

## NAYS—17

Amash	Farr	McDermott
Blumenauer	Grijalva	Olver
Clarke (NY)	Honda	Paul
Conyers	Kucinich	Stark
DeFazio	Lee (CA)	Woolsey
Ellison	Lewis (GA)	

## ANSWERED "PRESENT"—1

Bishop (UT)

## NOT VOTING—9

Castor (FL)	Giffords	Nadler
Diaz-Balart	Hinchee	Richmond
Fattah	Myrick	Young (FL)

□ 1347

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

Mrs. LUMMIS changed her vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**MOTION TO INSTRUCT CONFEREES ON H.R. 2055, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, offered by the gentleman from Washington (Mr. DICKS), 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 will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 13, not voting 11, as follows:

[Roll No. 894]

## YEAS—409

Ackerman	Blackburn	Cassidy
Adams	Blumenauer	Chabot
Aderholt	Bonner	Chaffetz
Akin	Bono Mack	Chandler
Alexander	Boren	Chu
Altmire	Boswell	Clarke (MI)
Amodei	Boustany	Clarke (NY)
Andrews	Brady (PA)	Clay
Austria	Brady (TX)	Cleaver
Baca	Braley (IA)	Clyburn
Bachmann	Brooks	Coble
Bachus	Brown (FL)	Coffman (CO)
Baldwin	Buchanan	Cohen
Barletta	Bucshon	Cole
Barrow	Buerkle	Conaway
Bartlett	Burgess	Connolly (VA)
Barton (TX)	Burton (IN)	Conyers
Bass (CA)	Butterfield	Cooper
Bass (NH)	Calvert	Costa
Becerra	Camp	Costello
Benishek	Campbell	Courtney
Berg	Canseco	Cravaack
Berkley	Cantor	Crawford
Berman	Capito	Crenshaw
Biggert	Capps	Critz
Bilbray	Capuano	Crowley
Bilirakis	Cardoza	Cuellar
Bishop (GA)	Carnahan	Culberson
Bishop (NY)	Carney	Cummings
Bishop (UT)	Carson (IN)	Davis (CA)
Black	Carter	Davis (IL)

Davis (KY)	Johnson, Sam	Peters
DeFazio	Jones	Peterson
DeGette	Jordan	Petri
DeLauro	Kaptur	Pingree (ME)
Denham	Keating	Pitts
Dent	Kelly	Platts
DesJarlais	Kildee	Poe (TX)
Deutch	Kind	Polis
Dicks	King (IA)	Pompeo
Dingell	King (NY)	Posey
Doggett	Kinzinger (IL)	Price (GA)
Dold	Kissell	Price (NC)
Donnelly (IN)	Kline	Quayle
Doyle	Kucinich	Quigley
Dreier	Labrador	Rahall
Duffy	Lamborn	Rangel
Duncan (SC)	Lance	Reed
Edwards	Landry	Rehberg
Ellison	Langevin	Reichert
Elmiers	Lankford	Renacci
Emerson	Larsen (WA)	Reyes
Engel	Larson (CT)	Richardson
Eshoo	Latham	Rigell
Farenthold	LaTourette	Rivera
Farr	Latta	Roby
Filner	Lee (CA)	Roe (TN)
Fincher	Levin	Rogers (AL)
Fitzpatrick	Lewis (CA)	Rogers (KY)
Fleischmann	Lewis (GA)	Rogers (MI)
Fleming	Lipinski	Rohrabacher
Forbes	LoBiondo	Rokita
Fortenberry	Loeb sack	Rooney
Fox	Lofgren, Zoe	Ros-Lehtinen
Franks (AZ)	Long	Roskam
Frelinghuysen	Lowe	Ross (AR)
Fudge	Lucas	Ross (FL)
Gallely	Luetkemeyer	Rothman (NJ)
Garamendi	Luján	Roybal-Allard
Gardner	Lummis	Royce
Garrett	Lungren, Daniel	Runyan
Gerlach	E.	Ruppersberger
Gibbs	Lynch	Rush
Gibson	Mack	Ryan (OH)
Gingrey (GA)	Maloney	Ryan (WI)
Gohmert	Manzullo	Sánchez, Linda
Gonzalez	Marchant	T.
Goodlatte	Marino	Sanchez, Loretta
Gosar	Markey	Sarbanes
Gowdy	Matheson	Scalise
Granger	Matsui	Schakowsky
Graves (GA)	McCarthy (CA)	Schiff
Graves (MO)	McCarthy (NY)	Schilling
Green, Al	McCaul	Schmidt
Green, Gene	McClintock	Schock
Griffin (AR)	McCollum	Schrader
Griffith (VA)	McCotter	Schwartz
Grijalva	McDermott	Scott (SC)
Grimm	McGovern	Scott (VA)
Guinta	McHenry	Scott, Austin
Guthrie	McIntyre	Scott, David
Gutierrez	McKeon	Sensenbrenner
Hahn	McKinley	Serrano
Hall	McMorris	Sessions
Hanabusa	Rodgers	Sewell
Hanna	McNerney	Sherman
Harper	Meehan	Shimkus
Harris	Meeke	Shuler
Hartzler	Mica	Shuster
Hastings (FL)	Michaud	Simpson
Hastings (WA)	Miller (FL)	Sires
Hayworth	Miller (MI)	Slaughter
Heck	Miller (NC)	Smith (NE)
Heinrich	Miller, Gary	Smith (NJ)
Hensarling	Miller, George	Smith (TX)
Herger	Moore	Smith (WA)
Herrera Beutler	Moran	Southerland
Higgins	Murphy (CT)	Speier
Himes	Murphy (PA)	Stark
Hinojosa	Napolitano	Stearns
Hochul	Neal	Stivers
Holden	Neugebauer	Sullivan
Holt	Noem	Sutton
Honda	Nugent	Terry
Hoyer	Nunes	Thompson (CA)
Huizenga (MI)	Nunnelee	Thompson (MS)
Hultgren	Olson	Thompson (PA)
Hunter	Olver	Thornberry
Hurt	Owens	Tiberi
Inslee	Palazzo	Tierney
Israel	Pallone	Tipton
Issa	Pascrell	Tonko
Jackson (IL)	Pastor (AZ)	Towns
Jackson Lee	Paul	Tsongas
(TX)	Paulsen	Turner (NY)
Jenkins	Payne	Turner (OH)
Johnson (GA)	Pearce	Upton
Johnson (IL)	Pelosi	Van Hollen
Johnson (OH)	Pence	Velázquez
Johnson, E. B.	Perlmutter	Visclosky

Walberg	Webster	Wolf
Walden	Welch	Womack
Walz (MN)	West	Woodall
Wasserman	Westmoreland	Woolsey
Schultz	Whitfield	Stutzman
Waters	Wilson (FL)	Yoder
Watt	Wilson (SC)	Young (AK)
Waxman	Wittman	Young (IN)

## NAYS—13

Amash	Flores	Schweikert
Broun (GA)	Huelskamp	Stutzman
Cicilline	Kingston	Walsh (IL)
Duncan (TN)	Mulvaney	
Flake	Ribble	

## NOT VOTING—11

Castor (FL)	Giffords	Nadler
Diaz-Balart	Hinchee	Richmond
Fattah	Hirono	Young (FL)
Frank (MA)	Myrick	

□ 1354

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CICILLINE. Mr. Speaker, during rollcall vote No. 894 on H.R. 2055, I mistakenly recorded my vote as "no" when I should have voted "yes."

## APPOINTMENT OF CONFEREES

THE SPEAKER pro tempore (Mr. WESTMORELAND). Without objection, the Chair appoints the following conferees:

Messrs. ROGERS of Kentucky, YOUNG of Florida, LEWIS of California, FRELINGHUYSEN, ADERHOLT, Mrs. EMERSON, Ms. GRANGER, Messrs. SIMPSON, CULBERSON, CRENSHAW, REHBERG, CARTER, DICKS, VISCIOSKY, Mrs. LOWEY, Mr. SERRANO, Ms. DELAURO, Messrs. MORAN, PRICE of North Carolina, and BISHOP of Georgia.

There was no objection.

**APPOINTMENT OF CONFEREES ON H.R. 1540, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012**

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. McKeon, Bartlett, Thornberry, Akin, Forbes, Miller of Florida, LoBiondo, Turner of Ohio, Kline, Rogers of Alabama, Shuster, Conaway, Wittman, Hunter, Rooney, Schilling, Griffin of Arkansas, West, Smith of Washington, Reyes, Ms. Loretta Sanchez of California, Messrs. McIntyre, Andrews, Mrs. Davis of California, Messrs. Langevin, Larsen of Washington, Cooper, Ms. Bordallo, Messrs. Courtney, Loeb sack, Ms. Tsongas and Ms. Pingree of Maine.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

Mr. Rogers of Michigan, Mrs. Myrick and Mr. Ruppersberger.

From the Committee on Education and the Workforce, for consideration of secs. 548 and 572 of the House bill, and secs. 572 and 573 of the Senate amendment, and modifications committed to conference:

Messrs. Petri, Heck and George Miller of California.

From the Committee on Energy and Commerce, for consideration of secs. 911, 1099A, 2852 and 3114 of the House bill, and sec. 1089 of the Senate amendment, and modifications committed to conference:

Messrs. Upton, Walden and Waxman.

From the Committee on Financial Services, for consideration of sec. 645 of the House bill, and sec. 1245 of the Senate amendment, and modifications committed to conference:

Mr. Bachus, Mrs. Capito and Mr. Ackerman.

From the Committee on Foreign Affairs, for consideration of secs. 1013, 1014, 1055, 1056, 1086, 1092, 1202, 1204, 1205, 1211, 1214, 1216, 1218, 1219, 1226, 1228–1230, 1237, 1301, 1303, 1532, 1533 and 3112 of the House bill, and secs. 159, 1012, 1031, 1033, 1046, 1201, 1203, 1204, 1206–1209, 1221–1225, 1228, 1230, 1245, title XIII and sec. 1609 of the Senate amendment, and modifications committed to conference:

Ms. Ros-Lehtinen, Messrs. Chabot and Berman.

From the Committee on Homeland Security, for consideration of sec. 1099H of the House bill, and sec. 1092 of the Senate amendment, and modifications committed to conference:

Mr. Daniel Lungren of California, Mrs. Miller of Michigan and Mr. Thompson of Mississippi.

From the Committee on the Judiciary, for consideration of secs. 531 of subtitle D of title V, 573, 843 and 2804 of the House bill, and secs. 553 and 848 of the Senate amendment, and modifications committed to conference:

Messrs. Smith of Texas, Coble and Conyers.

From the Committee on Natural Resources, for consideration of secs. 313, 601 and 1097 of the House bill, and modifications committed to conference:

Messrs. Hastings of Washington, Bishop of Utah and Markey.

From the Committee on Oversight and Government Reform, for consideration of secs. 598, 662, 803, 813, 844, 847, 849, 937–939, 1081, 1091, 1101–1111, 1116 and 2813 of the House bill, and secs. 827, 845, 1044, 1102–1107 and 2812 of the Senate amendment, and modifications committed to conference:

Messrs. Ross of Florida, Lankford and Cummings.

From the Committee on Science, Space, and Technology, for consideration of secs. 911 and 1098 of the House bill, and secs. 885, 911, 912 and Division E of the Senate amendment, and modifications committed to conference:

Messrs. Hall, Quayle and Ms. Eddie Bernice Johnson of Texas.

From the Committee on Small Business, for consideration of sec. 804 of the House bill, and secs. 885–887 and Division E of the Senate amendment, and modifications committed to conference:

Mr. Graves of Missouri, Mrs. Ellmers and Ms. Velázquez.

From the Committee on Transportation and Infrastructure, for consideration of secs. 314, 366, 601, 1098 and 2814 of the House bill, and secs. 262, 313, 315, 1045, 1088 and 3301 of the Senate amendment, and modifications committed to conference:

Messrs. Mica, Cravaack and Bishop of New York.

From the Committee on Veterans Affairs, for consideration of secs. 551, 573, 705, 731 and 1099C of the House bill, and secs. 631 and 1093 of the Senate amendment, and modifications committed to conference:

Mr. Bilirakis, Ms. Buerkle and Ms. Brown of Florida.

From the Committee on Ways and Means, for consideration of secs. 704, 1099A and 1225 of the House bill, and sec. 848 of the Senate amendment, and modifications committed to conference:

Messrs. Camp, Herger and Levin.

There was no objection.

#### REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 10.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 479 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 10.

□ 1400

#### 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 consideration of the bill (H.R. 10) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with Mr. DENHAM in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

The American people today have been hit by an onslaught of unnecessary Federal regulations. From the Obama administration's health care mandate to the increase of burdens on small businesses, government regulation has become a barrier to economic growth and job creation.

By its own admission, the administration is preparing numerous regulations that each will cost the economy \$1 billion or more per year. Its 2011 regulatory agenda calls for over 200 major rules which will affect the economy by \$100 million or more each every year.

Employers, the people who create jobs and pay taxes, are rightly concerned about these costs and the costs that regulations impose on their businesses. In a Gallup poll conducted last month, nearly one-quarter of small business owners cited compliance with government regulations as their primary concern. That should motivate us to take action today.

Rather than restrain its efforts to expand government, the administration now seeks to accomplish through regulatory agencies what it cannot get approved by Congress. The REINS Act gives the people's representatives in

Congress the final say over whether Washington will impose major new regulations on the American economy.

More than once this year, the President himself has talked about the dangers that excessive regulations pose to our economy. He has called for reviews of existing regulations. He has professed a commitment to more transparency. The President has stated that "it is extremely important to minimize regulatory burdens and avoid unjustified regulatory costs."

Unfortunately, the President's actions speak louder than his words. But rather than make good on its statements, the Obama administration has proposed four times the number of major regulations than the previous administration over a similar time period. And the White House has admitted to Congress that, for most new major regulations issued in 2010, government failed to analyze both the cost and the benefits.

It is time for Congress to take action to reverse these harmful policies. With the REINS Act, we can hold the administration accountable for its unjustified regulatory assault on America's job creators; and we can guarantee that Congress, not unelected agency officials, will be accountable for all new major regulatory costs.

The American people want job creation, not more regulation. The REINS Act reins in out-of-control Federal regulations that burden America's businesses and job creators.

I thank Mr. DAVIS of Kentucky for introducing this legislation. I urge all my colleagues to support the REINS Act, and I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself 2 minutes.

Ladies and gentlemen of the House, H.R. 10 is the mother of all antiregulatory bills. Since the House was in session during 2010 for 116 legislative days, under this bill—and I invite any of my colleagues to make any different analysis—the Congress would be required after 70 days after they receive a rule to act upon it. If you only have 116 days, legislative days a year, it would be literally impossible to handle the number of rules that we would get.

Namely, we got 94 rules last year, 116 days. If we were handling every rule—please, use your arithmetic skills, ladies and gentlemen. This bill would be unworkable, and it would be impossible for new regulations to be enacted. But then, maybe that's the whole thrust of the matter.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield 6 minutes to the gentleman from Kentucky (Mr. DAVIS), who is the sponsor of this legislation.

Mr. DAVIS of Kentucky. I thank the chairman.

Two years ago, I met with the a constituent who was concerned about the effects of unfunded EPA mandates on his water and sewer bills. He wanted to