be. I look forward to that vote, Mr. Chairman.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, I withdraw my reservation of a point of order on the amendment to the amendment.

The Acting CHAIR. The reservation of the point of order is withdrawn.

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

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

Ms. KAPTUR. Mr. Chairman, I just wanted to say that I associate myself with Congressman MALONEY's remarks. Workplace discrimination is a crime that we, as lawmakers, have long sought to mitigate.

I have to say I admire him for his courage, for his eloquence, and for being here this evening.

I yield to the gentleman from New York in order to complete his statement.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentlewoman from Ohio has 4½ minutes remaining.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I want to make it perfectly clear that we stand here as servants of the Constitution, all of us, and all of the actions we take here are subject to that beautiful document, as amended.

So there is nothing about the gentleman's amendment, to the extent that it simply restates what is obvious which is that all of our actions are subject to the Constitution, that we would object to.

My only point is simply that we need to read it as a whole document. We don't need to read anything into it. We can read the text. We can understand the history of the text. We can understand the global and expansive nature of the language written into the Constitution after the searing experience of the Civil War around equal protection, around due process.

We don't fear the Constitution; we welcome it. We embrace it. We claim it as our own when we come to this floor and ask that the circle of opportunity be widened for others who have been excluded before.

We think that is in the best tradition of the American Constitution. We believe the Constitution provides a series of promises that, as King said, it is a promissory note and that a check was written; we are coming to cash it so we will all be treated equally, so we will all be treated fairly, that we all count. Regardless of who we love, regardless of the color of our skin, whether we walk in or roll in, we believe we all count. And we believe that the Constitution enshrines those values in the most beautiful way in all of human history.

So, far from being concerned in any way by the gentleman's amendment, we welcome it.

But let it not detract from the fact that what happened in this House was an effort to enshrine and rationalize discrimination under Federal law. And despite the success we had in defeating that with a bipartisan majority, there were those here who wanted to perpetuate discrimination at the expense of equality.

That is inconsistent with the Constitution, Mr. Chairman.

And let that be the final word on this.

Ms. KAPTUR. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentlewoman from Ohio has 1¼ minutes remaining.

Ms. KAPTUR. Mr. Chairman, let me just end by saying, this country has a long and storied history of supporting

civil rights and worker rights, and that spirit was clearly violated last week during the vote on the spending bill.

We know that businesses should operate under strict rules of fairness and equality, and, certainly, the Federal Government should.

I am just grateful that we could all be here this evening and try to find a way to move America forward and to make progress, not just for the people of this country, but for humankind.

This amendment will ensure that we are able to achieve a fully equitable workplace and society.

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

The Acting CHAIR. All time having expired on the amendment to the amendment, does any Member seek time in opposition to the first-degree amendment offered by Representative MALONEY?

If not, the Chair will put the question on the amendment to the amendment.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS) to the amendment offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY).

The amendment to the amendment was agreed to.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY), as amended.

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

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. BYRNE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act shall be used in contravention of—

(1) the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.);

(2) Executive Order 13279; or

(3) sections 702(a) and 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1(a), 42 U.S.C. 2000e-2(e)(2)), or section 103(d) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12113(d)), with respect to any religious corporation, religious association, religious educational institution, or religious society.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, unlike our European forebears, the Framers made clear that our Nation would have no state church. Instead, under the First Amendment, all will be protected

in the free exercise of the religion of their choosing, and we have a proud tradition of conservatives and liberals, Republicans and Democrats, working together to protect this free exercise right.

In the 1963 case of *Sherbert v. Verner*, the liberal Justice William Brennan mandated that any government intrusion into one's free exercise must meet the most stringent standard of judicial review, strict scrutiny.

It was actually the conservative Justice Antonin Scalia who wrote the 1990 opinion in *Employment Division v. Smith* that rolled back the protections of *Sherbert*.

Fortunately, 3 years later, a Democrat Congress and a Democrat President, Bill Clinton, rallied large, bipartisan majorities to legislatively overturn *Smith* in the Religious Freedom Restoration Act, otherwise known as RFRA, and restores strict scrutiny when the government seeks to invade the free exercise of religion.

RFRA had 170 cosponsors. The gentlewoman from California (Ms. PELOSI) and the gentleman from Maryland (Mr. HOYER) were original cosponsors. It passed by a voice vote in the House and 97-3 in the Senate.

On July 21, 2014, President Obama signed Executive Order 11478 banning Federal contractors from discriminating on the basis of sexual orientation and gender identity in hiring.

Unfortunately, despite our broad history of working together to protect the free exercise right, the President refused to provide conscience protections for religious-based organizations who engage in government contracting.

This amendment would clarify that existing religious freedom protection already in law under the RFRA, the Americans with Disabilities Act, the 1964 Civil Rights Act, and President Bush's Executive Order 13279 would apply, irrespective of the amendment offered by Mr. MALONEY.

We can debate the merits of Executive Order 11478; however, we should have no problem ensuring that religious entities still enjoy the protections of the free exercise of religion.

I urge a "yes" vote on my amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition to the amendment.

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

Ms. KAPTUR. Mr. Chairman, I don't have a copy of the amendment in front of me, but from what I have listened to the gentleman, it sounds like discrimination in the guise of religious freedom, and I would hope that isn't what the gentleman intends.

I have just been given language: "None of the funds made available by this Act shall be used in contravention of the Religious Freedom Restoration Act."

I don't have full confidence that the equal protection of the laws for the

faith-based community are fully considered in this amendment, and I would have to oppose the gentleman's amendment.

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

Mr. BYRNE. Mr. Chairman, I want to make very clear that my amendment says not one single thing about discrimination. It talks about religious freedom.

We treat religious freedom sometimes in this country like it is a secondary right. It is not. It is a fundamental right. And what my amendment does is make sure that people of religious conscience still have that freedom.

So, far from being discrimination, it makes sure that we have freedoms for people that they have had for over 200 years; under the 1964 Civil Rights Act, for over 50 years; under the Americans with Disabilities Act, for over 25 years; and under RFRA, for over 20 years.

This is not new. This is not novel. This is settled law. We are making sure we protect people here. This has nothing to do with discrimination.

I know that some people would like to wipe out the effect of church, the effect of religion, the effect of faith in the public square in America. But that is not what our Constitution is about, and I think this House should stand up for religious freedom for everybody.

So I ask that everybody in this House vote for this very important amendment.

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

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

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

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

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

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AMENDMENT OFFERED BY MR. HIGGINS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used by the Secretary of Energy to carry out, or for the salary of any officer or employee of the Department of Energy to carry out, the proposed action of the Department to transport target residue material from Ontario, Canada to the United States, described in the supplement analysis entitled "Supplement Analysis for the Foreign Research Reactor Spent Nuclear Fuel Acceptance Program", issued by the Department in November 2015 (DOE/EIS-0218-SA-07).

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman

from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HIGGINS. Mr. Chairman, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for their work on this bill.

Mr. Chairman, my amendment would prohibit the shipment of dangerous, highly radioactive liquid nuclear waste, which the Department of Energy plans to begin shipping by truck later this year in a series of over 100 shipments from Ontario, Canada, to South Carolina.

The department wants to transport this liquid waste, which is far more radioactive than spent nuclear fuel, across the northern border at the Peace Bridge and through downtown Buffalo.

In contrast to spent nuclear fuel in solid form, which has a history of being shipped by land, this would constitute the first ever shipment of liquid nuclear waste by truck in a transportation cask that was never certified for this purpose. Its liquid form, if spilled, could make containment nearly impossible.

The route crosses the Great Lakes, across the busiest passenger crossing at the northern border, and through a high-density metropolitan area. In the event of an attack or an accident, the consequences could be devastating.

In spite of these concerns, the Department of Energy failed to comply with the National Environmental Policy Act by not commencing with a new Environmental Impact Statement, instead, relying on old, outdated information.

The evolving threat picture since 9/11 requires that the Department of Energy reassess the manner in which it ships such dangerous materials.

Proceeding with the shipments would also ignore the will of the House, which unanimously passed legislation requiring the Department of Homeland Security perform a terrorism threat assessment regarding the transportation of chemical, biological, nuclear and radiological materials through the United States.

To reiterate, my bill would only impact one type of nuclear waste shipment, and other shipments of spent nuclear fuel would not be affected.

I urge support for my amendment, which would prohibit these shipments until the Department of Energy performs a full and thorough review process. Proceeding without doing so would seriously compromise public safety.

Mr. Chairman, I urge support of my amendment.

I yield back the balance of my time. The Acting CHAIR (Mr. HUIZENGA of Michigan). The question is on the amendment offered by the gentleman from New York (Mr. HIGGINS).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. GRAYSON

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule during the 113th and 114th Congresses. The amendment simply expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of the contractors.

I hope that this amendment remains noncontroversial.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. BABIN

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds made available by this Act may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Islamic Republic of Iran.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chairman, I rise in strong support of my amendment to

prohibit any contracts or Federal assistance to the Islamic Republic of Iran from being funded in this Energy and Water Development Appropriations bill.

As a result of this recent nuclear deal, Iran is now cleared to receive up to \$150 billion in assets that should have never made its way back to the Ayatollahs.

Iran is the world's leading State sponsor of terrorism. Any dollar sent to Iran's government is a dollar sent to a brutal, apocalyptic, and dangerous regime that routinely flouts international norms, threatens to wipe Israel off the map, captures and humiliates our U.S. sailors, flagrantly violating Geneva Convention rules, and is responsible for the murders of hundreds of United States soldiers.

Passage of this amendment will wipe the slate clean of any potential for money from the hardworking taxpayers in my district and from across the United States of America to go to Iran. No money for contracts to buy their heavy water, no money for their so-called civilian nuclear power program. Let's not get fooled again like we did with North Korea.

The Iran deal was only given an "aye" vote by 162 Members of this House—a very small total. The President may have lifted the sanctions that Congress passed in 2010, but there is no reason that we cannot take this step to show Iran and the world that we are serious about putting them back in place for their flagrant violations.

Mr. Chairman, I urge a "yes" vote.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

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

Ms. KAPTUR. Mr. Chairman, I oppose this amendment and want to begin by saying that ideological riders have no place on appropriation bills, certainly on this bill, and, frankly, I don't believe that this is even germane to the Energy and Water Development bill.

This amendment is just the first of many possible attempts to tie the hands of the administration from implementing an extremely important international agreement that will result in exactly the opposite of what the gentleman infers.

The plan of action that was agreed to by several countries, P5+1, closed the four pathways through which Iran could get to a nuclear weapon in less than a year. We do not gain anything by putting limitations on United States' ability to engage or monitor Iran's compliance with the agreement. The President has repeatedly said that he will continue to take aggressive steps to counter any activities in violation of existing sanctions, and this includes restrictions on certain nuclear-related transfers, conventional arms, and ballistic missile items, certain asset freezes and travel bans, as well as cargo inspections.

Today, international inspectors are on the ground, and Iran is being subjected to the most comprehensive, intrusive inspection regime ever negotiated to monitor a nuclear program. Inspectors will remain to monitor Iran's key nuclear facilities 24 hours a day, 365 days a year. For decades to come, inspectors will have access to Iran's entire nuclear supply chain. That is an incredible achievement.

The Department of Energy's vast expertise in the nuclear fuel cycle, nuclear safeguards and security, and nuclear materials plays a critical role in informing and ensuring that Iran is meeting its nuclear commitments.

To date, experts at the Department of Energy headquarters, seven national laboratories, and two Department of Energy nuclear sites have been actively involved in reaching and now implementing the agreement. These experts will continue to support the International Atomic Energy Agency's monitoring and verification activities worldwide and are vital as the United States works with our P5+1 and European Union partners to ensure viability into Iran's nuclear program.

Why would we proactively cut off our nonproliferation program and experts from working to prevent Iran to achieve nuclear weapons? Isn't that counter to our own national security interests?

In other words, if Iran tries to cheat, if they try to build a bomb covertly, we will catch them, the world will catch them, unless we here in Congress undo these efforts and adopt amendments such as the one we are discussing now.

The bottom line is this: Iran was steadily expanding its nuclear program. The agreement has now cut off every single path to build a bomb.

Mr. Chairman, I oppose this harmful amendment and encourage my colleagues to oppose as well.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LOWENTHAL

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ (a) None of the funds made available by this Act may be used in contravention of Executive Order No. 13547 of July 19, 2010.

(b) None of the funds made available by this Act may be used to implement, administer, or enforce section 506 of this Act.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chair, I, along with Representatives CICILLINE, FARR, LANGEVIN, KEATING, BEYER, and

PETERS have introduced an amendment to clarify that the National Ocean Policy is a critical multiagency action that should be implemented.

Mr. Chair, my district is a poster child for the need for ocean coordination and information sharing between local, State, and Federal Governments, and the military, ports, shippers, energy developers, recreational users, and other stakeholders. I know firsthand that we can have a thriving ocean economy and at the same time protect and conserve our precious ocean resources.

For example, the Port of Long Beach is the second busiest port in the United States in my district, moving \$140 billion in goods, supporting 1.4 million jobs in the United States.

Offshore oil platforms extract crude oil in San Pedro Bay less than a mile from my front door. San Clemente Island in my district has a Navy training ground and a ship-to-shore firing range. Nearby waters are home to seabirds, fisheries, and migrating whales. Sea level rise and extreme weather threaten neighborhoods and businesses all along my district and the entire coast of California.

With so much activity happening, it simply makes sense to have the Navy at the table when NOAA is working on siting of a new aquaculture installation. It makes sense to have the fishery management council weigh in when oil rigs are being decommissioned, and it is a no-brainer that NOAA, the Coast Guard, and the ports all work together to get these massive ships in and out of port safely.

We want these collaborations to happen because we want to have a sustainable ocean economy, and by developing regional plans and having a framework for multi-stakeholder involvement, we can streamline this process and promote a robust ocean economy that also conserves our precious ocean resources.

The country and my district need a comprehensive approach to our ocean resources, which the National Ocean Policy provides.

I urge my colleagues to vote "yes" on my amendment.

I reserve the balance of my time.

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

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

Mr. CALVERT. Mr. Chairman, while there may be instances in which greater coordination would be helpful in ensuring our ocean and coastal resources are available to future generations, any such coordination must be done carefully to protect against Federal overreach.

□ 2030

As we have seen recently with the proposed rule to redefine waters of the United States, strong congressional oversight is needed to ensure that we protect private property rights.

Unfortunately, the way the administration developed its National Ocean

Policy, it increases the opportunities for overreach. The implementation plan is so broad and so sweeping, that it may allow the Federal Government to effect agricultural practices, mining, energy producers, fishermen, and anyone else whose actions may have an impact on the oceans.

The fact is the administration did not work with Congress to develop this plan and has even refused to provide relevant information to Congress, so we can't be sure how sweeping it actually will be. That is why I support the language in the underlying bill and, therefore, oppose the amendment.

I yield back the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, there is an agreement among all of us that there needs to be more coordination among all of the stakeholders to make smart decisions about our ocean resources. However, many on the other side of the aisle oppose the National Ocean Policy on the grounds that, as we have just heard, it is overreach, which is authorized by an executive order of a President that they don't like.

To me, this seems petty. National Ocean Policy is not a failed policy like some suggest, nor is it an instance of executive overreach. It is merely a commonsense way to facilitate multi-stakeholder collaboration on complex ocean issues, and it promotes economic opportunity, national security, and environmental protection.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. MEADOWS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be spent by the Army Corps of Engineers to award contracts using the lowest price technically acceptable source selection process unless the source selection decision is documented and such documentation includes the rationale for any business judgments and tradeoffs made or relied on by the source selection authority, including benefits associated with additional costs.

Mr. MEADOWS. Mr. Chairman, I ask unanimous consent that the amendment be considered read.

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

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MEADOWS. Mr. Chairman, I will be brief. The night is getting long, and the committee has done some great work on the underlying bill.

This amendment is a commonsense amendment, one meant to provide transparency as it relates to the Army Corps of Engineers and the awarding of contracts. When they actually award a technically acceptable lowest bid, the rationale and the other transparency documents would actually be reported that no funds could be extended except for those express purposes.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act for "Department of Energy—Energy Programs—Science" may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I want to thank the ranking member, Ms. KAPTUR, her staff, and the chairman of the subcommittee, Mr. SIMPSON, and staff and others because they have been working hard.

I want to emphasize that this is an amendment that was approved and adopted in an identical form on April 29, 2015, during the 114th Congress, as an amendment to H.R. 2028, the Energy and Water Development and Related Agencies Appropriations Act.

I do this amendment because I do believe it is extremely important. If you travel around this country, whether it is Silicon Valley, whether it is NASA, whether it is dealing with energy resources, renewable and otherwise, you realize the importance of science, technology, engineering, and math.

Twenty years ago, Mr. Chairman, on February 11, 1994, President Clinton issued Executive Order 12898, directing Federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

The Department of Energy seeks to provide equal access to these opportunities for underrepresented groups in STEM, including minorities, Native Americans, and women. We need professionals in these areas to be able to assess the various impacts, environmental impacts, on the minority community. But, more importantly, we also need our organizations, such as Historically Black Colleges and other colleges, to make sure to include opportunities for minority and women students. They make up 70 percent of

college students, but only 45 percent of undergraduate STEM degree holders.

This large pool of untapped talent is a great potential source of STEM professionals. As the Nation's demographics change, I think it is imperative that we emphasize in the various Federal agencies that we need to provide and extend opportunities for minorities in science, technology, engineering, and math.

Earlier today, I had the opportunity to visit with Scott Kelly. One would call him the miracle astronaut, spending over 300 days on the International Space Station. The International Space Station was the entity built some years ago when I was on the Science, Space, and Technology Committee. But to realize that a human being tested himself to stay, an American making history. I believe science, technology, engineering, and math commemorates and celebrates the giant work of Scott Kelly, but it produces more Scott Kellys.

I applaud Energy Secretary Moniz's commitment, which will increase the Nation's economic competitiveness and enable more of our people to realize their full potential.

I would ask my colleagues to support this amendment, as it has been supported in the past, to again, through this legislation, emphasize the importance of science, technology, engineering, and math.

I ask support for the Jackson Lee amendment.

Mr. Chair, thank you for this opportunity to describe my amendment, which simply provides that: "None of the funds made available by this Act for 'Department of Energy—Energy Programs—Science' may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.)."

This amendment was approved and adopted in identical form on April 29, 2015, during the 114th Congress as an amendment to H.R. 2028, the Energy and Water Resources Appropriations Act of 2016.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for their stewardship in bringing this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

Mr. Chair, twenty years ago, on February 11, 1994, President Clinton issued Executive Order 12898, directing federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

The Department of Energy seeks to provide equal access in these opportunities for underrepresented groups in STEM, including minorities, Native Americans, and women.

Mr. Chair, women and minorities make up 70 percent of college students, but only 45 percent of undergraduate STEM degree holders.

This large pool of untapped talent is a great potential source of STEM professionals.

As the nation's demographics are shifting and now most children under the age of one are minorities, it is critical that we close the

gap in the number of minorities who seek STEM opportunities.

I applaud the Energy Secretary Moniz's commitment which will increase the nation's economic competitiveness and enable more of our people to realize their full potential.

Mr. Chair, there are still a great many scientific riddles left to be solved—and perhaps one of these days a minority engineer or biologist will come up with some of the solutions.

The larger point is that we need more STEM educators and more minorities to qualify for them.

The energy and science education programs funded in part by this bill will help ensure that members of underrepresented communities are not placed at a disadvantage when it comes to the environmental sustainability, preservation, and health.

Through education about the importance of environmental sustainability, we can promote a broader understanding of science and how citizens can improve their surroundings.

Through community education efforts, teachers and students have also benefitted by learning about radiation, radioactive waste management, and other related subjects.

The Department of Energy places interns and volunteers from minority institutions into energy efficiency and renewable energy programs.

The DOE also works to increase low income and minority access to STEM fields and help students attain graduate degrees as well as find employment.

With the continuation of this kind of funding, we can increase diversity, provide clean energy options to our most underserved communities, and help improve their environments, which will yield better health outcomes and greater public awareness.

But most importantly businesses will have more consumers to whom they may engage in related commercial activities.

My amendment will help ensure that underrepresented communities are able to participate and contribute equitably in the energy and scientific future.

I ask my colleagues to join me and support the Jackson Lee Amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STIVERS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used for the Cape Wind Energy Project on the Outer Continental Shelf off Massachusetts, Nantucket Sound.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. STIVERS. Mr. Chairman, I rise in support of my amendment, which would prohibit the Department of Energy funding from being used for the

Cape Wind offshore wind generation project in Cape Cod, Massachusetts.

I offered this amendment in last year's appropriation, and it was adopted by a voice vote, so I believe it should be fairly noncontroversial. I urge my colleagues to support the amendment.

Nearly 2 years ago, the Department of Energy offered conditional commitments for the Cape Wind project of a \$150 million loan guarantee. Since that time, the project has been plagued by setbacks amid concerns about its impact on the environment, disruptions of safety for passenger aircraft, or just the high cost of electricity produced by the proposed facility. Last year, two of the State's utilities terminated contracts to purchase power from the wind farm, jeopardizing the viability of the project.

I believe we should encourage the development of all forms of energy. Renewable sources like wind power are important for our Nation's energy portfolio.

But this project, in particular, has a troubled history. This amendment seeks to ensure that the American taxpayers do not have to foot the bill if the project fails.

Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. STIVERS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Corps of Engineers-Civil-Investigations", and increasing the amount made available for the same account, by \$3,000,000.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, allow me again to thank Mr. SIMPSON and Ms. KAPTUR for their work on this energy and water bill that is so very important, and emphasize the importance of this legislation to many and all regions of the United States of America.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers investigations account. Let me be very clear. It speaks to the general need for robust funding for the investigations account, and it speaks to it in terminology of re-directing \$3 million for increased funding for postdisaster watershed assessment studies, like the one that is being contemplated for the Houston/Harris

County metropolitan area. It does this to emphasize the importance of the investigations account, not to single out a particular project, but for describing a project, which I will take time to do.

I am pleased that H.R. 5055 provides \$120 million for the investigations account. This is very important to the Army Corps of Engineers. As a Federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor, and flood and storm damage reduction, the U.S. Army Corps of Engineers plays a critical role in building, maintaining, and expanding the most critical of the Nation's infrastructure. We understand this very well in my home State of Texas and the 18th Congressional District.

Over the last 2 years, Mr. Chairman, 2 years around the exact same time, we didn't have something called a hurricane. We had a heavy rain in April-May of 2015 and April of 2016. 2016 had 20 inches of rain, which was enormous. The damage was unbelievable.

Let me cite for you the words from the Greater Houston Partnership that supports this amendment:

"Perhaps the most telling statistic of all: based on the 7,021 calls the United Way of Greater Houston has received through its 2-1-1 line, 1,937 calls have been requests for 'food replacement.'"

The amount of money that was lost was \$1.9 billion in damage during the weeks that followed the storm, which includes damage to homes, cars, schools, parks, churches, roadways, and other important elements of our infrastructure. This is what we faced in Houston, Texas.

I am recounting that and indicating that we believe this investigations account is so very important. It will have the opportunity, through a \$3 million study, to deal with the bayous that are located in the larger Houston/Harris County area: Sims Bayou, Greens Bayou, Brays Bayou, White Oak Bayou, Hunting Bayou, and Clear Creek.

Again, let me be very clear. As the Army Corps of Engineers works through their work study program, this investigations account will be enormously important.

We have also received a letter from Members of the United States Congress supporting the study of all of the bayous in our community. We want to ensure that the account is robust to provide that possible opportunity.

Let me indicate to my colleagues again, the investigations account is \$120 million. We rise to support it. We also rise to acknowledge the need for the utilization of those funds all over America, and certainly in Houston/Harris County, Texas, and the surrounding counties, which will help us, through a study, have a better pathway to how we fix this, how do we not have this be Houston next year in 2017.

Let me thank my colleagues.
I reserve the balance of my time.

□ 2045

Mr. SIMPSON. Mr. Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chair, first, let me assure my colleague that I understand her interest in addressing the flooding risks in her district in Houston.

Besides the fact that the fiscal year 2017 Energy and Water bill includes a total of \$13.3 million above the budget request for flood and storm damage reduction studies, the bill also allows for several new studies to be initiated, and the Corps could choose the study of interest to the gentlewoman as one of them.

Since this amendment does not change the funding levels within the bill, I do not oppose the amendment.

Ms. KAPTUR. Will the gentleman yield?

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

Ms. KAPTUR. I thank the gentleman for yielding.

Mr. Chair, Congresswoman SHEILA JACKSON LEE has been absolutely unrelenting in her representation of Houston and of the serious situation that is faced there by the citizenry and leaders because of the flooding. What a tremendous voice she is for the people whom she represents. There isn't a time that I see her in the elevators or walking around that she doesn't ask me about this bill and about wanting to come down and amend it to make sure that it is sensitive to the needs of Houston. I just wanted to put that on the record.

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

Ms. JACKSON LEE. I thank the distinguished gentleman and the distinguished gentlewoman for their courtesies.

I want the chairman to know that I have acknowledged in my written statement the funds that he has placed in the legislation.

Mr. Chair, I ask my colleagues to support the Jackson Lee amendment as a very fine statement that contributes to this bill, to the people of the Nation, but also to the people of Texas and Houston.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers "Investigations" account by redirecting \$3 million for increases funding for post-disaster watershed assessment studies, like the one that is being contemplated for the Houston/Harris County metropolitan area.

Mr. Chair, I am pleased that H.R. 5055 provides \$120 million for the Investigations account.

As the federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor, and flood and storm damage reduction, the U.S. Army Corps of Engineer plays a critical role in the building, maintaining, and expanding the most critical of the nation's infrastructure.

We understand this very well in my home state of Texas and the Eighteenth Congressional District that I represent.

The Army Corps of Engineers has been working with the Harris County I Flood Control District since 1937 to reduce the risk of flooding within Harris County.

Current projects include 6 federal flood risk management projects:

1. Sims Bayou
2. Greens Bayou
3. Brays Bayou
4. White Oak Bayou
5. Hunting Bayou, and
6. Clear Creek

In addition to these ongoing projects, the Army Corps of Engineers operates and maintains the Addicks and Barker (A&B) Detention Dams in northwest Harris County.

Mr. Chair, I am pleased that the bill provides that the Secretary of the Army may initiate up to six new study starts during fiscal year 2017, and that five of those studies are to consist studies where the majority of the benefits are derived from flood and storm damage reduction or from navigation transportation savings.

I am optimistic that one of those new study starts will be the Houston Regional Watershed Assessment Flood Risk Management Feasibility study.

Such a study is certainly needed given the frequency and severity of historic-level flood events in recent years in and around the Houston metropolitan area.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeding the 100 to 500 year flood event record.

The areas that experienced these historic rain falls were west of I-45, north of I-10, and Greens Bayou.

Additionally, an estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

The purpose of the Houston Regional Watershed Assessment is to identify risk reduction measures and optimize performance from a multi-objective systems performance perspective of the regional network of nested and intermingled watersheds, reservoir dams, flood flow conveyance channels, storm water detention basins, and related Flood Risk Management (FRM) infrastructure.

Special emphasis of the study, which covers 22 primary watersheds within Harris County's 1,756 square miles, will be placed on extreme flood events that exceed the system capacity resulting in impacts to asset conditions/functions and loss of life.

Mr. Chair, during the May 2015 Houston flood, 3,015 homes were flooded and 8 persons died; during the April 2016 Houston flood, 5,400 homes were flooded and 8 deaths recorded.

The economic damage caused by the 2015 Houston flood is estimated at \$3 billion; the 2016 estimate is being compiled and is estimated to be well above \$2 billion.

Mr. Chair, minimizing the risk of flood damage to the Houston and Harris County metropolitan area, the nation's 4th largest, is a matter of national significance because the region is one of the nation's major technology, energy, finance, export and medical centers:

1. Port of Houston is the largest bulk port in the world;

2. Texas Medical Center is a world renowned teaching, research and treatment center;

3. Houston is home to the largest conglomeration of foreign bank representation and second only to New York City as home to the most Fortune 500 companies; and

4. The Houston Watershed Assessment study area sits within major Hurricane Evacuation arteries for the larger Galveston Gulf Coast region.

I ask my colleagues to join me and support the Jackson Lee Amendment for the Environmental Justice Program.

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

GREATER HOUSTON PARTNERSHIP,

May 26, 2016.

Hon. SHEILA JACKSON LEE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE, as you know, on April 18, 2016, the Houston region experienced unprecedented rain and flooding. According to an estimate prepared by BBVA Compass, Houston experienced over \$1.9 billion in damage during the weeks that followed the storm, which includes damage to homes, cars, schools, parks, churches, roadways and other important elements of our infrastructure. For many, the recent storms have affected every aspect of their quality of life. Perhaps the most telling statistic of all: based on the 7,021 calls the United Way of Greater Houston has received through its 2-1-1 line, 1,937 calls have been requests for "food replacement."

We greatly appreciate your leadership ensuring the Houston area receives appropriate federal funding to help Houston heal and make it more resilient in the future. To that end, we are supportive of the requested \$3 million for a study by the U.S. Army Corps of Engineers to investigate flood risk management opportunities in the Houston metropolitan area by analyzing the watersheds as a system of systems.

Sincerely,

BOB HARVEY,
President and CEO.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 26, 2016.

Hon. HAL ROGERS,
Chairman, House Committee on Appropriations,
Washington, DC.

Hon. NITA LOWEY,
Ranking Member, House Committee on Appropriations, Washington DC.

DEAR CHAIRMAN ROGERS AND RANKING MEMBER LOWEY: We write to the Committee on Appropriations to allocate \$3 million in the FY 2016 supplemental funding for a 3 year study to be conducted by the Army Corps of Engineers that will investigate flood risk management opportunities in the Houston metropolitan area by analyzing the watersheds as a system of systems. This request for funding is based upon the frequency and severity of flood events in and around the Houston metropolitan area.

An estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeded the 100 to 500 year flood event record. The records are based upon time period of rain fall, the location of the rain fall, and the duration of the event over a watershed. The areas that experienced these historic rain falls were west of I-45, north of I-10, and Greens Bayou. Further, an estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

The study we seek funding will identify risk reduction measures and optimize performance from a multi-objective systems performance perspective of the regional network of nested and intermingled watersheds, reservoir dams, flood flow conveyance channels, storm water detention basins, and related Flood Risk Management (FRM) infrastructure. Special emphasis will be placed on extreme flood events that exceed the system capacity resulting in impacts to asset conditions/functions and loss of life.

The study area includes 22 primary watersheds within the county's 1,756 square miles, each having unique flooding problems. These include Spring-Creek, Little Cypress Creek, Willow Creek, Cypress Creek, Addicks, Barker, Buffalo Bayou, Clear Creek, Sims Bayou, Brays Bayou, White Oak Bayou, Greens Bayou, Hunting Bayou, Vince Bayou, Armand Bayou, Carpenters Bayou, San Jacinto River, Jackson Bayou, Luce Bayou, Cedar Bayou, Spring Gully and Goose Creek, and San Jacinto and Galveston Bay Estuaries. The flooding problems in the watershed are frequent, widespread, and severe, with projects to reduce flood risks in place that are valued at several billion dollars. Recent historical flooding in the region was documented in 1979, 1980, 1983, 1989, 1993, 1994, 1997, 2001 (Tropical Storm Allison), 2006, 2007, 2008 (Hurricane Ike), 2015 and was most recently demonstrated during the significant flooding, widespread damages, and losses of life during the 12 hour flood event from April 17-18, 2016.

The study will involve coordination with local, state and federal stakeholders to comprehensively evaluate the life safety, economic, and environmental impacts of potential regional flooding, as well as land use that is managed by local entities so future regional development is regulated to avoid individual and cumulative impacts of the broad pattern and rapid pace of development that contribute to poor FRM systems performance.

Thank you for your careful consideration of this request is appreciated. If you have questions contact Glenn Rushing glenn.rushing@mail.house.gov in Congressman Jackson Lee's office.

Sheila Jackson Lee (TX-18), Rubén Hinojosa (TX-15), Filemon Vela (TX-34), Eddie Bernice Johnson (TX-30), Marc Veasey (TX-33), Randy K. Weber (TX-14), Michael McCaul (TX-10), Blake Farenthold (TX-27), Pete Olson (TX-22), Gene Green (TX-29), Al Green (TX-09), Dan Kildee (MI-05), Joaquin Castro (TX-20), Henry Cuellar (TX-28), Members of Congress.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MULLIN

Mr. MULLIN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. Beginning on November 8, 2016, through January 20, 2017, none of the funds made available by this Act may be used to propose or finalize a regulatory action that is likely to result in a rule that may have an annual effect on the economy of \$100,000,000 or more, as specified in section 3(f)(1) of Executive Order No. 12866 of September 30, 1993.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Mr. Chair, I offer an amendment to protect Americans from the costly regulations this administration or future administrations may try to issue before the President leaves office. My amendment would prohibit funds from being used to propose or to finalize any major regulation from November 8 to January 20 of next year.

In the past, we have seen administrations issue politically motivated regulations between the day of the election and the day the new President takes office. In 2000 and in 2008, the number of midnight regulations issued was nearly double the average of non-midnight regulations. We expect this administration to maintain this practice, and with the nature of the regulations we have seen from the Federal agencies over the past 8 years, this amendment is more important than ever.

I would like to briefly thank the gentleman from Michigan (Mr. WALBERG) for leading on this issue in the House.

Let's hold the executive branch in check in its remaining days so that families and businesses across the country don't fall victim to unnecessary, burdensome regulations.

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

Ms. KAPTUR. Mr. Chair, I claim the time in opposition.

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

Ms. KAPTUR. Mr. Chair, this amendment is actually costly, inefficient, and it rolls back progress in a department that has really been experiencing tremendous leadership under Dr. Ernest Moniz.

The Mullin amendment would stop the Department of Energy from proposing or finalizing any rule that may cost more than \$100 million annually, the Congressman says. Mr. Chair, this is just another attempt to ensure that agencies are unable to enact important rules and regulations that protect consumers and benefit our Nation.

What if that had been done back when the Clean Water Act was first passed?

We would have had communities across this country pumping sewage into their kitchens.

At the DOE alone, the Mullin amendment would stall 14 rules that are currently in progress, a third of which are consensus agreements that the DOE has worked with industry to finalize. The amendment would also waste valu-

able manpower and resources for both the DOE and the industries involved in these consensus agreements.

This makes no sense. We need to move on with the business of America. Taking a myopic view of our Nation's regulatory practices is nothing new for this majority. Time and again, we have seen appropriation riders and authorizing legislation that only looks at the costs that are associated with agency rules and that completely ignores the associated benefits to our country. This amendment is no different.

These proposals overlook the extensive review process that already exists for rules. For example, every new rule is already scrutinized up and down by numerous Federal agencies as well as by key stakeholders and the public through very, very extensive input that agencies seek. Let me explain.

For economically significant rules, an agency must provide the Office of Management and Budget with an assessment and, to the extent possible, with a quantification of the benefits as well as of the costs of a proposed rule. In accordance with Executive Order No. 12866, the agency has to justify the costs associated with the rule, and these costs are justified with benefits, which is something the Mullin amendment appears to think doesn't exist, but that is simply false.

For example, in his 2015 analysis of the estimated costs and benefits of significant Federal regulations, the OMB estimated that, over the last decade, the benefits of these rules outweighed the economic costs by nine to one—and that is OMB. These benefits have translated into real money for the American taxpayer.

As a result of standards established by the DOE, a typical American household already saves over \$200 a year on its energy bill. That comes in different forms. Whether it is a more efficient refrigerator or whether it is light bulbs or whether it is insulation, we all know the benefits.

Besides economic benefits, these standards provide benefits to our environment and the well-being of our communities. The 40 new or updated standards issued by the DOE will assist in reducing carbon emissions by over 2 million metric tons through 2030, and will help this Nation curb climate change, which we all know threatens the health of our environment as well as of our communities.

Republicans should stop trying to undermine the rulemaking process. They should stop ignoring the real-world benefits of these rules to society and the progress that we are making as a country.

I urge my colleagues to oppose this amendment.

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

Mr. MULLIN. Mr. Chair, with respect to my colleague, I do want to point out that the Clean Water Act had absolutely nothing to do with pumping sewage into someone's house. It had to do

with the direct discharge into navigable waters, like in Mississippi. It has nothing to do with what we are talking about or with what the gentlewoman brought up.

Second of all, when the gentlewoman starts talking about its being costly, the last time I checked, the cost of living has skyrocketed due to the regulations, due to the amount of inflation that has been brought on by regulations and from the costs of doing business. As a businessowner, I well understand the costs.

Through rulemaking, the legislators lose the ability to legislate, which is what our Founding Fathers had decided to do when they set up the legislative branch. We surrender that when we allow the executive branch to go crazy towards the end of the year to clean the slate of their last year in office. Let me give you some numbers.

Under the Carter administration—this is how far I am going to go back, and don't think that this is a Republican thing or a Democrat thing. During the midnight hours of regulations, which is considered to be November 8 to January 20, the Carter administration issued 24,531 pages of midnight regulations. The Reagan administration issued 14,584 pages of midnight regulations. The Bush administration issued 20,148 pages of midnight regulations. The Clinton administration issued 26,542 pages of midnight regulations. Mind you, this is between the election in November until he leaves office in January. Bush: 21,251 pages.

All I am saying is let's be the legislators our Founding Fathers set up, and let's not allow the executive branch to allow rulemaking to go on and bypass the legislative branch.

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

Ms. KAPTUR. Mr. Chair, I urge Members to oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. MULLIN. Mr. Chair, I urge my colleagues to vote for this amendment so we can hold this administration accountable.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Corps of Engineers-Civil-Construction", and increasing the amount made available for the same account, by \$100,000,000.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chair, my previous amendment dealt with the Investigations account, which is the predecessor to the Construction account.

Before I begin the discussion, let me say that I took to the floor of the House in May, after the floods occurred in Houston, and had a moment of silence for the eight people who had died in those floods. Mr. Chair, this was not a hurricane, and it was not a tornado. It was hard rain that caused individuals in their cars to drown. It was very, very tragic. Some going to work, some nurses, some students who were drowning in their cars. This is what it looked like in my district. It looked the same way in 2015 and again in 2016.

The Construction account, for which I want to thank Ms. KAPTUR and Mr. SIMPSON, has \$1.94 billion. I believe the Construction account is very important to Members across the Nation. Certainly, it is important to the Houston-Harris County region, with other counties around. As the Federal agency that collects and studies basic information pertaining to river and harbor flood and storm damage and shore protection, this is important construction money that will be vital to preventing this kind of catastrophe—first a study, then the construction. The areas that may be impacted by the Army Corps' resources include Sims Bayou, Greens Bayou, Brays Bayou, White Oak Bayou, Hunting Bayou, and Clear Creek Bayou. These are the areas that spilt over and caused the enormous damage.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12-hour period, which resulted in several areas exceeding the 100- to 500-year flood event. That is why these construction dollars are so important. The areas that experienced these historic rainfalls were west of I-45, north of I-10 and Greens Bayou—my congressional district, among others.

Finally, during the May 2015 Houston flood, 3,000 homes were flooded, and eight people died. During the April 2016 Houston flood, 5,400 homes were flooded, and, again, eight deaths were recorded. As for my previous numbers, April 15, 2016, was when they had this constant rain—240 billion gallons. The economic damage caused by the 2015 Houston flood is estimated at \$3 billion.

This Construction account is so very important. I ask my colleagues to support the Jackson Lee amendment, which is the broader view of how these dollars can be utilized to save lives, in particular in regions that I happen to live in, which is the Houston-Harris County area.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they

can serve and be enjoyed by generations to come.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers "Construction" account by redirecting \$100 million for increased funding for critical construction projects, like those current and future projects proposed for the Houston/Harris County metropolitan area.

Mr. Chair, I am pleased that H.R. 5055 provides \$1.945 billion for the Construction account.

As the federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor, and flood and storm damage reduction, the U.S. Army Corps of Engineers plays a critical role in building, maintaining, and expanding the most critical of the nation's infrastructure.

We understand this very well in my home state of Texas and the Eighteenth Congressional District that I represent.

The Army Corps of Engineers has been working with the Harris County Flood Control District since 1937 to reduce the risk of flooding within Harris County.

Current projects include 6 federal flood risk management projects:

1. Sims Bayou
2. Greens Bayou
3. Brays Bayou
4. White Oak Bayou
5. Hunting Bayou, and
6. Clear Creek

In addition to these ongoing projects, the Army Corps of Engineers operates and maintains the Addicks and Barker (A&B) Detention Dams in northwest Harris County.

Such a study is certainly needed given the frequency and severity of historic-level flood events in recent years in and around the Houston metropolitan area. It is clear that much more needs to be done to minimize the vulnerability of the nation's 4th largest metropolitan area and economic engine from the flood damage.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeding the 100 to 500 year flood event record.

The areas that experienced these historic rainfalls were west of I-45, north of I 10, and Greens Bayou.

Additionally, an estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

Mr. Chair, during the May 2015 Houston flood, 3,015 homes were flooded and 8 persons died; during the April 2016 Houston flood, 5,400 homes were flooded and 8 deaths recorded.

The economic damage caused by the 2015 Houston flood is estimated at \$3 billion; the 2016 estimate is being compiled and is estimated to be well above \$2 billion.

Mr. Chair, minimizing the risk of flood damage to the Houston and Harris County metropolitan area, the nation's 4th largest, is a matter of national significance because the region is one of the nation's major technology, energy, finance, export and medical centers:

1. Port of Houston is the largest bulk port in the world;

2. Texas Medical Center is a world renowned teaching, research and treatment center;

3. Houston is home to the largest conglomeration of foreign bank representation and second only to New York City as home to the most Fortune 500 companies; and

4. The Houston Watershed Assessment study area sits within major Hurricane Evacuation arteries for the larger Galveston Gulf Coast region.

I ask my colleagues to join me and support the Jackson Lee Amendment.

I thank Chairman SIMPSON and Ranking Member KAPTUR for their work in shepherding this bill to the floor.

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

□ 2100

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chair, first let me assure my colleague that I understand the issue prompting this amendment. Seeing our communities flood and our constituents struggling to deal with the aftermath of flooding, especially when there are projects already planned to prevent such flooding, can be extremely frustrating.

That is why the energy and water bills over the past several years have included significant funding above the budget request for the Corps of Engineers flood and storm damage reduction mission.

In fact, the fiscal year 2017 energy and water bill more than doubles the budget requested from the administration for construction of these projects. It is an increase of 113 percent, or \$457 million.

More specifically, the bill includes \$392 million in additional funding, for which the Houston area projects could compete. That amount is \$82 million more than the amount provided in the fiscal year 2016 act.

Additionally, the committee report directs the Corps to consider the severity of risks of flooding or the frequency with which an area has experienced flooding when deciding how to allocate the additional funding provided. The bill provides strong support for addressing flood risks.

Because the amendment does not actually change funding levels and, so, does not upset the balance of priorities within this bill, I will not oppose this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, again I thank Mr. SIMPSON for recounting that information and Ms. KAPTUR for the leadership that she has given and the understanding of the plight that we are in.

Flood control is critical to dams and harbors, and it is most critical of all as infrastructure. That is what the construction funding will do. We under-

stand that this now will give us the opportunity for long overdue projects that are dealing with major flooding.

The previous amendment giving us a work plan through the Army Corps of Engineers will again be instructive and helpful to saving lives and reducing the enormity of loss and the enormity of damage that has been caused to these areas.

I ask for support of the Jackson Lee amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to carry out the memorandum from the White House Counsel's Office to all Executive Department and Agency General Counsels entitled "Reminder Regarding Document Requests" dated April 15, 2009.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I rise to offer an amendment which will prevent the administration from causing unnecessary delays and blocking important information from being released to the general public under the Freedom of Information Act.

In 2009, the White House released a secret memo to every executive department and agency urging them to consult with counsel at the White House before releasing any documents or fulfilling any requests that may involve "White House equities."

Last year the Department of Energy, Office of Inspector General, released a special report titled The Department of Energy's Freedom of Information Act Process.

In this report, Federal investigators determined that, in numerous cases where the Department of Energy's general counsel had provided their FOIA response to the White House, "the FOIA case file was incomplete and did not contain all of the documents related to the FOIA response."

What does that mean, Mr. Chairman? As the report tells us, incomplete documentation in these cases prevents us from being absolutely certain we know what changes or redactions were made when the White House reviewed the documents. Further, we don't know how many records requests submitted to the Department of Energy were blocked by the White House.

For an administration that once sought to be the most transparent ad-

ministration in our Nation's history, actions such as these do nothing to inspire trust or confidence amongst the American people.

It took a FOIA request in 2014 to reveal that, out of more than 450 Department of the Interior inspector general requests, the Obama administration only allowed the IG to release three reports.

While that stat is troubling, figures released by the Associated Press this year through their annual FOIA review are even more disturbing. The annual review covers Freedom of Information Act requests made to more than 100 different Federal agencies.

Shockingly, the AP reported in March that, in 2015, the American people received censored responses or nothing in 77 percent of all FOIA requests, redacted releases or nothing in response to nearly 600,000 Freedom of Information Act requests. Absolutely shameful.

Daniel Epstein, executive director of the nonprofit government watchdog Cause of Action, said it best when he stated: "Information seekers, whether they're individuals, members of the news media or public interest groups, should be extremely troubled by the fact that this White House has been interfering with how Federal agencies comply with the Freedom of Information Act."

This amendment is supported by Americans for Tax Reform; the Council for Citizens Against Government Waste; the National Taxpayers Union; the Taxpayers Protection Alliance; Concerned Citizens for America, Arizona Chapter; the Gila County Cattle Growers Association; and the Sulphur Springs Valley Electric Cooperative.

Agency officials that want to comply with the law and respond to Freedom of Information Act requests in a timely manner should not be blocked from doing so because of an arbitrary memo from the White House.

The Department of Energy IG and numerous government watchdog groups claim the memo that my amendment defunds is limiting public access under the Freedom of Information Act.

I urge my colleagues to support this amendment and defund this unlawful memo.

I also want to thank the distinguished chair and ranking member for their work on this bill.

I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition to the amendment.

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

Ms. KAPTUR. Mr. Chair, I am opposed to the amendment as the provision interferes with the standard practice spanning administrations of both parties and raises potential constitutional concerns.

It is standard practice for agencies processing Freedom of Information Act

requests to confer with other executive branch entities with equities, including the White House, prior to releasing documents. Agencies refer documents to the White House just as they refer documents to other agencies.

The practice of agencies consulting with the White House prior to Freedom of Information Act requests regarding White House equities is longstanding, spanning administrations of both parties. The Reagan administration issued a memorandum in 1988 directing such consultation.

Finally, the provision could interfere with the President's ability to protect privileged information and thereby could raise constitutional concerns in some applications. This is just one more instance of the majority prioritizing message amendments rather than getting on with the hard work of legislating.

I oppose this amendment. It has no place on an appropriations bill and should be defeated.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, once again I would like to just actually reiterate these responses. Seventy-seven percent of all FOIA requests were not complied with. Redacted releases are nothing in response to nearly 600,000 Freedom of Information Act requests. Once again, smoke and mirrors. When are we going to get this?

I would ask everybody to vote for this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. ENGEL

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds made available by this Act may be used by the Department of Energy, the Department of the Interior, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, natural gas, or biofuel.

My amendment echoes the President's memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in ac-

cord with the President's memorandum.

I have submitted identical language to 20 different appropriations bills over the past few years, and every time it has been accepted by both the majority and the minority. I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay \$147 per barrel. But spikes in oil prices would still have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum. We can change that with alternative technologies that exist today.

The Federal Government operates the largest fleet of light-duty vehicles in America, over 640,000 vehicles. More than 55,000 of those vehicles are within the jurisdiction of this bill, being used by the Department of Energy, the Department of the Interior, and the Army Corps of Engineers.

When I was in Brazil a few years ago, I saw how they diversified their fuel use. People there can drive to a gasoline station and choose whether to fill their vehicle with gasoline or ethanol. They make their choice based on cost or whatever criteria they deem important.

I want the same choice for American consumers. That is why I am proposing a bill in Congress, as I have done many times in the past, which will provide for cars built in America to be able to run on a fuel instead of or in addition to gasoline. It is less than \$100 per vehicle. That is a separate issue, but I raise it because it is in conjunction with what I am proposing here. If they can do it in Brazil, we can do it here.

So, in conclusion, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign government-controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers.

Again, I have submitted this in different appropriations bills through the years, and it has always passed unanimously by both Democrats and Republicans. I hope it will be the same.

I ask that my colleagues support the Engel amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used by the Department of Energy for the 21st Century Clean Transportation Plan.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman

from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer an amendment which will help prevent an unnecessary tax increase on hardworking families and send a strong message from the House of Representatives that we oppose the administration's new mandatory climate change transportation program.

In February, the Obama administration proposed creating a new program nicknamed the 21st Century Clean Transportation Plan that aims to spend \$320 billion over the next 10 years and divert precious taxpayer funds to self-driving cars, high-speed rail, and mass transit in the name of preserving the environment.

In fact, \$20 billion of the estimated \$32 billion each year for this proposed program won't go to roads or bridges, but instead will be squandered on inefficient programs that require significant taxpayer subsidies.

To pay for the majority of this unlawful \$320 billion program, the Obama administration has proposed a \$10.25 tax on every barrel of oil. This new tax on crude oil and petroleum products will inevitably be passed on to hardworking Americans that can't afford another new tax increase from the Obama administration.

In fact, the \$10.25 per-barrel tax is estimated to add an additional 25 cents to the cost of every gallon of gasoline. Millions of energy-related jobs will be put at risk and low-income families will be forced to bear larger financial burdens as a result of this unnecessary tax that is being proposed to pay for Obama's flawed climate change transportation program.

In the Department of Energy's fiscal year 2017 budget, the agency requested \$1.3 billion for this year and \$11.3 billion over the next 10 years to fund the administration's 21st Century Clean Transportation Plan.

My amendment rejects the new \$10.25 tax on every barrel of crude oil and prohibits funding in this bill for the administration's flawed climate change transportation program.

This amendment is supported by Americans for Limited Government; Americans for Tax Reform; the Council for Citizens Against Government Waste; the National Taxpayer Union; the Taxpayers Protection Alliance; Concerned Citizens for America, Arizona Chapter; the Gila County Cattle Growers Association; and the Sulphur Springs Valley Electric Cooperative.

I thank the distinguished chair and ranking member for their work on this bill.

I reserve the balance of my time.

□ 2115

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition to the amendment.

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

Ms. KAPTUR. Mr. Chairman, the gentleman has hit a very soft spot with me here, the automotive and trucking industries, so vital to my area of the country and so vital to the whole economy.

Actually, the manufacturing part of America, as it recovers, is lifting us to new heights with economic growth. I rise in strong opposition to this amendment because, again, it takes America backward, not forward.

This amendment seeks to prohibit funding for the Department of Energy's 21st Century Clean Transportation Plan, which is a fantastic initiative which would set America on a long-term path to achieving our economic and climate goals.

I am telling you, when you see some of what is being done with new materials science, with new composites, with metals and plastics technologies, I can go from Ford's Ecoboost engine, to Chrysler's new vehicles, to Dana's new axle plant being built in the Midwest, to General Motors and the wonderful work that they are doing at Brook Park. One plant after another, you can see the results of innovation where the Department of Energy, working with the private sector, is bringing the future to us every day.

The 21st Century Clean Transportation Plan would scale up clean transportation research and development, critical for the clean transportation systems of the future. Did you know that in the internal combustion engine we still do not understand how fuel actually burns? The Department of Energy is doing wonderful research to try to help important companies like Cummins Engine figure out how fuel is actually used in those engines to make them more efficient.

We have to talk about reducing the cost of batteries and developing low-carbon fuels such as biofuels. We don't have all the answers. Industry alone doesn't do it alone because some of this is basic research.

We also are involved in funding the development of regional low-carbon fueling infrastructure, including charging stations for electric vehicles for those people who choose to purchase those and pumps for hydrogen fuel cell cars. Yes, we are inventing the future. You know what? It feels pretty good.

Finally, it would investigate future mobility and intelligent transportation systems like vehicle connectivity and self-driving cars. Last week the Motor & Equipment Manufacturers Association was up here, and I went over to the northeastern part of the city, drove a Peterbilt truck with Bendix technology and with the automatic braking systems that are just incredible in a vehicle that has a cubic ratio of about 480 cubic inches to that engine. What an incredible piece of engineering that is.

The Department of Energy is always driving us into the future, and that is where we need to go. Our Nation has always been a leader on innovation. To

sustain this pace, we must continue to invest in programs like the 21st Century Clean Transportation Plan, which drives our economy forward.

The automotive industry and all the related suppliers, including trucks, represent about one out of every seven jobs in this country. We are in stiff competition with markets that are closed, with markets that try to target our industry and snuff them out of existence. I think that we have to do everything possible.

I co-chair the House Automotive Caucus here along with Congressman MIKE KELLY of Pennsylvania, and I would have to say that the gentleman's amendment does not take us forward, but backward.

I would urge my colleagues to oppose it very, very strongly.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. Mr. Chair, I appreciate the gentlewoman's comments. Getting back to the amendment, I would remind the gentleman offering the amendment, A, that this is not the tax committee, that any \$10 tax on a barrel of oil would come out of the Ways and Means Committee. I don't see that coming out of the Ways and Means Committee, but it is not included in this bill.

The other thing that I would remind the gentleman of is there is no—I repeat no—funding in this bill for the President's 21st Century Clean Transportation Plan, the mandatory funding that was proposed by the administration. There is no funding in this bill for it; so, this amendment does nothing. It strikes no funding because there is no funding in this bill.

I thank the gentlewoman for yielding.

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

Mr. GOSAR. Mr. Chairman, I want to remind everybody that \$20 billion of the estimated \$32 billion each year for this proposed program won't go to roads or bridges, but to these inefficient programs.

I guess we are going to the future. We are \$19 trillion in debt and soon to be \$22 trillion and \$23 trillion and \$24 trillion in debt. Yes, I do understand, in the Department of Energy's fiscal year 2017 budget, the agency requested \$1.3 billion for this year and \$11.3 billion over the next 10 years to fund the administration's 21st Century Clean Transportation Plan.

Now, while the budget request this year happened to be mandatory, next year it could be discretionary. The House has not taken action to date to reject the \$10.25 tax on every barrel of oil and to this fundamentally flawed program.

My amendment rejects that tax increase and the Obama administration's new climate change transportation program.

I urge adoption of this commonsense amendment.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANFORD

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to provide a loan under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013).

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chair, I think what I have before all of us is a commonsense amendment. It simply says that the advanced technology vehicle manufacturing loan program will continue to exist, but there can be no additional loans.

The reason that I do so is, when I came and offered this amendment last year, I had a cutting amendment last year, but what was explained to me was that, if you cut the program, then you wouldn't have money to administer the existing loans that were out there.

So, as a result, I have altered this amendment so that it again leaves in place the appropriation, which is more than \$5 million, so that you could continue to administer the existing loans that are in place, but there would be no additional loans.

Now, why do I think that that is important? I think it is important for a couple different reasons. I think, from a Democratic standpoint, what we would say is that we all believe in equality and that there shouldn't be subsidized loans for major corporations, global corporations, here in the United States while your cousin's pizza business is struggling or your friend's landscaping business is struggling. They don't get subsidized loans. Why should a big business?

So, from a Democratic standpoint, I think we would hold that belief. From a Republican standpoint, we would say we need to watch out for the taxpayer.

If you look at the default rate on these loans, unfortunately, it has been relatively high. You would say: I don't know if government is in the best spot to be making these kinds of loans to businesses.

I think that ultimately is the role not of government, but of business. Let them do what they do. I think from both vantage points it is something that makes sense.

I would add just a couple of additional thoughts and then I would yield.

I would say, one, there have been only five loans made since 2007. This is

not a huge program. This is a very limited program.

Two, two out of the five loans made since 2007, in fact, have defaulted. That is a 40 percent default rate. I don't think that that is the kind of thing that we would like to see in government.

There have been no loans made since 2011. And then the GAO came in March of 2013 and said the costs outweigh the benefits of this program.

They followed that up with another GAO report in March of 2014 and said: We recommend shutting down the program unless the Department of Energy can show real demand for the loans.

Then they followed that up with a final GAO report in March of this year, and it said that there hadn't been a sufficient level of demand.

As a consequence, their words were this: Determining whether funds will be used is important, particularly in a constrained fiscal environment. This Congress should rescind unused appropriations or direct them to other government priorities.

I think the simple issue with this loan program is that there could be other priorities where you take that \$4 billion of loan authority and let other parts of government use it or turn it back to the private sector and use that money much more effectively.

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

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, I just want to state that I don't want people who may be listening to this, other Members who may be listening to this, to get the impression that we are putting money in here for the Loan Guarantee Program.

There is no money in the underlying bill for the ATVM additional new loans. The only money in there is to administer the existing loans.

I understand what the gentleman is saying. I agree with the gentleman. I just don't want Members to think that we are putting money into the program when we are not.

I yield back the balance of my time.

Mr. SANFORD. Mr. Chair, I very, very much appreciate what the chairman pointed out. Again, that is why I think it is so important to simply codify this notion that we won't go forward.

The money is in there for administration of existing loans. It is just saying that we are not going to go out and administer new ones, given the other needs that exist within both the public and the private sector for funds like this.

Mr. Chair, I will reserve the balance of my time.

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

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

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the gentleman's amendment. Any proposal to sunset the Advanced Technology Vehicle Manufacturing Program or limit the pipeline of projects that may be eligible is shortsighted and should be rejected.

Why? First, the program is a critical one for the American automotive industry and has supported its resurgence. They have issued more than \$8 billion in loans to date, and these loans have resulted in the manufacture of more than 4 million fuel-efficient advanced vehicles, supported approximately 35,000 direct jobs across eight States, including California, Illinois, Michigan, Missouri, Ohio, Kentucky, New York, and Tennessee, and saved more than 1.35 million gallons of gasoline. Not too bad.

The success has been achieved with losses of only approximately 2 percent of a total portfolio of \$32 billion for the loan programs office. That is a lower percent than most banks have on the loans that they make. What we are talking about here is higher level research, higher level investments in technologies that are yet being born.

Why else should we reject this amendment? Instituting an arbitrary and immediate deadline for applications to this program would result in the Department losing billions of dollars in loan authority itself. The program currently has billions in loan requests in the pipeline from both automakers and component manufacturers for projects in 10 States.

Thirdly, capping the program of eligible projects will hinder the Department's ability to issue new loans to support domestic manufacturing of advanced vehicles especially at a time when we are asking the industry to meet rising fuel economy standards.

It is really amazing what has been done just in the last 15 years. When we look at some of the vehicles coming out now, we are seeing vehicles like the Cruze, 33 miles a gallon. Some are going up to 40, some to 50. It is really amazing what has happened, the transformation that is happening in this industry that we are living through directly.

I oppose the gentleman's amendment because I really do believe innovation has always led us into the future. This is the kind of program that can provide the capital necessary to expand our domestic manufacturing when so much of it is being offshored. It is a major issue in the Presidential election this year in both political parties, how we are going to restore manufacturing in this country.

We have to do it through innovation. We have to do it in sectors that are muscle sectors like the automotive and truck industry that are so vital and produce real wealth for this country, not imported wealth, but wealth that we produce ourselves through all the componentry, the thousands and thou-

sands and thousands of components that go into these vehicles, and the fuel efficiency that makes them competitive in the marketplace of today.

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

Mr. SANFORD. Mr. Chair, I would agree with much of what my colleague said just a moment ago. I think that innovation is, indeed, the gateway to the future, but I would argue that great innovation has been led by the private sector, not by loan guarantees to major corporations.

You think about Steve Jobs and his partner opening up that business in basically what amounted to the basement of a house. That is not what we are talking about here. I think some of the great innovations will come from small businesses that don't see this kind of financial advantage.

Two, I would make the point that this is not about just helping American companies. One of the largest loans out there was to Mazda, which is not an American company. Ford is—that is one of the other big loans, but Mazda is not.

I would put this in the larger classification of Reagan's words: The closest thing to eternal life is a government program.

This is one of those government programs that has not proved successful, and I think it is important that we wean government programs. We prune them where they don't make sense.

Forty percent is, in fact, the default rate. If you add up all the numbers, it amounts to 2 percent. But most people when they think of default and what the American Bankers Association would think of when they think of default is divided by the number of loans out there, what percent defaulted, and that number happens to be a real 40 percent, not 2 percent of the aggregate amount of the total loans out there.

□ 2130

Finally, I would again go back to this simple point. I agree with my colleagues about what they have said on the need for innovation and for reform, but I don't think it will be led through a loan program that has seen any number of defaults in the process. That money could be redeployed to education and a whole host of our primary needs in this country.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BUCK

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used to research, draft,

propose, or finalize the Notice of Proposed Rulemaking that was published by the Department of Energy on December 19, 2014, at 79 Fed. Reg. 76,142, titled, "Energy Conservation Program: Energy Conservation Standards for Residential Dishwashers", the Notice of Proposed Rulemaking that was published by the Department of Energy on August 13, 2015, at 80 Fed. Reg. 48,624, titled, "Energy Conservation Program: Energy Conservation Standards for Ceiling Fan Light Kits", or the Notice of Proposed Rulemaking that was published by the Department of Energy on August 19, 2015, at 80 Fed. Reg. 50,462, titled, "Energy Conservation Program: Energy Conservation Standards for Refrigerated Bottled or Canned Vending Machines".

Mr. BUCK (during the reading). Mr. Chair, I ask unanimous consent to waive the reading.

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

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, this amendment returns choice to consumers and keeps the price of products affordable.

The Department of Energy's energy conservation program issues efficiency regulations for everyday appliances like dishwashers and vending machines. The rules are based on a cost-benefit analysis, but the analysis is vague and skewed to the desired outcome. Rather than improving the lives of consumers, these mandates drive up the cost of appliances.

To address the rising costs and the crackdown on consumer choice, this amendment prohibits energy mandates on residential dishwashers, ceiling fan light kits, and vending machines. Individuals should have a choice of whether or not to buy these appliances.

As consumer demand for efficiency increases, the market will find a way to produce appliances that save more energy. This amendment stops the administration from implementing their radical green energy agenda on the backs of American families.

I urge a "yes" vote.

Mr. Chairman, I yield 1 minute to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this amendment. My colleague's amendment would prohibit the use of funds at the Department of Energy to propose efficiency standards for ceiling fan light kits, residential dishwashers, and vending machines.

Mr. Chairman, the law in question allows for executive overreach by prescribing what industry can and cannot sell and what consumers can and cannot buy. Industry has legitimate concerns about the government forcing a wholesale change to a market for something as common as a dishwasher. This amendment reins back this over-

reaching regulation, and I support this amendment and recommend my colleagues vote "yes."

Ms. KAPTUR. Mr. Chair, I claim the time in opposition.

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

Ms. KAPTUR. Mr. Chair, I oppose the gentleman's amendment. It is just one more instance where the majority is saddling the consumer with ever-increasing energy bills. We know how the standards have really saved consumers money over the years. I have some figures here that are very interesting.

A typical household saves about \$216 a year off their energy bills now as a result of renewed standards. As people replace their appliances with newer models, they can expect to save more than \$453 annually by 2030. The cumulative utility bill savings to consumers from all standards in effect since 1987 are estimated to be nearly \$1 trillion by 2020 and grow to nearly \$2 trillion through 2030.

Invention does matter. And the application of that to our daily life really matters. The efficiency standards have spurred innovation that dramatically expanded options for consumers. It is time to choose common sense over rigid ideology, and it is time to listen to the manufacturing companies, consumer groups, and efficiency advocates, who all agree this rider is harmful.

I urge all Members to vote "no" on the Buck amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MRS. BLACKBURN

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____ . Each amount made available by this Act is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I know that the committee has worked hard to get a bill that is going to come into the numbers. Unfortunately, I disagree with the \$1.070 trillion number that is in the Bipartisan Budget Act. I like the Budget Control Act's number of \$1.040 trillion.

A \$30 billion difference doesn't sound like a lot when you are talking about trillions of dollars, but I tell you, to my constituents, with \$19 trillion debt, it does make a difference.

The funding level of this bill is \$37.444 billion. I will be offering an amend-

ment, which I offer every year to our spending bills, to cut 1 percent across the board. That would yield us \$374 million in budget authority savings, and outlays savings of \$222 million.

I know it doesn't sound like a lot, but it is simply taking one penny out of every dollar that is appropriated. And that, quite frankly, is the type of scrimping and saving that our constituents and American families are having to do all across this country in order to make their budgets work.

I am fully aware of the strong opposition that many have to making those 1 percent across-the-board cuts. As I have offered these amendments, many times I am told that cuts of this magnitude go far too deep, that they would be very damaging to our Nation's security, but I kind of agree with Joint Chiefs of Staff Chairman MULLIN when he said the greatest threat to our Nation's security is our Nation's debt.

I think we ought not to be putting future generations at risk, and we should be working toward reducing what our Federal outlays are every single year and working toward balancing the budget. It means yes, we have to go in and cut that penny out of a dollar and save it for our children and our grandchildren to get this Nation back on the right track.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. SIMPSON. Mr. Chairman, I commend the gentlewoman for her consistency. She always has these amendments to cut 1 percent across the board out of the appropriations bills, and I appreciate her consistent work to protect the taxpayer dollars, but this is an approach that, frankly, I can't support.

While the President may have proposed a budget that exceeds this bill, the increases were paid for with proposals and gimmicks that would never be enacted. This bill makes the tough choices within an allocation that adheres to current law.

You may not agree with current law, but it is the current law, and that is what we had to go with. Since there wasn't a budget resolution passed, what we ended up with is current law; and that is the allocation that we have, and that is what we stayed within.

I don't think the Appropriations Committee gets enough credit over the last several years for the work we have been doing in reducing Federal spending.

If you look at the total Federal budget and the amount of discretionary spending and mandatory spending, at one time it was about two-thirds discretionary spending and one-third mandatory spending 30 or 40 years ago. Then, about 5 years ago, it was one-third discretionary spending and two-thirds mandatory spending. That is Medicare, Medicaid, and Social Security entitlements.

Since we have taken control the last 5 years, that one-third of the budget that is discretionary spending is about 28 percent now. As it continues to go down in relationship to the entire budget, we cut discretionary spending more and more.

We have made difficult tradeoffs that had to be made in this bill to balance it with our needs. We prioritize funding for critical infrastructure and for our national defense. These tradeoffs were carefully weighed for their respective impacts and are responsible. Yet the gentlewoman's amendment imposes an across-the-board cut on every one of these programs, even the national defense programs, which are vitally important.

This makes no distinction between where we need to be spending to invest in our infrastructure, promote jobs, and meet our national security needs, like meeting the Ohio-class submarine dates so that we can get the Ohio-class submarine done, so that we can do the refurbishment of our nuclear stockpile, so that we can do the other things that are important on the national defense side of this budget.

It makes no distinction between those and where we need to limit spending to meet our deficit reduction goals. Therefore, I must oppose this amendment and urge my colleagues to vote "no."

I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, indeed, the Appropriations Committee does deserve some credit. But also, passing the Budget Control Act with the 2 percent across-the-board spending reduction in discretionary spending deserves some credit also, because it shows the effectiveness of what those cuts can do.

Governors use this, Democratic and Republican alike. They do it because their States have balanced budget amendments, and they can't crank up the printing press and print the money.

I would encourage my colleagues to take a step toward fiscal responsibility, get inside and cut one more penny out of a dollar. We can do that on every appropriation that we have.

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

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

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

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. SMITH OF MISSOURI

Mr. SMITH of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ None of the funds made available by this Act may be used by the Army Corps of Engineers to implement, administer, or enforce the last four words of subparagraph (B) of section 1341(a)(1) of title 31, United States Code, with respect to crevassing of levees under the Birds Point-New Madrid Floodway Operations Plan.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Missouri and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Chairman, in May of 2011, under the strong objections of numerous folks in southeast Missouri and my predecessor, the Army Corps of Engineers activated the Birds Point levee, which is the second time since 1937. This resulted in an extensive amount of damage: over \$156 million worth of damage and flooding of over 130,000 acres. In that place, homes and communities were completely destroyed and crops were lost.

After the water receded, many residents simply chose not to ever return home and back to their community. These are individuals that lived there for numerous generations. One community, a small town called Pinhook in Mississippi County, right in the boot heel, that no longer exists after the activation of that floodway.

The amendment that I have today is quite simple, Mr. Chairman. It says, when an activation of the Birds Point levee occurs, we must build it back. Not anything else other than if there is an activation, the government must build it back. If they destroy a community by activating and blowing up a levee, they must build it back. The amendment is extremely simple.

Had families in the Birds Point floodway had the assurance that a plan was already in place, perhaps they would have chosen to return back to their home for generations.

When river levels rise, safety is always the number one concern. But the Corps of Engineers should never, under any circumstances, breach a levee without already having in place plans for its restoration, allowing for residents to return to their lives as soon as possible.

□ 2145

I urge my colleagues to support my amendment and give assurance to Americans who live in floodways that their homes and livelihoods matter, and to remove any uncertainty that, should the worst happen, their lives can return to normal.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition.

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

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

First, let me assure the gentleman that I understand his concerns and appreciate his passion for protecting his constituents. I agree with him that, if the floodway is required to be operated in a major flood event, the levee should be restored as soon as possible after the flood event. In fact, the committee report on this bill makes that very point.

Unfortunately, the amendment and the impacts of it are not clear. It is possible that the amendment would actually increase flood risks for other communities within the Mississippi River and tributaries project area.

Without understanding the effects of the amendment, I must oppose it.

Mr. BOST. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Illinois.

Mr. BOST. Mr. Chairman, I do stand in opposition, reluctant opposition. I have a tremendous respect for the gentleman from Missouri. I understand what he is trying to do, and that is that if the activation of the Birds Point levee does occur, that it should be built back.

But when you read the language, the concern I have is that it would actually stop the activation of the levee in the first place.

Understand, when these levees were first built, there were certain key points that were pressure release valves. The Birds Point was one of those. So as it rises, the Army Corps of Engineers has explained through a process of when to go in. And when we say crevasse, we mean we have to actually put explosive charges into the levee to relieve the pressure so that other areas—this is the way the system was built. It was designed by engineers to work this way originally.

The concern that we have is not with the fact that it should be built back, because I agree with the gentleman it should be built back. But the way the language actually reads, we are not sure that it would actually stop the Army Corps of Engineers from doing what it is that they are required by law to do, and that is to use that pressure release valve in times of emergency.

It is true, we have only had to use it twice since those systems have been put in place. It is a sad thing when it occurs. It floods a tremendous amount of crop land, and because it had not been operated in so long, people had built homes in there. Now, that was unfortunate that they built them in that situation, but we cannot endanger all other areas for putting language like this forward. I am more than willing to work with the gentleman on trying to make sure that this language is correct. We just couldn't be able to do that at this time.

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

Mr. SMITH of Missouri. Mr. Chairman, the language of the amendment is very clear, very clear. It does one simple thing. It means, if the activation of this levee ever occurs, that the Federal Government is obligated to rebuild it.

It is a limiting amendment that is crystal clear. It provides that, if there is an activation, that the Federal Government is obligated to build it back, simple as it is, making sure the Federal Government is responsible for its actions.

I ask the body to support the amendment.

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

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

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

Mr. SMITH of Missouri. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. WALKER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. (a) The amounts otherwise made available by this Act for the following accounts of the Department of Energy are hereby reduced by the following amounts:

(1) "Energy Efficiency and Renewable Energy", \$400,000.

(2) "Nuclear Energy", \$25,455,000.

(3) "Fossil Energy Research and Development", \$13,000,000.

(4) "Strategic Petroleum Reserve", \$45,000,000.

(5) "Non-Defense Environmental Cleanup", \$2,400,000.

(6) "Science", \$49,800,000.

(7) "Advanced Research Projects Agency-Energy", \$14,889,000.

(b) The amounts otherwise made available by this Act for the following accounts are hereby reduced by the following amounts:

(1) "Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration", \$2,209,000.

(2) "Nuclear Regulatory Commission—Salaries and Expenses", \$32,132,000.

Mr. WALKER (during the reading). Mr. Chair, I ask unanimous consent to suspend the reading of the amendment.

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

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. WALKER. Mr. Chairman, this bill includes over \$9 billion in appropriations for 22 nondefense programs that are not authorized by law. Nine of these programs receive a total of \$185 million more than their enacted 2016 level. Several of these programs have not been authorized since the 1980s, and one has never been authorized by Congress.

My amendment is simple. My amendment would reduce unauthorized non-defense accounts to the 2016 levels. My amendment would also cut around \$185 million and send that money to the spending reduction account.

In a time when we, as a Nation, are approaching close to \$20 trillion in debt, we cannot continue to fund unauthorized accounts in our appropriations process. This is a democratic Nation, and the men and women send the Members of this body, not to slip unauthorized programs in appropriations bills, but to have an open discussion on our funding priorities.

Furthermore, the inclusion of appropriations for these programs in the reported bill is a violation of clause(2)(a)(1) of rule XXI of the rules of the House.

I applaud Representative TOM MCCLINTOCK and Conference Chair CATHY MCMORRIS RODGERS for their significant work to raise awareness of the problem of unauthorized appropriations and work towards a solution so that the House actually enforces its rules.

This year's Energy and Water appropriations includes over \$1 billion in appropriations, and six more unauthorized programs that the House did pass in the 2016 Energy and Water bill from last year.

If we want to fund a program, we should have an open debate and a transparent process that promotes trust and accountability.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition.

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

Mr. SIMPSON. Mr. Chairman, I rise to oppose this amendment. My colleague's amendment would reduce multiple accounts in the bill.

This year, the committee continues its responsibility to effectively manage government spending, and we have worked tirelessly to that end. For example, the nuclear and fossil programs see modest increases in the bill to continue our commitment for an all-of-the-above energy strategy.

Basic research conducted by the Office of Science is increased by less than 1 percent, to support research and operation efforts to advance research and development through university partnerships and at the Nation's national laboratory system.

Programs to clean up the legacy of the Manhattan Project and nuclear research also see minor increases in order to provide cleanup progress at sites across the country. These are targeted funds to produce needed investments to efficiently and safely utilize our natural resources, maintain the Nation's basic research infrastructure in the physical sciences, and continue the cleanup of Department of Energy legacy programs.

I understand my colleague's desire to reduce the size of government, but this

amendment goes too far in reducing the strategic investments we need to make in our future.

I, therefore, oppose this amendment, and I urge Members to do the same.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Ohio.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding.

I also oppose this amendment, which will reduce jobs in our country and hurt the middle class. There will be less investment in science, environmental cleanup, energy research and development, all of which create the future in this country, and have substantial returns on investments.

Since 2003, by the way, the United States has spent \$2.3 trillion on importing foreign petroleum. This is a vast shift of wealth. That is the big shift of wealth, and thousands upon thousands of jobs from our country elsewhere. This amendment only exacerbates this shift of wealth from the American middle class.

The bill funds support in science and R&D activities necessary for our competitiveness. The world is becoming more competitive, not less. Energy is at the center of that.

I urge my colleagues to join me in opposing this amendment.

Mr. SIMPSON. Mr. Chairman, I reserve the balance of my time.

Mr. WALKER. Mr. Chairman, I yield to the gentleman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, I thank the gentleman from North Carolina.

Scientific research is an important province of the Federal Government, and normally I support it; but I support it if it has been authorized.

The programs the gentleman from North Carolina has identified have not been authorized. Therefore, it is appropriate that the gentleman from North Carolina be supported in his amendment to just reduce them to the amount that gets us to flat funding. Flat funding is a reasonable request for programs that are not authorized.

Let's get those programs reauthorized, if that is what the American people want, and the Congress wants, and let's do it in a way that makes sure these programs are authorized in a way that recognizes 21st century priority.

That should happen at the authorizing committee level. If it doesn't happen at the authorizing committee level, a couple of things are wrong: either the authorizing committee doesn't have its hands on the steering wheel, or the authorizing committee thinks there needs to be changes that cannot be accomplished if the appropriators keep increasing the funding.

The incentive for the authorizing committee comes when these programs are flat-funded. We should not be funding programs with increases that are no longer authorized.

This is a problem throughout government. It is a way to save money in a

government that is \$19 trillion in debt, and I applaud the gentleman from North Carolina for his conscientious, careful, thoughtful, reasoned amendment.

Mr. WALKER. Mr. Chairman, my amendment is simple. It simply rolls back or reduces unauthorized non-defense accounts to the 2016 levels.

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

Mr. SIMPSON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Idaho has 3 minutes remaining.

Mr. SIMPSON. Mr. Chairman, let me respond and tell the story again. We have already gone through this once tonight about authorizations. I don't think we should fund any program that isn't authorized. I don't think we should flat-fund it. I don't think we should fund it. But that is, unfortunately, what the Appropriations Committee ends up doing because the authorizing committees aren't doing their dang job. They are not getting out and reauthorizing the programs.

One year—and I will tell the story again. I will tell it again and again, I suspect, as we go through all of this—when I was chairman of the Interior Committee, because the Endangered Species Act at that time had not been reauthorized for 23 years, 23 years, I took all funding for listing of endangered species and designation of critical habitat out of the bill, zero funded it.

We brought the bill to the floor. The biggest supporter of my bill and opponent to the amendment to put funding in it for those purposes was the chairman of the Resources Committee. It is the Resources Committee's responsibility to reauthorize the Endangered Species Act. But he supported my amendment.

And after all of that, guess what? They still haven't reauthorized the Endangered Species Act.

Mrs. LUMMIS. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Wyoming.

Mrs. LUMMIS. This year, the Land and Water Conservation Fund expired in its authorization on September 30. In October, we began reauthorizing the Land and Water Conservation Fund and reforming it to get it back to its original intent. And before we could complete the process, the appropriators increased funding and reauthorized it for 3 years.

We can't get the reforms we need when appropriators continue to appropriate. The burden should be on the authorizers.

Mr. SIMPSON. Yes, I agree with the gentleman. The burden should be on the authorizers, and they should do their job, and they should reauthorize the program.

I still haven't seen the reauthorization for the Land and Water Conservation Fund. That was last year. I still haven't seen it. I haven't seen the reau-

thorizations for any of the programs. The whole State Department is unauthorized.

Where is the reauthorization?

What do you want us to do?

We would eliminate about two-thirds of the Federal Government. Now, some people might like that. But we would eliminate about two-thirds of the Federal Government if we just said we are not going to fund any of the Federal programs.

So, I mean, it is a debate that goes on.

I agree with Congressman MCCLINTOCK. We have to find a way around this. We have to find a way to address the reauthorization issue without screwing up the whole appropriation process.

□ 2200

I think we can do that if reasonable people sit down and try to find a way around this. I actually think that every committee chairman ought to sit down with leadership at the start of a session and say: This is my 5-year plan, and these are all of the programs that are unauthorized under my jurisdiction. This is my 5-year plan to get them reauthorized.

They ought to follow through on that work plan.

Mr. Chairman, I oppose the amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT OFFERED BY MR. DESANTIS

Mr. DESANTIS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

Sec. _____. None of the funds made available by this Act may be used to purchase heavy water from Iran.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DESANTIS. Mr. Chairman, to be clear, the JCPOA requires Iran to cap its stockpile of heavy water. It does not require the U.S. to subsidize or to purchase that heavy water.

This is a simple funding limitation amendment to an appropriations bill. It is similar to language used throughout the bill. It is a matter clearly related to the use of appropriated funds.

I listened to this debate in the Senate, and people said: Well, we have to spend U.S. tax dollars on getting heavy water; otherwise, Iran is going to sell it to North Korea. But understand, it is already against international law to ship heavy water to North Korea. So if Iran were to decide to do that and violate those sanctions, we have a way bigger policy issue than simply heavy water purchases, and it would call into question the entire Iran deal.

So instead of suppressing illicit nuclear proliferation among rogue nations, continuing purchases of Iranian heavy water would subsidize Iran's nuclear program and allow them to maintain the threshold capacity to make a dash for nuclear breakout.

If we want to take heavy water, then we can take it, but we should not subsidize Iran's nuclear program.

Mr. Chairman, I urge adoption of the amendment, and I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

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

Ms. KAPTUR. Mr. Chairman, I oppose the gentleman's amendment. Really, this provision doesn't belong on this appropriations bill. It is an issue best considered by the Foreign Affairs Committee.

This amendment would prevent the Department from spending any fiscal 17 funds to purchase heavy water produced in Iran and would undermine the Iran deal.

This transaction provides the United States industry with a critical product while enabling Iran to sell some of its excess heavy water as contemplated in the agreement and further ensuring that this product will not be used to develop a nuclear weapon, which is the objective that we all sought when we supported the agreement. Heavy water is needed here in our country. We stopped producing it in 1988 and now buy what we need from India and other countries.

A portion of this heavy water will be used at the Spallation Neutron Source at Oak Ridge National Laboratory and by manufacturers for fiberoptic cable, MRI machines, and semiconductors.

Most importantly, U.S. purchase of this heavy water prevents Iran from selling it to those who would choose to use it for the wrong reasons.

Mr. Chairman, as I have stated, I object to this amendment as proposed. I urge my colleagues to vote "no" on the DeSantis amendment.

I yield back the balance of my time.

Mr. DESANTIS. It is interesting, Mr. Chair, people talk about the Iran deal, and what the administration has really been doing is they have even gone beyond the concessions that are in the Iran deal.

If you look at getting access now to dollarized transactions, they said they weren't going to have access to the American financial system, but effectively, Iran is going to have indirect

access to the American dollar. That was never called for by the Iran deal. That is a concession. Nor does the deal require us to spend American taxpayer funds to essentially inject into the Iranian regime and subsidize the nuclear program.

So, Mr. Chair, I think it is a good amendment. I think our Members should vote for it.

I yield back the balance of time.

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

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

Amendment by Mr. WEBER of Texas.

Amendment by Mr. ELLISON of Minnesota.

Amendment No. 1 by Mr. FARR of California.

Amendment by Mr. GARAMENDI of California.

Amendment No. 34 by Mr. PITTENGER of North Carolina.

Amendment by Mr. GOSAR of Arizona.

Amendment by Mr. FOSTER of Illinois.

Amendment by Mr. SEAN PATRICK MALONEY of New York, as amended.

Amendment by Mr. BYRNE of Alabama.

Amendment No. 14 by Mrs. BLACKBURN of Tennessee.

Amendment by Mr. SMITH of Missouri.

Amendment by Mr. WALKER of North Carolina.

Amendment by Mr. DESANTIS of Florida.

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

AMENDMENT OFFERED BY MR. WEBER OF TEXAS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 260, not voting 15, as follows:

[Roll No. 251]

AYES—158

Abraham	Graves (MO)	Perry
Amash	Griffith	Pittenger
Babin	Grothman	Pitts
Barr	Guinta	Poe (TX)
Barton	Guthrie	Pompeo
Benishek	Harper	Posey
Bilirakis	Harris	Price, Tom
Bishop (MI)	Hartzler	Ratcliffe
Bishop (UT)	Hensarling	Ribble
Black	Hill	Rice (SC)
Blackburn	Holding	Roby
Blum	Hudson	Roe (TN)
Bost	Huelskamp	Rohrabacher
Brady (TX)	Huizenga (MI)	Rokita
Brat	Hultgren	Rooney (FL)
Bridenstine	Hunter	Roskam
Brooks (AL)	Hurt (VA)	Ross
Brooks (IN)	Issa	Rothfus
Buck	Johnson, Sam	Rouzer
Burgess	Jones	Royce
Byrne	Jordan	Russell
Carter (TX)	Kelly (MS)	Salmon
Chabot	King (IA)	Sanford
Chaffetz	Knight	Scalise
Clawson (FL)	Labrador	Schweikert
Coffman	LaHood	Scott, Austin
Comstock	LaMalfa	Sensenbrenner
Cook	Latta	Sessions
Cramer	Love	Smith (MO)
Crawford	Luetkemeyer	Smith (NE)
Culberson	Lummis	Smith (TX)
Denham	Marchant	Stewart
DeSantis	Marino	Stutzman
DesJarlais	Massie	Thornberry
Duncan (SC)	McCarthy	Tipton
Duncan (TN)	McCauley	Wagner
Ellmers (NC)	McClintock	Walberg
Emmer (MN)	McHenry	Walker
Farenthold	McMorris	Walorski
Fleischmann	Rodgers	Walters, Mimi
Fleming	Meadows	Weber (TX)
Flores	Messer	Webster (FL)
Forbes	Miller (FL)	Westerman
Fox	Moolenaar	Westmoreland
Fox, Franks (AZ)	Mooney (WV)	Wilson (SC)
Garrett	Mullin	Wittman
Gibbs	Mulvaney	Womack
Gohmert	Murphy (PA)	Woodall
Goodlatte	Neugebauer	Yoder
Gosar	Noem	Yoho
Gowdy	Olson	Young (IA)
Graves (GA)	Palmer	Young (IN)
Graves (LA)	Pearce	Zinke

NOES—260

Adams	Cole	Fortenberry
Aderholt	Collins (GA)	Foster
Aguiar	Collins (NY)	Frankel (FL)
Allen	Conaway	Frelinghuysen
Amodei	Connolly	Fudge
Ashford	Conyers	Gabbard
Barletta	Cooper	Galleo
Bass	Costa	Garamendi
Beatty	Costello (PA)	Gibson
Becerra	Courtney	Graham
Bera	Crenshaw	Grayson
Beyer	Crowley	Green, Al
Bishop (GA)	Cuellar	Green, Gene
Blumenauer	Cummings	Grijalva
Bonomici	Curbelo (FL)	Gutiérrez
Boustany	Davis (CA)	Hahn
Boyle, Brendan F.	Davis, Danny	Hardy
Brady (PA)	Davis, Rodney	Hastings
Brown (FL)	DeFazio	Heck (NV)
Brownley (CA)	DeGette	Heck (WA)
Buchanan	Delaney	Hice, Jody B.
Bucshon	DeLauro	Higgins
Bustos	DelBene	Himes
Butterfield	Dent	Hinojosa
Calvert	DeSaulnier	Hoyer
Capps	Deutch	Huffman
Capuano	Diaz-Balart	Hurd (TX)
Carney	Dingell	Israel
Carson (IN)	Doggett	Jackson Lee
Carter (GA)	Dold	Jeffries
Cartwright	Donovan	Jenkins (WV)
Castor (FL)	Doyle, Michael F.	Johnson (GA)
Chu, Judy	Duckworth	Johnson (OH)
Ciavarella	Edwards	Johnson, E. B.
Clark (MA)	Ellison	Jolly
Clarke (NY)	Engel	Joyce
Clay	Eshoo	Kaptur
Cleaver	Esty	Katko
Clyburn	Farr	Keating
Cohen	Fitzpatrick	Kelly (IL)
		Kelly (PA)

Kennedy	Moore	Scott, David
Kildee	Moulton	Serrano
Kilmer	Murphy (FL)	Sewell (AL)
Kind	Nadler	Sherman
King (NY)	Napolitano	Shimkus
Kinziger (IL)	Neal	Shuster
Kirkpatrick	Newhouse	Simpson
Kline	Nolan	Sinema
Kuster	Norcross	Sires
Lance	Nugent	Slaughter
Langevin	Nunes	Smith (NJ)
Larsen (WA)	Palazzo	Smith (WA)
Larson (CT)	Pallone	Speier
Lawrence	Pascarella	Stefanik
Lee	Paulsen	Stivers
Levin	Payne	Swalwell (CA)
Lewis	Pelosi	Takano
Lieu, Ted	Perlmutter	Thompson (CA)
Lipinski	Peters	Thompson (MS)
LoBiondo	Peterson	Thompson (PA)
Loebach	Pingree	Tiberi
Lofgren	Pocan	Titus
Long	Poliquin	Tonko
Loudermilk	Polis	Torres
Lowenthal	Price (NC)	Trott
Lowe	Quigley	Tsongas
Lucas	Rangel	Turner
Lujan Grisham (NM)	Reed	Upton
Lujan, Ben Ray (NM)	Reichert	Valadao
Lynch	Renacci	Van Hollen
MacArthur	Richmond	Vargas
Maloney, Carolyn	Rigell	Veasey
Maloney, Sean	Rogers (AL)	Vela
Matsui	Rogers (KY)	Velázquez
McCollum	Ros-Lehtinen	Visclosky
McDermott	Roybal-Allard	Walden
McGovern	Ruiz	Walz
McKinley	Ruppersberger	Wasserman
McNerney	Rush	Schultz
McSally	Ryan (OH)	Waters, Maxine
Meehan	Sánchez, Linda T.	Watson Coleman
Meeks	Sanchez, Loretta	Welch
Meng	Sarbanes	Wenstrup
Mica	Schakowsky	Whitfield
Miller (MI)	Schiff	Williams
	Schrader	Wilson (FL)
	Scott (VA)	Young (AK)
		Zeldin

NOT VOTING—15

Cárdenas	Granger	Lamborn
Castro (TX)	Hanna	O'Rourke
Duffy	Herrera Beutler	Rice (NY)
Fattah	Honda	Takai
Fincher	Jenkins (KS)	Yarmuth

□ 2228

Ms. TSONGAS, Messrs. POLIS, AGUILAR, Ms. PELOSI, Messrs. LOUDERMILK, and VELA changed their vote from “aye” to “no.”

Messrs. BILIRAKIS, WALBERG, GIBBS, FLEISCHMANN, LABRADOR, Mrs. ROBY, and Mr. BOST changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ELLISON

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 174, noes 245, not voting 14, as follows:

[Roll No. 252]

AYES—174

Adams Gallego Napolitano
 Ashford Garamendi Neal
 Bass Graham Nolan
 Beatty Grayson Norcross
 Becerra Green, Al Pallone
 Bera Green, Gene Pascarell
 Beyer Grijalva Payne
 Bishop (GA) Gutiérrez Pelosi
 Blumenauer Hahn Perlmutter
 Bonamici Hastings Peters
 Boyle, Brendan Heck (WA) Peterson
 F. Higgins Pingree
 Brady (PA) Hinojosa Pocan
 Brown (FL) Honda Price (NC)
 Brownley (CA) Hoyer Quigley
 Bustos Huffman Rangel
 Butterfield Hunter Richmond
 Capps Israel Roybal-Allard
 Capuano Jackson Lee Ruiz
 Carney Jeffries Ruppersberger
 Carson (IN) Johnson (GA) Rush
 Cartwright Johnson, E. B. Ryan (OH)
 Castor (FL) Kaptur Kelly (IL) Sánchez, Linda
 Chu, Judy Kennedy T.
 Cicilline Kildee Sanchez, Loretta
 Clark (MA) Kilmer Sarbanes
 Clarke (NY) Kind Schakowsky
 Clay Kirkpatrick Schiff
 Cleaver Kuster Scott (VA)
 Clyburn Kuster Scott, David
 Cohen Langevin Serrano
 Connolly Larsen (WA) Sewell (AL)
 Conyers Larson (CT) Sherman
 Costa Lawrence Sinema
 Courtney Lee Sires
 Crowley Levin Slaughter
 Cuellar Lewis Smith (WA)
 Cummings Lieu, Ted Speier
 Davis (CA) Lipinski Swalwell (CA)
 Davis, Danny Loeb sack Takano
 DeFazio Lofgren Thompson (CA)
 DeGette Lowenthal Thompson (MS)
 Delaney Lowey Titus
 DeLauro Lujan Grisham Tonko
 DelBene (NM) Luján, Ben Ray Torres
 DeSaulnier Luján, Ben Ray (NM)
 Deutch Lynch Tsongas
 Dingell Maloney, Carolyn Van Hollen
 Doggett Maloney, Sean Vargas
 Doyle, Michael Carolyn Veasey
 F. Maloney, Sean Vela
 Duckworth Matsui Velázquez
 Edwards McCollum Visclosky
 Ellison McDermott Walz
 Engel McGovern Wasserman
 Eshoo McNerney Schultz
 Esty Meeks Waters, Maxine
 Farr Meng Watson Coleman
 Frankel (FL) Moore Welch
 Fudge Moulton Wilson (FL)
 Gabbard Nadler

NOES—245

Abraham Chaffetz Forbes
 Aderholt Fortenberry Fortenberry
 Aguilar Coffman Foster
 Allen Cole Foxx
 Amash Collins (GA) Franks (AZ)
 Amodei Collins (NY) Frelinghuysen
 Babin Comstock Garrett
 Barletta Conaway Gibbs
 Barr Cook Gibson
 Barton Cooper Gohmert
 Benishek Costello (PA) Goodlatte
 Bilirakis Cramer Gosar
 Bishop (MI) Crawford Gowdy
 Bishop (UT) Crenshaw Graves (GA)
 Black Culberson Graves (LA)
 Blackburn Curbelo (FL) Graves (MO)
 Blum Davis, Rodney Griffith
 Bost Denham Grothman
 Boustany Dent Guinta
 Brady (TX) DeSantis Guthrie
 Brat DesJarlais Hardy
 Bridenstine Diaz-Balart Harper
 Brooks (AL) Dold Harris
 Brooks (IN) Donovan Hartzler
 Buchanan Duncan (SC) Heck (NV)
 Buck Duncan (TN) Hensarling
 Bucshon Ellmers (NC) Hice, Jody B.
 Burgess Emmer (MN) Hill
 Byrne Farenthold Himes
 Calvert Fitzpatrick Holding
 Carter (GA) Fleischmann Hudson
 Carter (TX) Fleming Huelskamp
 Chabot Flores Huizenga (MI)

Hultgren Miller (MI)
 Hurd (TX) Moolenaar
 Hurt (VA) Mooney (WV)
 Issa Mullin
 Jenkins (WV) Mulvaney
 Johnson (OH) Murphy (FL)
 Johnson, Sam Murphy (PA)
 Jolly Neugebauer
 Jones Newhouse
 Jordan Noem
 Joyce Nugent
 Katko Nunes
 Keating Olson
 Kelly (MS) Palazzo
 Kelly (PA) Palmer
 King (IA) Paulsen
 King (NY) Pearce
 Kinzinger (IL) Perry
 Kline Pittenger
 Knight Pitts
 Labrador Poe (TX)
 LaHood Poliquin
 LaMalfa Polis
 Lance Pompeo
 Latta Posey
 LoBiondo Price, Tom
 Long Ratcliffe
 Loudermilk Reed
 Love Reichert
 Lucas Renacci
 Luetkemeyer Ribble
 Lummis Rice (SC)
 MacArthur Rigell
 Marchant Roby
 Marino Roe (TN)
 Massie Rogers (AL)
 McCarthy Rogers (KY)
 McCaul Rohrabacher
 McClintock Rokita
 McHenry Rooney (FL)
 McKinley Ros-Lehtinen
 McMorris Roskam
 Rodgers Ross
 McSally Rothfus
 Meadows Rouzer
 Meehan Royce
 Messer Russell
 Mica Salmon
 Miller (FL) Sanford

NOT VOTING—14

Cárdenas Granger
 Castro (TX) Hanna
 Duffy Herrera Beutler
 Fattah Jenkins (KS)
 Fincher Lamborn

□ 2233

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

AMENDMENT NO. 1 OFFERED BY MR. FARR

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 189, noes 228, not voting 16, as follows:

[Roll No. 253]

AYES—189

Adams Bera
 Aguilar Beyer
 Ashford Bishop (GA)
 Bass Blumenauer
 Beatty Bonamici
 Becerra Buchanan

Bustos
 Butterfield
 Capps
 Capuano
 Carney
 Carson (IN)
 Cartwright
 Castor (FL)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Costa
 Costello (PA)
 Courtney
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Duckworth
 Edwards
 Ellison
 Engel
 Eshoo
 Esty
 Farr
 Frankel (FL)
 Fudge
 Gabbard

Guinta
 Gutiérrez
 Hahn
 Hastings
 Heck (WA)
 Higgins
 Himes
 Hinojosa
 Honda
 Hoyer
 Huffman
 Israel
 Jackson Lee
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Kelly (IL)
 Kennedy
 Kildee
 Kilmer
 Kind
 Kirkpatrick
 Kuster
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 Loeb sack
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 Maloney,
 Carolyn
 Maloney, Sean
 Matsui
 McCollum
 McDermott
 McGovern
 McNerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross

NOES—228

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Babin
 Barletta
 Barr
 Barton
 Benishek
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Boustany
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buck
 Bucshon
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comstock
 Conaway
 Cook
 Cramer
 Crawford
 Crenshaw
 Culberson
 Curbelo (FL)
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Donovan
 Duncan (SC)
 Duncan (TN)
 Ellmers (NC)
 Emmer (MN)
 Farenthold
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Foxx
 Franks (AZ)
 Frelinghuysen
 Garrett
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guthrie
 Hardy
 Harper
 Harris
 Hartzler
 Heck (NV)
 Hensarling
 Hice, Jody B.
 Hill
 Holding
 Hudson
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurd (TX)
 Hurt (VA)
 Issa
 Jenkins (WV)
 Johnson (OH)
 Johnson, Sam
 Jolly
 Jones
 Jordan
 Joyce
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kline
 Knight
 Labrador
 LaHood
 LaMalfa

Pallone
 Pascarell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Poliquin
 Polis
 Price (NC)
 Quigley
 Rangel
 Richmond
 Roybal-Allard
 Ruiz
 Ruppersberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stefanik
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)

Abraham	Bost	Chabot
Aderholt	Boustany	Chaffetz
Allen	Brady (TX)	Clawson (FL)
Amodel	Brat	Coffman
Babin	Bridenstine	Cole
Barletta	Brooks (AL)	Collins (GA)
Barr	Brooks (IN)	Collins (NY)
Barton	Buchanan	Comstock
Benishek	Buck	Conaway
Bilirakis	Bucshon	Cook
Bishop (MI)	Burgess	Cramer
Bishop (UT)	Byrne	Crawford
Black	Calvert	Crenshaw
Blackburn	Carter (GA)	Culberson
Blum	Carter (TX)	Davis, Rodney

Denham	Labrador	Rogers (AL)	Lee	Norcross	Serrano	Flores	Loudermilk	Rokita
Dent	LaHood	Rogers (KY)	Levin	Pallone	Sewell (AL)	Forbes	Love	Rooney (FL)
DeSantis	LaMalfa	Rohrabacher	Lewis	Pascrell	Sherman	Fortenberry	Lucas	Roskam
DesJarlais	Lance	Rokita	Lieu, Ted	Payne	Sinema	Foxx	Luetkemeyer	Ross
Duncan (SC)	Latta	Rooney (FL)	Lipinski	Pelosi	Sires	Franks (AZ)	Lummis	Rothfus
Duncan (TN)	LoBiondo	Roskam	Loeb sack	Perlmutter	Slaughter	Frelinghuysen	MacArthur	Rouzer
Ellmers (NC)	Long	Ross	Lofgren	Peters	Smith (WA)	Garrett	Marchant	Royce
Emmer (MN)	Loudermilk	Rothfus	Lowenthal	Peterson	Speier	Gibbs	Marino	Russell
Farenthold	Love	Rouzer	Lowe y	Pingree	Swalwell (CA)	Gohmert	Massie	Salmon
Fitzpatrick	Lucas	Royce	Lujan Grisham	Pocan	Takano	Goodlatte	McCarthy	Sanford
Fleischmann	Luetkemeyer	Russell	(NM)	Poliquin	Thompson (CA)	Gosar	McCa ul	Scalise
Fleming	Lummis	Salmon	Lujan, Ben Ray	Polis	Thompson (MS)	Gowdy	McClintock	Schweikert
Flores	MacArthur	Sanford	(NM)	Price (NC)	Titus	Graves (GA)	McKinley	Scott, Austin
Forbes	Marchant	Scalise	Lynch	Quigley	Graves (LA)	Graves (MO)	McMorris	Sensenbrenner
Fortenberry	Marino	Schweikert	Maloney,	Rangel	Rodgers	Griffith	McSally	Sessions
Foxx	Massie	Scott, Austin	Carolyn	Richmond	Torres	Grothman	Meadows	Shimkus
Franks (AZ)	McCarthy	Sensenbrenner	Maloney, Sean	Ros-Lehtinen	Tsongas	Meehan	Shuster	Simpson
Frelinghuysen	McCa ul	Sessions	Matsui	Roybal-Allard	Van Hollen	Smith (MO)	Smith (NE)	Smith (NJ)
Garrett	McClintock	Shimkus	McCollum	Ruiz	Vargas	Hartzer	Mooney (WV)	Mullin
Gibbs	McHenry	Shuster	McDermott	Ruppersberger	Veasey	Heck (NV)	Mullin	Mulvaney
Gibson	McKinley	Simpson	McGovern	Rush	Vela	Hensarling	Hill	Murphy (PA)
Gohmert	McMorris	Smith (MO)	McNerney	Ryan (OH)	Velázquez	Holding	Hudson	Neugebauer
Goodlatte	Rodgers	Smith (NE)	Meeks	Sanchez, Linda	Visclosky	Huelskamp	Noem	Nugent
Gosar	McSally	Smith (NJ)	Meng	T.	Walz	Huizenga (MI)	Nunes	Olson
Gowdy	Meadows	Smith (TX)	Moore	Sanchez, Loretta	Wasserman	Hurt (TX)	Palazzo	Palmer
Graves (GA)	Meehan	Stefanik	Moulton	Sarbanes	Schultz	Hurt (VA)	Palmer	Paulsen
Graves (LA)	Messer	Stewart	Murphy (FL)	Schakowsky	Waters, Maxine	Issa	Jenkins (WV)	Johnson (OH)
Graves (MO)	Mica	Stivers	Nadler	Schiff	Watson Coleman	Jones	Pitts	Poe (TX)
Griffith	Miller (FL)	Stutzman	Napolitano	Schrader	Welch	Jordan	Poliquin	Reed
Grothman	Miller (MI)	Thompson (PA)	Neal	Scott (VA)	Wilson (FL)	Joyce	Kelly (MS)	King (IA)
Guinta	Moolenaar	Thornberry	Nolan	Scott, David		Kelly (PA)	King (NY)	King (NY)
Guthrie	Mooney (WV)	Tiberi				King (IL)	Kline	Kinzinger (IL)
Hardy	Mullin	Tipton				Kline	Knight	Labrador
Harper	Mulvaney	Trott				Labrador	LaHood	LaMalfa
Harris	Murphy (PA)	Turner				LaHood	Lance	Latta
Hartzler	Neugebauer	Upton				Lance	Latta	LoBiondo
Hensarling	Newhouse	Valadao				Latta	LoBiondo	Long
Hice, Jody B.	Noem	Wagner				Long		
Hill	Nugent	Walberg						
Holding	Nunes	Walden						
Hudson	Olson	Walker						
Huelskamp	Palazzo	Walorski						
Huizenga (MI)	Palmer	Walters, Mimi						
Hultgren	Paulsen	Weber (TX)						
Hunter	Pearce	Webster (FL)						
Hurd (TX)	Perry	Wenstrup						
Hurt (VA)	Pittenger	Westerman						
Issa	Pitts	Westmoreland						
Jenkins (WV)	Poe (TX)	Whitfield						
Johnson (OH)	Pompeo	Williams						
Johnson, Sam	Posey	Wilson (SC)						
Jones	Price, Tom	Wittman						
Jordan	Ratcliffe	Womack						
Joyce	Reed	Woodall						
Kelly (MS)	Reichert	Yoder						
Kelly (PA)	Renacci	Yoho						
King (IA)	Ribble	Young (AK)						
King (NY)	Rice (SC)	Young (IA)						
Kinzinger (IL)	Rigell	Young (IN)						
Kline	Roby	Zeldin						
Knight	Roe (TN)	Zinke						

NOES—192

Adams	Costa	Graham
Aguilar	Costello (PA)	Grayson
Amash	Courtney	Green, Al
Ashford	Crowley	Green, Gene
Bass	Cuellar	Grijalva
Beatty	Cummings	Gutiérrez
Becerra	Curbelo (FL)	Hahn
Bera	Davis (CA)	Hastings
Beyer	Davis, Danny	Heck (NV)
Bishop (GA)	DeFazio	Heck (WA)
Blumenauer	DeGette	Higgins
Bonamici	Delaney	Himes
Boyle, Brendan	DeLauro	Hinojosa
F.	DelBene	Honda
Brady (PA)	DeSaulnier	Hoyer
Brown (FL)	Deutch	Huffman
Brownley (CA)	Diaz-Balart	Israel
Bustos	Dingell	Jackson Lee
Butterfield	Doggett	Jeffries
Capps	Dold	Johnson (GA)
Capuano	Donovan	Johnson, E. B.
Carney	Doyle, Michael	Jolly
Carson (IN)	F.	Kaptur
Cartwright	Duckworth	Katko
Castor (FL)	Edwards	Keating
Chu, Judy	Ellison	Kelly (IL)
Ciilline	Engel	Kennedy
Clark (MA)	Eshoo	Kildee
Clarke (NY)	Esty	Kilmer
Clay	Farr	Kind
Cleaver	Foster	Kirkpatrick
Clyburn	Frankel (FL)	Kuster
Cohen	Fudge	Langevin
Connolly	Gabbard	Larsen (WA)
Conyers	Gallego	Larson (CT)
Cooper	Garamendi	Lawrence

NOT VOTING—14

Granger
Hanna
Duffy
Fattah
Fincher
O'Rourke
Rice (NY)
Takai
Jenkins (KS)
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2243

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

AMENDMENT OFFERED BY MR. GOSAR

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 230, noes 188, not voting 15, as follows:

[Roll No. 256]

AYES—230

Abraham	Bridenstine	Cook
Aderholt	Brooks (AL)	Cramer
Allen	Brooks (IN)	Crawford
Amash	Buchanan	Crenshaw
Amodei	Buck	Culberson
Babin	Bucshon	Davis, Rodney
Burgess	Burgess	Denham
Byrne	Byrne	Dent
Calvert	Calvert	DesJarlais
Carter (GA)	Carter (GA)	Diaz-Balart
Carter (TX)	Chabot	Donovan
Chaffetz	Chaffetz	Duncan (SC)
Clawson (FL)	Clawson (FL)	Duncan (TN)
Coffman	Coffman	Ellmers (NC)
Cole	Cole	Emmer (MN)
Collins (GA)	Collins (GA)	Farenthold
Collins (NY)	Collins (NY)	Fitzpatrick
Comstock	Comstock	Fleischmann
Conaway	Conaway	Fleming

NOES—188

Adams	Cummings	Himes
Aguilar	Curbelo (FL)	Hinojosa
Ashford	Davis (CA)	Honda
Bass	Davis, Danny	Hoyer
Beatty	DeFazio	Huffman
Becerra	DeGette	Israel
Bera	Delaney	Jackson Lee
Beyer	DeLauro	Jeffries
Bishop (GA)	DelBene	Johnson (GA)
Blumenauer	DeSaulnier	Johnson, E. B.
Bonamici	Deutch	Kaptur
Boyle, Brendan	Dingell	Katko
F.	Doggett	Keating
Brady (PA)	Dold	Kelly (IL)
Brown (FL)	Doyle, Michael	Kennedy
Brownley (CA)	F.	Kildee
Bustos	Duckworth	Kilmer
Butterfield	Edwards	Kind
Capps	Ellison	Kirkpatrick
Capuano	Engel	Kuster
Carney	Eshoo	Langevin
Carson (IN)	Esty	Larsen (WA)
Cartwright	Farr	Larson (CT)
Castor (FL)	Foster	Lawrence
Chu, Judy	Frankel (FL)	Lee
Ciilline	Fudge	Levin
Clark (MA)	Gabbard	Lewis
Clarke (NY)	Gallego	Lieu, Ted
Clay	Garamendi	Lipinski
Cleaver	Gibson	Loeb sack
Clyburn	Graham	Lofgren
Cohen	Grayson	Lowenthal
Connolly	Green, Al	Lowe y
Conyers	Green, Gene	Lujan Grisham
Cooper	Grijalva	(NM)
Costa	Gutiérrez	Luján, Ben Ray
Costello (PA)	Hahn	(NM)
Courtney	Hastings	Lynch
Crowley	Heck (WA)	Maloney,
Cuellar	Higgins	Carolyn

Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan

Polis
Price (NC)
Quigley
Rangel
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires

Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—15

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher

Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn

McHenry
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2246

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FOSTER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 206, noes 213, not voting 14, as follows:

[Roll No. 257]

AYES—206

Aguilar
Allen
Amash
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (MI)
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Brownley (CA)
Buck
Bucshon
Burgess
Bustos
Carter (GA)
Cartwright
Chu, Judy
Clarke (NY)
Clawson (FL)
Clay

Coffman
Cohen
Collins (GA)
Cooper
Costa
Costello (PA)
Courtney
Crowley
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
DeLauro
Denham
Dent
DeSantis
DeSaulnier
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Eshoo

Esty
Farr
Fitzpatrick
Forbes
Foster
Foxx
Franks (AZ)
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Graham
Graves (GA)
Green, Gene
Griffith
Gutiérrez
Hahn
Harris
Hensarling
Hice, Jody B.
Higgins
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson

Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Israel
Issa
Jeffries
Johnson (GA)
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (PA)
Kildee
Schiff
Kinzinger (IL)
Kirkpatrick
Kline
Knight
LaHood
Lance
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Loudermilk
Lowenthal
Maloney,
Carolyn
Maloney, Sean
Marino
Massie
McCarthy

McClintock
McDermott
McHenry
McSally
Meeks
Meng
Miller (FL)
Moore
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascarell
Paulsen
Pelosi
Perry
Peters
Peterson
Polis
Posey
Price, Tom
Quigley
Rangel
Ratcliffe
Renacci
Ribble
Rigell
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Ruiz
Ryan (OH)
Sánchez, Linda
T.

Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (NJ)
Smith (WA)
Stefanik
Stivers
Takano
Thompson (MS)
Tiberi
Tipton
Tonko
Torres
Veasey
Vela
Walberg
Walker
Walz
Wasserman
Schultz
Watson Coleman
Wenstrup
Westmoreland
Wittman
Woodall
Yoho
Zeldin

NOES—213

Abraham
Adams
Aderholt
Amodei
Babin
Barr
Barton
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Boustany
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Butterfield
Byrne
Calvert
Capps
Hastings
Heck (NV)
Heck (WA)
Hill
Huelskamp
Hurd (TX)
Huelskamp
Hurd (TX)
Jackson Lee
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Kaptur
Keating
Kelly (MS)
Kennedy
Kilmer
King (IA)
King (NY)
Kuster
Labrador
LaMalfa
Langevin
Lee
Lewis
Long
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)

Ellison
Farenthold
Fleischmann
Fleming
Flores
Fortenberry
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gosar
Gowdy
Graves (LA)
Graves (MO)
Grayson
Green, Al
Grijalva
Grothman
Guthrie
Hardy
Harper
Hartzer
Hastings
Heck (NV)
Heck (WA)
Hill
Huelskamp
Hurd (TX)
Huelskamp
Hurd (TX)
Jackson Lee
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Kaptur
Keating
Kelly (MS)
Kennedy
Kilmer
King (IA)
King (NY)
Kuster
Labrador
LaMalfa
Langevin
Lee
Lewis
Long
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)

Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Marchant
Matsui
McCaul
McCollum
McGovern
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Payne
Pearce
Perlmutter
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Price (NC)
Reed
Reichert
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Ross
Roybal-Allard
Royce
Ruppersberger

Rush
Russell
Salmon
Sanford
Scaife
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (NJ)
Smith (WA)
Stefanik
Stivers
Takano
Thompson (MS)
Tiberi
Tipton
Tonko
Torres
Veasey
Vela
Walberg
Walker
Walz
Wasserman
Schultz
Watson Coleman
Wenstrup
Westmoreland
Wittman
Woodall
Yoho
Zeldin

Thompson (CA)
Thompson (PA)
Thornberry
Titus
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi

Waters, Maxine
Weber (TX)
Webster (FL)
Welch
Westerman
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Womack
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher

Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn

O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2249

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SEAN PATRICK
MALONEY OF NEW YORK

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 223, noes 195, not voting 15, as follows:

[Roll No. 258]

AYES—223

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers

Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Dingell
Dingell
Dold
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick

Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)

Kennedy	Moore	Scott (VA)	Stewart	Walberg	Wilson (SC)	McMorris	Reichert	Stivers
Kildee	Moulton	Scott, David	Stivers	Walker	Wittman	Rodgers	Renacci	Stutzman
Kilmer	Murphy (FL)	Serrano	Stutzman	Walorski	Womack	McSally	Ribble	Thompson (PA)
Kind	Nadler	Sewell (AL)	Thompson (PA)	Weber (TX)	Woodall	Meadows	Rice (SC)	Thornberry
Kinzinger (IL)	Napolitano	Sherman	Thornberry	Webster (FL)	Yoder	Meehan	Rigell	Tiberi
Kirkpatrick	Neal	Shimkus	Tiberi	Wenstrup	Yoho	Messer	Roby	Tipton
Kuster	Nolan	Sinema	Tipton	Westerman	Young (AK)	Mica	Roe (TN)	Trott
Lance	Norcross	Sires	Trott	Westmoreland	Zinke	Miller (FL)	Rogers (AL)	Turner
Langevin	Pallone	Slaughter	Turner	Whitfield		Miller (MI)	Rogers (KY)	Upton
Larsen (WA)	Pascrell	Smith (WA)	Wagner	Williams		Moolenaar	Rohrabacher	Valadao
Larson (CT)	Paulsen	Speier				Mooney (WV)	Rokita	Wagner
Lawrence	Payne	Stefanik				Mullin	Rooney (FL)	Walberg
Lee	Pelosi	Swalwell (CA)	Blumenauer	Fincher	Lamborn	Mulvaney	Roskam	Walden
Levin	Perlmutter	Takano	Cardenas	Granger	O'Rourke	Murphy (PA)	Ross	Walker
Lewis	Peters	Thompson (CA)	Castro (TX)	Hanna	Rice (NY)	Neugebauer	Rothfus	Walorski
Lieu, Ted	Peterson	Thompson (MS)	Duffy	Herrera Beutler	Takai	Newhouse	Rouzer	Walters, Mimi
Lipinski	Pingree	Titus	Fattah	Jenkins (KS)	Yarmuth	Noem	Royce	Weber (TX)
LoBiondo	Pocan	Tonko				Nugent	Russell	Webster (FL)
Loeb sack	Poliquin	Torres				Nunes	Salmon	Wenstrup
Lofgren	Polis	Tsongas				Olson	Sanford	Westerman
Lowenthal	Price (NC)	Upton				Palazzo	Scalise	Westmoreland
Lowey	Quigley	Valadao				Palmer	Schweikert	Whitfield
Lujan Grisham	Rangel	Van Hollen				Paulsen	Scott, Austin	Williams
(NM)	Reed	Vargas				Pearce	Sensenbrenner	Wilson (SC)
Luján, Ben Ray	Reichert	Veasey				Perry	Sessions	Wittman
(NM)	Renacci	Vela				Pittenger	Shimkus	Womack
Lynch	Richmond	Velázquez				Pitts	Shuster	Woodall
MacArthur	Rooney (FL)	Visclosky				Poe (TX)	Simpson	Yoder
Maloney,	Ros-Lehtinen	Walden				Poliquin	Smith (MO)	Yoho
Carolyn	Roybal-Allard	Walters, Mimi				Pompeo	Smith (NE)	Young (AK)
Maloney, Sean	Ruiz	Walz				Posey	Smith (NJ)	Young (IA)
Matsui	Ruppersberger	Wasserman				Price, Tom	Smith (TX)	Young (IN)
McCollum	Rush	Schultz				Ratcliffe	Stefanik	Zeldin
McDermott	Ryan (OH)	Waters, Maxine				Reed	Stewart	Zinke
McGovern	Sánchez, Linda	Watson Coleman						
McNerney	T.	Welch						
McSally	Sanchez, Loretta	Wilson (FL)						
Meehan	Sarbanes	Young (IA)						
Meeks	Schakowsky	Young (IN)						
Meng	Schiff	Zeldin						
Messer	Schrader							

NOES—195

Abraham	Gibbs	McMorris
Aderholt	Gohmert	Rodgers
Allen	Goodlatte	Meadows
Amodeli	Gosar	Mica
Babin	Gowdy	Miller (FL)
Barletta	Graves (GA)	Miller (MI)
Barr	Graves (LA)	Moolenaar
Barton	Graves (MO)	Mooney (WV)
Benishek	Griffith	Mullin
Bilirakis	Grothman	Mulvaney
Bishop (MI)	Guinta	Murphy (PA)
Bishop (UT)	Guthrie	Neugebauer
Black	Hardy	Newhouse
Blackburn	Harper	Noem
Blum	Harris	Noem
Bost	Hartzer	Nugent
Boustany	Hensarling	Nunes
Brady (TX)	Hice, Jody B.	Olson
Brat	Hill	Palazzo
Bridenstine	Holding	Palmer
Brooks (AL)	Hudson	Pearce
Buchanan	Huelskamp	Perry
Buck	Huizenga (MI)	Pittenger
Bucshon	Hultgren	Pitts
Burgess	Hunter	Poe (TX)
Byrne	Hurt (VA)	Pompeo
Calvert	Jenkins (WV)	Posay
Carter (GA)	Johnson (OH)	Price, Tom
Carter (TX)	Johnson, Sam	Ratcliffe
Chabot	Jones	Ribble
Chaffetz	Jordan	Rice (SC)
Clawson (FL)	Joyce	Rigell
Cole	Kelly (MS)	Roby
Collins (GA)	Kelly (PA)	Roe (TN)
Collins (NY)	King (IA)	Rogers (AL)
Comstock	King (NY)	Rogers (KY)
Conaway	Kline	Rohrabacher
Cook	Knight	Rokita
Cramer	Labrador	Roskam
Crawford	LaHood	Ross
Crenshaw	LaMalfa	Rothfus
Culberson	Latta	Rouzer
DeSantis	Long	Royce
DesJarlais	Loudermilk	Russell
Duncan (SC)	Love	Salmon
Duncan (TN)	Lucas	Sanford
Ellmers (NC)	Luetkemeyer	Scalise
Farenthold	Lummis	Schweikert
Fleischmann	Marchant	Scott, Austin
Fleming	Marino	Sensenbrenner
Flores	Massie	Sessions
Forbes	McCarthy	Shuster
Fortenberry	McCaul	Simpson
Fox	McClintock	Smith (MO)
Franks (AZ)	McHenry	Smith (NE)
Garrett	McKinley	Smith (NJ)
		Smith (TX)

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 233, noes 186, not voting 14, as follows:

[Roll No. 259]

AYES—233

Abraham	Cuellar	Holding
Aderholt	Culberson	Hudson
Allen	Davis, Rodney	Huelskamp
Amash	Denham	Huizenga (MI)
Amodei	DeSantis	Hultgren
Babin	DesJarlais	Hunter
Barletta	Diaz-Balart	Hurd (TX)
Barr	Donovan	Hurt (VA)
Barton	Duncan (SC)	Issa
Benishek	Duncan (TN)	Jenkins (WV)
Bilirakis	Ellmers (NC)	Johnson (OH)
Bishop (MI)	Emmer (MN)	Johnson, Sam
Bishop (UT)	Farenthold	Jolly
Black	Fitzpatrick	Jones
Blackburn	Fleischmann	Jordan
Blum	Fleming	Joyce
Bost	Flores	Kelly (MS)
Boustany	Forbes	Kelly (PA)
Brady (TX)	Fortenberry	King (IA)
Brat	Fox	King (NY)
Bridenstine	Franks (AZ)	Kinzing (IL)
Brooks (AL)	Frelinghuysen	Kline
Brooks (IN)	Garrett	Knight
Buchanan	Gibbs	Labrador
Buck	Gibson	LaHood
Bucshon	Gohmert	LaMalfa
Burgess	Goodlatte	Lance
Gosar	Latta	Lance
Gowdy	Lipinski	Latta
Graves (GA)	Long	Lipinski
Graves (LA)	Loudermilk	Long
Graves (MO)	Love	Loudermilk
Griffith	Lucas	Love
Grothman	Luetkemeyer	Lucas
Guinta	Lummis	Luetkemeyer
Guthrie	MacArthur	Lummis
Hardy	Marchant	MacArthur
Harper	Marino	Marchant
Harris	Massie	Marino
Hartzer	McCarthy	Massie
Heck (NV)	McCaul	McCarthy
Hensarling	McClintock	McCaul
Hice, Jody B.	McHenry	McClintock
Hill	McKinley	McHenry

Adams	Foster	Meng
Aguilar	Frankel (FL)	Moore
Ashford	Fudge	Moulton
Bass	Gabbard	Murphy (FL)
Beatty	Gallego	Nadler
Becerra	Garamendi	Napolitano
Bera	Graham	Neal
Beyer	Grayson	Nolan
Bishop (GA)	Green, Al	Norcross
Blumenauer	Green, Gene	Pallone
Bonamici	Grijalva	Pascrell
Boyle, Brendan	Gutiérrez	Payne
F.	Hahn	Pelosi
Brady (PA)	Hastings	Perlmutter
Brown (FL)	Heck (WA)	Peters
Brownley (CA)	Higgins	Peterson
Bustos	Himes	Pingree
Butterfield	Hinojosa	Pocan
Capps	Honda	Polis
Capuano	Hoyer	Price (NC)
Carney	Huffman	Quigley
Carson (IN)	Israel	Rangel
Cartwright	Jackson Lee	Richmond
Castor (FL)	Jeffries	Ros-Lehtinen
Chu, Judy	Johnson (GA)	Roybal-Allard
Ciilline	Johnson, E. B.	Ruiz
Clark (MA)	Kaptur	Ruppersberger
Clarke (NY)	Katko	Rush
Clay	Keating	Ryan (OH)
Cleaver	Kelly (IL)	Sánchez, Linda
Clyburn	Kennedy	T.
Coffman	Kildee	Sanchez, Loretta
Cohen	Kilmer	Sarbanes
Connolly	Kind	Schakowsky
Conyers	Kirkpatrick	Schiff
Cooper	Kuster	Schrader
Costa	Langevin	Scott (VA)
Courtney	Larsen (WA)	Scott, David
Crowley	Larson (CT)	Serrano
Cummings	Lawrence	Sewell (AL)
Curbelo (FL)	Lee	Sherman
Davis (CA)	Levin	Sinema
Davis, Danny	Lieu, Ted	Sires
DeFazio	LoBiondo	Slaughter
DeGette	Loeb sack	Smith (WA)
Delaney	Lofgren	Speier
DeLauro	Lowenthal	Swalwell (CA)
DelBene	Lowey	Takano
Dent	Lujan Grisham	Thompson (CA)
DeSaulnier	(NM)	Thompson (MS)
Deutch	Luján, Ben Ray	Titus
Dingell	(NM)	Tonko
Doggett	Lynch	Torres
Dold	Maloney,	Tsongas
Doyle, Michael	Carolyn	Van Hollen
F.	Maloney, Sean	Vargas
Duckworth	Matsui	Veasey
Edwards	McCollum	Vela
Ellison	McDermott	Velázquez
Engel	McGovern	Visclosky
Eshoo	McNerney	Walz
Esty	Meeks	
Farr		

NOES—186

Wasserman
Schultz

Waters, Maxine
Watson Coleman

Welch
Wilson (FL)

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher

Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn

O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2256

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

AMENDMENT NO. 14 OFFERED BY MRS.
BLACKBURN

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Tennessee (Mrs.
BLACKBURN) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
vice, and there were—ayes 158, noes 258,
not voting 17, as follows:

[Roll No. 260]

AYES—158

Allen
Amash
Babin
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
Cooper
Cramer
Crawford
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta

Guthrie
Hardy
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
Lance
Latta
Long
Loudermilk
Love
Lucas
Lummis
Marchant
McCarthy
McCaul
McClintock
McHenry
McMorris
Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Olson

Palazzo
Palmer
Paulsen
Pearce
Perrin
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roe (TN)
Rohrabacher
Rokita
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Upton
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westernman
Williams
Wilson (SC)
Wittman

Woodall
Yoder

Yoho
Young (IA)

Young (IN)
Zinke

NOES—258

Abraham
Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishchek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Costa
Costello (PA)
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DeBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster

Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowe
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem

Nolan
Norcross
Nugent
Nunes
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pocan
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Westmoreland
Whitfield
Wilson (FL)
Womack
Young (AK)
Zeldin

NOT VOTING—17

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler

O'Rourke
Rice (NY)

Sanford
Takai

Waters, Maxine
Yarmuth

□ 2259

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

AMENDMENT OFFERED BY MR. SMITH OF
MISSOURI

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Missouri (Mr. SMITH)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
vice, and there were—ayes 119, noes 300,
not voting 14, as follows:

[Roll No. 261]

AYES—119

Amodei
Babin
Barletta
Benishchek
Bilirakis
Bishop (UT)
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Jones
Jordan
Kelly (PA)
King (IA)
Knight
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McMorris
Rodgers
Gohmert
Goodlatte
Gosar

Gowdy
Graves (GA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Jones
Kelly (PA)
King (IA)
Knight
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McMorris
Rodgers
Gohmert
Goodlatte
Gosar

Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Palmer
Pearce
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Ribble
Rice (SC)
Roe (TN)
Ros-Lehtinen
Ross
Rouzer
Russell
Schweikert
Scott, Austin
Sensenbrenner
Smith (MO)
Stutzman
Thompson (PA)
Tipton
Wagner
Walden
Webster (FL)
Wenstrup
Westernman
Westmoreland
Whitfield
Williams
Woodall
Yoder
Yoho
Zinke

NOES—300

Abraham
Adams
Aderholt
Aguilar
Bost
Boyle, Brendan
F.
Brady (PA)
Brat
Brooks (AL)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Beyer
Bishop (GA)
Bishop (MI)
Black

Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brat
Brooks (AL)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano

Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comstock
Conaway

Connolly Kelly (IL)
Conyers Kelly (MS)
Cooper Kennedy
Costa Kildee
Costello (PA) Kilmer
Courtney Kind
Crenshaw King (NY)
Crowley Kinzinger (IL)
Cuellar Kirkpatrick
Cummings Kline
Davis (CA) Kuster
Davis, Danny Labrador
Davis, Rodney LaHood
DeFazio Lance
DeGette Langevin
Delaney Larsen (WA)
DeLauro Larson (CT)
DelBene Lawrence
Dent Lee
DeSaulnier Levin
Deutch Lewis
Diaz-Balart Lieu, Ted
Dingell Lipinski
Doggett LoBiondo
Dold Loeb sack
Donovan Lofgren
Doyle, Michael Lowenthal
F. Lowey
Duckworth Lujan Grisham
Duncan (TN) (NM)
Edwards Luján, Ben Ray
Ellison (NM)
Engel Lynch
Eshoo MacArthur
Esty Maloney,
Farr Carolyn
Fitzpatrick Maloney, Sean
Fleischmann Matusi
Flores McCollum
Forbes McDermott
Fortenberry McGovern
Foster McHenry
Foxy McKinley
Frankel (FL) McNeerney
Frelinghuysen McSally
Fudge Meehan
Gallo Meeks
Garamendi Meng
Gibbs Messer
Gibson Miller (MI)
Graham Moolenaar
Graves (LA) Moore
Grayson Moulton
Green, Al Murphy (FL)
Green, Gene Nadler
Grijalva Napolitano
Gutiérrez Hahn
Hahn Neal
Harper Newhouse
Hastings Noem
Heck (NV) Nolan
Heck (WA) Norcross
Hensarling Nugent
Higgins Nunes
Hill Vela
Himes Palazzo
Hinojosa Pallone
Honda Pascrell
Hoyer Paulsen
Huffman Payne
Hultgren Pelosi
Hurd (TX) Perlmutter
Israel Perry
Issa Peters
Jackson Lee Peterson
Jeffries Pingree
Jenkins (WV) Pittenger
Johnson (GA) Pitts
Johnson (OH) Pocan
Johnson, E. B. Polis
Johnson, Sam Price (NC)
Jolly Quigley
Joyce Rangel
Kaptur Reichert
Katko Renacci
Keating Richmond

NOT VOTING—14

Cárdenas Granger
Castro (TX) Hanna
Duffy Herrera Beutler
Fattah Jenkins (KS)
Fincher Lamborn

□ 2302

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 128, noes 291, not voting 14, as follows:

[Roll No. 262]

AYES—128

Allen Grothman
Amash Guinta
Amodei Guthrie
Babin Harris
Benishke Hartzler
Bilirakis Hensarling
Bishop (MI) Hice, Jody B.
Bishop (UT) Holding
Black Hudson
Blackburn Huelskamp
Brady (TX) Huizenga (MI)
Bribe
Bridenstine Hurt (VA)
Brooks (AL) Johnson, Sam
Buck Jones
Burgess Jordan
Byrne Kelly (MS)
Carter (GA) Knight
Chabot Labrador
Chaffetz LaHood
Clawson (FL) LaMalfa
Conaway Lance
Cook Latta
Culberson Loudermilk
DeSantis Love
DesJarlais Lummis
Duncan (SC) Marino
Duncan (TN) Massie
Ellmers (NC) McCarthy
Emmer (MN) McClintock
Farenthold McHenry
Fleming McMorris
Forbes Rodgers
Foxy Meadows
Franks (AZ) Messer
Garrett Miller (FL)
Gibbs Miller (MI)
Gohmert Moolenaar
Goodlatte Mullin
Gosar Mulvaney
Gowdy Neugebauer
Graves (LA) Olson
Griffith Palmer

NOES—291

Abraham Brownley (CA)
Adams Buchanan
Aderholt Bucshon
Aguilar Bustos
Ashford Butterfield
Barletta Calvert
Barr Capps
Barton Capuano
Bass Carney
Beatty Carson (IN)
Becerra Carter (TX)
Bera Cartwright
Beyer Castor (FL)
Bishop (GA) Chu, Judy
Blum Cicilline
Blumenauer Clark (MA)
Bonamici Clarke (NY)
Bost Clay
Boustany Cleaver
Boyle, Brendan Clyburn
F. Coffman
Brady (PA) Cohen
Brooks (IN) Cole
Brown (FL) Collins (GA)

Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hardy
Harper
Hastings
Heck (NV)
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Cárdenas
Castro (TX)
Duffy
Fattah
Fincher

Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Matsui
McCaul
McCollum
McDermott
McGovern
McKinley
McNeerney
McSally
Meehan
Meeks
Meng
Mica
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Matsui
McCaul
McCollum
McDermott
McGovern
McKinley
McNeerney
McSally
Meehan
Meeks
Meng
Mica
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Matsui
McCaul
McCollum
McDermott
McGovern
McKinley
McNeerney
McSally
Meehan
Meeks
Meng
Mica
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Matsui
McCaul
McCollum
McDermott
McGovern
McKinley
McNeerney
McSally
Meehan
Meeks
Meng
Mica
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Matsui
McCaul
McCollum
McDermott
McGovern
McKinley
McNeerney
McSally
Meehan
Meeks
Meng
Mica
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
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McCaul
McCollum
McDermott
McGovern
McKinley
McNeerney
McSally
Meehan
Meeks
Meng
Mica
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 251, noes 168, not voting 14, as follows:

[Roll No. 263]

AYES—251

Abraham	Gowdy	Murphy (PA)
Aderholt	Graham	Neugebauer
Allen	Graves (GA)	Newhouse
Amash	Graves (LA)	Noem
Amodel	Graves (MO)	Nugent
Ashford	Green, Gene	Nunes
Babin	Griffith	Olson
Barletta	Grothman	Palazzo
Barr	Guinta	Palmer
Barton	Guthrie	Paulsen
Benishkek	Hardy	Pearce
Bera	Harper	Perry
Bilirakis	Harris	Peters
Bishop (MI)	Hartzler	Pittenger
Bishop (UT)	Heck (NV)	Pitts
Black	Hensarling	Poe (TX)
Blackburn	Hice, Jody B.	Poliquin
Blum	Hill	Pompeo
Bost	Holding	Posey
Boustany	Hudson	Price, Tom
Boyle, Brendan	Huelskamp	Ratcliffe
F.	Huizenga (MI)	Reed
Brady (TX)	Hultgren	Reichert
Brat	Hunter	Renacci
Bridenstine	Hurd (TX)	Ribble
Brooks (AL)	Hurt (VA)	Rice (SC)
Brooks (IN)	Issa	Rigell
Buchanan	Jenkins (WV)	Roby
Buck	Johnson (OH)	Roe (TN)
Bucshon	Johnson, Sam	Rogers (AL)
Burgess	Jolly	Rogers (KY)
Byrne	Jones	Rohrabacher
Calvert	Jordan	Rokita
Carter (GA)	Joyce	Rooney (FL)
Carter (TX)	Katko	Ros-Lehtinen
Chabot	Kelly (MS)	Roskam
Chaffetz	Kelly (PA)	Ross
Clawson (FL)	King (IA)	Rothfus
Coffman	King (NY)	Rouzer
Cole	Kinzing (IL)	Royce
Collins (GA)	Kline	Russell
Collins (NY)	Knight	Salmon
Comstock	Labrador	Sanford
Conaway	LaHood	Scalise
Cook	LaMalfa	Schrader
Costello (PA)	Lance	Schweikert
Cramer	Latta	Scott, Austin
Crawford	Lieu, Ted	Scott, David
Crenshaw	Lipinski	Sensenbrenner
Culberson	LoBiondo	Sessions
Curbelo (FL)	Long	Sherman
Davis, Rodney	Loudermilk	Shimkus
Denham	Love	Shuster
Dent	Lucas	Simpson
DeSantis	Luetkemeyer	Smith (MO)
DesJarlais	Lummis	Smith (NE)
Diaz-Balart	MacArthur	Smith (NJ)
Dold	Maloney, Sean	Smith (TX)
Donovan	Marchant	Stefanik
Duncan (SC)	Marino	Stewart
Ellmers (NC)	Massie	Stivers
Emmer (MN)	McCarthy	Stutzman
Engel	McCaul	Thompson (PA)
Farenthold	McClintock	Thornberry
Fitzpatrick	McHenry	Tiberi
Fleischmann	McKinley	Tipton
Fleming	McMorris	Trott
Flores	Rodgers	Turner
Forbes	McSally	Walters
Fortenberry	Meadows	Walberg
Fox	Meehan	Walden
Frank (AZ)	Messer	Walker
Frelinghuysen	Mica	Walorski
Garrett	Miller (FL)	Walters, Mimi
Gibbs	Miller (MI)	Weber (TX)
Gibson	Moolenaar	Webster (FL)
Gohmert	Mooney (WV)	
Goodlatte	Mullin	
Gosar	Mulvaney	

Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)

Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)

Young (IA)
Young (IN)
Zeldin
Zinke

NOES—168

Adams
Aguilar
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.

Fudge
Gabbard
Gallo
Garamendi
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Esty
Meng
Moore
Moulton

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher

Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—14

□ 2309

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2017”.

Mr. SIMPSON. Madam Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROS-LEHTINEN) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration

the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

MOTION TO INSTRUCT CONFEREES ON S. 2012, ENERGY POLICY MODERNIZATION ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes, offered by the gentleman from Arizona (Mr. GRIJALVA) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 205, nays 212, not voting 16, as follows:

[Roll No. 264]

YEAS—205

Adams	Ellison	Lofgren
Aguilar	Engel	Lowenthal
Ashford	Eshoo	Lowe
Bass	Esty	Lujan Grisham
Beatty	Farr	(NM)
Becerra	Fitzpatrick	Lujan, Ben Ray
Benishkek	Fortenberry	(NM)
Bera	Foster	Lynch
Beyer	Frankel (FL)	MacArthur
Bishop (GA)	Fudge	Maloney,
Blumenauer	Gabbard	Carolyn
Bonamici	Gallo	Maloney, Sean
Boyle, Brendan	Garamendi	Matsui
F.	Gibson	McCaul
Brady (PA)	Graham	McCollum
Brown (FL)	Grayson	McDermott
Brownley (CA)	Green, Al	McGovern
Bustos	Green, Gene	McNerney
Butterfield	Grijalva	McSally
Capps	Guinta	Meehan
Capuano	Gutiérrez	Meeks
Carney	Hahn	Meng
Carson (IN)	Hastings	Moore
Cartwright	Heck (WA)	Moulton
Castor (FL)	Higgins	Murphy (FL)
Chu, Judy	Himes	Nadler
Cicilline	Hinojosa	Napolitano
Clark (MA)	Honda	Neal
Clarke (NY)	Hoyer	Nolan
Clay	Huffman	Norcross
Cleaver	Israel	Pallone
Clyburn	Jackson Lee	Pascrell
Cohen	Jeffries	Payne
Connolly	Johnson (GA)	Pelosi
Conyers	Johnson, E. B.	Perlmutter
Cooper	Jolly	Peters
Costa	Kaptur	Pingree
Costello (PA)	Katko	Pocan
Courtney	Keating	Poliquin
Crowley	Kelly (IL)	Polis
Cuellar	Kennedy	Price (NC)
Cummings	Kildee	Quigley
Davis (CA)	Kilmer	Rangel
Davis, Danny	Kind	Reichert
DeFazio	King (NY)	Richmond
DeGette	Kirkpatrick	Roybal-Allard
Delaney	Kuster	Ruiz
DeLauro	LaMalfa	Ruppersberger
DelBene	Lance	Rush
Dent	Langevin	Ryan (OH)
DeSaulnier	Larsen (WA)	Sanchez, Linda
Deutch	Larson (CT)	T.
Dingell	Lawrence	Sanchez, Loretta
Doggett	Lee	Sarbanes
Dold	Levin	Schakowsky
Donovan	Lewis	Schiff
Doyle, Michael	Lieu, Ted	Schrader
F.	Lipinski	Scott (VA)
Duckworth	LoBiondo	Scott, David
Edwards	Loeb sack	Serrano