

Marchant	Poe (TX)	Sewell
Marino	Polis	Sherman
Markey	Pompeo	Shimkus
Matheson	Posey	Shuler
Matsui	Price (GA)	Shuster
McCarthy (CA)	Price (NC)	Simpson
McCarthy (NY)	Quayle	Sires
McCaul	Quigley	Smith (NE)
McClintock	Rahall	Smith (NJ)
McCotter	Rangel	Smith (TX)
McDermott	Reed	Smith (WA)
McGovern	Rehberg	Southerland
McHenry	Reichert	Speier
McIntyre	Renacci	Stearns
McKeon	Reyes	Stutzman
McKinley	Ribble	Sullivan
McMorris	Richardson	Sutton
Rodgers	Richmond	Terry
McNerney	Rigell	Thompson (CA)
Meehan	Rivera	Thompson (MS)
Meeks	Roby	Thompson (PA)
Mica	Roe (TN)	Thornberry
Michaud	Rogers (AL)	Tiberi
Miller (FL)	Rogers (KY)	Tierney
Miller (MI)	Rogers (MI)	Tipton
Miller (NC)	Rohrabacher	Tonko
Miller, Gary	Rokita	Towns
Miller, George	Rooney	Tsongas
Moore	Ros-Lehtinen	Turner (NY)
Moran	Roskam	Turner (OH)
Mulvaney	Ross (AR)	Upton
Murphy (CT)	Ross (FL)	Van Hollen
Murphy (PA)	Rothman (NJ)	Velázquez
Myrick	Roybal-Allard	Visclosky
Nadler	Royce	Walberg
Napolitano	Runyan	Walden
Neal	Ruppersberger	Walsh (IL)
Neugebauer	Rush	Walz (MN)
Noem	Ryan (OH)	Wasserman
Nugent	Ryan (WI)	Schultz
Nunes	Sánchez, Linda	Waters
Nunnelee	T.	Watt
Olson	Sanchez, Loretta	Waxman
Olver	Sarbanes	Webster
Owens	Scalise	Welch
Palazzo	Schakowsky	West
Pallone	Schiff	Westmoreland
Pascarella	Schilling	Whitfield
Pastor (AZ)	Schmidt	Wilson (FL)
Paulsen	Schock	Wilson (SC)
Pearce	Schrader	Wittman
Pelosi	Schwartz	Wolf
Pence	Schweikert	Womack
Perlmutter	Scott (SC)	Woodall
Peters	Scott (VA)	Yarmuth
Peterson	Scott, Austin	Yoder
Petri	Scott, David	Young (AK)
Pingree (ME)	Sensenbrenner	Young (FL)
Pitts	Serrano	Young (IN)
Platts	Sessions	

NAYS—2

Dingell

Paul

ANSWERED "PRESENT"—9

Blumenauer	Ellison	McCollum
Carson (IN)	Jones	Stark
Edwards	Lee (CA)	Woolsey

NOT VOTING—9

Bachmann	Eshoo	Kucinich
Burton (IN)	Filner	Slaughter
Donnelly (IN)	Garamendi	Stivers

□ 1438

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 225, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Ms. ESHOO. Madam Speaker, I was present during rollcall vote 225 on May 9, 2012, but my vote was not recorded. I would have voted "yea" on passage of H.R. 4133, the United States-Israel Enhanced Security Cooperation Act of 2012.

Mr. STIVERS. Madam Speaker, on rollcall No. 225, I was unavoidably detained during the vote. Had I been present, I would have voted "yea."

□ 1440

TEMPORARY BANKRUPTCY JUDGESHIP EXTENSION ACT OF 2012

Mr. COBLE. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 4967) to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. REED). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The text of the bill is as follows:

H.R. 4967

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Temporary Bankruptcy Judgeships Extension Act of 2012".

SEC. 2. EXTENSION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES IN CERTAIN JUDICIAL DISTRICTS.

(a) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY PUBLIC LAW 109 8.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized for the following districts by section 1223(b) of Public Law 109 8 (28 U.S.C. 152 note) are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs:

- (A) The central district of California.
- (B) The eastern district of California.
- (C) The district of Delaware.
- (D) The southern district of Florida.
- (E) The southern district of Georgia.
- (F) The district of Maryland.
- (G) The eastern district of Michigan.
- (H) The district of New Jersey.
- (I) The northern district of New York.
- (J) The eastern district of North Carolina.
- (K) The eastern district of Pennsylvania.
- (L) The middle district of Pennsylvania.
- (M) The district of Puerto Rico.
- (N) The district of South Carolina.
- (O) The western district of Tennessee.
- (P) The eastern district of Virginia.
- (Q) The district of Nevada.

(2) VACANCIES.—

(A) SINGLE VACANCIES.—Except as provided in subparagraphs (B), (C), (D), and (E), the 1st vacancy in the office of a bankruptcy judge for each district specified in paragraph (1)—

- (i) occurring more than 5 years after the date of the enactment of this Act, and
- (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) CENTRAL DISTRICT OF CALIFORNIA.—The 1st, 2d, and 3d vacancies in the office of a bankruptcy judge for the central district of California—

- (i) occurring 5 years or more after the date of the enactment of this Act, and
- (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(C) DISTRICT OF DELAWARE.—The 1st, 2d, 3d, and 4th vacancies in the office of a bankruptcy judge for the district of Delaware—

- (i) occurring more than 5 years after the date of the enactment of this Act, and
- (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(D) SOUTHERN DISTRICT OF FLORIDA.—The 1st and 2d vacancies in the office of a bankruptcy judge for the southern district of Florida—

- (i) occurring more than 5 years after the date of the enactment of this Act, and
- (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(E) DISTRICT OF MARYLAND.—The 1st, 2d, and 3d vacancies in the office of a bankruptcy judge for the district of Maryland—

- (i) occurring more than 5 years after the date of the enactment of this Act, and
- (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 1223(b) of Public Law 109 8 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(b) TEMPORARY OFFICE OF BANKRUPTCY JUDGES EXTENDED BY PUBLIC LAW 109 8.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized by section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) and extended by section 1223(c) of Public Law 109 8 (28 U.S.C. 152 note) for the district of Delaware, the district of Puerto Rico, and the eastern district of Tennessee are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs.

(2) VACANCIES.—

(A) DISTRICT OF DELAWARE.—The 5th vacancy in the office of a bankruptcy judge for the district of Delaware—

- (i) occurring more than 5 years after the date of the enactment of this Act, and
- (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) DISTRICT OF PUERTO RICO.—The 2d vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

- (i) occurring more than 5 years after the date of the enactment of this Act, and
- (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(C) EASTERN DISTRICT OF TENNESSEE.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Tennessee—

- (i) occurring more than 5 years after the date of the enactment of this Act, and
- (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) and section 1223(c) of Public Law 109 8 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(c) TEMPORARY OFFICE OF THE BANKRUPTCY JUDGE AUTHORIZED BY PUBLIC LAW 102 361 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.—

(1) EXTENSION.—The temporary office of the bankruptcy judge authorized by section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) for the middle district of North Carolina is extended until the vacancy specified in paragraph (2) occurs.

(2) VACANCY.—The 1st vacancy in the office of a bankruptcy judge for the middle district of North Carolina—

(A) occurring more than 5 years after the date of the enactment of this Act, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) remain applicable to the temporary office of the bankruptcy judge referred to in paragraph (1).

SEC. 3. BANKRUPTCY FILING FEE INCREASE.

(a) BANKRUPTCY FILING FEES.—Section 1930(a)(3) of title 28, United States Code, is amended by striking “\$1,000” and inserting “\$1,167”.

(b) UNITED STATES TRUSTEE SYSTEM FUND.—Section 589a(b)(2) of title 28, United States Code, is amended by striking “55” and inserting “48.89”.

(c) COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES.—Section 406(b) of the Judiciary Appropriations Act, 1990 (28 U.S.C. 1931 note) is amended by striking “25” and inserting “33.33”.

(d) PAYGO OFFSET EXPENDITURE LIMITATION.—\$42 of the incremental amounts collected by reason of the enactment of subsection (a) shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 4. SUBSEQUENT REAUTHORIZATION.

Prior to further reauthorization of any judgeship authorized by this Act, the Committee on the Judiciary of the Senate and House of Representatives shall conduct a review of the bankruptcy judgeships authorized by this Act to determine the need, if any, for continued reauthorization of each judgeship, to evaluate any changes in all bankruptcy case filings and their effect, if any, on filing fee revenue, and to require the Administrative Office of the Courts to submit a report to the Committee on the Judiciary of the Senate and House of Representatives on bankruptcy case workload, bankruptcy judgeship costs, and filing fee revenue.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. WOLF. 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. 5326, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 643 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. 5326.

Will the gentlewoman from Michigan (Mrs. MILLER) kindly resume the chair.

□ 1442

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. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mrs. MILLER of Michigan (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, the amendment offered by the gentleman from Florida (Mr. SOUTHERLAND) had been disposed of, and the bill had been read through page 101, line 10.

AMENDMENT OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Madam 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 in contravention of paragraph (1), (2), or (3) of section 1001(a) of title 18, United States Code.

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

Mr. CHAFFETZ. Madam Chair, one of the deep concerns that we have is the investigation of Fast and Furious. We have to remember that unfortunately we lost one of our Border Patrol agents who was out on patrol serving this Nation. He was killed with weapons that were distributed under a program called Fast and Furious.

This is a sad case of government gone amok, making terrible, awful, deadly decisions; the administration knowingly and willingly allowing guns to walk from gun shops—contrary to what U.S. law is—allowing nearly 2,000 weapons to be released out, knowing that these weapons would be given to the drug cartels, knowing that giving these guns to these very nefarious characters with the hope that maybe they would pop up and we would find out who's using these guns. Well, there are tragic, desperate consequences to what happened.

What should be totally unacceptable on both sides of the aisle is the idea and the notion that the Department of Justice would knowingly and willfully lie to Congress. Senator GRASSLEY had presented the Department of Justice a

letter directly to Attorney General Holder. Senator GRASSLEY directly gave to Attorney General Holder a concern expressed in a letter that there were guns walking. It's a term, it's an expression that says we allow people to come in under straw purchasing—which is illegal—to buy guns and weapons for somebody else, and that despite what the ATF and the Department of Justice were doing, they weren't tracking these. They allowed these gun purchases to happen in these gun shops, and then they were let out in the greater Arizona area and allowed these guns to walk.

The consequences have been absolutely tragic. We have a dead Border Patrol agent, and the Mexican Government estimates nearly 300 people have died within Mexico. Very few of these weapons have been recovered. In fact, the Attorney General has testified that there will be crimes committed with these weapons in all likelihood for years to come.

What is totally and wholly unacceptable, I think, to this body and the integrity, despite Republicans and Democrats, is that the Department of Justice would knowingly and willfully present a letter back to Congress on February 4 that was so inaccurate, it was so wrong, and essentially they lied to Congress. It took months and months and months and months to get to the point where they finally had to rescind that letter, where they had to admit that this was a fundamentally flawed program at its very core.

Now, we've been seeking documents. We've been seeking information. We have issued subpoenas. We've been patient beyond belief, but we've mostly been stonewalled. That information has not been forthcoming. What this amendment simply says is that they will not be allowed to be able to use Federal funds—taxpayer dollars—to knowingly, willfully skirt the law and lie to Congress.

Now, on February 4, 2011, I want to remind Members, the Department of Justice lied to Congress about the taxes used in Fast and Furious by claiming Federal authorities make “every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico.” They denied the allegations that the Department facilitated in the illegal sale of guns to Mexican drug cartels. But on December 2, 2011, the Department of Justice formally withdrew the February letter because it was filled with misleading, fictitious, and false statements. The December letter later went on to admit that Fast and Furious was “a fundamentally flawed operation.”

What we're saying is you should not be able to use taxpayer funds to knowingly and willfully subvert Congress. You can't lie to Congress and use taxpayer dollars to do it. Surely that can be bipartisan in its approach.

All we ask is for the truth. In fact, there were more than a dozen—in fact,