

money in this bill for House restaurant services. They are funded through a revolving trust fund, and that money comes from another source. So it wouldn't have any impact in the first place.

Number two, if it did have any impact, all it would do is raise the cost of everything in the restaurants, which would be passed on to the folks. That's not a great thing, to spend more money.

Number three, my last good reason, the gentleman mentioned that this year there was a bipartisan letter from the chairman of the House Administration Committee along with the ranking member to say we tried this program and we're going to end it.

So for those three reasons, I think it is appropriate to vote "no."

I reserve the balance of my time.

Mr. MORAN. Madam Chair, with regard to the argument that the gentlemen makes, first of all it seems to me that we should set ourselves on record, and the appropriations bill is the ultimate source of funding for the Capitol complex. But the argument that this will save money it seems to me is deficient when we are talking about human health. I mean, we could choose not to spend money on purifying our water. We'd save a lot of money. Just let people drink out of the tap or get their water wherever. But we feel that the health of our employees and our constituents who visit us is important enough that we should spend that extra money.

Science is telling us that, in fact, toxics leak from this material into the food and the drink that our employees and our constituents are using. We may not be as fully aware of that, but we know that polystyrene is a toxic material. It seems to me we should err on the side of caution, particularly when the health of our employees and our constituents is concerned.

I reserve the balance of my time.

Mr. CRENSHAW. Madam Chair, I yield 3 minutes to the gentleman from California, Chairman LUNGREN, the chairman of the House Administration Committee and the author of the letter that ended the program in January.

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

Let me just reiterate, this came to my attention as chairman of the House Administration Committee when we received a letter from the Democratic side of the aisle as part of the transition team recommending that we discontinue this part of the greening initiative process, Greening the Capitol process; that is, this one did not work. It was a Democrat who told us we ought to get rid of it.

So once I heard that, I also heard complaints from both Democratic and Republican Members of the House and their staffs that the recyclable utensils we had didn't work—didn't work—and they asked for something that did work. And so we cancelled the program.

This idea about Styrofoam being a real health hazard, Linda Birnbaum, who is the toxicologist who heads the government agency that declared styrene a likely cancer risk, said this: Let me put your mind at ease right away about Styrofoam. In finished products, certainly styrene is not an issue.

The gentleman has said, and the other gentleman from Vermont said, that we ought to follow McDonald's. They no longer have this product. Well, yesterday my staff went out and got this product from McDonald's, which is Styrofoam; and got this product from McDonald's, which is Styrofoam; and got this product from McDonald's, which is Styrofoam. So I don't know where they get this information.

Lastly, they should understand that polystyrene is approved as safe for use in food service by the FDA. Anything that contains food product that comes into contact with individuals must be approved by the FDA. This is approved by the FDA.

Also, this week we are receiving bids back from our request for proposal on trying to get a waste energy recycling program to get rid of the waste that we have here on the Hill. This is to turn it into energy by way of heat energy and capture any of the offensive by-products that may be produced. This is what we are doing.

Look, you can have good science and you can have bad science. You can have smart science and you can have dumb science. You can have science or you can have no science. Now, I'm not sure which of the latter categories this proposal falls into, but it's not science. Science suggests that this is something that ought to be appropriate.

There are any number of producers of polystyrene in Members' districts around this country. There are 2,100 users of it. This amounts to billions of dollars and thousands of jobs, tens of thousands of jobs, 8,000 just in California alone.

So once again, we are using bad science to scare people. And what's the impact? It's going to cost more money. I approved of this program because it saves a half a million dollars in a single year—half a million dollars. It will save energy, and we will have literally no residue when we move from waste to energy production. It's a win/win/win situation.

By the way, members of our staffs have thanked me for doing this. They now have utensils that actually are usable.

Mr. MORAN. Madam Chair, first of all, the letter that was sent did not request polystyrene products by any means. It was referring to another product that was corn based. Certainly Mr. BRADY was not recommending dangerous Styrofoam material.

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

Mr. CRENSHAW. Madam Chairman, I yield the balance of my time to the gentleman from California (Mr. CALVERT), a member of the subcommittee.

Mr. CALVERT. Madam Chairman, before I came here to Congress, I was in the restaurant business. We had to please the customers that we served. We certainly couldn't give them an inferior product. Only in Washington, D.C., would we spend more and get less. The gentleman from California has referenced \$500,000 a year more in cost, and if you did a survey of the people who used those products, it would be dismal.

I had the experience of putting a fork in a hot piece of meat one day, and it melted. That is ridiculous. We in Congress should not give inferior products to people who work here and serve here, and spend more money for it.

So with that, Madam Chairman, let's just do the commonsense thing here and get a product that works and spend less money.

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

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

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

Mr. MORAN. Madam Chair, I demand a recorded vote.

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

Mr. CRENSHAW. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DANIEL E. LUNGREN of California) having assumed the chair, Mrs. BIGGERT, 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. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1383. An act to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

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 9 o'clock and 41 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1002

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CRENSHAW) at 10 o'clock and 2 minutes a.m.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 359 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. 2551.

□ 1003

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. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. BIGGERT (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, a request for a recorded vote on amendment No. 9 printed in House Report 112-173 offered by the gentleman from Virginia (Mr. MORAN) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-173 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. WATT of North Carolina.

Amendment No. 5 by Ms. HAYWORTH of New York.

Amendment No. 6 by Mr. BROUN of Georgia.

Amendment No. 8 by Mr. STUTZMAN of Indiana.

Amendment No. 15 by Mr. THOMPSON of Pennsylvania.

Amendment No. 12 by Mr. HOLT of New Jersey.

Amendment No. 9 by Mr. MORAN of Virginia.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. WATT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. WATT) 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 102, noes 302, answered “present” 7, not voting 21, as follows:

[Roll No. 622]
AYES—102

Bartlett
Gohmert
Granger
Graves (GA)
Graves (MO)
Green, Al
Hensarling
Herger
Huizenga (MI)
Broun (GA)
Brown (FL)
Burgess
Burton (IN)
Camp
Campbell
Canseco
Carson (IN)
Carter
Cassidy
Chaffetz
Clarke (NY)
Cleaver
Clyburn
Coble
Cole
Conyers
DesJarlais
Duncan (TN)
Engel
Farenthold
Fattah
Fincher
Flores
Fox
Fudge

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Andrews
Austria
Bachus
Baldwin
Barletta
Barrow
Barton (TX)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bonner
Bono Mack
Boren
Boswell
Braley (IA)
Buchanan
Bucshon
Buerkle
Calvert
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Chabot
Chu
Cicilline
Clarke (MI)
Coffman (CO)
Cohen
Conaway
Connolly (VA)
Cooper
Costa
Costello

NOES—302

Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Eshoo
Farr
Filner
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gonzalez
Goodlatte

Gingrey (GA)
Richardson
Richmond
Roe (TN)
Rogers (KY)
Rogers (MI)
Rush
Ryan (WI)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Shimkus
Shuster
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Thompson (MS)
Thornberry
Towns
Moore
Myrick
Neugebauer
Nunnelee
Olson
Pastor (AZ)
Paul
Payne
Pearce
Petri
Pompeo
Price (GA)

Gosar
Gowdy
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee

Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Labrador
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loeb
Loeb
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McMorris
Rodgers
McNerney
Meehan
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George

Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Olver
Owens
Palazzo
Pallone
Pascarell
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Posey
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Rigell
Rivera
Robby
Rogers (AL)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Loretta

ANSWERED “PRESENT”—7

Chandler
Courtney
Edwards

Akin
Baca
Bachmann
Bishop (GA)
Black
Blumenauer
Butterfield

Lofgren, Zoe
Clay
Davis (IL)
Ellison
Giffords
Griffith (VA)
Hinchey

Sánchez, Linda
T.
Yarmuth

NOT VOTING—21

Landry
McIntyre
McKinley
Paulsen
Pence
Schock
Young (AK)

□ 1037

Messrs. RIVERA, WOMACK, GRIMM, Mrs. NOEM, Mr. SULLIVAN, Mrs. HARTZLER, Messrs. KINZINGER of Illinois, AUSTRIA, DENHAM, Mrs. BONO MACK, Messrs. REED, LUJAN, WAXMAN, Mrs. BIGGERT, Messrs. CRAVAACK, PITTS, Ms. ROYBAL-ALLARD, Messrs. VISCLOSKEY, JOHNSON of Illinois, BECERRA, Ms. WASSERMAN SCHULTZ, Messrs. PERLMUTTER, SCOTT of South Carolina, GOWDY, MCGOVERN, MULVANEY, GARY G. MILLER of California, Ms. BUERKLE, Messrs. LEWIS of California, NUNES, TIBERI, MCCOTTER, Ms. VELÁZQUEZ, Mrs. EMERSON, Messrs. ROHRABACHER, HASTINGS of Florida, ROONEY, HUNTER, HURT, BOREN, FLEISCHMANN, and COSTELLO changed their vote from “aye” to “no.”

Messrs. HERGER, SHUSTER, CASSIDY, RIBBLE, KINGSTON, CARSON