

Lowey	Perlmutter	Sherman
Lujan	Peters	Shuler
Lynch	Pingree (ME)	Sires
Maloney	Price (NC)	Slaughter
Markey	Quigley	Smith (WA)
Matheson	Rahall	Speier
Matsui	Rangel	Stark
McCarthy (NY)	Reichert	Sutton
McCollum	Reyes	Thompson (CA)
McDermott	Richardson	Tierney
McGovern	Richmond	Tonko
McIntyre	Rigell	Towns
McNerney	Ross (AR)	Tsongas
Michaud	Rothman (NJ)	Van Hollen
Miller (NC)	Roybal-Allard	Velázquez
Miller, George	Ruppersberger	Visclosky
Moore	Rush	Walz (MN)
Moran	Ryan (OH)	Wasserman
Murphy (CT)	Sánchez, Linda	Schultz
Nadler	T.	Watt
Napolitano	Sanchez, Loretta	Waxman
Neal	Sarbanes	Weiner
Olver	Schakowsky	Welch
Owens	Schiff	Wilson (FL)
Pallone	Schwartz	Woolsey
Pascrell	Scott (VA)	Wu
Pastor (AZ)	Serrano	Yarmuth
Payne	Sewell	

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

APRIL 8, 2011.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 8, 2011 at 11:35 p.m.:

That the Senate passed with amendment H.R. 1363.

With best wishes, I am Sincerely,

KAREN L. HAAS.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to the order of the House of today, I call up the bill (H.R. 1363) making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes, with the Senate amendment thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. The Continuing Appropriations Act, 2011 (Public Law 111-242) is further amended—

(1) by striking the date specified in section 106(3) and inserting "April 15, 2011";

(2) by adding after section 294, as added by the Additional Continuing Appropriations Amendments, 2011 (section 1 of Public Law 112-6), the following new sections:

"SEC. 295. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Office of the Secretary—Transportation Planning, Research, and Development' at a rate for operations of \$9,800,000.

"SEC. 296. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Facilities and Equipment' at a rate for operations of \$2,927,500,000.

"SEC. 297. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Research, Engineering, and Development' at a rate for operations of \$187,000,000.

"SEC. 298. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service' at a rate for operations of \$1,000,000,000.

"SEC. 299. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Railroad Research and Development' at a rate for operations of \$35,100,000.

"SEC. 300. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Capital Investment Grants' at a rate for operations of \$1,720,000,000.

"SEC. 301. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Research and University Research Centers' at a rate for operations of \$64,200,000.

"SEC. 302. Notwithstanding section 101, amounts are provided for 'Department of Housing and Urban Development—Public and Indian Housing—Public Housing Operating Fund' at a rate for operations of \$4,626,000,000.

"SEC. 303. Notwithstanding sections 101 and 226, amounts are provided for 'Department of Housing and Urban Development—Community Planning and Development—Community Development Fund' at a rate for operations of \$4,230,068,480, of which \$0 shall be for grants for the Economic Development Initiative (EDI), \$0 shall be for neighborhood initiatives, and \$0 shall be for grants specified in the last proviso of the last paragraph under such heading in title II of division A of Public Law 111-117: Provided, That the second and third paragraphs

NOT VOTING—13

Berkley	Hinchey	Waters
Clay	Meeks	Young (AK)
Cleaver	Paul	Young (FL)
Frelinghuysen	Pelosi	
Giffords	Polis	

1541

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Mr. Speaker, I would like to inform my colleagues that additional legislative business and votes are possible today.

I would expect Members to have at least 1 hour's notice prior to any recorded votes. Due to ongoing negotiations, it is critical for the House to remain in legislative session.

In addition, Mr. Speaker, I would remind my colleagues that in the case of a lapse in appropriations, I fully expect the House to meet tomorrow.

We will provide further information as soon as it's available, but Members should continue to keep their schedule for this weekend as flexible as possible.

RECESS

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

Accordingly (at 3 o'clock and 42 minutes p.m.), the House stood in recess subject to the call of the Chair.

(0000)

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Washington) at midnight.

FURTHER ADDITIONAL CONTINUING APPROPRIATIONS AMENDMENTS, 2011

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it be in order at any time to take from the Speaker's table the bill H.R. 1363, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment; that the Senate amendment be considered as read; that the motion be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and that the previous question be considered as ordered on the motion to final adoption without intervening motion.

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

Mr. DICKS. Mr. Speaker, reserving the right to object, this only affects this bill tonight; isn't this correct?

Mr. DREIER. Will the gentleman yield?

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

Mr. DREIER. I thank my friend for yielding.

Let me say, yes, this only addresses the measure, the short-term continuing resolution, that we are considering this evening.

Mr. DICKS. And the only amendment to this is the \$2 billion in cuts; is that correct?

Mr. DREIER. If the gentleman would further yield, the gentleman is absolutely correct.

Mr. DICKS. So this would look a lot like the Dicks amendment that was offered in the Rules Committee for a clean CR?

Mr. DREIER. If the gentleman would yield, I would say that the groundwork that was laid earlier this week by my very good friend from Seattle has, I know, played an integral role in getting us to this very important point.

Mr. DICKS. We could have done it a little earlier, is all I am saying.

under such heading in title II of division A of Public Law 111-117 shall not apply to funds appropriated by this Act.”

This Act may be cited as the “Further Additional Continuing Appropriations Amendments, 2011”.

MOTION TO CONCUR

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendment to H.R. 1363.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the motion shall be debatable for 20 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 10 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1363.

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

There was no objection.

Mr. ROGERS of Kentucky. I yield myself such time as I may consume.

Mr. Speaker, we come here tonight just moments before the government is forced to close its doors with very good news. We have an agreement with the Senate and the White House to fund the government for the rest of the fiscal year, while providing critical resources for our national defense.

In addition, when this agreement is signed into law, we will have taken the unprecedented step of passing the largest non-defense spending cut in the history of the Nation, tens of billions of dollars larger than any other non-defense reduction. This remarkable achievement is the result of hard-fought negotiations that required all sides to come together to find common ground.

The American people need and deserve to have a functioning government, but they also deserve a government that spends its taxpayer dollars responsibly, a government that won't saddle their children and grandchildren with unsustainable and reckless debt.

Our constituents have sent us the message that the standard tax-and-spend culture in Washington is no longer acceptable. It has been the goal of this new Republican majority to keep precious tax dollars where they are needed most, in the hands of businesses and individuals across the Nation so that they can create jobs and grow our economy.

This agreement will mark the end of a budget process that should have been completed almost a year ago by the

previous Congress. Yet sometimes the end result is worth the wait, and the unparalleled spending cuts in this bill will not only save the taxpayers tens of billions of dollars this year, but will allow Congress to continue the trend of reductions to dig our Nation out of our dangerous deficits and debt for years to come.

Now that a broad agreement has been reached, my committee will work over the next few days to craft legislation to bring to the floor next week.

While we continue to work, we must make responsible decisions to fund our troops and their families, keep the lights on in government, and continue to provide the services that Americans depend on every day.

This temporary CR allows us to meet these needs by providing funding through next Friday, April 15, while also making \$2 billion in additional spending cuts to show the American people that we are serious about cutting spending wherever and whenever we can.

Mr. Speaker, I guarantee the final legislation will rein in Federal spending, and this CR keeps us on track to cut excessive Federal spending as we continue to finalize a deal. We are determined to deliver to the American people a complete budget with historic levels of deep and real spending cuts, cuts that will keep our economy moving in the right direction.

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

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

First of all, I would like to thank the President and the leaders in the House and Senate on both sides for the compromise and for averting a government shutdown.

I think there was a major decision made tonight by both parties and by the administration to keep the government open.

(0010)

That's what the American people sent us here to do. They sent us here to work out compromises, to be able to resolve issues and to move forward, and I think this is an example of that.

Now, this CR will run for 1 week to April 15. It is basically a clean CR in the sense of there is no ideologically driven language. It has \$2 billion in it in cuts, but they are in the underlying agreement. And so I think this is acceptable.

My understanding is that there are cuts in discretionary spending and in some of the mandatory accounts. I am pleased that the leaders were able to reach this agreement.

We still have a lot of work to do. I want to say to my chairman that I still look forward to working on the 2012 appropriations bills, and I hope that we can work and have an open process where we can bring these bills to subcommittee, full committee and to the floor with open rules.

I would like to yield to my chairman just to make sure that that is still the

path we want to go in this year. We want to avoid what happened in 2006.

Now, I reminded you—sometimes you forget a little bit—that when the Republicans lost in 2006, there were a number of unfinished appropriations bills and we had to do an omnibus in 2007. We did it a little faster, by the way. It didn't take quite as long. But we're glad that this agreement was reached, and I look forward to getting on with the work of the 2012 appropriations items.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I really deeply appreciate the gentleman's reminding us again that he and I are determined to bring to the floor every single one of the 12 appropriations bills and complete our work in the House before the August recess.

Mr. DICKS. Absolutely. And we will work hard to cooperate in order to do that. We will try to keep a reasonable number of amendments on our side. I hope you can do that on your side.

I yield back the remainder of my time and ask for a vote.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of today, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. ROGERS).

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

Mr. ROGERS of Kentucky. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 348, nays 70, not voting 14, as follows:

[Roll No. 253]

YEAS—348

Adams	Brady (PA)	Coffman (CO)
Aderholt	Brady (TX)	Cohen
Akin	Braley (IA)	Cole
Alexander	Brooks	Conaway
Altmire	Brown (FL)	Connolly (VA)
Andrews	Buchanan	Conyers
Austria	Bucshon	Cooper
Baca	Buerkle	Costa
Bachus	Burgess	Costello
Barletta	Burton (IN)	Courtney
Barrow	Butterfield	Cravaack
Bartlett	Calvert	Crawford
Bass (CA)	Camp	Crenshaw
Bass (NH)	Campbell	Critz
Benishek	Cantor	Cuellar
Berg	Capito	Culberson
Berman	Capps	Cummings
Biggart	Cardoza	Davis (CA)
Billbray	Carnahan	Davis (KY)
Bilirakis	Carney	DeFazio
Bishop (GA)	Carson (IN)	DeGette
Bishop (NY)	Carter	DeLauro
Bishop (UT)	Cassidy	Denham
Black	Castor (FL)	Dent
Blackburn	Chandler	DesJarlais
Bonner	Cicilline	Deutch
Bono Mack	Clarke (MI)	Diaz-Balart
Boren	Clay	Dicks
Boswell	Clyburn	Dingell
Boustany	Coble	Doggett

Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxo
Franks (AZ)
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Heller
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Holden
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Insole
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Langevin

Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loeb
Lofgren, Zoe
Lowe
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rivera
Roby
Roe (TN)
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner
Upton
Van Hollen
Vislosky
Walberg
Walden
Walz (MN)
Wasserman
Posey
Schultz
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Wu
Yarmuth
Yoder
Young (FL)
Young (IN)

Holt
Honda
Huelskamp
Jackson (IL)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jordan
King (IA)
Kucinich
Labrador
Larson (CT)
Lee (CA)
Lewis (GA)
Long

Mack
Maloney
Markey
McCotter
McDermott
McGovern
Meeks
Miller, George
Mulvaney
Nadler
Palazzo
Pallone
Payne
Pearce
Rangel

Richmond
Rigell
Rush
Ryan (OH)
Scott (SC)
Serrano
Southernland
Towns
Velázquez
Walsh (IL)
Weiner
Wilson (SC)
Woolsey

of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1363. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes a.m.), under its previous order, the House adjourned until Monday, April 11, 2011, at 11 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1148. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Changes in Disease Status of the Brazilian State of Santa Catarina With regard to Certain Ruminant and Swine Diseases; Technical Amendment [Docket No.: APHIS-2009-0034] (RIN: 0579-AD12) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1149. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — National Poultry Improvement Plan and Auxiliary Provisions [Docket No.: APHIS-2009-0031] (RIN: 0579-AD21) received March 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1150. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on transactions involving U.S. exports to Hong Kong pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

1151. A letter from the Acting Scientific Director, Department of Health and Human Services, transmitting the Annual Report on the National Institute of Child Health and Human Development (NICHD) Division of Intramural Research for FY 2010; to the Committee on Energy and Commerce.

1152. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — New Animal Drugs for Minor Use and Minor Species; Confirmation of Effective Date [Docket No.: FDA-2010-N-0534] (RIN: 0910-AG58) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1153. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Temperature-Indicating Devices; Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers [Docket No.: FDA-2007-N-0265; formerly Docket No. 2007P-0026] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1154. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Amendments to General Regulations of the

NOT VOTING—14

Ackerman
Becerra
Berkley
Cleaver
Fortenberry
Frelinghuysen
Giffords
Hinchey
Moore
Paul
Polis
Waters
Waxman
Young (AK)

0040

Mr. SCHOCK and Ms. BASS of California changed their vote from "nay" to "yea."

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO FILE REPORT ON H.R. 1217, PREVENTION AND PUBLIC HEALTH FUND REPEAL ACT

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be permitted to file its report to accompany H.R. 1217 at any time through Monday, April 11, 2011.

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

There was no objection.

ADJOURNMENT TO MONDAY, APRIL 11, 2011

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 p.m. on Monday next and, further, when the House adjourns on that day, it adjourn to meet at noon on Tuesday, April 12, 2011, for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill

NAYS—70

Amash
Bachmann
Baldwin
Barton (TX)
Blumenauer
Broun (GA)
Cansico
Capuano
Chabot
Chaffetz
Chu
Clarke (NY)
Crowley
Davis (IL)
Duncan (SC)
Ellison
Engel
Filner

Frank (MA)
Fudge
Gohmert
Gowdy
Graves (GA)
Gutiérrez
Harris
Hastings (FL)
Hirono