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No. 105

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

### PRAYER

Reverend Dr. John Cross, South Biscayne Church, North Port, Florida, offered the following prayer:

Heavenly Father, thank You for being so kind, gracious, holy, and just. Thank You for demonstrating Your endless love through Jesus. Thank You for giving us the honor of living in our great country. Thank You for those who have gone before us.

We pray for those who are serving now to protect our freedom. Please give them safety. We pray for peace. We pray for our President, Congress, and all who lead our country. Please give them wisdom and direction as they make decisions.

May we look to You as our Source, not our economy. In these days of global terror, may we remember You as our security. Use us to be instruments who bring hope to the underserved and safety for the unprotected. May we be a Nation who humbles ourselves before You. We bless You and please bless America.

In Jesus' name, Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

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

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 4861. An act to designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the "Steve Goodman Post Office Building".

H.R. 5051. An act to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell New York, as the "Zachery Smith Post Office Building".

H.R. 5099. An act to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg Post Office".

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1288. An act to authorize appropriations for grants to the States participating in the Emergency Management Assistance Compact, and for other purposes.

S. 3372. An act to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

### WELCOMING REVEREND DR. JOHN CROSS

The SPEAKER. Without objection, the gentleman from Florida (Mr. BUCHANAN) is recognized for 1 minute.

There was no objection.

Mr. BUCHANAN. Madam Speaker, it is my privilege today to introduce and thank Dr. John Cross, who gave the opening prayer. The Senior Pastor at South Biscayne Church in Florida, he represents a county that I'm in, my largest county, Sarasota County, in North Port, our largest city. He is

joined by his lovely wife, Dawn, and their five children. As a matter of fact, they are celebrating their anniversary.

Dr. Cross is a very innovative, spiritual leader. I've seen him many times on Friday nights in his jeans and T-shirt working with the youth in our community. He's taken a church from 150 people to over 2,000. He has one of the largest churches in our community. He is serving his second term as president of the Southern Baptist Convention.

I commend Dr. Cross for his long-standing service, and it is a pleasure to have him and his family today. God bless.

□ 1010

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 further 1-minute speeches on each side of the aisle.

### CUTTING WASTEFUL, UNNECESSARY GOVERNMENT SPENDING

(Mrs. DAHLKEMPER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAHLKEMPER. Madam Speaker, last week I attended the Big Butler Fair in Butler County and the Grange Fair in Mercer County in western Pennsylvania, and what was the number one question my constituents asked? "What are you doing about the deficit?" I visited senior centers in Hermitage and Erie, and what did our seniors say to me? "Stop the unnecessary spending."

Today I'm proud to tell my constituents that we are taking action. We are cutting wasteful, unnecessary government spending to the tune of \$98 billion. That's how much Federal agencies spent in improper payments and overpayments in 2009; \$98 billion is how

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

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much we stand to gain with the Improper Payments Elimination and Recovery Act.

This bill will save taxpayer funds and increase transparency by making Federal agencies accountable for the money they spend. I'm telling my constituents right now, we are cutting wasteful spending, and we have a powerful new tool to do it.

#### MOST AMERICANS WANT TO DRILL IN DEEP WATER

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

Mr. POE of Texas. Mr. Speaker, the American people are opposed to the administration's ban on deepwater drilling. Almost three-quarters of American people, 73 percent, say the ban is not necessary. But in spite of the will of most Americans, in spite of two court rulings that say that the moratorium is arbitrary, capricious, and punitive, the administration is determined to kill jobs in the deepwater industry.

You just can't hit the pause button on the gulf coast economy. The President's moratorium on drilling is destroying lives, and good people are being put out of work on purpose by this administration. These aren't statistics. These are real people, hard-working people. How do they pay their mortgage and buy their groceries and put gasoline in their car?

On Friday, one of the world's biggest drilling companies had to move another deepwater rig to the Middle East and out of the Gulf of Mexico because of this moratorium. All of the good-paying jobs are going with it.

Mr. Speaker, the moratorium on drilling is the second disaster in the Gulf of Mexico, and it's brought to us by this administration.

And that's just the way it is.

#### UNEMPLOYMENT

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

Mr. SIREs. Mr. Speaker, right now 15 million out-of-work Americans are relying on Congress to work together and immediately extend unemployment benefits to help them make ends meet while they're looking for a full-time job. Right now the unemployment in my State of New Jersey is 9.7 percent, with nearly half a million out of work. Now is not the time to stall in providing assistance to those who need it most.

Earlier this month, the House passed a bill to restore emergency unemployment benefits for unemployed Americans and their families through the end of November. The Senate must now follow our lead and act swiftly in passing an extension of benefits to send to the President's desk. Doing so would not only provide a much-needed lifeline for jobless Americans and their families, but it makes economic sense.

The CBO has suggested that extending unemployment benefits is one of the most cost-effective and fast-acting ways to stimulate the economy. It is our duty to act now and provide relief for millions of unemployed Americans and their families.

#### BROKEN GOVERNMENT

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

Mr. REICHERT. Mr. Speaker, let's get real. The real deal is government is broken.

I'm always thankful to go back to the district and hear from our constituents, but you know what I'm hearing? The government's broken, and the American people are sick and tired of it. So am I. They're tired of partisan games and business as usual. So am I.

Why can't we work together to solve this country's problems? Why can't we get it right? Why are we not listening to the American public? Why? That's the big question the American people are asking. Why can't we, as Members and Representatives of this great country and each and every district that we represent, stand here together on this floor in this House and work together to solve the problems that this Nation is facing? It's about freedom. It's about jobs. It's about our country. It's about our people. It's about our children and our grandchildren.

Mr. Speaker, let's listen to the American people. This government is broken.

#### UNEMPLOYMENT BENEFITS

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

Mr. WILSON of Ohio. Mr. Speaker, by July 17, more than 112,000 people in the State of Ohio will lose unemployment benefits due to the Senate's inaction. For out-of-work families, these benefits help pay the rent, they buy food, and they pay for health care when there isn't a paycheck coming in.

During these tough economic times, extending unemployment benefits is one of the most efficient and fast-acting ways to stimulate our economy. That is why on July 1, I voted in favor of the 6-month unemployment benefits extension, which would continue benefits until November 30.

With the Ohio unemployment rate growing to 11 percent in June, this emergency relief is absolutely necessary for Ohio, and I will continue to fight for the passage of a long-term unemployment package. I urge my colleagues in the Senate to pass the 6-month extension immediately. The time to act is now.

#### YOU CUT

(Mr. WILSON of South Carolina asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, seven proposals have been brought to this floor for a vote directly from participants in the interactive forum YouCut. These proposals are commonsense cost savers of the people's money. House Republicans have listened to the will of the people and have voted to save billions by reforming Fannie Mae and Freddie Mac, by selling excess Federal lands, and by preventing taxpayer subsidized union activities. Yesterday, the House had another opportunity to save money by getting rid of promotional stimulus signs.

A year and a half after the spending stimulus passed, unemployment has risen to 10 percent, as the so-called stimulus has failed to create jobs. But liberals cleverly came up with propaganda to push Americans on this failed policy at a cost of up to \$10,000 a sign. Stimulus signs are nationwide. If we eliminated this waste, \$20 million could be saved. When it comes to wasteful Washington spending, all signs point to the stimulus.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### UNEMPLOYMENT INSURANCE DOES NOT DISCOURAGE THE JOB SEARCH

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, unemployment benefits are a necessary lifeline for jobless workers trying to make ends meet and also provide a boost to the economy. These benefits are crucial when there are five job seekers for every available job. Unemployment benefits keep workers attached to the workforce, preventing some workers from shifting to other more costly programs, such as Social Security disability insurance.

By the end of 2010, the Joint Economic Committee estimates that 290,000 unemployed disabled workers will exhaust their benefits. Shifting these workers from the labor market and onto the Social Security disability insurance rolls—the cost of inaction—is a staggering \$24.2 billion lifetime cost, contrasted with \$721.3 million this year by extending the benefits.

Extending unemployment benefits is both morally right and the fiscally responsible thing to do, providing a boost to the economy and a savings to the government.

#### IT'S TIME TO CUT UP THE CREDIT CARD

(Mr. NEUGEBAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEUGEBAUER. Mr. Speaker, the Democratic leadership got their credit

card bill yesterday, and it wasn't a pretty picture. The Treasury Department announced that the Federal deficit for 2010 hit the trillion-dollar mark at the end of June. That's a staggering amount, and that's not all. There are still 3 months to go in this year. The only time the Federal deficit has ever reached this level was last year.

You know, the American people know, when you hit your spending limit, you stop spending, but President Obama and the Democratic leadership in Congress don't seem to get it. They've taken the Nation on an unprecedented spending spree that's hurting economic growth, slowing job creation, and putting an incredible burden on our future generations.

We have a trillion-dollar deficit, but Congress doesn't even have a budget or a plan. Running deficits of \$1 trillion or more is completely unsustainable. We've got to cut up these credit cards and stop this reckless spending. It's not just something we should do; it's what we have to do. The future of our Nation depends on it.

□ 1020

#### HONORING RANDA FLINN

(Mr. KLEIN of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN of Florida. Mr. Speaker, today I rise to honor Randa Flinn, a teacher at Northeast High School in Oakland Park, Florida. Mrs. Flinn was selected as one of only 10 Society for Science & the Public fellows in the entire country. She earned this honor for her hard work inspiring excellence in scientific thinking and research among her students.

The SSP fellowship includes an award of \$8,500 for Mrs. Flinn to use directly in her classroom and full support to attend a Fellows Institute here in Washington, where I will have the personal pleasure of thanking her for her contributions to our schools and our community.

My mother was a public school teacher, and I personally know how hard they work to help our children learn and grow. And that's why Mrs. Flinn and her actions in shaping our future leaders and scientists of our country and her efforts are an inspiration to all of us.

Thank you to Randa Flinn and to all the teachers in south Florida.

#### FY 2010 EMERGENCY SUPPLEMENTAL

(Mr. ROGERS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Kentucky. Mr. Speaker, enough is enough. The Democrats' failure to lead is now putting a strain on the troops by refusing to pass a clean emergency supplemental war

bill. Yesterday, the Pentagon announced that it's putting together an emergency plan in case Congress fails to do its job and does not pass the upcoming supplemental. If the Democrats continue to play political games with this bill, the Pentagon will not be able to make payroll for active duty troops at war. This is a disgrace.

Funding our troops is a national priority. Our brave men and women in uniform do not deserve to suffer because the majority party cannot agree on the precise amount of pork they want to put into this wartime supplemental bill.

We need to pass a clean supplemental, and we need to do it today. I'm tired of excuses, tired of the bickering. Let's put aside election day politics and do the right thing for the troops.

#### WORKPLACE VIOLENCE

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

Mr. HEINRICH. Mr. Speaker, the people of New Mexico's First Congressional District are deeply saddened by the tragic shooting that took place at the Emcore manufacturing plant in Albuquerque on Monday morning.

In a brutal act of workplace domestic violence, six community members were victimized, including Michele Turner and Sharon Cunningham, who were killed, and four others who were wounded.

This kind of tragedy is every community's nightmare, but this tragedy must also recommit all of us to confronting and preventing the serious problem of domestic violence to insure that a tragedy like this never happens again.

We are grateful for the heroic actions of the many Emcore employees, as well as Albuquerque's police and first responders who arrived on scene within minutes of the first call, and some of whom rushed into the active shooter situation without waiting for back up.

We hold the victims in our hearts. We pray for all touched by this, and we will find the strength as a community to come together and overcome.

#### IT'S TIME FOR NEW IDEAS

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, in the worst economy in a quarter of a century, American families are hurting. Businesses are struggling in the city and on the farm. And that's obvious to almost everyone in this country, except the Obama administration.

Remarkably, yesterday the White House issued a report saying that the stimulus bill passed a year and a half ago had "saved or created 2.5 to 3.6 million jobs."

As my three teenagers might say to me in like circumstances: Really, 2.5 to

3.6 million jobs? Unemployment was 7.5 percent when the stimulus was passed. It's 9.5 percent today.

It's important the American people know that the report issued by the administration yesterday isn't even based on actual numbers. It comes from what economists within the administration say is a highly inflated projection of how much economic growth is created for every government dollar that's spent.

The facts come from the Bureau of Labor Statistics. They speak for themselves. Since the stimulus was enacted, more than 3 million jobs have been lost in this country, a net job loss of 2.4 million jobs.

Enough with the talk. The stimulus bill has failed. It's time for new ideas, across-the-board tax relief, and fiscal discipline now.

#### FLOOD INSURANCE REFORM

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

Mr. MCNERNEY. Mr. Speaker, I rise in support of today's flood insurance reform legislation, but also to express my deep frustration with FEMA's decision to increase flood insurance rates for many residents of Stockton, California.

Prior to issuing new flood maps last year for central Stockton, FEMA encouraged residents to purchase flood insurance early so they could take advantage of the lower-cost preferred rates. In May, FEMA decided to extend those preferred rates for 2 years, a welcome decision.

But for reasons that remain difficult to understand, FEMA delayed the effective date of extension until January of 2011, effectively creating a donut hole in the availability of preferred rate coverage. As a result, residents who must renew their policies before the end of the year are suffering rates many times higher than what they expected, placing a serious burden on family budgets.

I urge FEMA, in the strongest possible terms, to allow Stockton residents to renew their policies without delay.

#### PROVIDING FOR CONSIDERATION OF H.R. 5114, FLOOD INSURANCE REFORM PRIORITIES ACT OF 2010

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1517 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1517

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5114) to extend the authorization for the national flood insurance program, to identify priorities essential to reform and ongoing stable functioning of the program, and for other purposes. The first reading of the bill shall be

dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Financial Services or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

□ 1030

The SPEAKER pro tempore (Mr. PASTOR of Arizona). The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

#### GENERAL LEAVE

Ms. MATSUI. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the RECORD.

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

There was no objection.

Ms. MATSUI. I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1517 provides for consideration of H.R. 5114, the Flood Insurance Reform Priorities Act of 2010, under a structured rule. The resolution waives all points of order against consideration of the bill

except those arising under clause 9 or 10 of rule XXI. The resolution provides 1 hour of debate on the bill. The resolution provides that a substitute amendment recommended by the Financial Services Committee shall be considered an original bill for purpose of amendment, and shall be considered as read.

The resolution makes in order those amendments printed in the Rules Committee report accompanying the resolution. The resolution waives all points of order against such amendments except those arising under clause 9 or 10 of rule XXI. The resolution provides one motion to recommit with or without instructions, provides the Chair may entertain a motion to rise only if offered by the chair of the House Financial Services Committee or his designee. Lastly, the resolution provides the Chair may not entertain a motion to strike the enacting words of the bill.

Mr. Speaker, I rise this morning in strong support of the rule, the Flood Insurance Reform Priorities Act, and in strong support of the underlying legislation. I would like to applaud the sponsor of H.R. 5114, Chairwoman MAXINE WATERS, for her leadership in bringing this important bill to the floor. And I commend Chairman FRANK and Ranking Member BAUCUS for being open to a number of improvements to this bill from myself and fellow members.

I am grateful for their long-standing advocacy of my legislation, H.R. 1525, which is incorporated into the underlying bill before us today. Both of them and their incredible staffs have been valuable in this process.

Mr. Speaker, it is critical that our constituents have access to a stable flood insurance program. Toward that end, H.R. 5114, which I am pleased to cosponsor, would reauthorize the National Flood Insurance Program for 5 years, and implement necessary changes that are essential for its continuing viability.

Floods have been, and continue to be, one of the most destructive and costly natural hazards to my hometown of Sacramento and to other communities throughout the country. The NFIP is a valuable tool in addressing the losses incurred due to these disasters, and mitigating against future disasters. The program ensures that families have access to affordable flood insurance, while making certain that their safety is protected. In fact, the NFIP is the primary source of reliable, affordable flood insurance in this country, providing 95 percent of the flood insurance policies nationwide. It covers 5.6 million households and insures \$1.2 trillion of property.

From the Sacramento region to the Louisiana bayous to the plains of the Midwest, communities are improving their flood protection infrastructure in order to keep residents safe and secure. However, as we work to provide certainty to our recovering housing market, these communities are seeking clarity to meet the changing dynamics of Federal standards.

It is for these reasons that I am thrilled that this legislation contains a provision I authored that would provide technical changes to Federal flood zone designations. In my district, the deepest flood depths would be in a region called the Natomas Basin. Fortunately, we have a flood protection project underway to achieve a 200-year level of protection for its residents.

By 2011, the Sacramento Area Flood Control Agency and the State of California will have spent upwards of \$350 million repairing levees in the Natomas Basin. But over the last 5 years, the hundreds of millions devoted to levee improvements in Natomas have not been acknowledged by FEMA in the remapping process. Unfortunately, FEMA's current flood zone certification process does not always take local and State funding into account.

A year ago, I introduced H.R. 1525, which would fix this problem, and it has been included in the bill we are considering today. In addition to making flood insurance available to millions of Americans, this bill also provides communities clarity in order for them to continue their ongoing efforts to improve flood defenses. It would update current law to take local, State, and Federal funding into account when determining flood zone designations. Such investments must be recognized by the Federal Government.

Local communities, States, and the Federal Government must all be thoughtful and committed partners because protecting our constituents from the dangers potential floods pose requires a comprehensive approach. While I have always urged homeowners in floodplains to purchase flood insurance, I have serious concerns about families being forced to incur higher insurance rates during an economic recession. Increased rates on top of the annual flood protection assessments that many residents are paying each year compounds this problem, which is why I am grateful that H.R. 5114 includes another provision I strongly support that would reduce the shock of higher insurance rates by phasing them in over 5 years. It would apply retroactively to September 2008 to areas that have been already remapped.

Most importantly for the thousands of homeowners across the country that have recently gone through the remapping process, H.R. 5114 would lower their flood insurance rates. Without this bill, many of our constituents would likely be forced to pay more than four times the preferred risk policy rate.

Mr. Speaker, the Flood Insurance Reform Priorities Act was unanimously approved by the Financial Services Committee on April 27, 2010. It is budget neutral, and is supported by numerous organizations in the property insurance field. Congress has not reauthorized NFIP since 2004. It is time for us to do so and to make essential changes to the program to ensure its

sustainability. As many of my colleagues can attest, providing for the security and safety of flood-prone regions like the one I represent needs to be at the top of our priority list.

Mr. Speaker, I am proud to be part of the solution and to help make sure residents of Sacramento and other flood-prone communities across the country can afford to purchase the flood insurance they need to protect their families, their businesses, and the livelihoods of our communities.

I therefore urge my colleagues to support the rule and the underlying legislation.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my good friend, the gentlewoman from California (Ms. MATSUI) for the time, and I yield myself such time as I may consume.

Almost 18 years ago, in 1993, I first arrived in Congress right in the aftermath of the greatest natural disaster that had ever hit south Florida. August 24, 1992, Hurricane Andrew, a category 5 storm with wind gusts of over 200 miles per hour, hit our community and devastated it. That storm caused over \$26 billion of damage to south Florida. Entire communities were destroyed. Until Hurricane Katrina hit the gulf coast in 2005, Hurricane Andrew was the costliest natural disaster in American history.

We in south Florida were very fortunate to receive generous assistance from our fellow Americans in the wake of Hurricane Andrew. That assistance was vital for our recovery, and I won't forget the support and compassion my colleagues in this Chamber demonstrated during those difficult times.

The National Flood Insurance Program, established by Congress in 1968, was designed to provide an alternative to disaster assistance and to reduce the costs of repairing flood damage to buildings caused by hurricanes or inland flooding of rivers, lakes, or streams. Approximately 20,000 communities across the country participate in the program by adopting and enforcing floodplain management regulations to reduce future flood damage.

□ 1040

In exchange, federally backed flood insurance becomes available to homeowners, renters, and business owners in those communities.

The NFIP was self-supporting through policy premiums and fees until 2005 when the program incurred approximately \$17 billion in flood claims caused by hurricanes Katrina, Rita, and Wilma. Currently, the program is over \$18 billion in debt.

Reauthorization of the NFIP is very important to the economy in south Florida. Without the program, home buyers are unable to close on new homes, suppressing home sales at a time when they're desperately needed in south Florida.

For example, a constituent, Chris O'Neal, wrote to me last month asking

for Congress to reauthorize this program. Because the majority had let the program lapse, he and his family were unable to close on their new home and they faced being homeless because their current landlord had forced them to vacate their home. Mr. O'Neal's case wasn't an isolated incident. A number of my constituents have been unable to close on their new homes, and it's my understanding that many throughout the country face a similar situation.

This underlying legislation would rectify that problem and would reauthorize the NFIP through 2015. The bill provides premium discounts to assist residents in newly designated flood hazard areas who would be subject to a new requirement to purchase flood insurance during a phase-in period of 5 years.

Other provisions include extending the Severe Repetitive Loss grant program to allow government buyouts of properties with frequent and severe losses to reduce program losses in the long term. The bill also allows for premiums to be paid in installments for lower-income property owners, thereby helping them to afford flood insurance and encouraging them to continue to purchase protection.

Although I support the underlying bill, Mr. Speaker, it could have been better, especially if the Taylor-Scalise amendment had been made in order. Their amendment would allow coastal homeowners to buy an option for both wind and flood insurance coverage from the NFIP. This option would be extremely helpful to coastal communities like south Florida and the gulf coast. Unfortunately, the majority on the Rules Committee decided to block even debate on that amendment. And not only did they block the Taylor-Scalise amendment, they blocked out nearly 90 percent of the Republican amendments submitted to the Rules Committee while allowing nearly two-thirds of the Democratic amendments.

So today we will consider three minority and eight majority amendments, plus another 10 majority amendments included in the manager's amendment. That's quite a contrast. It's especially unfortunate when you consider we were told that the process was going to change, that it wasn't going to be this way. The distinguished Speaker promised the American people that her party would run the most open and bipartisan Congress in history. Yet week after week, the majority continues to block an open process. We have yet to consider even one open rule during the entire 111th Congress, not even on the historically open appropriations bills. That's quite sad.

I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from Maine (Ms. PINGREE), my colleague on the Rules Committee.

Ms. PINGREE of Maine. I thank my colleague for yielding the time.

Mr. Speaker, today the House will consider H.R. 5114, the Flood Insurance Reform Priorities Act.

In Maine, FEMA is remapping York and Cumberland counties. The new maps will help homeowners and businesses assess the flood risk they face.

In Portland, the initial models FEMA used showed much of the city's waterfront would be damaged by waves during a bad storm. FEMA's models turned out to be more appropriate for exposed or standing shorelines. Portland Harbor is not a barrier island nor is it a community built on shifting sand or even walled off from the sea by levees. Rather, Portland Harbor is a working, thriving waterfront that has endured for hundreds of years.

After working with the city, FEMA recently improved the accuracy of their model, taking into account the impact of the city's working waterfront on the wave action as well as new data provided by the city. In the next few weeks, FEMA will issue preliminary maps that are a result of hard work by the city and the Maine congressional delegation.

Together, we were able to save Portland's working waterfront, but other communities in York and Cumberland counties in my State face similar issues and do not have the resources to hire engineers and collect new data. Our working waterfronts are the economic and cultural hearts of our coastal communities. We need to make sure they are treated fairly in assessing the risks they face.

In Harpswell, one boatyard just spent thousands of dollars to show FEMA they were not in a flood zone and that the maps were wrong. In Rockland, many of the buildings on the working waterfront probably can not be rebuilt if they burn down, and a new herring processing facility had to be built so far away from the water that they put the herring on a truck and drive it across the parking lot to be processed.

You know, FEMA may be correct in their models—that these piers and buildings are in a flood zone and at risk for being damaged or destroyed in a once-in-a-lifetime storm. Frequently, though, sheltered harbors like Portland are relatively protected, and even during a bad hurricane or nor'easter, they may flood and do not get battered by heavy waves.

Our Nation's working waterfronts, like all of our communities, deserve to be mapped using the best science FEMA has available. That's why I worked with the City of Portland to craft language that was included in the manager's amendment to show how these models are applied to working waterfronts and to study how it is done.

We owe it to the American people to make sure that all of our communities receive accurate information about flood risks they face, and all of our communities deserve to work with FEMA in a true partnership.

I urge my colleagues to support the rule, the manager's amendment, and the underlying bill.

Today, the House will consider H.R. 5114, the Flood Insurance Reform Priorities Act. In

Maine, FEMA is remapping York and Cumberland counties. The new maps will help homeowners and businesses assess the flood risks that they face. Unfortunately, in some places the remapping process is not as accurate as it could be.

For example, in Portland, the initial models FEMA used showed much of the City's waterfront would be damaged by waves during a bad storm. FEMA's models turned out to be more appropriate for exposed and sandy shorelines. Portland Harbor is not a barrier island nor is it a community built on shifting sand or even walled off from the sea by levees. Rather, Portland Harbor is a working, thriving, waterfront that has endured for hundreds of years.

After working with the City, FEMA recently improved the accuracy of their model, taking into account the impact of the City's working waterfront on the wave action as well as new data provided by the City. In the next few weeks, FEMA will issue preliminary maps that are the result of the hard work by the City and the Maine Congressional Delegation.

Together, we were able to save Portland's waterfront but other communities in York and Cumberland county face similar issues and do not have the resources to hire engineers and collect new data.

Our working waterfronts are the economic and cultural hearts of our coastal communities. Because businesses in working waterfronts like boatyards are located on the water's edge and often have piers that stick out into a harbor, they are more susceptible to storms and inaccurate models.

In Harpswell, one boatyard just spent thousands of dollars to show FEMA that they were not in a flood zone and that the maps were wrong. In Rockland, many of the buildings on the working waterfront probably cannot be rebuilt if they burn down and a new herring processing facility had to be built so far away from the water that they put the herring in a truck, and drive it across the parking lot to be processed.

FEMA may be correct in their models—that these piers and buildings are in a flood zone and at risk for being damaged or destroyed in a once-in-a-lifetime storm. Frequently though, sheltered harbors like Portland are relatively protected and even during a bad hurricane or nor'easter, they may flood but do not get battered by heavy waves.

Our nation's working waterfronts, like all of our communities, deserve to be mapped using the best science FEMA has available. Our nation's waterfront businesses need accurate flood maps that don't needlessly place our businesses in the restrictive flood areas such as V or A zones and stifle the economic activity on the waterfront.

This is why I worked with the City of Portland to craft language that was included in the Managers Amendment. This language will help protect our nation's working waterfronts and improve the accuracy of FEMA's flood maps in our harbors by requiring FEMA to study how their models and the assumptions that motivate those models are applied to working waterfronts and harbors.

We owe it to the American people to make sure that all of our communities receive accurate information about the flood risks they face and all of our communities deserve to work with FEMA in a true partnership. I urge my colleagues to support the rule, the Managers Amendment and the underlying bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ARCURI), my colleague on the Rules Committee.

Mr. ARCURI. I thank my friend and colleague from the Rules Committee, Ms. MATSUI, for yielding me the time. And I'd like to compliment her on her hard work over the years and her leadership with respect to protecting individuals who have been devastated by the effects of floods which brings us here today.

I speak in support of H.R. 5114, the Flood Insurance Reform Priorities Act, which will provide the stability necessary for businesses, realtors, homeowners, and plan effectively to reduce the potential economic loss and costs of repairing damages from future flooding without stifling or preventing otherwise safe development.

As FEMA works to update and modernize flood maps from communities across the country, thousands of families across Upstate New York are facing a new requirement to purchase flood insurance as they are remapped into new flood zone boundaries. It is imperative that these maps are accurate and protect our communities without unnecessarily burdening them or stifling economic development, especially during these very tough economic times.

H.R. 5114 seems to strike the proper balance by allowing property owners a sufficient grace period to account for the need to buy flood insurance or to appeal the determination that their property is within a floodplain, and also phases in flood insurance premium rates over a 5-year period beginning as soon as the property owner initiates the flood insurance policy.

In recent years, I've assisted communities in my district in successfully appealing updated flood maps, saving countless homes and business owners from unnecessarily having to purchase flood insurance.

Instances like this illustrate why the grace period in H.R. 5114 is so important—so property owners have a 5-year delay of the flood insurance purchase requirement within which to appeal FEMA's preliminary determination. This grace period would apply retroactively to any final updated flood map that was enacted since September 1, 2008.

I'm also pleased that H.R. 5114 will create the Office of Flood Insurance Advocate within FEMA to assist policyholders in filing flood insurance claims, settling disputes between policyholders and FEMA, and streamlining the claims process. This is a provision I fought to include in the flood insurance reform legislation in the last Congress, and I applaud the committee for including these provisions in the underlying bill today.

I encourage my colleagues to vote for the rule and the underlying bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlelady's courtesy in permitting me to speak on the rule, as I have appreciated her work in her community over the years dealing with the consequences of flooding and water damage.

I rise in support of the rule and reluctantly am supporting the underlying bill.

□ 1050

I have great sympathy for the work that was done by the Financial Services Committee. I understand what horrible timing it is to deal with the huge losses in housing value, other real estate markets, as well as unemployment and the economic slowdown. We are all reluctant to put any additional pressure on people who are located in harm's way.

But I will tell you, having worked on flood insurance reform now for over a decade, there is never a good time to fix this program. The tragedy of Katrina 5 years ago dramatically illustrated both the need for, and the flaws in, our flood insurance program and environmental protections.

For generations, local and State governments and, sadly, in some cases, the Federal Government itself has encouraged people to live in harm's way. Over time, this has become a much more expensive proposition while we have accelerated the potential for disastrous floods as we've engineered our rivers, while we've encouraged filling in wetlands that used to be nature's sponges, and we have more people in the areas that are subjected to even worse flooding.

Now we have the situation where global warming is creating weather instability, extreme weather events, brutal rains and winds that make what was once a one in 100 years or one in 500 year event, sadly routine. We have seen on the floor of this House people come to the floor dealing with 500-year floods that have happened in relatively short time frames, and it is going to continue accelerating in the future.

We need to make sure that FEMA has the resources to do this important mapping job properly, and we need to have the gumption to support FEMA after it has gone through the process and done the mapping right, to enforce that mapping. We need to make sure that people who are in harm's way are encouraged to protect their properties, and after repeated damage, that we don't just keep putting people back in harm's way but help them be located more safely.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. MATSUI. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. It is important that we no longer put the taxpayer on

the hook for massive losses and have the rest of the people who pay flood insurance pay higher premiums while people who should start making some modification waiting 10 years before they pay their own way.

This bill is a compromise, but I am hopeful that Congress can do more work to make a compromise that is more effective and long term because this is the tip of the iceberg. If we don't get it right, we're going to be back here time and time again on the hook for more and more money and more loss of life and property.

Mr. LINCOLN DIAZ-BALART of Florida. I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield myself the balance of my time.

I want to start by thanking the Members and the staff of the Financial Services Committee for their diligence in working with me on this important legislation. Tom Glassic of the Financial Services majority staff has been especially helpful.

Mr. Speaker, as we are all aware, flooding is the most common natural disaster in this country. The National Flood Insurance Program, NFIP, is the primary source of reliable, affordable flood insurance in the United States today. The last reauthorization of NFIP occurred in 2004. Since 2008, it has operated under a series of short extensions, with the current law scheduled to expire at the end of September.

To ensure that individuals nationwide have access to a stable and reasonable flood insurance program, we need to pass the Flood Insurance Reform Priorities Act. This legislation would reauthorize the NFIP and implement other critically important changes that would guarantee the program's sustainability.

In particular, it would help the Sacramento region and other areas advance their ongoing efforts to improve their flood protection. Additionally, the bill would lower the burden of higher insurance rates in remapped communities by phasing them in over 5 years.

According to the Congressional Budget Office, H.R. 5114 would have no impact on the budget over the next 10 years. In fact, the CBO has stated that the measure would increase revenues by \$5 million over 2010–2015 and by \$10 million over 2011–2020.

It would address the NFIP's serious financial challenges by directing it back toward fiscal health and self-sustainability.

This legislation, which was unanimously approved by the Financial Services Committee earlier this year, would provide certainty to our recovering housing market and ensure public safety.

Mr. Speaker, H.R. 5114 is an important bipartisan bill that would help protect our communities from catastrophic flooding. With that in mind, I urge a "yes" vote on the previous question and on the rule.

Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR. Yesterday, I appeared before the Rules Committee and offered an amendment that would allow people in coastal America to buy wind insurance as an option to their flood insurance, a measure that is identical to what had passed this House less than 3 years ago as a part of the base bill. It is my understanding that that was not made in order.

My question to the Rules Committee is since the Speaker says she is for it, since Majority Leader HOYER says he is for it, since the chairwoman of jurisdiction, Ms. WATERS, says she's for it, I've got to admit my amazement that it was not made in order, since it's already passed this House by about 270 votes 3 years ago. So I was hoping if the gentlewoman could enlighten those of us who are in support of that amendment what happened.

Ms. MATSUI. Mr. Speaker, if the gentleman will yield, I will respond.

One of the amendments was not germane. One amendment was made in order because it was germane.

Mr. TAYLOR. The amendment, again, that has already passed this House as a part of the base bill of an identical bill 3 years ago, I'm having a little trouble understanding how that's not germane.

I would urge people to oppose the rule.

Ms. MATSUI. May I say that, just to clarify, the amendment that Mr. TAYLOR was talking about was germane to that bill. It is not germane to this bill.

So if I may continue, Mr. Speaker, H.R. 5114 is an important bipartisan bill that would protect our communities from catastrophic flooding. With that in mind, I urge a "yes" vote on the previous question and on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is the resolution.

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

Mr. LINCOLN DIAZ-BALART of Florida. 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 239, nays 182, not voting 11, as follows:

[Roll No. 443]  
YEAS—239

Ackerman	Boren	Clay
Adler (NJ)	Boswell	Cleaver
Altmire	Boucher	Clyburn
Andrews	Boyd	Cohen
Arcuri	Brady (PA)	Connolly (VA)
Baca	Braleigh (IA)	Conyers
Baird	Brown, Corrine	Cooper
Baldwin	Butterfield	Costa
Barrow	Capps	Costello
Bean	Capuano	Courtney
Becerra	Cardoza	Critz
Berkley	Carnahan	Crowley
Berman	Carney	Cuellar
Berry	Carson (IN)	Cummings
Bishop (GA)	Castor (FL)	Dahlkemper
Bishop (NY)	Chandler	Davis (AL)
Blumenauer	Chu	Davis (CA)
Bocieri	Clarke	Davis (IL)

Davis (TN)	Kissell	Price (NC)
DeFazio	Klein (FL)	Quigley
DeGette	Kosmas	Rahall
Delahunt	Kucinich	Rangel
DeLauro	Langevin	Reyes
Deutch	Larsen (WA)	Richardson
Dicks	Larson (CT)	Rodriguez
Dingell	Lee (CA)	Ross
Doggett	Levin	Rothman (NJ)
Donnelly (IN)	Lewis (GA)	Roybal-Allard
Doyle	Lipinski	Ruppersberger
Driehaus	Loeb sack	Rush
Edwards (MD)	Lofgren, Zoe	Ryan (OH)
Edwards (TX)	Lowey	Salazar
Ellison	Lujan	Sanchez, Linda T.
Ellsworth	Lynch	Sanchez, Loretta
Engel	Maffei	Sarbanes
Eshoo	Maloney	Schakowsky
Etheridge	Markey (CO)	Schauer
Farr	Markey (MA)	Schiff
Fattah	Marshall	Schwartz
Filner	Matheson	Scott (GA)
Foster	Matsui	Scott (VA)
Frank (MA)	McCarthy (NY)	Serrano
Fudge	McCollum	Sestak
Garamendi	McDermott	Shea-Porter
Giffords	McGovern	Sherman
Gonzalez	McIntyre	Sires
Gordon (TN)	McMahon	Skelton
Grayson	McNerney	Slaughter
Green, Al	Meek (FL)	Smith (WA)
Green, Gene	Meeks (NY)	Snyder
Grijalva	Melancon	Space
Gutierrez	Michaud	Speier
Hall (NY)	Miller (NC)	Spratt
Halvorson	Miller, George	Stark
Hare	Mollohan	Sutton
Harman	Moore (KS)	Teague
Heinrich	Moore (WI)	Thompson (CA)
Herseth Sandlin	Moran (VA)	Thompson (MS)
Hill	Murphy (CT)	Titus
Himes	Murphy (NY)	Tierney
Hinchey	Murphy, Patrick	Townes
Hirono	Nadler (NY)	Tsongas
Hodes	Napolitano	Van Hollen
Holden	Neal (MA)	Velázquez
Holt	Nye	Visclosky
Honda	Oberstar	Walz
Hoyer	Obey	Wasserman
Inslee	Olver	Schultz
Israel	Ortiz	Waters
Jackson (IL)	Owens	Watson
Jackson Lee	Pallone	Watt
(TX)	Pascrell	Waxman
Johnson (GA)	Pastor (AZ)	Weiner
Johnson, E. B.	Payne	Whitfield
Kanjorski	Perlmutter	Wilson (OH)
Kaptur	Perriello	Woolsey
Kennedy	Peters	Wu
Kildee	Peterson	Yarmuth
Kilpatrick (MI)	Pingree (ME)	
Kilroy	Polis (CO)	
Kirkpatrick (AZ)	Pomeroy	

NAYS—182

Aderholt	Capito	Granger
Akin	Carter	Graves (GA)
Alexander	Cassidy	Graves (MO)
Austria	Castle	Griffith
Bachmann	Chaffetz	Guthrie
Bachus	Childers	Hall (TX)
Barrett (SC)	Coble	Harper
Bartlett	Coffman (CO)	Hastings (WA)
Barton (TX)	Cole	Heller
Biggart	Conaway	Hensarling
Bilbray	Crenshaw	Herger
Bilirakis	Davis (KY)	Hunter
Bishop (UT)	Dent	Inglis
Blackburn	Diaz-Balart, L.	Issa
Blunt	Diaz-Balart, M.	Jenkins
Boehner	Djou	Johnson (IL)
Bonner	Dreier	Johnson, Sam
Bono Mack	Duncan	Jones
Boozman	Ehlers	Jordan (OH)
Boustany	Emerson	King (IA)
Brady (TX)	Fallin	King (NY)
Broun (GA)	Flake	Kingston
Brown (SC)	Fleming	Kirk
Brown-Waite,	Forbes	Kline (MN)
Ginny	Fortenberry	Kratovil
Buchanan	Fox	Lamborn
Burgess	Franks (AZ)	Lance
Burton (IN)	Frelinghuysen	Latham
Buyer	Gallely	LaTourette
Calvert	Garrett (NJ)	Latta
Camp	Gerlach	Lee (NY)
Campbell	Gingrey (GA)	Lewis (CA)
Cantor	Gohmert	Linder
Cao	Goodlatte	LoBiondo

Lucas	Paulsen	Shimkus
Luetkemeyer	Pence	Shuler
Lummis	Petri	Shuster
Lungren, Daniel	Pitts	Simpson
E.	Platts	Smith (NE)
Mack	Poe (TX)	Smith (NJ)
Manzullo	Posey	Smith (TX)
Marchant	Price (GA)	Stearns
McCarthy (CA)	Putnam	Stupak
McCaul	Radanovich	Sullivan
McClintock	Rehberg	Tanner
McCotter	Reichert	Taylor
McHenry	Roe (TN)	Terry
McKeon	Rogers (AL)	Thompson (PA)
McMorris	Rogers (KY)	Thornberry
Rodgers	Rogers (MI)	Tiahrt
Mica	Rohrabacher	Tiberi
Miller (FL)	Rooney	Turner
Miller (MI)	Ros-Lehtinen	Upton
Miller, Gary	Roskam	Walden
Minnick	Royce	Wamp
Mitchell	Ryan (WI)	Westmoreland
Moran (KS)	Scalise	Wilson (SC)
Murphy, Tim	Schmidt	Wittman
Myrick	Schock	Wolf
Neugebauer	Sensenbrenner	Young (AK)
Nunes	Sessions	Young (FL)
Paul	Shadegg	

## NOT VOTING—11

Bright	Hinojosa	Olson
Culberson	Hoekstra	Schrader
Hastings (FL)	Kagen	Welch
Higgins	Kind	

□ 1126

Messrs. GALLEGLY, SHIMKUS, and TURNER changed their vote from “yea” to “nay.”

Mr. CAPUANO changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5114 and to insert extraneous material thereon.

The SPEAKER pro tempore (Mr. CLAY). Is there objection to the request of the gentlewoman from California?

There was no objection.

FLOOD INSURANCE REFORM  
PRIORITIES ACT OF 2010

The SPEAKER pro tempore. Pursuant to House Resolution 1517 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. 5114.

□ 1128

## 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. 5114) to extend the authorization for the national flood insurance program, to identify priorities essential to reform and ongoing stable functioning of the program, and for other purposes, with Mr. PASTOR of Arizona 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 gentlewoman from California (Ms. WATERS) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

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

Mr. Chairman, I am proud to bring my bill, H.R. 5114, the Flood Insurance Reform Priorities Act of 2010, to the floor today; and I stand in strong support of its passage. Moreover, I'm proud that this bill has the support of my colleagues on both sides of the aisle, having passed out of the Financial Services Committee in April on voice vote.

Mr. Chairman, this bill is essential. The Flood Insurance Program provides valuable protection for approximately 5.5 million homeowners; but, unfortunately, the lack of a long-term authorization has placed the program at risk. The program has lapsed three times now since the beginning of this year: for 2 days in March, for 18 days in April, and again from June 1 to July 2, when President Obama signed my bill to provide for a short-term extension of the program through the end of September of this year.

These lapses meant that FEMA was not able to write new policies, renew expiring policies, or increase coverage limits. These delays also meant that each day 1,200 home buyers who wanted to purchase homes located in flood plains were unable to close on their homes. Given the current crisis in the housing market, this instability in the Flood Insurance Program is hampering that market's recovery and must be addressed.

Mr. Chairman, in drafting this bill, I also wanted to address the challenges posed to communities by the imposition of new flood maps. I saw these challenges firsthand in my home city of Los Angeles. Earlier this year I was able to assist homeowners in the Park Mesa Heights area of Los Angeles who had been mistakenly placed in a flood plain. In this case, FEMA acted quickly to respond to new data and correct the mistake. However, there are thousands of homeowners nationwide who now find themselves in flood zones and subject to mandatory purchase requirements.

H.R. 5114, the Flood Insurance Reform Priorities Act of 2010, would restore stability to the Flood Insurance Program by reauthorizing the program for 5 years. It would also address the impact of new flood maps by delaying the mandatory purchase requirement for 5 years and then phasing in actuarial rates for another 5 years.

The bill also makes other improvements to the program by phasing in actuarial rates from pre-firm properties, raising maximum coverage limits, providing notice to renters about contents insurance, and establishing a flood insurance advocate similar to the taxpayer advocate at the Internal Revenue Service.

Mr. Chairman, we must reauthorize the National Flood Insurance Program and pass the reforms included in H.R. 5114. This country is reeling from major floods in Tennessee, Arkansas, and Oklahoma; and we are now officially in hurricane season, with south Texas still recovering from Hurricane Alex. I urge my colleagues to stand with me in support of this important extension.

In closing, I would like to recognize the many Members on both sides of the aisle who have approached me with their concerns about flood insurance programs. I'm further gratified that, through this bill, we're able to address many of those concerns. I remain committed to working with Members on ensuring that this program works for their communities and their constituents.

I reserve the balance of my time.

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

I would like to thank the chairwoman, Chairwoman WATERS, for her hard work on this very important piece of legislation.

H.R. 5114, the Flood Insurance Reform Priorities Act, provides for the long-term reauthorization reform of the National Flood Insurance Program, extending it for 5 years, through September 30, 2015. The bill would phase out subsidized premium rates for certain properties, increase the annual limit on premium rate increases, and impose minimum deductibles for all policies.

The bill before us today, I believe, makes constructive reforms to eliminate certain subsidies and strengthen the financial soundness of the NFIP. Unfortunately, it also includes wasteful government spending. While I wish the bill went further to place the program on a path toward self-sufficiency and limit taxpayer exposure, I will support the final passage of this bill.

The NFIP is currently operating under a short-term extension through September 30, 2010, after experiencing its third lapse this year. H.R. 5114 makes constructive reforms to eliminate certain subsidies and strengthen financial soundness. In addition, several Republican proposals have been incorporated in H.R. 5114 to strengthen the reforms in this bill, including provisions to eliminate subsidized rates over time for homes that were sold to a new owner, impose minimum deductibles for all insured properties, require a report on the feasibility of incorporating national recognized building codes into the NFIP flood plain management criteria, and to direct the NFIP to report to Congress with a plan to repay its debt to the Treasury within 10 years.

The NFIP is facing serious financial challenges and cannot afford to continue on its current path. The GAO has included the NFIP on its annual list of high-risk government programs since 2006 because of its ongoing potential to incur billions of dollars in losses. With

an \$18 billion debt to the Treasury now and the persistence of subsidized premium rates for properties in high-risk areas, the NFIP continues to be underfunded and Federal taxpayers remain at risk.

Unfortunately, recent temporary lapses of the NFIP created uncertainty in the housing market and resulted in negative consequences for home buyers trying to purchase flood insurance protection in high-risk areas where it is required. While many property owners depend on flood insurance for some measure of financial security, and many more should consider purchasing it to protect themselves from potential losses, fundamental reforms are needed to make the flood insurance program more self-sufficient, reduce the potential for losses, and minimize the financial risk to taxpayers.

In the long run, it is my hope, along with most of my Republican colleagues, that all flood insurance premium rate subsidies should be eliminated and underwriting risks should be transferred to the private insurance market to the maximum extent possible.

In this respect, the provisions of H.R. 5114 that phase out and eventually eliminate certain premium rate subsidies represent very positive steps. The bill includes constructive measures to eliminate subsidized rates over time for nonresidential properties and nonprimary residences, including second homes and vacation homes.

H.R. 5114 also raises the cap on rate increases from 10 to 20 percent, which will allow the NFIP to charge premiums more appropriate to the risk within a shorter period of time. These useful reforms are overshadowed, unfortunately, by provisions authorizing almost \$500 million in new Federal spending for new mitigation and outreach grant programs and to establish an Office of Flood Insurance Advocate within FEMA, which administers the Flood Insurance Program.

While there is a definite need to improve FEMA's communication with communities and to increase advocacy about the impact of the new flood risk maps, Republicans believe that this effort should be undertaken using the existing NFIP funds, rather than new Federal spending in this time of historic deficits.

□ 1140

I know some of my Republican colleagues offered amendments to do just this, to address these concerns. And I wish that they had been made in order today, as their inclusion would have enhanced our debate.

The NFIP was originally intended to reduce the need for emergency disaster assistance from Federal taxpayers to local communities, and the program has a long ways to go to reach the point of being self-funded and self-sustaining. Furthermore, I believe that Congress has an obligation to U.S. taxpayers to challenge the premise that

most flooding hazards will never be insurable by the private insurance market.

I remain committed to enacting comprehensive reforms that not only modernize the National Flood Insurance Program so that homeowners will continue to have access to flood insurance, but at the same time protect the American taxpayer.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois, Representative COSTELLO, who has been the leader on this issue of the maps, the remapping. And because of him we have a strong bill. He worked very hard, and I am very grateful.

Mr. COSTELLO. I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of H.R. 5114. I have worked on this issue, as Representative WATERS has said. She chairs this committee, has provided great leadership, along with Chairman FRANK. And I thank them for their leadership in bringing the bill to the floor today.

We have worked together with them and members of the Congressional Levee Caucus. We authored provisions included in this bill to delay the onset of mandatory flood insurance purchase requirements in the newly remapped areas for 5 years, and then phase in insurance rates for the next 5 years. This will give communities the time necessary to rebuild levees and address other flood control projects and allow our constituents to make their own decision regarding the purchase of flood insurance.

In August of 2007, FEMA announced that through the remapping process, the levees protecting the Metro East area of Illinois along the Mississippi River, which had been protecting our area for decades, including in the major flood of 1993, would be decertified and treated for flood protection purposes as if they didn't exist. As soon as the new maps became final, any homeowner or small business with federally backed mortgages would have to purchase flood insurance. It could cost literally thousands of dollars annually.

Let me say, Mr. Chairman, that we have made a lot of progress as part of this process. Local officials continually ask for some relief. What we do in this legislation is, in the provisions that I described earlier in this legislation, the bill allows FEMA, the flood remapping process to proceed, and requires communities to have evacuation and communication plans in place, which must include information about the availability of flood insurance and the consequences of having a flood.

I want to be very clear at this point, while it is not mandatory, I continue to encourage all of my constituents in the affected area to purchase flood insurance. But that decision should be theirs.

The Federal Government needs to work with local officials to solve these local and national issues. I strongly

support H.R. 5114. I thank Chairman FRANK and Chairlady WATERS for all of their work and ask my colleagues to support the bill.

Mrs. CAPITO. I yield 5 minutes to my colleague from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentlelady for yielding.

Mr. Chair, this House recently passed a financial markets regulatory restructuring bill which in essence, unfortunately, will create a new Federal insurance program, or bailout authority, for large financial companies that take on too much risk. I wish we would leave, given the state of the national debt, I wish we would leave the safety net where it currently is, under federally insured depository institutions. And instead, ultimately I fear we will one day be looking at taxpayer subsidies to cover the likes of Goldman Sachs, AIG, and Lehman Brothers.

I wish we had learned our lesson from the National Flood Insurance Program, which we know was supposed to never require any taxpayer funds, any general revenue. But unfortunately, we know today already \$19 billion is owed to the Federal taxpayer. And we look at the other federally administered insurance programs: Social Security, long term deficit of \$15 trillion; Federal Pension Benefit Guaranty Corporation, debt of \$22 billion, projections of \$34 billion by 2019; Federal crop insurance, Medicaid—the list goes on and on and on.

This bill adds to the tab. And the Congressional Budget Office has projected this bill will increase spending by roughly a half-billion dollars over 10 years. Even by Washington standards, I hope we still consider that to be significant funding.

Now, I wish the Federal Government wasn't in this business, but we are in this business. And if we are in this business, we have to ensure that we are not subsidizing and incenting people to live, essentially put them in harm's way and put them in harm's way at taxpayers' expense. If they are going to put themselves and their property in harm's way, that's a decision they need to be making. But we shouldn't be a party to incenting them to that.

So we still have a program that over-subsidizes certain properties, including condos and vacation homes, and we're asking people in my district, the factory worker in Mesquite, Texas, and maybe making \$50,000 a year, to subsidize the flood insurance of somebody who may be making a half a million dollars a year, maybe because they have a condo on a beach. That's not a program that's particularly fiscally sound or one that I believe is fair.

I certainly want to thank the chairman, I want to thank the ranking member for their work. And there are a number of improvements in this legislation that will help improve the program. I want to thank the chairman for incorporating a modest amendment I offered in 2007 that would at least require the NFIP to conduct a study

within the next 6 months of how do you end up repaying the taxpayer at least over a 10-year period so they can recoup their losses on a program they were never supposed to bail out in the first place.

I appreciate the fact that the underlying legislation will raise the annual cap on premium rate increases. I appreciate the leadership of the gentleman from New Jersey (Mr. GARRETT) who offered an amendment that was incorporated that would eliminate subsidies over time for homes that are sold to new owners and phases in actuarially sound premiums on second homes.

There is also language in here that will impose minimum deductibles for all insured properties. All of these are several steps in the right direction to help ensure that the taxpayer doesn't suffer further losses.

But unfortunately, the bill really doesn't do anything to deal with the current almost \$19 billion of funds that are owed to the taxpayer today. Nothing in the bill will help recoup that particular loss. It delays the implementation of actuarial rates, which I think again puts the taxpayer in further harm. It does not phase out the taxpayer subsidies. We still have insurance at subsidized rates, creating perverse incentives that encourage people to essentially live in harm's way. And just like Fannie Mae and Freddie Mac, which have already cost the taxpayer \$150 billion roughly and counting, those programs ultimately need to be returned to competition, and so does this program ultimately need to be returned to market competition.

Now, I know we can't outlaw hurricanes, we can't outlaw floods, but we can at least make sure that the factory worker in Mesquite, Texas, in my district, doesn't have to keep picking up the tab over and over. And very importantly, this is a program that authorizes almost a half a billion in new spending on an outreach program when one already exists. We cannot afford it.

Ms. WATERS. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas, who has fought so hard for his constituents and making sure that they have a strong advocacy program in this bill, MARION BERRY.

Mr. BERRY. Thank you, Madam Chairman, for the great job you have done and the concern for the people that you have exhibited.

For the time that FEMA has existed, the exception being during the Clinton administration when James Lee Witt ran that agency, FEMA has exhibited an incredible inability to get anything done and accomplished. FEMA, in my part of the world, is worse than the natural disaster that they came to deal with. When we see FEMA show up, it strikes fear in the hearts of grown men and women and small children.

So I thank the chairman for this bill, the constraints she put in this bill as it relates to the floodplains and the designation of them, and urge the passage of this bill.

□ 1150

Mrs. CAPITO. I yield 3 minutes to my colleague from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentlelady for yielding me some time.

Mr. Chairman, I rise in opposition to this program and to this bill, and I would once again remind my colleagues that this program is a very, very bad deal for my constituents in the great State of Michigan, the Great Lake State. In fact, it's a bad deal for most all the States that are in the Great Lake States.

As an example, my constituents in Michigan are paying very high flood insurance premiums, yet we rarely receive any claims, and I will give you examples. Since we've instituted this flood program in the Nation since 1978, in Michigan we've received \$44 million in claims; however, we've paid in over \$200 million during that time in premiums. This year alone, in Michigan, our citizens are going to pay \$19 million in claims, which means that in just 2 years of paying premiums, we will have covered all of our losses for the last 32 years. In fact, the GAO report on this program that was published in April found that one in four property owners are paying subsidized rates for their flood insurance that do not reflect the full risk of their flooding.

That same report found that repetitive losses represent only 1 percent of policies but over 25 percent of all of the claims. In short, we keep paying over and over and over again claims for some Americans to live in flood-prone areas, and it is no wonder that this program is \$19 billion in debt.

Unfortunately, the Rules Committee didn't make one of my amendments in order that would have addressed this problem of repetitive losses, and this is a case in so many properties. They just keep rebuilding and refiling their claims over and over and over again, and I just don't think that's fair to the rest of the Nation. If you insist on rebuilding, then you should assume the risk.

Mr. Chairman, quite frankly, my home State of Michigan feels like the ATM machine for this flood debt program. I think this program is very, very unfair. One thing I would say, in Michigan, we actually look down at the water. We don't look up at the water. And we are very sympathetic, Mr. Chairman, very sympathetic to areas of other parts of the country that are prone to floods, that are prone to hurricanes, et cetera. We appreciate the challenges that they face, but I don't think it's fair that citizens in a State like Michigan have to pay for those kinds of things.

I think we need to have a national catastrophic fund that establishes more fairly the burden on this rather than looking for States like Michigan. I'm not opposed to redigitizing the maps and using the state-of-the-art

technology that's happening. I think that's very important. We want to know the proper elevations. You can use it for planning. Local municipalities need it, et cetera. But in Michigan, I can tell you tens of thousands of properties that are now being included in this floodplain that have never been included previously, that have no history of flooding. In the last couple of years, the Great Lakes have had historic lows.

I'm going to be voting against this. I urge my colleagues to vote against this bill, Mr. Chairman.

Ms. WATERS. Mr. Chairman, I yield myself 30 seconds to make sure that the gentlelady understands that we are moderating the subsidy in several ways on second homes, on nonresidential property, and when the homes are sold, and that's an important point that we will have some discussion on later.

At this time I yield 1 minute to the gentleman from Georgia (Mr. SCOTT), who's been responsible for making sure that we give homeowners an opportunity to pay installments instead of up front all of these premiums that they will be responsible for.

Thank you so very much for your work.

Mr. SCOTT of Georgia. Thank you so very much.

I want to extend tremendous accolades to our chairperson, Ms. WATERS, who has done just an absolutely excellent job on this bill.

Mr. Chairman, you know, there is nothing more devastating, more heart-breaking than for individual families to lose their homes and all of their possessions. And if there ever was a time that the role of government plays its most important role, it is to come to their rescue immediately, quickly, and help them to recapture their lives as quickly and to make sure that they have the insurance that is needed.

Nowhere has that been more devastating in terms of flooding than in my own district. As you all recall, many of you sent out prayers and best wishes. As you know, in my district, about a year ago, we had a tremendous flood, the worst flood in Georgia in this century, especially in the Cobb County/Douglas area where we lost seven lives.

This amendment, which will help to provide people the opportunity, that don't have to pay that insurance in one lump sum but will pay it in installments, will go a long way to helping them.

Mrs. CAPITO. Mr. Chairman, I yield 2 minutes to my colleague from Florida, Ms. BROWN-WAITE.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I rise today actually in support of H.R. 5114, the Flood Insurance Reform Priorities Act. And since the word "priorities" is mentioned in the title, I wanted to share a few of my constituents' priorities.

On balance, they would say this is a good bill, particularly given the fact that over the last few weeks I received numerous calls from Realtors and

would-be home buyers who could not close on houses because of the lapse in the National Flood Insurance Program.

While the situation has been taken care of temporarily and while the home buyer tax credit closing deadline was pushed back, I think my colleagues can understand the frustration back home in Florida that this simply is not how we should be handling issues in Washington, D.C.

As for the bill we have on the floor today, I want to draw my colleagues' attention to one provision in particular that gives me pause. Section 5 of the legislation effectively raises homeowners' insurance costs for struggling homeowners. There are a lot of things that keep Floridians up late at night: unemployment, hurricane season, the solvency of Social Security and Medicare, and among others, homeowners insurance premiums.

We have to remember that the NFIP was self-sufficient until Hurricane Katrina and, frankly, it should continue to be. But raising rates during this recession in Gulf States already devastated by hurricanes, oil spills, and failed stimulus plans is a horrifically bad idea.

I offered an amendment at the Rules Committee that would have prevented these increases, but unfortunately my Democrat and Republican colleagues in flood-prone areas around the country will not have an opportunity to vote on that amendment.

Ms. WATERS. Mr. Chairman, I yield 1 minute to the gentlelady from New York (Mrs. MCCARTHY), who has worked very hard on these issues, and we have, in the manager's amendment, some of the work that she did.

Mrs. MCCARTHY of New York. I thank the chairwoman, and I thank her for the work on bringing this issue to the floor. She basically has covered everything that certainly a lot of my constituents were concerned about.

I want to thank her also for accepting a number of my amendments that will encourage local government agencies who receive grant funds under the Outreach Program to coordinate with entities and agencies that have experience with certain populations in the communities, such as the disabled, older Americans, and minorities. We know that this is a complicated formula, but I believe that with this legislation, it's going to be much easier to go through it.

My other amendment would clarify that once a borrower sufficiently demonstrates to a lender they have purchased flood insurance within the 45 days, the lender must terminate the "force-placed" insurance. The force-placed insurance is something that's put in place until the insurance comes through, and I thank Ms. WATERS for her work with me on getting this legislation through. It is going to help our constituents.

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

Ms. WATERS. I yield 1 minute to my colleague from California, LINDA

SÁNCHEZ, who has given a lot of her time to this effort.

Ms. LINDA T. SÁNCHEZ of California. I rise today on behalf of residents of southern California who are struggling to make ends meet. In recent months, I've heard from a number of constituents who will soon be required to pay more than a thousand dollars a year in flood insurance premiums even though they live in a virtual desert. That's right. Southern California is officially a semi-arid, near-desert region, but many of my constituents are being told to pay a thousand dollars a year or more to guard against floods.

These families want to know why their homes were considered safe just months ago but are now considered to be in a flood zone under new FEMA maps. They want to know what has changed in such a short time to threaten their safety, particularly given the recent infrastructure investments in the L.A. River Basin.

Let me be clear, I support the National Flood Insurance Program because floods can devastate a community, but where flood maps are outdated, they should be corrected to better protect communities.

□ 1200

However, local residents should be involved in the process and given a chance to be heard before their homes are rezoned. This bill will also allow families the choice to pay their premiums in installments and allow families to lessen the burden on their budget.

I thank Congresswoman WATERS, and I urge passage of the bill.

Mrs. CAPITO. I continue to reserve the balance of my time.

Ms. WATERS. I yield 1 minute to the gentlelady from D.C., Ms. ELEANOR HOLMES NORTON.

Ms. NORTON. I'd like to thank Chairwoman WATERS for not only today's bill but for her comprehensive bill, the first since 1994; also Chairman FRANK for his work, making sure we got to the floor today as well.

I chair the subcommittee with primary jurisdiction over FEMA and understand how important the chairwoman's comprehensive bill is. I understand also that Katrina was a wake-up call. As controversial as these maps are, and they have been controversial in my district, the most important thing we do in this bill is the 5-year grace period and appeal period delay. It's the least we can do instead of facing property owners with a new and expensive mandate in the middle of an economic crisis that began in a mortgage crisis with hundreds of people waiting to close on homes, others newly in a flood map zone. This is needed relief and the least we can do before we go home. We've had our separate fights. Let's get this temporary bill done and then get on to comprehensive reform.

Mrs. CAPITO. I continue to reserve the balance of my time.

Ms. WATERS. I yield 1 minutes to the gentleman from Texas (Mr. AL GREEN). His State has experienced a lot of hardship with Katrina and Alex, and I thank him for his hard work.

Mr. AL GREEN of Texas. Thank you, Madam Chair, and I thank Ranking Member CAPITO for her assistance as well.

Quickly, I would add two things. One, this bill helps us to stabilize the housing market. There are many persons who seek to buy homes who have not been able to buy homes because the flood insurance was not available, yet required, to make the purchase. We also have persons who are concerned about the hurricane season. We have extended the flood insurance program, but this helps us to stabilize it and stabilize the housing market.

My final point is this: auto insurance is not something that I necessarily want to have. I don't use it regularly. There are many who purchase it and never use it, but it sure is good to know that you have it in the event of an accident. Flood insurance is something that we need, not because we know it will happen to us but because of the possibility.

I thank the chair. I thank the ranking member. I beg that we pass this legislation.

Mrs. CAPITO. Could I ask the chairwoman if she has any additional speakers.

Ms. WATERS. I have no other speakers, Mr. Chairman; and I would reserve the right to close.

Mrs. CAPITO. Then I would just like to say that this has been an effort that has been moving forth. As we've said, we've had a lot of lapses in this program across the country. It's caused a lot of disturbances for folks who are trying to purchase new homes or refinancing, and I think that we need a permanent extension of this for 5 years.

So, again, I do have reservations about the additional spending; \$500 million at this time of high debt and deficit and high unemployment is, I think, improperly placed, but this bill does have another purpose, and that is to make sure that homeowners and home purchasers can have the access that they need to the flood insurance program.

With that, I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I would like to thank the ranking member from West Virginia (Mrs. CAPITO) for her cooperation and the work that she has put into the formulation of this very, very important bill.

I would like to thank Members on both sides of the aisle for the cooperation that we have seen exhibited on this bill, and I think that the Members on both sides of the aisle have done a fabulous job representing their constituencies on this issue.

It is time for us to have a reauthorization for 5 years, given the lapses that we have had and the risks that we have placed homeowners at when we

don't have flood insurance coverage. And so Members have come one by one on this issue explaining what is going on in their districts, and of course, we have had a lot of criticism about FEMA. We have had Members explain that neighbors are getting together to fight some of the mapping that is being done. All of that has been brought to our attention, and we've been able to deal with most of those complaints, not only in this bill but, of course, in the manager's amendment.

We have some people who are going to bring amendments to the floor from both sides of the aisle, and I'm confident that with the work that has gone into this bill, the amendments that we will have on the floor—many of them will be adopted—that we will see a good, solid piece of legislation move from this floor that will address the concerns of so many of our constituents across this country.

I'm proud of this legislation. I thank not only the Members on both sides of the aisle but the staffs from both sides of the aisle who have worked so hard to ensure that we address these concerns.

So, now, with this authorization for 5 years, with the delayed time so that people have the opportunity to prepare, with the installment, with the way that we have done all of this, including putting an advocate in, our constituents are going to get some justice, some real attention; and I think they will be proud of the work that we have done.

AMERICAN INSURANCE ASSOCIATION,  
Washington, DC, July 15, 2010.

Hon. BARNEY FRANK,  
Chairman, Committee on Financial Services,  
House of Representatives, Washington, DC.  
Hon. SPENCER BACHUS,  
Ranking Member, Committee on Financial Services,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN AND REPRESENTATIVE BACHUS: The American Insurance Association (AIA) would like to express its strong support for the House Financial Services Committee reported bill reauthorizing and reforming the National Flood Insurance Program (NFIP), H.R. 5114. The recent lapses in the NFIP followed by the use of short-term extensions have caused disruptions to homeowners, businesses and hindered real estate closings nationwide. A long-term NFIP reauthorization will bring much-needed stability to the market and fiscal soundness to the program.

However, we strongly oppose the amendment to be offered by Rep. Gene Taylor (D-MS). The Taylor amendment would negatively impact "Write Your Own" (WYO) companies and significantly alter the way in which claims are processed by the NFIP. Consumers want reasonably priced insurance for the risks they confront. To help meet that objective, insurers must be able to contractually define the parameters of their exposure. Adopting the Taylor amendment will cause WYO companies to take a hard look at their continued participation in the program and jeopardize our support for the underlying bill.

We look forward to continuing to work with you to enact a long-term NFIP reauthorization.

Sincerely,

LEIGH ANN PUSEY,  
President and CEO,  
American Insurance Association.

NATIONAL ASSOCIATION OF  
REALTORS®

Washington, DC, July 13, 2010.

U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.1 million members of the National Association of REALTORS® (NAR), thank you for the progress that Congress is making toward comprehensive reform of the National Flood Insurance Program (NFIP). Later this week, the House of Representatives is scheduled to consider H.R. 5114, the Flood Insurance Reform Priorities Act, to strengthen the NFIP and bring certainty to real estate markets that are much in need. NAR strongly supports the provision to reauthorize the NFIP through fiscal year 2015, which continues to be a top priority of our membership.

Reauthorizing the NFIP through 2015 is critical to millions of taxpaying American families who rely on the program for flood insurance, which by law, is required to obtain a mortgage in nearly 20,000 communities across the nation. Since September of 2008, Congress has approved eight short-term extensions of the NFIP's authority to issue new and renewal flood insurance policies. Twice, this authority has been allowed to expire, resulting in multi-week delays if not cancellation of thousands of real estate transactions. The many shut-downs and short-term reauthorizations of this program over the past two years have caused many hardships and lost sales for property buyers, sellers, and their communities. Enacting a multi-year NFIP reauthorization would restore flagging confidence in this vital program by ensuring its continuation for several years without further disruption to real estate markets upon which the U.S.'s economic recovery depends.

We continue to have concerns with provisions of H.R. 5114 that would phase-in actuarial rates for most pre-Flood Insurance Rate Map (pre-FIRM) properties. Section 5 would increase rates on these properties by up to 20 percent a year, beginning on the date of enactment for those non-residential properties and non-primary residences and at the point of sale for the primary residences. The bill already reauthorizes the mitigation program for "severe repetitive loss" properties; there is a sound public policy argument for increasing rates on such properties where there is demonstrated history of repeated losses, representing a disproportionate share of claims on the program. That is not the case for other pre-FIRM properties that would be impacted by the proposed changes included in H.R. 5114.

As a result, the bill in effect increases insurance rates on properties where the risk of flooding has not necessarily changed. Yet, these properties were built before the community's flood risks were known or mapped and therefore could not have been built to NFIP standards. Retrofitting reduces housing affordability, which has a multiplier effect on the tax base of surrounding communities that are older or rely on tourism. We will continue to work with the House and Senate to ensure the fair and effective application of reforms through the home transaction process.

We support moving H.R. 5114, the Flood Insurance Reform Priorities Act, to the Senate and pledge to continue to work with you on these and other important issues.

Sincerely,

VICKI COX GOLDER, CRB,  
2010 President, National Association of  
REALTORS®

[STATEMENT ON BEHALF OF THE INDEPENDENT INSURANCE AGENTS & BROKERS OF AMERICA BEFORE THE COMMITTEE ON FINANCIAL SERVICES SUBCOMMITTEE ON HOUSING AND COMMUNITY OPPORTUNITY APRIL 21, 2010]

IIABA is the nation's oldest and largest trade association of independent insurance agents and brokers, and we represent a nationwide network of more than 300,000 agents, brokers, and employees. IIABA represents independent insurance agents and brokers who present consumers with a choice of policy options from a variety of different insurance companies. These small, medium, and large businesses offer all lines of insurance—property, casualty, life, health, employee benefit plans, and retirement products. It is from this unique vantage point that we understand the capabilities and challenges of the insurance market when it comes to insuring against flood risks.

#### BACKGROUND

The Big "I" believes that the NFIP provides a vital service to people and places that have been hit by a natural disaster. The private insurance industry has been, and continues to be, largely unable to underwrite flood insurance because of the catastrophic nature of these disasters. Therefore, the NFIP is virtually the only way for people to protect against the loss of their home or business due to flood loss. The NFIP currently provides 95% of flood insurance in the United States and five and a half million taxpayers depend on the NFIP as their main source of protection against flooding, the most common natural disaster in the United States.

Prior to the introduction of the Program in 1968, the Federal Government spent increasing sums of money on disaster assistance to flood victims. Since then, the NFIP has saved disaster assistance money and provided a more reliable system of payments for people whose properties have suffered flood damage. It is also important to note that for almost two decades, up until the 2005 hurricane season, no taxpayer money had been used to support the NFIP; rather, the NFIP was able to support itself through the premiums it collected every year.

Under the NFIP, independent agents play a vital role in the delivery of the product through the Write Your Own (WYO) system. Independent agents serve as the sales force of the NFIP and the conduits between the NFIP, the WYO companies, and consumers. This relationship provides independent agents with a unique perspective on the issues surrounding flood insurance, yet also means that the role of the insurance agent in the delivery process of flood insurance is considerably more complex than that of traditional property/casualty lines. Agents must possess a higher degree of training and expertise than their non-NFIP participating counterparts, which requires updating their continuing education credits through flood conferences and seminars. This is done regularly and can involve traveling to different regions of the country, costing personal time and money. Every agent assumes these responsibilities voluntarily and does so as part of being a professional representative of the NFIP. In an effort to bring the education process to as many people as possible, many of our State associations now provide Internet based seminars. This training has been extremely popular and a tremendous tool. We believe in the effectiveness of the Program and would like to see it continue and offer consumers even greater protections in the years ahead.

#### LONG TERM EXTENSION

The NFIP has traditionally been authorized for periods of five years in order to provide much needed stability to the marketplace and to instill confidence in consumers

that the program will be there for future years. Since 2006, however, the program has unfortunately been caught up in a series of short term extensions while Congress considers large scale reforms of the program. The Big ‘I’ strongly supports Congress’ efforts to reform the program in order to bring much needed stability to the program for the benefit of consumers and taxpayers. However, of paramount concern to the IIABA is that the program receives a long term extension, preferably five years.

In 2009 and the first few months of 2010, Congress was forced to pass seven short term extensions of the program. This problem has been exacerbated recently as flood insurance has been included in extensions of unemployment extensions and COBRA subsidies that last for only 1 or 2 months. In fact, twice during the last few months Congress failed to extend the flood insurance program before its expiration and the program was allowed to lapse, most recently in the beginning of April when the program was expired for nearly 3 weeks.

The Big ‘I’ urges Congress to recognize that each time the program expires there are real consequences for the American people. Expirations inevitably lead to confusion and harm to real estate markets, consumers are potentially put at risk of uninsured losses, and there is the potential of additional tax money put at risk to cover any relief efforts that may occur during such expiration. The effect on the real estate market, in particular, should not be overlooked. During the most recent expiration, IIABA fielded numerous inquiries from agents across the country asking how to proceed with real estate closings for properties in flood zones. Though the federal banking regulators thankfully did the right thing and allowed closings to proceed even without the required flood insurance coverage, unfortunately IIABA heard anecdotal stories from some agents saying that some banks did not, after all, agree to proceed with the closings. At the very least, there was significant confusion immediately following the expiration, evidenced by the fact that the federal banking regulators did not issue their guidance until approximately four days after the program had already been expired.

We are grateful Congress passed another short term extension last week, and that the extension was retroactive to cover the timeframe of the expiration. Unfortunately the program is set to once again expire on May 31, 2010. Congress will likely be forced to pass its eighth extension in the next few weeks. The National Flood Insurance Program is meant to provide some level of stability and protection for homeowners and businesses against dangerously unpredictable and costly flooding events, not to be an unpredictable ‘here one minute-gone the next’ program subject to monthly congressional action. The Big ‘I’ strongly urges Congress to pass a long term extension of this critical program.

For this reason, the IIABA supports Chairwoman Waters and Ranking Member Capito’s draft legislation to reform and extend the program for five years. Though IIABA has some recommended improvements to the draft legislation, the underlying long term extension is vital to provide stability and security to consumers.

#### MODERNIZATION OF COVERAGES

The Big ‘I’ also urges the Committee to include much needed modernizations of the NFIP. The draft legislation includes one such modernization of the program by increasing maximum coverage limits. The NFIP maximum coverage limits have not been increased since 1994 and since then, the United States has seen a housing market

boom of epic proportions. Labor and materials costs have skyrocketed, and yet the maximum indemnity a homeowner can receive for a flood loss is \$250,000. Similarly, a total loss on a commercial property would only net the occupant \$500,000. These figures are caught in time, and they do not provide reasonable financial relief for policyholders facing a complete rebuilding process. The hurricanes of the last several years have clearly showed that homeowners and businesses need higher NFIP coverage limits in order to properly insure their properties. An increase in the maximum coverage limits will better allow both individuals and commercial businesses to insure against the damages that massive flooding can cause, and we’re grateful that this increase was included in the draft legislation.

The IIABA urges the Committee to also include two other very important modernizations in any flood insurance reform bill that they consider. These are optional business interruption insurance and additional living expenses. Both of these additions, which would be purchased at the option of the consumer at actuarial rates, would offer essential coverage to consumers, bring the program additional revenue, and make the program more attractive to consumers.

The inclusion of optional business interruption coverage is particularly crucial to Big ‘I’ members and their commercial customers. If a flooding catastrophe causes business premises to be temporarily unusable, that business may have to relocate or even close down temporarily. Property owners are still required to pay employees, mortgages, leases and other debts during this process, and these ongoing expenses can mount up quickly for a business that has reduced income or no income at all. For property insurance policies, business interruption insurance provides protection against the loss of profits and continuing fixed expenses resulting from an interruption in commercial activities due to the occurrence of a peril. The inclusion of an optional business interruption provision will provide stability to the local economies in the areas affected by flood damage and will offset government disaster relief payments should the flood peril result in widespread destruction across a region. Business interruption coverage, and the security and peace of mind it provides, is crucial to our members and to small businesspeople across America.

The other provision which we strongly recommend that the Committee add to the flood insurance reform legislation is the option to purchase additional living expenses. This provision would provide consumers with greater security during the often bewildering post-flood period, and will do so in an actuarial basis as opposed to relying solely on FEMA grants and assistance. Both business interruption and additional living expenses are common options available to consumers for private commercial and homeowners’ property/casualty insurance.

These provisions have been a part of the flood insurance reform bills going back to 2006, when Chairman Mike Oxley and Subcommittee Chairman Richard Baker included these optional coverages in their ‘Flood Insurance Reform and Modernization Act of 2006’ (H.R. 4973) that passed the House. These provisions were again included in H.R. 3121, introduced by Chairwoman Waters in 2007 and also passed by the full House.

Increased coverage limits, optional business interruption, and optional additional living expenses are all pieces of the puzzle that will fit together to modernize the NFIP for the 21st century, and the Big ‘I’ strongly urges the Committee to include all three provisions in the flood insurance reform legislation. These modernizations will hopefully

have three positive effects on the NFIP as a whole. First, it will allow consumers to more adequately insure their properties and valuables against their true risks. This will in turn make the NFIP as a whole a more attractive product for consumers, thereby increasing participation in the program. And finally, as optional purchases that would be sold at actuarial rates, these modernizations of coverages will result in a NFIP that is closer to being on actuarially sound footing—which is a goal that the Big ‘I’ strongly supports.

#### CONCLUSION

The IIABA is very pleased that the Subcommittee is conducting today’s hearing on comprehensive flood insurance reform and we urge the Financial Services Committee to pass the Waters-Capito flood insurance legislation and send it to the full House of Representatives for approval. The legislation is critical to ensure the long-term stability of the NFIP. The NFIP is essential to Americans and to the U.S. economy, and we strongly support your efforts to update it to reflect today’s risks. Extending this program for five years, and avoiding the recent short term extensions and occasional expirations, would have a profound effect on consumers’ confidence in the program. Finally, we also strongly support your efforts to increase the maximum coverage limits and urge you to consider adding provisions to provide for the optional coverage of business interruption insurance and additional living expenses to your draft legislation.

We thank the Committee for the opportunity to express the views of the IIABA on this important program. We hope very much that this hearing will contribute to additional action taken by Congress to pass flood insurance reforms and to ensure the stability of the National Flood Insurance Program.

#### THE COUNCIL OF INSURANCE

AGENTS AND BROKERS,

Washington, DC, July 13, 2010.

Hon. PAUL E. KANJORSKI,

U.S. House of Representatives, Washington, DC.

ATTENTION: Financial Services Staff

Re H.R. 5114, the Flood Insurance Reform and Priorities Act of 2010.

DEAR REPRESENTATIVE KANJORSKI: Legislation reauthorizing the National Flood Insurance Program (NFIP) may be considered by the House of Representatives this week. H.R. 5114, the ‘Flood Insurance Reform and Priorities Act of 2010,’ would restore predictability to a market that is often jolted by unrelated political battles, resulting in four lapses since September 2008. As representatives of the nation’s largest and most successful commercial insurance brokerages, who collectively sell 90 percent of the nation’s business insurance, we strongly encourage you to support H.R. 5114, the ‘Flood Insurance Reform and Priorities Act of 2010.’

The legislation would reauthorize NFIP for five years, increase outdated coverage limits for residential and commercial properties, and encourage consumers in newly designated flood zones to purchase coverage by phasing in rates. The current authorization of NFIP expires on September 30, 2010.

This long-term strategy to maintain the program, as opposed to short-term reauthorizations passed by Congress over the past two years, is the responsible policy to pursue. H.R. 5114 is key to providing predictability in flood-prone economies, and seeks to responsibly increase coverage in flood zones.

We strongly urge you to support H.R. 5114, the ‘Flood Insurance Reform and Priorities Act of 2010.’ If we can answer any of your questions, or be of assistance in any way,

please feel free to contact us at (202) 783-4400. Thank you very much.

Sincerely,

KEN A. CRERAR,  
*President.*  
JOEL WOOD,  
*Senior Vice President,  
Government Affairs.*  
JOEL KOPPERUD,  
*Director, Government  
Affairs.*

PROPERTY CASUALTY INSURERS  
ASSOCIATION OF AMERICA,  
*Des Plaines, IL, April 26, 2010.*

Hon. BARNEY FRANK,  
*House Financial Services Committee, U.S. House  
of Representatives, Washington, DC.*

Hon. SPENCER BACHUS,  
*House Financial Services Committee, U.S. House  
of Representatives, Washington, DC.*

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: On behalf of the Property Casualty Insurers Association of America (PCI), I strongly urge your support of H.R. 5114, the "Flood Insurance Reform and Priorities Act of 2010", sponsored by Representative Maxine Waters. The Committee is scheduled to mark-up this bill on Tuesday, April 27.

Floods are the most common natural disasters to occur in the United States. Over 5.5 million Americans rely on the National Flood Insurance Program (NFIP). But with over \$18 billion in debt, the NFIP needs meaningful reform.

Since 2008, Congress has entered into a cycle of passing short-term extensions for the NFIP, leading to lapses in program coverage. This year, there have already been two gaps in the program, including March 1-2 and March 29-April 15. This disjointed approach to NFIP leaves homeowners vulnerable and adds greater uncertainty to the real estate market in flood-prone areas.

The NFIP is currently set to expire again on May 31, 2010, one day before the start of hurricane season and just three months before the 5th anniversary of Hurricane Katrina. We need a long-term, sustainable solution to the flood program. Rep. Waters' bill takes a very responsible approach to making the NFIP more financially stable, providing the program with an important multi-year extension through 2015 and limiting additional federal exposure to natural disasters. The bill also works to increase local awareness of the devastating effects of flooding and the need to purchase flood insurance. This legislation also addresses the cost of flood insurance for consumers who now find themselves in a special flood hazard area and are required to purchase the product by phasing-in the cost.

H.R. 5114 promotes safer building practices to prevent and reduce flood losses. Significant property development, population growth, and rapidly rising real estate prices in areas prone to natural disasters exacerbate the potential for larger human and economic losses, requiring stronger loss prevention, mitigation and greater financial resources for recovery. Stronger building codes are one of the most effective ways to mitigate storm damage. We believe that state and local governments must address the need to restrict development in flood-prone areas and discourage irresponsible development. The first step is to improve outdated and inconsistent requirements for building codes and code enforcement.

We look forward to passage of this important and well-balanced legislation. We would be happy to discuss any questions regarding our support with you. We believe that H.R. 5114 will make buildings stronger, families safer, and the insurance market in flood-prone areas more stable over the long-term. We highly recommend its passage and urge

your support of H.R. 5114, the "Flood Insurance Reform and Priorities Act of 2010."

Sincerely,

DAVID A. SAMPSON,  
*President and CEO.*

NATIONAL ASSOCIATION OF  
PROFESSIONAL INSURANCE AGENTS,  
*Alexandria, VA, July 13, 2010.*

Hon. NANCY PELOSI,  
*Speaker, U.S. House of Representatives, Wash-  
ington, DC.*

Hon. JOHN BOEHNER,  
*Republican Leader, U.S. House of Representa-  
tives, Washington, DC.*

DEAR SPEAKER PELOSI AND LEADER BOEHNER: On behalf of the National Association of Professional Insurance Agents (PIA) and our independent insurance agency owners, we are encouraging swift passage this week of H.R. 5114, the Flood Insurance Reform and Priorities Act of 2010, sponsored by Congresswoman Maxine Waters.

It is imperative for our members and the consumers they serve to have a stable flood insurance program available. H.R. 5114 will reauthorize the National Flood Insurance Program (NFIP) for five years, providing stability to the marketplace and fulfilling its vital role in helping citizens protect themselves from the devastating losses floods can cause.

Flooding events are the most common natural disaster in the United States. Since the NFIP's inception, tens of billions of dollars have been paid out to flood insurance customers, providing protection to the citizens of this nation that often can't be found in the private market.

Quickly passing this essential bill will help ensure that the Senate has ample time to consider it before the NFIP lapses again, currently set for September 30, 2010. Allowing the program to regularly lapse, something that has occurred multiple times this year alone, makes it much more difficult for us to convince those who need flood insurance to buy it, leaving America's homes and businesses uninsured.

Permitting uncertainty regarding the long-term future of a program that enjoys broad bipartisan support has had the unintended consequence of delaying real estate closings at a time when our nation is struggling to build a sustainable economic recovery. This has occurred at the same time that we are dealing with an environmental disaster in the Gulf of Mexico and facing the prospect of an active hurricane season.

H.R. 5114 provides much-needed reforms to the NFIP, including increasing NFIP coverage limits, phasing in actuarial property rates and phasing out premium subsidies for second and vacation homes and making business interruption and additional living expense coverages available at actuarial cost.

There is broad consensus that the National Flood Insurance Program is a vital component of America's economic prosperity that provides affordable protection to homeowners and business owners. PIA strongly supports the NFIP because it has been protecting us from flood risks since its inception over 40 years ago. We urge you to bring this bill to the floor and that it be passed quickly.

Thank you for your attention to this critical issue. If you need additional assistance from PIA, please contact Mike Becker at 703-518-1365.

Sincerely,

JON D. SPALDING,  
*President.*  
LEN BREVIK,  
*Executive Vice Presi-  
dent.*

NATIONAL MULTI HOUSING COUNCIL,  
NATIONAL APARTMENT ASSOCIATION,  
*Washington, DC, April 20, 2010.*

Hon. MAXINE WATERS,  
*Chair, Subcommittee on Housing and Commu-  
nity Outreach, U.S. House of Representa-  
tives, Washington, DC.*

Hon. SHELLY MOORE CAPITO,  
*Ranking Member, Subcommittee on Housing and  
Community Outreach, U.S. House of Rep-  
resentatives, Washington, DC.*

DEAR CHAIRWOMAN WATERS AND RANKING MEMBER CAPITO: The National Multi Housing Council (NMHC) and The National Apartment Association (NAA) appreciate the opportunity to express our views to the Committee as you consider legislative proposals to reform the National Flood Insurance Program (NFIP) to ensure long term financial stability. Our members rely on this critical program to not only protect their property investment but to help manage the increasing costs of providing housing. Therefore, efforts to ensure the long term financial stability of the program are of critical importance to the apartment industry and we applaud your leadership.

The NMHC and NAA represent the nation's leading firms participating in the multi-family rental housing industry. Our combined memberships are engaged in all aspects of the apartment industry, including ownership, development, management, and finance. The NMHC represents the principal officers of the apartment industry's largest and most prominent firms. The NAA is the largest national federation of state and local apartment associations. NAA is a federation of 170 state and local affiliates comprised of more than 50,000 multifamily housing companies representing more than 5.9 million apartment homes. NMHC and NAA jointly operate a federal legislative program and provide a unified voice for the private apartment industry.

Our membership is extremely concerned about the future stability of the overall property insurance market and its ability to withstand the continued occurrence of not just floods but all natural disasters. Policyholders need some assurances that the resources will be available to cover the risks both now and in the future. As Congress continues its deliberations on how best to address this critical issue, we hope to participate in this broader discussion.

We support the discussion draft legislation as offered by Chairwoman Waters, the Flood Insurance Reform and Priorities Act of 2010, and specifically the following provisions that have the greatest impact on the multifamily industry:

Long Term Reauthorization of NFIP—Continuous short term extensions create uncertainty in an already challenging economy. The inability to issue new policies, renew existing policies, change limits or pay claims upon program expiration creates unnecessary problems for consumers and businesses alike. A 5 year reauthorization of the NFIP is appropriate and necessary.

Maximum coverage limits: Raising the policy limits for multifamily properties from \$250,000 to \$335,000 recognizes that current limits are outdated and do not reflect the increased real estate values.

Subsidized rates for pre-FIRM properties—The draft bill proposes to phase in actuarial rates for non-residential and non-primary residences. We support the clarifying language in Section 5 that effectively maintains the subsidized rate for multifamily properties of 4 or more dwelling units.

Currently pre-FIRM multifamily properties located in flood zones and thus eligible for subsidized rates through the NFIP, most likely represent a significant segment of the affordable housing market. The country is

already experiencing a shortage of affordable housing. As operating costs increase, these properties will be forced to pass along these costs to their residents in the form of higher rent, thus exacerbating this shortage. The impact can be far more severe for those property owners who are prohibited from raising rents due to rent stabilization restrictions or federal assistance program rules. These property owners cannot adjust their rents and must therefore determine their ability to continue in this market. Many may be forced to withdraw. And those that choose to remain may simply decline adequate coverage, exposing their properties to deterioration and declining property value.

We thank you for your work to ensure the future viability of the NFIP and look forward to working with you to secure reauthorization of this critical program. If however, a reform measure cannot be enacted prior to the May 31, 2010 expiration, we encourage Congress to enact a long term extension of the program to ensure the confidence of policyholders and stability in the market.

Sincerely,

DOUGLAS M. BIBBY,  
*President, National  
Multi Housing  
Council.*

DOUGLAS S. CULKIN, CAE,  
*President, National  
Apartment Associa-  
tion.*

Ms. RICHARDSON. Mr. Chair, I rise today in support of H.R. 5114, the Flood Insurance Reform Priorities Act of 2010, which extends the flood insurance program that provides peace of mind and security for millions of Americans. This measure also enacts important reforms that make the National Flood Insurance Program (NFIP) more financially sustainable and provide much-needed assistance to individuals in newly mapped flood zones.

I thank Chairman FRANK for his leadership in bringing this bill to the floor. I also thank Congresswoman WATERS for her commitment to ensuring that this bill is equitable and does not disadvantage struggling families and businesses.

Mr. Chair, the NFIP is an important government program that makes flood insurance available to many vulnerable families that otherwise would be unable to find coverage. However, it is critical for us to ensure that this program does not unnecessarily disadvantage individuals in newly mapped flood zones by imposing immediate insurance mandates and crippling premiums.

Fortunately, H.R. 5114 contains important provisions ensuring that it will not overburden families and businesses, many of whom are already struggling in these tough economic times. This bill delays for five years the mandatory purchase requirement for flood insurance. Following this five year delay, the bill allows for a five year phase-in of actuarial rates for newly mapped areas. These provisions provide necessary relief to families who have not been required to purchase flood insurance in the past and may be unprepared for this new expense.

For example, areas in my district with little or no history of flooding have recently been remapped into a flood zone that assigns a "once in 100 years" risk of flooding. The five year delay in the purchasing requirement and the five year phase-in of actuarial rates will give my district a grace period in which we can improve our levee and flood protection systems and ultimately lose our "at risk" designation. This bill gives districts like mine all

across the country the opportunity to make improvements without taking on the financial burden of flood insurance premiums in this period of economic recovery.

Mr. Chair, this bill is important for the people for whom it provides flood insurance and the people that it protects from unnecessary financial burdens. It is an appropriate measure that is worthy of our support. I urge my colleagues to join me in supporting H.R. 5114.

Mr. HARE. Mr. Chair, I rise today in strong support of H.R. 5114, The Flood Insurance Reform Priorities Act of 2010. This legislation would give families in my district and across the Nation the peace of mind that comes with knowing they'll be protected from the financial insecurity caused by flooding.

I'd like to thank Chairwoman WATERS for her leadership on this issue and for working with me to include language in the managers amendment that would require FEMA to update its flood maps for an area that has had its levee system improved to eliminate the risk of flooding.

My language also clarifies that updated flood maps that are issued will result in the elimination of the mandatory purchase requirement for the improved areas.

My district in Illinois lies on the banks of the Mississippi River and contains large parts of the Illinois and Rock Rivers—a district obviously that is impacted greatly by policies dealing with the National Flood Insurance Program.

It is why I strongly support the underlying bill and urge my colleagues to do the same—this legislation reauthorizes the National Flood Insurance Program for five years and puts an end to Congress passing short-term flood insurance extensions that leave the program in a state of uncertainty.

There are several other provisions of this bill that are common sense and long overdue which I would like to briefly highlight. The bill: Phases in Premium Increases; creates a flood insurance premium payment installation plan for low-income families; and establishes the Office of Flood Insurance Advocate within FEMA, which would help communities and homeowners interpret, implement and appeal flood insurance rate maps.

These are just a few of the provisions of this bill that I thank the chairwoman for including, and I again urge my colleagues to support both the manager's amendment and the underlying bill.

Passage of this important legislation will benefit all Americans who live in flood-prone areas of our Nation.

Mr. BLUMENAUER. Mr. Chair, I rise in support of this legislation to reauthorize the National Flood Insurance Program (NFIP), which is essential for people who live in hazardous areas. The bill makes a number of important reforms that will help increase the fiscal soundness and stability of the Program.

First, I am especially pleased that the bill extends the successful Severe Repetitive Loss Pilot Program, which was created in the Flood Insurance Reform Act of 2004. This program provides resources to communities to mitigate properties that have flooded repeatedly.

Repetitive loss properties cost the NFIP about \$400 million annually. While they comprise approximately 2 percent of the program, they account for more than 25 percent of the claims paid.

By extending the Pilot Program, this legislation will help reduce the cost burden of these

properties on the Program and will release homeowners from the cycle of flood, rebuild, and flood again. I appreciate that Chairwoman WATERS included a provision in the manager's amendment making a technical fix to ensure that FEMA is implementing the Pilot Program as Congress intended.

I also support language in this bill that will phase in actuarial rates for non-residential properties and non-primary residences. Many houses in hazardous areas were built before the NFIP was put in place and those hazards was identified. For too long, these properties have enjoyed subsidized rates that drive up costs for everyone else in the program and send the wrong signals to property-owners about their risks. By setting rates based on risk, this legislation bolsters the stability of the NFIP and may result in lower costs for all policy-holders.

I am disappointed, however, that the bill includes provisions that I believe will result in consumers not understanding the flood risks they face and will potentially harm both policy-holders and taxpayers.

Under direction from Congress, FEMA has undertaken a map modernization process around the country. The purpose is to identify areas at risk, as flooding patterns have changed over time.

Section 6 of this bill essentially says that even if the new maps find that a property is at risk, property owner will not have to purchase flood insurance for 5 years. This undermines the mandatory purchase requirement of the Program. If there's a flood in the next five years, taxpayers will be on the hook to bail these property owners out.

Section 7 of the bill takes this denial of risk even further, saying that after the five year delay, a property owner newly identified as living in a flood hazard area will enjoy subsidized rates for another 4 years.

Finally, I'm concerned about Section 10, which automatically deems safe properties "protected" by a levee or other flood protection system, effectively removing the mandatory purchase requirement even if the flood protection system no longer works. As my friends from New Orleans know, levees can break. With this provision, we send a signal to homeowners that they do not need to mitigate their risks.

While the bill includes some important reforms, it doesn't go far enough to address the structural problems that have cost taxpayers money, harmed the environment, and kept people in harm's way.

The challenges for the program will only increase with time, as increased development and climate change put more people at risk. Already, over the past thirty years, the number of billion dollar US weather disasters has increased. From 1980–1989, there were 10 disasters that resulted in over \$1 billion in damage. From 2000–2009 there were 44. If we don't take steps now to reform the system, this number will only continue to increase exponentially.

For this reason, I would have preferred that this bill extend the program for less than five years. I understand that FEMA is undertaking a comprehensive review of the program, long overdue, and will come to Congress in two years to make administrative and legislative recommendations to strengthen the Program for the future. I hope that as this bill moves

forward through the process we can better coordinate the extension with this review so that Congress can keep the focus on reform.

In the interest of moving this legislation forward and ending the short-term extensions that the NFIP has been facing this year, I urge passage of H.R. 5114. But I look forward to working with my colleagues to make further forms to protect taxpayers, policyholders, and the environment.

Mr. GENE GREEN of Texas. Mr. Chair, I rise today in strong support of H.R. 5114, the Flood Insurance Reform Priorities Act of 2010.

The National Flood Insurance Program makes federally-backed flood insurance available to homeowners, renters, and business owners in participating communities in exchange for those communities adopting and enforcing floodplain management ordinances to reduce future flood damage. Unfortunately, Congress did not reauthorize the program by the May 31 deadline of this year, and as a result many Americans living in flood-prone areas, including people in my congressional district, have been unable to obtain flood insurance or renew their coverage. Hurricane season is now upon us, and therefore this is an issue on which Congress must show urgency.

The Flood Insurance Reform Priorities Act of 2010 would reauthorize the National Flood Insurance Program through the year 2015, along with making certain reforms. One such reform involves a five year phase-in of flood insurance rates for newly mapped areas not previously designated as having special flood hazard. This is particularly important for low-income citizens living in where flood maps change frequently.

I have always been a supporter of the National Flood Insurance Program because I believe that hard-working Americans deserve the peace of mind that comes from knowing that their homes and businesses will be protected in the event of a major flood. I urge my colleagues to support H.R. 5114 and reauthorize the National Flood Insurance Program so that people are once again able to obtain this peace of mind.

Ms. JACKSON LEE of Texas. Mr. Chair, I rise in support of H.R. 5114, "the Flood Insurance Reform Priorities Act of 2010." I want to thank Chairwoman WATERS and Chairman FRANK for their hard work on H.R. 5114. This bill will provide enhanced security, better organization, increased participation, and a clear and improved direction for the future of the National Flood Insurance Program (NFIP). By addressing the financial and administrative issues regarding NFIP, this bill will help protect millions of Americans from the potentially devastating economic effects created by a flood.

Communities like mine in Houston rely heavily on NFIP to provide security against the risk of flood. Without this national flood insurance program, many communities across the U.S. would cease to exist because it is virtually impossible to buy flood insurance in the private market. The importance of this insurance program has grown significantly over the last decade as more and more communities have increased their dependence on the NFIP.

As a direct result of certain natural disasters, including the 2005 hurricanes, and increased annual rain and flooding, NFIP has reached its highest participation rate in its 42-year history. Today, over 5 million homes and

businesses rely on NFIP for flood coverage security. It is of extreme importance that this program continues to grow and develop to serve this population.

Mr. Chair, as you know, the Federal Emergency Management Agency (FEMA) has authority to issue, renew, or increase coverage of flood insurance policies under the NFIP; and this authority will again lapse on September 30, 2010. H.R. 5114 will extend these authorities to fiscal year 2015 and continue this program in a renewed and revitalized direction. This bill represents a great opportunity to improve and redefine NFIP and to provide greater security to the American people.

Not only will this bill clean up the NFIP requirements and expand coverage with "phase-ins" of actuarial rates to more properties and in newly mapped high flood risk areas; this bill will also address outreach issues, risk analysis, and economic effects. It will initiate studies to report the impact, effectiveness, and feasibility of NFIP policies as well as potential methods, practices, and incentives that would increase participation by low-income families owning residential properties located within special flood risk areas. The bill will also create an office to oversee and better manage all of the responsibilities of NFIP and provide assistance to communities, businesses, and homeowners with all flood insurance issues.

Furthermore, this bill will require a comprehensive strategy assessing the goals of NFIP to ensure that the program has a clear plan to pay off its debt and ensure itself a healthy future. This not only benefits the recipients of the flood insurance coverage, it also benefits the program, the U.S. budget, and the American people.

I submitted several amendments to complement the goals of this legislation. One would have required a study to analyze important data regarding the damages resulting from floods. The amendment would have directed the Administrator of the Federal Emergency Management Agency to conduct a study on the impacts of excessive rainwater on residences located in areas at high risk for flooding from bayous and highways. The results of this study would have been reported to Congress no later than 5 years after the enactment of this bill. Through this study, my amendment would have provided vital information necessary to assess the dangers of an at-risk area and better prepare communities to protect themselves from flood.

Mr. Chair, the only way to achieve the maximum security and preparedness for at-risk communities is to understand these risks with updated, relevant data and analysis. In the Houston area, there is already an on-going study, analyzing the effects of the bayou and rainfall, as flooding and its detrimental consequences are often a concern for the Houston area. The White Oak Bayou Federal Flood Damage Reduction Project is an existing project in Houston which is a partnership project between the U.S. Army Corps of Engineers (the Corps) and the Harris County Flood Control District (the District). In developing a flood damage reduction project for White Oak Bayou, the Harris County Flood Control District has performed extensive data collection and analysis. The District has held public meetings within the community several times over the course of developing the project to determine the community's interests and flood damage reduction needs. Using this informa-

tion, the District developed the flood damage reduction project for White Oak Bayou.

In 1998, the District began a feasibility study for the White Oak Bayou Federal Flood Damage Reduction Project. This investigation has involved an extensive study of the White Oak Bayou watershed. Components to address flooding were analyzed and evaluated in great detail, which generated several alternatives for consideration as part of the project. Some of the components are already being implemented.

Unfortunately, there are many other areas in Houston/Harris County, Texas and other communities throughout this country that experience an inordinate amount of flooding. In Houston, these areas that are frequently flooded from excessive rainwater include the Buffalo Bayou, the Greens Bayou, and the Halls Bayou. These areas could greatly benefit from a study and analysis to determine the impact of excessive rainwater on residences located in areas at high risk for flooding from bayous and highways. Such a study would allow for investigators to better determine the amount of flood damage and create and implement measures to prevent such future damage.

Another amendment I offered would have stated that it is the sense of Congress that it is important to provide resources to address the devastating effects of flooding; that homeowners are particularly negatively affected by flooding; that excessive rainfall often leads to unsafe and hazardous living conditions; that flooding presents unexpected destruction and damage; and that it is necessary to provide consumers the opportunity to buy flood insurance.

This amendment declares to the American people in a loud voice, that Congress understands the seriousness of flooding and the importance of flood insurance. It is important that we candidly illustrate our reasoning for the issuance of this legislation.

Mr. Chair, it is clear that we have not been taking this issue as seriously as we should. We have had three lapses of authority this year alone with the National Flood Insurance Program (NFIP). We must not continue to simply extend this program for 30 days at a time. We must not continue to play with the security of the American people when it pertains to an issue so serious and potentially devastating as floods. The people who own homes in these areas and the businesses who own property deserve better. The communities and the many potential homeowners, who cannot purchase homes without access to flood insurance, deserve better. We must take the first step by making it perfectly clear that we as a Congress will no longer play and toil with this issue. We must affirm that we are very serious about protecting our constituents and securing our nation from the devastating consequences of floods.

Finally, I also offered a well crafted amendment that would have effectively prohibited states and local governments from misusing new federal flood insurance program requirements to disadvantaged businesses and homeowners in any way. Unfortunately, federal law is often misinterpreted by state and local officials, resulting in unintended consequences in many communities across this country. My amendment was a practical and reasonable response to a previously enacted Houston ordinance that had just such unintended consequences. This ordinance prohibited property construction on vacant land or

substantially damaged property located in major floodways and bayous and almost resulted in the wrongful taking of property from innocent homeowners, merely because their property was located in the wrong place.

In 2006, I began meeting with hundreds of homeowners in Houston from areas such as Shady Acres, a 100-year-old neighborhood, as a result of the implementation of changes to Chapter 19, the City of Houston's floodplain ordinance. Listening to their testimonies and frustration made the impact of this bill very relevant. Just think, in my home district an ordinance was passed that resulted in the massive reduction in property values for almost 10,000 developed and vacant properties, including 2,400 single family homes. The ordinance took advantage of the fact that FEMA would be expected to decrease flood insurance premiums by 5 percent for those areas. Although the communities could pay less for flood insurance, the difference was minimal compared to the losses to their property values. Many owners were afraid that they would have to sell their homes because of the dramatic drop in value.

By firmly stating that state and local governments should not misinterpret these flood insurance laws to put property owners at a disadvantage, I believe we could have sent a strong message that Congress will protect the property rights and interests of American citizens and the people this bill is intended to aid. It is important to make it known that the use of any unforeseen circumstances to treat flood insurance program requirements as a proxy for the wrongful taking of property is utterly unacceptable.

I truly believe my amendments would have complemented H.R. 5114. However, I still believe the bill is a proactive measure that has been long overdue to address the urgent needs of Americans throughout this country, many of whom experience damage and losses to their homes, property and businesses from flooding.

For these reasons, I urge my colleagues to pass this important bill.

Mr. PAUL. Mr. Chair, the Flood Insurance Reform Priorities Act makes a number of changes to the National Flood Insurance Program. Some of these changes are in the interests of taxpayers, such as the new restrictions on subsidies for second houses and vacation homes, while others, particularly the coverage limits, are in the interest of those who own property in flood plains. However, taken in its entirety this bill is not really in the interest of taxpayers or property owners because it creates new federal programs that appear to serve no useful purpose and it continues to allow the Federal Emergency Management Agency (FEMA) to impose unnecessary costs on local communities.

At a time when the flood insurance program is running a deficit of 2 billion dollars this legislation wastes millions of taxpayer dollars on "outreach" and "education" programs designed to make sure people living in flood prone areas are aware of the need for flood insurance. Madame Speaker, as a homeowner in a flood plain, I can assure you that property ownership these areas are very aware of the need for flood insurance and do not need any outreach or reminders of the need for flood insurance.

Many critics of flood insurance have pointed out that federally-subsidized insurance encour-

ages people to develop land in areas where under a free market system flood insurance would be prohibitively expensive. This is a valid point; however, it is also true that the flood insurance program often imposes flood insurance mandates on property owners in areas where there is little actual risk of flooding. Much of the controversy over the redrawing of the flood plain maps revolves around concerns that FEMA may force local communities to spend millions of dollars refurbishing levees and dams even though these structures were constructed specifically to protect against the worst conceivable storms.

In some cases, FEMA is even demanding that communities spend money to alter levies that were constructed after consultation with the Corp of Engineers! While I am pleased the bill at least provides a phase-in of the flood insurance mandate for property owners living in the newly-mapped flood plains, I am concerned that it does not do enough to ensure communities and individuals are not forced to incur needless expenses simply to satisfy FEMA bureaucrats. At the least, Congress should not give FEMA the ability to impose new flood maps without adequate oversight. Yet, under this bill, it would be five years before Congress seriously re-examines the flood program.

The basic problem with the flood insurance program is that it assumes government officials are capable of knowing who should and who should not be required to purchase flood insurance, and also determine the premiums for every individual living in a flood-prone area. However, there is no way that government bureaucrats can determine correct amounts of coverage and premium prices for millions of individual homeowners.

If flood insurance were allowed to be provided by the market, private insurance could do an accurate job of pricing risk so that those who wished to live in flood-prone areas could do so as long as they were willing to pay for the risk. Under this market system, property owners and insurance companies would have incentives that are lacking when the program is subsidized by the government; i.e., incentives to adopt innovative ways to mitigate the damage from floods.

My district has experienced numerous storms and floods, including Hurricane Ike in 2008. After each incident, my office inevitably receives complaints from my constituents regarding FEMA's failure to provide them with timely assistance and compensation. My constituents' dissatisfaction with FEMA, along with the shameful way extension of the flood insurance program was held hostage last month in order to blackmail representatives into supporting adding billions more to the national debt, has strengthened my conviction that private markets, local communities, and states can more efficiently and humanely deal with the demand for flood insurance than the federal government.

The Flood Insurance Reform Priorities Act does take some steps toward fixing some of the problems with the flood insurance system, but it also needlessly spends taxpayer money and does not adequately address concerns that FEMA may impose unnecessary costs on local communities—communities which do have plenty of incentive to make sure they are adequately prepared for a flood. Therefore, I must oppose this bill.

Mr. OBERSTAR. Mr. Chair, I rise today in support of H.R. 5114, the Flood Insurance Re-

form Priorities Act of 2010. This legislation makes several significant changes to the National Flood Insurance Program (NFIP) and extends the authorization of the program through 2015.

I commend the gentleman from Massachusetts (Mr. FRANK), the Chairman of the Committee on Financial Services, and the gentleman from California (Ms. WATERS) for their efforts to advance this important legislation. I thank them for the cooperative spirit in which they have worked with the Committee on Transportation and Infrastructure on flood issues.

The Committee on Transportation and Infrastructure has jurisdiction over the Federal Emergency Management Agency (FEMA) and its programs authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). Flooding is the most common risk communities across the country face and floods are the most frequent type of disaster declared by the President. The NFIP works hand in hand with FEMA's pre- and post-disaster programs authorized by the Stafford Act.

The NFIP provides assistance to communities through all the phases of emergency management: preparedness, response, recovery, and mitigation. Initially, the program helps communities prepare by providing incentives to participate in the program; in return for improved zoning and other ordinances, communities received subsidized flood insurance. Further, flood maps under the NFIP help communities prepare for floods by helping to predict where flooding will occur and the likely severity. This in turn helps first responders know which communities need to be evacuated, or where people may need to be rescued, and where flood fighting efforts need to take place.

The NFIP helps in recovery by providing payments to policy holders above and beyond what disaster assistance under the Stafford Act will cover and by transferring these costs from the Federal taxpayers to insurance rate payers. The NFIP pays numerous claims each year for events that do not warrant Federal disaster assistance under the Stafford Act. The NFIP and flood mapping also helps mitigate damage to property and risks to lives by identifying and mandating steps communities can take to rebuild safer and smarter after a flood, or, proactively, before a flood strikes a community. This assistance works in conjunction with the Hazard Mitigation Grant Program and the Pre-Disaster Mitigation Grant Program authorized by the Stafford Act.

The amendments to the NFIP made by H.R. 5114 will provide for both a strong insurance program and strengthen the NFIP's risk communication and mitigation functions. The bill provides for outreach to communities and residents to ensure that they are aware of the risks they face and the insurance available to them. Even where this bill provides temporary relief from insurance purchase requirements, it requires communities to have the appropriate notice, risk communication, and emergency management plans in place to protect their citizens from the risks posed by floods.

Mr. Chair, I also wish to note several additional issues related to the nation's efforts to address the risk of flooding that are not addressed in this legislation and to state the commitment of the Committee on Transportation and Infrastructure to continue to work on these issues in the hopes of bringing forward

comprehensive reform of the nation's flood damage reduction efforts in the near future.

The Committee on Transportation and Infrastructure has a longstanding interest in the maintenance and safety of our nation's infrastructure. Over the past few years, the importance of maintaining the safety of our nation's flood control structures, including our levee systems, has been reinforced by pictures of the catastrophic consequences of their failure.

Since the events of Hurricanes Katrina and Rita, the Committee on Transportation and Infrastructure has held numerous hearings on the condition of the nation's flood damage reduction infrastructure. Most shocking was the realization that our nation had never conducted a simple inventory of all the levees in this country. We learned that Federal, State, and local agencies did not have comprehensive knowledge about where all of the levees in our Nation were located, what condition they are in, or what resources are at risk if they fail or should they be overtopped.

In the 110th Congress, this body voted, by a vote of 361–54 to override a Presidential veto of the Water Resources Development Act 2007, in order to authorize critical but long overdue spending on our nation's water infrastructure. Section 9003 of WRDA 2007 created the National Committee on Levee Safety to develop plans and recommendations for a National Levee Safety Program.

Earlier this Congress, the Subcommittee on Water Resources and Environment held a hearing on the draft recommendations of the National Committee and on proposals to take a more holistic view towards sustainable flood damage reduction including: improvements to the Nation's system of flood control structures; the establishment of clear, national standards for the condition of levees and for maintaining these critical structures; for communicating to the public the inherent risks associated with potential flooding events; and for encouraging the incorporation of nonstructural approaches into the overall system of flood protection.

Over the past year, our Committee has reached out to numerous Federal, State, and local agencies responsible for flood protection, as well as numerous non-governmental organizations to begin the discussions on how to comprehensively reform our Nation's efforts to protect the lives and livelihoods of its citizenry. I want to thank the Chairman of the Committee on Financial Services (Mr. FRANK) for his participation in these discussions and for his willingness to find longterm, comprehensive solutions to the flooding issues facing this Nation.

The answers to these questions are likely to be lengthy and expensive, but investing in our levee systems now will save billions of dollars and many lives later.

The National Oceanic and Atmospheric Administration (NOAA) estimates that hurricanes and floods cost the country over \$10 billion in damages in an average year. However, extreme events in the past several decades push this number up. For example, Hurricane Katrina, the costliest and most deadly hurricane we have seen this century, caused an estimated \$100 billion in damages and the loss of hundreds of lives. Additionally, the Midwest has seen two 500-year floods in the past 15 years. Flooding in 2008 alone resulted in upwards of \$15 billion in damages and the loss of two dozen lives.

Our goal is to prevent such massive losses in the future by creating an effective national

flood damage reduction and levee safety program. We must be clear that no program can effectively eliminate all risk of flooding. However, implementing certain policies will lower this risk.

We must have an accurate assessment of the condition of our current levee system and based on that assessment, create national standards that will apply to all levee systems. Taking into consideration new risk factors, such as changing hydrological conditions, increased development within floodplains, and the effects of global climate change, will be essential in this process. In light of these factors, the current 100-year flood model may no longer be sufficient as a minimum standard for some levees.

Some would have liked the legislation before the House today to address both reforms to the NFIP and to the Nation's overall flood damage reduction efforts. Such broad reform to our system of flood control requires careful consideration and additional work, which the Committee on Transportation and Infrastructure stands ready to do. I look forward to continuing to work with Chairman FRANK and other Members to address this important issue in the near future.

I urge my colleagues to support H.R. 5114.

Mr. KANJORSKI. Mr. Chair, I rise today in strong support of H.R. 5114, the Flood Insurance Reform Priorities Act of 2010. This legislation would reauthorize the National Flood Insurance Program (NFIP) through fiscal year 2015 and make several improvements to the program.

My Congressional District is home to some of the most flood prone rivers and streams in the United States. Nearly every major rain event causes some type of the flooding for residents and businesses. As a result, the NFIP is a tremendously important program for my constituents and I am proud to be an original cosponsor of this legislation.

H.R. 5114 contains provisions I authored to help communities that are currently constructing flood control projects where new scientific data would require changes in the design of the levee systems. In this situation, residents and businesses would be required to pay flood insurance rates as if the levees were not even constructed.

Mr. Chair, it is enormously unfair for communities that have contributed millions of dollars toward a flood control project to be penalized with higher flood insurance rates because of conflicting scientific data. Communities invest in flood control projects with not only the expectation of being protected from future floods but also having the expectation of receiving reduced flood insurance rates.

My provisions ensure that when this situation arises the community will be treated fairly for purposes of purchasing flood insurance during the construction of flood protection measures.

Ms. WATERS. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5114

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

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) *SHORT TITLE.*—This Act may be cited as the “Flood Insurance Reform Priorities Act of 2010”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Findings and purposes.

Sec. 3. Extension of national flood insurance program.

Sec. 4. Maximum coverage limits.

Sec. 5. Phase-in of actuarial rates for nonresidential properties, certain pre-FIRM properties, and non-primary residences.

Sec. 6. 5-year delay in effective date of mandatory purchase requirement for new flood hazard areas.

Sec. 7. 5-year phase-in of flood insurance rates for newly mapped areas.

Sec. 8. Increase in annual limitation on premium increases.

Sec. 9. Consideration of construction, reconstruction, and improvement of flood protection systems in determination of flood insurance rates.

Sec. 10. Treatment of certain flood protection projects.

Sec. 11. Notification to homeowners regarding mandatory purchase requirement applicability and rate phase-ins.

Sec. 12. Coverage for additional living expenses and business interruption.

Sec. 13. Exception to waiting period for effective date of policies.

Sec. 14. Minimum deductibles for claims.

Sec. 15. Payment of premiums in installments for low-income policyholders.

Sec. 16. Enforcement.

Sec. 17. Notification to tenants of availability of contents insurance.

Sec. 18. Flood insurance outreach.

Sec. 19. Notice of availability of flood insurance and escrow in RESPA good faith estimate.

Sec. 20. Authorization of additional FEMA staff.

Sec. 21. Plan to verify maintenance of flood insurance on Mississippi and Louisiana properties receiving emergency supplemental funds.

Sec. 22. Flood insurance advocate.

Sec. 23. Eligibility of property demolition and rebuilding under flood mitigation assistance program.

Sec. 24. Study regarding mandatory purchase requirement for non-federally related loans.

Sec. 25. Study of methods to increase flood insurance program participation by low-income families.

Sec. 26. Report on inclusion of building codes in floodplain management criteria.

Sec. 27. Study on repaying flood insurance debt.

Sec. 28. Study regarding impact of rate increases on pre-FIRM properties.

Sec. 29. Study of effects of Act.

Sec. 30. Rulemaking.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) *FINDINGS.*—The Congress finds that—

(1) since the enactment of National Flood Insurance Act of 1968, the national flood insurance program has been the primary source of reliable, reasonably priced, flood insurance coverage for millions of American homes and businesses;

(2) today over 5,500,000 homes and businesses in the United States rely on the national flood insurance program to provide a degree of financial security;

(3) although participation in the national flood insurance program has, in the past, largely been limited to properties required to participate in the program because of the program's

mandatory purchase requirement for properties in special flood hazard areas with loans from federally regulated lenders, recent annual and extraordinary flooding has resulted in the program enjoying its highest voluntary participation since the establishment of the mandatory flood insurance purchase requirement;

(4) several years of below-average flood claims losses and increased voluntary participation in the national flood insurance program have allowed the program to fully service the debt incurred following Hurricanes Katrina and Rita and allowed the program to pay \$598,000,000 of the principal of that outstanding debt;

(5) though significant reforms are needed to further improve the financial outlook of the national flood insurance program, long-term and reliable authorization of the program is an essential element to stabilizing the already fragile United States housing market;

(6) increased flooding in areas outside designated special flood hazard areas prompted the Executive and the Congress in 2002 to begin calling for the national flood insurance program to develop and disseminate revised, updated flood insurance rate maps that reflect the real risk of flooding for properties not previously identified as being located within a special flood hazard area;

(7) dissemination of accurate, up-to-date, flood-risk information remains a primary goal of the national flood insurance program and such information should be disseminated as soon as such information is collected and available;

(8) communities should be encouraged to make their residents aware of updated flood-risk data while communities are assessing and incorporating updated flood-risk data into long-term community planning;

(9) the maximum coverage limits for flood insurance policies should be increased to reflect inflation and the increased cost of housing; and

(10) phasing out flood insurance premium subsidies currently extended to vacation homes, second homes, and commercial properties would result in significant average annual savings to the national flood insurance program.

(b) PURPOSES.—The purposes of this Act are—

(1) to identify priorities essential to the reform and ongoing stable functioning of the national flood insurance program;

(2) to increase incentives for homeowners and communities to participate in the national flood insurance program and to improve oversight to ensure better accountability of the national flood insurance program and the Federal Emergency Management Agency; and

(3) to increase awareness of homeowners of flood risks and improve the information regarding such risks provided to homeowners.

### SEC. 3. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) PROGRAM EXTENSION.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking “September 30, 2008” and inserting “September 30, 2015”.

(b) FINANCING.—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended by striking “September 30, 2008” and inserting “September 30, 2015”.

(c) EXTENSION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Section 1361A of the National Flood Insurance Act of 1968 (42 U.S.C. 4102a) is amended—

(1) in subsection (k)(1), by striking “2005, 2006, 2007, 2008, and 2009” and inserting “2011, 2012, 2013, 2014, and 2015”; and

(2) by striking subsection (l).

### SEC. 4. MAXIMUM COVERAGE LIMITS.

Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (2), by striking “\$250,000” and inserting “\$335,000”;

(2) in paragraph (3), by striking “\$100,000” and inserting “\$135,000”; and

(3) in paragraph (4)—

(A) by striking “\$500,000” each place such term appears and inserting “\$670,000”; and

(B) by inserting before “; and” the following: “; except that, in the case of any nonresidential property that is a structure containing more than one dwelling unit that is made available for occupancy by rental (notwithstanding the provisions applicable to the determination of the risk premium rate for such property), additional flood insurance in excess of such limits shall be made available to every insured upon renewal and every applicant for insurance so as to enable any such insured or applicant to receive coverage up to a total amount that is equal to the product of the total number of such rental dwelling units in such property and the maximum coverage limit per dwelling unit specified in paragraph (2); except that in the case of any such multi-unit, nonresidential rental property that is a pre-FIRM structure (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1994 (42 U.S.C. 4014 note), the risk premium rate for the first \$500,000 of coverage shall be determined in accordance with section 1307(a)(2) and the risk premium rate for any coverage in excess of such amount shall be determined in accordance with section 1307(a)(1)”.

### SEC. 5. PHASE-IN OF ACTUARIAL RATES FOR NON-RESIDENTIAL PROPERTIES, CERTAIN PRE-FIRM PROPERTIES, AND NON-PRIMARY RESIDENCES.

(a) IN GENERAL.—Section 1308(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(c)) is amended—

(1) by redesignating paragraph (2) as paragraph (5); and

(2) by inserting after paragraph (1) the following new paragraphs:

“(2) NONRESIDENTIAL PROPERTIES.—Any nonresidential property, which term shall not include any multifamily rental property that consists of four or more dwelling units.

“(3) NON-PRIMARY RESIDENCES.—Any residential property that is not the primary residence of any individual, including the owner of the property or any other individual who resides in the property as a tenant.

“(4) RECENTLY PURCHASED PRE-FIRM SINGLE-FAMILY PROPERTIES USED AS PRINCIPAL RESIDENCES.—Any single family property that—

“(A) has been constructed or substantially improved and for which such construction or improvement was started, as determined by the Director, before December 31, 1974, or before the effective date of the initial rate map published by the Director under paragraph (2) of section 1360 for the area in which such property is located, whichever is later; and

“(B) is purchased after the date of enactment of the Flood Insurance Reform Priorities Act of 2010”.

(b) TECHNICAL AMENDMENTS.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “the limitations provided under paragraphs (1) and (2)” and inserting “subsection (e)”; and

(B) in paragraph (1), by striking “, except” and all that follows through “subsection (e)”; and

(2) in subsection (e), by striking “paragraph (2) or (3)” and inserting “paragraph (5)”.

(c) EFFECTIVE DATE AND TRANSITION.—

(1) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply beginning upon the expiration of the 3-year period that begins on the date of the enactment of this Act, except as provided in paragraph (2) of this subsection.

(2) TRANSITION FOR PROPERTIES COVERED BY FLOOD INSURANCE UPON EFFECTIVE DATE.—

(A) INCREASE OF RATES OVER TIME.—In the case of any property described in paragraph (2), (3), or (4) of section 1308(c) of the National

Flood Insurance Act of 1968, as amended by subsection (a) of this section, that, as of the effective date under paragraph (1) of this subsection, is covered under a policy for flood insurance made available under the national flood insurance program for which the chargeable premium rates are less than the applicable estimated risk premium rate under section 1307(a)(1) for the area in which the property is located, the Director of the Federal Emergency Management Agency shall increase the chargeable premium rates for such property over time to such applicable estimated risk premium rate under section 1307(a)(1).

(B) ANNUAL INCREASE.—Such increase shall be made by increasing the chargeable premium rates for the property (after application of any increase in the premium rates otherwise applicable to such property), once during the 12-month period that begins upon the effective date under paragraph (1) of this subsection and once every 12 months thereafter until such increase is accomplished, by 20 percent (or such lesser amount as may be necessary so that the chargeable rate does not exceed such applicable estimated risk premium rate or to comply with subparagraph (C)).

(C) PROPERTIES SUBJECT TO PHASE-IN AND ANNUAL INCREASES.—In the case of any pre-FIRM property (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1974), the aggregate increase, during any 12-month period, in the chargeable premium rate for the property that is attributable to this paragraph or to an increase described in section 1308(e) of the National Flood Insurance Act of 1968 may not exceed 20 percent.

(D) FULL ACTUARIAL RATES.—The provisions of paragraphs (2), (3), and (4) of such section 1308(c) shall apply to such a property upon the accomplishment of the increase under this paragraph and thereafter.

### SEC. 6. 5-YEAR DELAY IN EFFECTIVE DATE OF MANDATORY PURCHASE REQUIREMENT FOR NEW FLOOD HAZARD AREAS.

(a) IN GENERAL.—Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) is amended by adding at the end the following new subsection:

“(i) DELAYED EFFECTIVE DATE OF MANDATORY PURCHASE REQUIREMENT FOR NEW FLOOD HAZARD AREAS.—

“(1) IN GENERAL.—In the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in flood insurance maps that takes effect on or after September 1, 2008, becomes designated as an area having special flood hazards, if each State and local government having jurisdiction over any portion of the geographic area has complied with paragraph (2), such designation shall not take effect for purposes of subsection (a), (b), or (e) of this section, or section 202(a) of this Act, until the expiration of the 5-year period beginning upon the date that such maps, as issued, revised, update, or otherwise changed, become effective.

“(2) NOTICE REQUIREMENTS.—A State or local government shall be considered to have complied with this paragraph with respect to any geographic area described in paragraph (1) only if the State or local government has, before the effective date of the issued, revised, updated, or changed maps, and in accordance with such standards as shall be established by the Director—

“(A) developed an evacuation plan to be implemented in the event of flooding in such portion of the geographic area; and

“(B) developed and implemented an outreach and communication plan to advise occupants in such portion of the geographic area of potential flood risks, the opportunity to purchase flood insurance, and the consequences of failure to purchase flood insurance.

“(3) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) may be construed to affect the applicability of a designation of any area as an area having special flood hazards for purposes of the availability of flood insurance coverage, criteria for land management and use, notification of flood hazards, eligibility for mitigation assistance, or any other purpose or provision not specifically referred to in paragraph (1).”

(b) **CONFORMING AMENDMENT.**—The second sentence of subsection (h) of section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(h)) is amended by striking “Such” and inserting “Except for notice regarding a change described in section 102(i)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(i)(1)), such”.

(c) **NO REFUNDS.**—Nothing in this section or the amendments made by this section may be construed to authorize or require any payment or refund for flood insurance coverage purchased for any property that covered any period during which such coverage is not required for the property pursuant to the applicability of the amendment made by subsection (a).

**SEC. 7. 5-YEAR PHASE-IN OF FLOOD INSURANCE RATES FOR NEWLY MAPPED AREAS.**

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “or notice” after “prescribe by regulation”;

(2) in subsection (c), by inserting “and subsection (g)” before the first comma; and

(3) by adding at the end the following new subsection:

“(g) **5-YEAR PHASE-IN OF FLOOD INSURANCE RATES FOR NEWLY MAPPED AREAS.**—Notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in flood insurance maps, becomes designated as such an area, during the 5-year period that begins upon the expiration of the period referred to in section 102(i)(1) of the Flood Disaster Protection Act of 1973 with respect to such area, the chargeable premium rate for flood insurance under this title with respect to any property that is located within such area shall be—

“(1) for the first year of such 5-year period, 20 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

“(2) for the second year of such 5-year period, 40 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

“(3) for the third year of such 5-year period, 60 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

“(4) for the fourth year of such 5-year period, 80 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

“(5) for the fifth year of such 5-year period, 100 percent of the chargeable risk premium rate otherwise applicable under this title to the property.”

**SEC. 8. INCREASE IN ANNUAL LIMITATION ON PREMIUM INCREASES.**

Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended by striking “10 percent” and inserting “20 percent”.

**SEC. 9. CONSIDERATION OF CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT OF FLOOD PROTECTION SYSTEMS IN DETERMINATION OF FLOOD INSURANCE RATES.**

(a) **IN GENERAL.**—Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended—

(1) in subsection (e)—

(A) in the first sentence, by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system (without respect to the level of Federal investment or participation)”;

(B) in the second sentence—

(i) by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system”;

(ii) by inserting “based on the present value of the completed system” after “has been expended”;

(2) in subsection (f)—

(A) in the first sentence in the matter preceding paragraph (1), by inserting “(without respect to the level of Federal investment or participation)” before the period at the end;

(B) in the third sentence in the matter preceding paragraph (1), by inserting “, whether coastal or riverine,” after “special flood hazard”;

(C) in paragraph (1), by striking “a Federal agency in consultation with the local project sponsor” and inserting “the entity or entities that own, operate, maintain, or repair such system”.

(b) **REGULATIONS.**—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate regulations to carry out the amendments made by subsection (a). Section 5 may not be construed to annul, alter, affect, authorize any waiver of, or establish any exception to, the requirement under the preceding sentence.

(c) **IMPLEMENTATION.**—The Administrator of the Federal Emergency Management Agency shall implement this section and the amendments made by this section in a manner that will not materially weaken the financial position of the national flood insurance program or increase the risk of financial liability to Federal taxpayers.

**SEC. 10. TREATMENT OF CERTAIN FLOOD PROTECTION PROJECTS.**

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(h) **TREATMENT OF CERTAIN FLOOD PROTECTION PROJECTS.**—

“(1) **INAPPLICABILITY OF MANDATORY PURCHASE REQUIREMENT; PREMIUM RATES.**—Notwithstanding any other provision of law, upon full completion, as designed, of a flood protection system that was intended to provide flood protection with respect to a covered area, such covered area—

“(A) shall not be considered to be an area having special flood hazards for purposes of this Act or subsections (a), (b), or (e) of section 102, or section 202(a) of the Flood Disaster Protection Act of 1973; and

“(B) shall be eligible for flood insurance under this Act, if and to the extent that such area is eligible for such insurance under the other provisions of this Act, at premium rates not exceeding those that would be applicable under this section if the flood protection system referred to in paragraph (2) for such area had been completed and accredited as providing protection from floods at the level that the system was designed to provide (before construction, reconstruction, or improvement of the system, as applicable, began).

The flood insurance rate maps shall indicate, for each covered area, the status of the area under subparagraphs (A) and (B).

“(2) **COVERED AREA.**—For purposes of this subsection, a covered area is an area that was intended to be protected by a flood protection system—

“(A)(i) for which, as of April 15, 2010—

“(I) construction, reconstruction, or improvement has not been completed;

“(II) adequate progress, within the meaning of section 1307(e), has been made on such construction, reconstruction, or improvement; and

“(III) is in an area having special flood hazards; or

“(ii) for which, as of such date—

“(I) construction, reconstruction, or improvement has been completed;

“(II) a determination regarding accreditation has not been made; and

“(III) is in an area having special flood hazards;

“(B) that was designed to provide protection for at least the 100-year frequency flood; and

“(C) that has been determined, pursuant to waterflow data or other scientific information of a Federal agency obtained after, or that has changed since, commencement of construction, reconstruction, or improvement, will not provide protection from floods at the level referred to in subparagraph (B).”

**SEC. 11. NOTIFICATION TO HOMEOWNERS REGARDING MANDATORY PURCHASE REQUIREMENT APPLICABILITY AND RATE PHASE-INS.**

Section 201 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4105) is amended by adding at the end the following new subsection:

“(f) **ANNUAL NOTIFICATION.**—The Director, in consultation with affected communities, shall establish and carry out a plan to notify residents of areas having special flood hazards, on an annual basis—

“(1) that they reside in such an area;

“(2) of the geographical boundaries of such area;

“(3) of whether section 1308(h) of the National Flood Insurance Act of 1968 applies to properties within such area; and

“(4) of the provisions of section 102 requiring purchase of flood insurance coverage for properties located in such an area, including the date on which such provisions apply with respect to such area, taking into consideration section 102(i); and

“(5) of a general estimate of what similar homeowners in similar areas typically pay for flood insurance coverage, taking into consideration section 1308(g) of the National Flood Insurance Act of 1968.”

**SEC. 12. COVERAGE FOR ADDITIONAL LIVING EXPENSES AND BUSINESS INTERRUPTION.**

Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5)—

(A) by inserting “pursuant to paragraph (2), (3), or (4)” after “any flood insurance coverage”; and

(B) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(6) in the case of any residential property, each renewal or new contract for flood insurance coverage shall provide not less than \$1,000 aggregate liability per dwelling unit for any necessary increases in living expenses incurred by the insured when losses from a flood make the residence unfit to live in, which coverage shall be available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1);

“(7) in the case of any residential property, optional coverage for additional living expenses described in paragraph (6) shall be made available to every insured upon renewal and every applicant in excess of the limits provided in paragraph (6) in such amounts and at such rates as the Director shall establish, except that such chargeable rates shall not be less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

“(8) in the case of any commercial property or other residential property, including multifamily rental property, optional coverage for losses resulting from any partial or total interruption of the insured’s business caused by damage to, or loss of, such property from a flood shall be made available to every insured upon renewal and every applicant, except that—

“(A) the Director may provide such coverage under such terms, conditions, and requirements as the Director considers appropriate to meet the needs of small businesses while complying with the requirement under subparagraph (C); and

“(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1).”

**SEC. 13. EXCEPTION TO WAITING PERIOD FOR EFFECTIVE DATE OF POLICIES.**

Section 1306(c)(2)(A) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)(2)(A)) is amended by inserting before the semicolon the following: “or is in connection with the purchase or other transfer of the property for which the coverage is provided (regardless of whether a loan is involved in the purchase or transfer transaction), but only when such initial purchase of coverage is made not later than 30 days after such making, increasing, extension, or renewal of the loan or not later than 30 days after such purchase or other transfer of the property, as applicable”.

**SEC. 14. MINIMUM DEDUCTIBLES FOR CLAIMS.**

Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) by striking “The Director is” and inserting the following: “(a) IN GENERAL.—The Director is”; and

(2) by adding at the end the following:

“(b) MINIMUM ANNUAL DEDUCTIBLES.—

“(1) PRE-FIRM PROPERTIES.—For any structure that is covered by flood insurance under this title, and on which construction or substantial improvement occurred on or before December 31, 1974, or before the effective date of an initial flood insurance rate map published by the Director under section 1360 for the area in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be—

“(A) \$1,500, if the flood insurance coverage for such structure covers loss of, or physical damage to, such structure in an amount equal to or less than \$100,000; and

“(B) \$2,000, if the flood insurance coverage for such structure covers loss of, or physical damage to, such structure in an amount greater than \$100,000.

“(2) POST-FIRM PROPERTIES.—For any structure that is covered by flood insurance under this title, and on which construction or substantial improvement occurred after December 31, 1974, or after the effective date of an initial flood insurance rate map published by the Director under section 1360 for the area in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be—

“(A) \$750, if the flood insurance coverage for such structure covers loss of, or physical damage to, such structure in an amount equal to or less than \$100,000; and

“(B) \$1,000, if the flood insurance coverage for such structure covers loss of, or physical damage to, such structure in an amount greater than \$100,000.”

**SEC. 15. PAYMENT OF PREMIUMS IN INSTALLMENTS FOR LOW-INCOME POLICYHOLDERS.**

Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following new subsection:

“(d) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR LOW-INCOME POLICYHOLDERS.—In addition to any other terms and conditions under subsection (a), such regulations shall provide that,

in the case of any residential property that is owned by a family whose income level is at or below 200 percent of the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673 of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902)) applicable to the size of such family, or a family that has no adult member who is employed, premiums for flood insurance coverage for such property may be paid in monthly installments.”

**SEC. 16. ENFORCEMENT.**

Section 102(f) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(f)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)(iii), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following new subparagraph:

“(C) in connection with the making, increasing, extending, servicing, or renewing of any loan, requiring the purchase of flood insurance coverage under the National Flood Insurance Act of 1968, or purchasing such coverage pursuant to subsection (e)(2), in an amount in excess of the minimum amount required under subsections (a) and (b) of this section.”;

(2) in paragraph (5)—

(A) in the first sentence, by striking “\$350” and inserting “\$2,000”; and

(B) in the last sentence, by striking “\$100,000” and inserting “\$1,000,000; except that such limitation shall not apply to a regulated lending institution or enterprise for a calendar year if, in any three (or more) of the five calendar years immediately preceding such calendar year, the total amount of penalties assessed under this subsection against such lending institution or enterprise was \$1,000,000”; and

(3) in paragraph (6), by adding after the period at the end the following: “No penalty may be imposed under this subsection on a regulated lending institution or enterprise that has made a good faith effort to comply with the requirements of the provisions referred to in paragraph (2) or for any non-material violation of such requirements.”

**SEC. 17. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.**

The National Flood Insurance Act of 1968 is amended by inserting after section 1308 (42 U.S.C. 4015) the following new section:

**“SEC. 1308A. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.**

“(a) IN GENERAL.—The Director shall, upon entering into a contract for flood insurance coverage under this title for any property—

“(1) provide to the insured sufficient copies of the notice developed pursuant to subsection (b); and

“(2) require the insured to provide a copy of the notice, or otherwise provide notification of the information under subsection (b) in the manner that the manager or landlord deems most appropriate, to each such tenant and to each new tenant upon commencement of such a tenancy.

“(b) NOTICE.—Notice to a tenant of a property in accordance with this subsection is written notice that clearly informs a tenant—

“(1) whether the property is located in an area having special flood hazards;

“(2) that flood insurance coverage is available under the national flood insurance program under this title for contents of the unit or structure leased by the tenant;

“(3) of the maximum amount of such coverage for contents available under this title at that time; and

“(4) of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Director where such information is available.”

**SEC. 18. FLOOD INSURANCE OUTREACH.**

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new section:

**“SEC. 1326. GRANTS FOR OUTREACH TO PROPERTY OWNERS AND RENTERS.**

“(a) IN GENERAL.—The Director may, to the extent amounts are made available pursuant to subsection (h), make grants to local governmental agencies responsible for floodplain management activities (including such agencies of Indians tribes, as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) in communities that participate in the national flood insurance program under this title, for use by such agencies to carry out outreach activities to encourage and facilitate the purchase of flood insurance protection under this Act by owners and renters of properties in such communities and to promote educational activities that increase awareness of flood risk reduction.

“(b) OUTREACH ACTIVITIES.—Amounts from a grant under this section shall be used only for activities designed to—

“(1) identify owners and renters of properties in communities that participate in the national flood insurance program, including owners of residential and commercial properties;

“(2) notify such owners and renters when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

“(3) educate such owners and renters regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

“(4) educate such owners and renters regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under this title for such properties and the contents of such properties; and

“(5) encouraging such owners and renters to maintain or acquire such coverage.

“(c) COST SHARING REQUIREMENT.—

“(1) IN GENERAL.—In any fiscal year, the Director may not provide a grant under this section to a local governmental agency in an amount exceeding 3 times the amount that the agency certifies, as the Director shall require, that the agency will contribute from non-Federal funds to be used with grant amounts only for carrying out activities described in subsection (b).

“(2) NON-FEDERAL FUNDS.—For purposes of this subsection, the term ‘non-Federal funds’ includes State or local government agency amounts, in-kind contributions, any salary paid to staff to carry out the eligible activities of the grant recipient, the value of the time and services contributed by volunteers to carry out such services (at a rate determined by the Director), and the value of any donated material or building and the value of any lease on a building.

“(d) ADMINISTRATIVE COST LIMITATION.—Notwithstanding subsection (b), the Director may use not more than 5 percent of amounts made available under subsection (g) to cover salaries, expenses, and other administrative costs incurred by the Director in making grants and provide assistance under this section.

“(e) APPLICATION AND SELECTION.—

“(1) IN GENERAL.—The Director shall provide for local governmental agencies described in subsection (a) to submit applications for grants under this section and for competitive selection, based on criteria established by the Director, of agencies submitting such applications to receive such grants.

“(2) **SELECTION CONSIDERATIONS.**—In selecting applications of local government agencies to receive grants under paragraph (1), the Director shall consider—

“(A) the existence of a cooperative technical partner agreement between the local governmental agency and the Federal Emergency Management Agency;

“(B) the history of flood losses in the relevant area that have occurred to properties, both inside and outside the special flood hazards zones, which are not covered by flood insurance coverage;

“(C) the estimated percentage of high-risk properties located in the relevant area that are not covered by flood insurance;

“(D) demonstrated success of the local governmental agency in generating voluntary purchase of flood insurance; and

“(E) demonstrated technical capacity of the local governmental agency for outreach to individual property owners.

“(f) **DIRECT OUTREACH BY FEMA.**—In each fiscal year that amounts for grants are made available pursuant to subsection (h), the Director may use not more than 50 percent of such amounts to carry out, and to enter into contracts with other entities to carry out, activities described in subsection (b) in areas that the Director determines have the most immediate need for such activities.

“(g) **REPORTING.**—Each local government agency that receives a grant under this section, and each entity that receives amounts pursuant to subsection (f), shall submit a report to the Director, not later than 12 months after such amounts are first received, which shall include such information as the Director considers appropriate to describe the activities conducted using such amounts and the effect of such activities on the retention or acquisition of flood insurance coverage.

“(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for grants under this section \$50,000,000 for each of fiscal years 2011 through 2015.”

**SEC. 19. NOTICE OF AVAILABILITY OF FLOOD INSURANCE AND ESCROW IN RESPA GOOD FAITH ESTIMATE.**

Subsection (c) of section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(c)) is amended by adding at the end the following new sentence: “Each such good faith estimate shall include the following conspicuous statements and information: (1) that flood insurance coverage for residential real estate is generally available under the national flood insurance program whether or not the real estate is located in an area having special flood hazards and that, to obtain such coverage, a home owner or purchaser should contact the national flood insurance program; (2) a telephone number and a location on the Internet by which a home owner or purchaser can contact the national flood insurance program; and (3) that the escrowing of flood insurance payments is required for many loans under section 102(d) of the Flood Disaster Protection Act of 1973, and may be a convenient and available option with respect to other loans.”

**SEC. 20. AUTHORIZATION OF ADDITIONAL FEMA STAFF.**

Notwithstanding any other provision of law, the Director of the Federal Emergency Management Agency may employ such additional staff as may be necessary to carry out all of the responsibilities of the Director pursuant to this Act and the amendments made by this Act. There are authorized to be appropriated to Director such sums as may be necessary for costs of employing such additional staff.

**SEC. 21. PLAN TO VERIFY MAINTENANCE OF FLOOD INSURANCE ON MISSISSIPPI AND LOUISIANA PROPERTIES RECEIVING EMERGENCY SUPPLEMENTAL FUNDS.**

The Secretary of Housing and Urban Development and the Director of the Federal Emergency

Management Agency shall jointly develop and implement a plan to verify that persons receiving funds under the Homeowner Grant Assistance Program of the State of Mississippi or the Road Home Program of the State of Louisiana from amounts allocated to the State of Mississippi or the State of Louisiana, respectively, from the Community development fund under the Emergency Supplemental Appropriations Act to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (Public Law 109–148) are maintaining flood insurance on the property for which such persons receive such funds as required by each such Program.

**SEC. 22. FLOOD INSURANCE ADVOCATE.**

Chapter II of the National Flood Insurance Act of 1968 is amended by inserting after section 1330 (42 U.S.C. 4041) the following new section:

**“SEC. 1330A. OFFICE OF THE FLOOD INSURANCE ADVOCATE.**

“(a) **ESTABLISHMENT OF POSITION.**—

“(1) **IN GENERAL.**—There shall be in the Federal Emergency Management Agency an Office of the Flood Insurance Advocate which shall be headed by the National Flood Insurance Advocate. The National Flood Insurance Advocate shall report directly to the Director and shall, to the extent amounts are provided pursuant to subsection (f), be compensated at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code, or, if the Director so determines, at a rate fixed under section 9503 of such title.

“(2) **APPOINTMENT.**—The National Flood Insurance Advocate shall be appointed by the Director, and without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or the Senior Executive Service.

“(3) **QUALIFICATIONS.**—An individual appointed under paragraph (2) shall have a background in customer service as well as insurance.

“(4) **STAFF.**—To the extent amounts are provided pursuant to subsection (f), the National Flood Insurance Advocate may employ such personnel as may be necessary to carry out the duties of the Office.

“(b) **FUNCTIONS OF OFFICE.**—

“(1) **IN GENERAL.**—It shall be the function of the Office of the Flood Insurance Advocate to—

“(A) assist insureds under the national flood insurance program in resolving problems with the Federal Emergency Management Agency relating to such program;

“(B) identify areas in which such insureds have problems in dealings with the Agency relating to such program;

“(C) identify potential legislative, administrative, or regulatory changes which may be appropriate to mitigate such problems; and

“(D) assist communities and homeowners with interpreting, implementing, and appealing floodplain maps and floodplain map determinations.

“(2) **ANNUAL REPORTS.**—

“(A) **ACTIVITIES.**—Not later than December 31 of each calendar year, the National Flood Insurance Advocate shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the activities of the Office of the Flood Insurance Advocate during the fiscal year ending during such calendar year. Any such report shall contain full and substantive analysis, in addition to statistical information, and shall—

“(i) identify the initiatives the Office of the Flood Insurance Advocate has taken on improving services for insureds under the national flood insurance program and responsiveness of the Federal Emergency Management Agency with respect to such program;

“(ii) identify areas of the law or regulations relating to the national flood insurance program that impose significant compliance burdens on such insureds or the Federal Emergency Man-

agement Agency, including specific recommendations for remedying these problems; and

“(iii) include such other information as the National Flood Insurance Advocate may deem advisable.

“(B) **DIRECT SUBMISSION OF REPORT.**—Each report required under this paragraph shall be provided directly to the committees identified in subparagraph (A) without any prior review or comment from the Director, the Secretary of Homeland Security, or any other officer or employee of the Federal Emergency Management Agency or the Department of Homeland Security, or the Office of Management and Budget.

“(c) **FUNDING.**—Pursuant to section 1310(a)(4), the Director may use amounts from the National Flood Insurance Fund to fund the activities of the Office of the Flood Advocate in each of fiscal years 2011 through 2016, except that the amount so used in each such fiscal year may not exceed \$5,000,000 and shall remain available until expended. Notwithstanding any other provision of this title, amounts made available pursuant to this subsection shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.”

**SEC. 23. ELIGIBILITY OF PROPERTY DEMOLITION AND REBUILDING UNDER FLOOD MITIGATION ASSISTANCE PROGRAM.**

Section 1366(e)(5)(B) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e)(5)(B)) is amended by striking “or floodproofing” and inserting “floodproofing, or demolition and rebuilding”.

**SEC. 24. STUDY REGARDING MANDATORY PURCHASE REQUIREMENT FOR NON-FEDERALLY RELATED LOANS.**

(a) **IN GENERAL.**—The Comptroller General shall conduct a study to assess the impact, effectiveness, and feasibility of, and basis under the Constitution of the United States for, amending the provisions of the Flood Disaster Protection Act of 1973 regarding the properties that are subject to the mandatory flood insurance coverage purchase requirements under such Act to extend such requirements to any property that is located in any area having special flood hazards and which secures the repayment of a loan that is not described in paragraph (1), (2), or (3) of section 102(b) of such Act, and shall determine how best to administer and enforce such a requirement, taking into consideration other insurance purchase requirements under Federal and State law.

(b) **REPORT.**—The Comptroller General shall submit a report to the Congress regarding the results and conclusions of the study under subsection (a) not later than the expiration of the 6-month period beginning on the date of the enactment of this Act.

**SEC. 25. STUDY OF METHODS TO INCREASE FLOOD INSURANCE PROGRAM PARTICIPATION BY LOW-INCOME FAMILIES.**

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study to identify and analyze potential methods, practices, and incentives that would increase the extent to which low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))) that own residential properties located within areas having special flood hazards purchase flood insurance coverage for such properties under the national flood insurance program. In conducting the study, the Comptroller General shall analyze the effectiveness and costs of the various methods, practices, and incentives identified, including their effects on the national flood insurance program.

(b) **REPORT.**—The Comptroller General shall submit to the Congress a report setting forth the conclusions of the study under this section not later than 12 months after the date of the enactment of this Act.

**SEC. 26. REPORT ON INCLUSION OF BUILDING CODES IN FLOODPLAIN MANAGEMENT CRITERIA.**

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall conduct a study and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) to include widely used and nationally recognized building codes as part of the floodplain management criteria developed under such section, and shall determine—

(1) the regulatory, financial, and economic impacts of such a building code requirement on homeowners, States and local communities, local land use policies, and the Federal Emergency Management Agency;

(2) the resources required of State and local communities to administer and enforce such a building code requirement;

(3) the effectiveness of such a building code requirement in reducing flood-related damage to buildings and contents;

(4) the impact of such a building code requirement on the actuarial soundness of the National Flood Insurance Program;

(5) the effectiveness of nationally recognized codes in allowing innovative materials and systems for flood-resistant construction; and

(6) the feasibility and effectiveness of providing an incentive in lower premium rates for flood insurance coverage under such Act for structures meeting whichever of such widely used and nationally recognized building code or any applicable local building code provides greater protection from flood damage.

**SEC. 27. STUDY ON REPAYING FLOOD INSURANCE DEBT.**

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit a report to the Congress setting forth a plan for repaying within 10 years all amounts, including any amounts previously borrowed but not yet repaid, owed pursuant to clause (2) of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)).

**SEC. 28. STUDY REGARDING IMPACT OF RATE INCREASES ON PRE-FIRM PROPERTIES.**

(a) *IN GENERAL.*—The Comptroller General of the United States shall conduct a study to assess the impacts of implementing provisions regarding pre-FIRM properties (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1994 (42 U.S.C. 4014)), including the impact on the program participation rate among owners, renters, and tenants of non-primary residences or commercial nonresidential properties. In conducting the study, the Comptroller General shall analyze the cost effectiveness and effect on local government tax base of various options, including an option of implementing such provisions on the severe repetitive loss properties only.

(b) *REPORT.*—The Comptroller General shall submit a report to Congress regarding the results and conclusions of the study under subsection (a) not later than the expiration of the 9-month period beginning on the date of enactment of this Act.

**SEC. 29. STUDY OF EFFECTS OF ACT.**

(a) *STUDY.*—The Administrator of the Federal Emergency Management Agency shall conduct a study to identify and assess the impacts, including short-term and long-term impacts, of this Act and the amendments made by this Act on the financial soundness of the national flood insurance program.

(b) *REPORT.*—Not later than 12 months after the date of the enactment of this Act, the Ad-

ministrator shall submit a report to the Congress setting forth the results and conclusions of study under subsection (a), which shall include specific recommendations for actions to mitigate against any negative financial impacts resulting from this Act and the amendments made by this Act that could increase the debt of the national flood insurance program.

**SEC. 30. RULEMAKING.**

(a) *INTERIM FINAL RULE.*—The Administrator of the Federal Emergency Management Agency shall issue an interim final rule as a temporary regulation implementing this Act and the amendments made by this Act as soon as practicable after the date of the enactment of this Act, without regard to the provisions of chapter 5 of title 5, United States Code. All regulations prescribed under the authority of this subsection that are not earlier superseded by final regulations shall expire not later than one year after the date of the enactment of this Act.

(b) *INITIATION OF RULEMAKING.*—The Administrator of the Federal Emergency Management Agency may initiate a rulemaking to implement this Act and the amendments made by this Act as soon as practicable after the date of the enactment of this Act. The final rule issued pursuant to such rulemaking may supersede the interim final rule promulgated under subsection (a).

The CHAIR. No amendment to the committee amendment is in order except those printed in House Report 111-537. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

**AMENDMENT NO. 1 OFFERED BY MS. WATERS**

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111-537.

Ms. WATERS. Mr. Chairman, I have an amendment at the desk that was made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, strike lines 1 through 3 and insert the following:

**SEC. 5. PHASE-IN OF ACTUARIAL RATES FOR CERTAIN PRE-FIRM PROPERTIES, SEVERE REPETITIVE LOSS PROPERTIES, AND PROPERTIES SUBSTANTIALLY DAMAGED OR SUBSTANTIALLY IMPROVED.**

Page 9, lines 7 and 8, strike “paragraph (5)” and insert “paragraph (7)”.

Page 9, lines 21 and 22, strike “USED AS PRINCIPAL RESIDENCES”.

Page 10, lines 5 and 6, strike “date of enactment” and insert “effective date of this paragraph, pursuant to section 5(c)(1)”.

Page 10, line 7, strike the quotation marks and the last period.

Page 10, after line 7, insert the following:

“(5) SEVERE REPETITIVE LOSS PROPERTIES.—Any severe repetitive loss property, as such term is defined in section 1361A(b), that is so designated as such as a result of losses occurring on or after the date of the enactment of the Flood Insurance Reform Priorities Act of 2010.

“(6) PROPERTIES SUBSTANTIALLY DAMAGED OR SUBSTANTIALLY IMPROVED.—Any property that, on or after the date of the enactment of the Flood Insurance Reform and Priorities Act of 2010, has experienced or sustained—

“(A) substantial damage exceeding 50 percent of the fair market value of such property; or

“(B) substantial improvement exceeding 30 percent of the fair market value of such property.”.

Page 10, line 20, strike “paragraph (5)” and insert “paragraph (7)”.

Page 11, line 7, strike “or (4)” and insert “(4), (5), or (6)”.

Page 12, line 21, strike “and (4)” and insert “(4), (5), and (6)”.

Page 13, line 6, strike “subsection” and insert “subsections”.

Page 13, line 13, strike “September 30, 2008” and insert “September 30, 2007”.

Page 14, line 22, strike the quotation marks and the last period.

Page 14, after line 22, insert the following:

“(j) AVAILABILITY OF PREFERRED RISK RATING METHOD PREMIUMS.—The preferred risk rate method premium shall be available for flood insurance coverage for properties located in areas referred to in subsection (i)(1) and during the time period referred to in subsection (i)(1).”.

Page 15, line 13, before “Section” insert “(a) IN GENERAL.—”.

Page 17, after line 3, insert the following:

(b) *REGULATION OR NOTICE.*—The Administrator of the Federal Emergency Management Agency shall issue an interim final rule or notice to implement this section and the amendments made by this section as soon as practicable after the date of the enactment of this Act.

Strike line 20 on page 18 and all that follows through page 19, line 2, and insert the following:

(b) *REGULATIONS.*—The Administrator of the Federal Emergency Management Agency shall promulgate regulations to implement this section and the amendments made by this section as soon as practicable, but not more than 18 months after the date of the enactment of this Act. Section 5 may not be construed to annul, alter, affect, authorize any waiver of, or establish any exception to, the requirement under the preceding sentence.

Page 21, after line 21, insert the following new section:

**SEC. 11. PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.**

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(i) *PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.*—The Director shall not provide flood insurance coverage under this title to any prospective insured at a rate less than the applicable estimated risk premium rates for the area (or subdivision thereof) for any policy under the flood insurance program that has lapsed in coverage, as a result of the deliberate choice of the holder of such policy.”.

Page 22, line 25, strike the semicolon and insert a period.

Page 22, after line 25, insert the following new sections:

**SEC. 13. COMMUNITY OUTREACH PLAN FOR UPDATING FLOODPLAIN AREAS AND FLOOD-RISK ZONES.**

The Administrator of the Federal Emergency Management Agency shall, not later than the expiration of the 60-day period beginning upon the date of the enactment of this Act, submit to the Congress a community outreach plan for the updating of floodplain areas and flood-risk zones under section 1360(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(f)).

**SEC. 14. NOTIFICATION OF ESTABLISHMENT OF FLOOD ELEVATIONS.**

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended

by adding at the end the following new subsection:

“(1) NOTIFICATION TO MEMBERS OF CONGRESS OF MAP MODERNIZATION.—Upon any revision or update of any floodplain area or flood-risk zone pursuant to subsection (f), any decision pursuant to subsection (f)(1) that such revision or update is necessary, any issuance of preliminary maps for such revision or updating, or any other significant action relating to any such revision or update, the Director shall notify the Senators for each State affected, and each Member of the House of Representatives for each congressional district affected, by such revision or update in writing of the action taken.”.

Page 27, line 8, strike “**LOW-INCOME POLICYHOLDERS**” and insert “**RESIDENTIAL PROPERTIES**”.

Page 27, line 13, strike “**LOW-INCOME POLICYHOLDERS**” and insert “**RESIDENTIAL PROPERTIES**”.

Page 27, strike line 16 and all that follows through “is employed” in line 22.

Page 27, line 23, strike “monthly”.

Page 27, after line 23, insert the following new section:

**SEC. 19. TERMINATION OF FORCE-PLACED INSURANCE.**

Section 102(e) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(e)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(2) by adding inserting after paragraph (2) the following new paragraphs:

“(3) **TERMINATION OF FORCE-PLACED INSURANCE.**—Within 15 days of receipt by the lender or servicer of a confirmation of a borrower’s existing flood insurance coverage, the lender or servicer shall—

“(A) terminate the force-placed insurance; and

“(B) refund to the borrower all force-placed insurance premiums paid by the borrower during any period during which the borrower’s flood insurance coverage and the force-placed flood insurance coverage were each in effect, and any related fees charged to the borrower with respect to the force-placed insurance during such period.

“(4) **SUFFICIENCY OF DEMONSTRATION.**—A lender or servicer for a loan shall accept any reasonable form of written confirmation from a borrower of existing flood insurance coverage, which shall include the existing flood insurance policy number along with the identity of, and contact information for, the insurance company or agent.”.

Page 30, after line 20, insert the following new section:

**SEC. 21. GRANTS FOR DIRECT FUNDING OF MITIGATION ACTIVITIES FOR INDIVIDUAL REPETITIVE CLAIMS PROPERTIES.**

(a) **DIRECT GRANTS TO OWNERS.**—Section 1323 of the National Flood Insurance Act of 1968 (42 U.S.C. 4030) is amended—

(1) in the section heading, by inserting “**DIRECT**” before “**GRANTS**”; and

(2) in the matter in subsection (a) that precedes paragraph (1)—

(A) by inserting “, to owners of such properties,” before “for mitigation actions”; and

(B) by striking “1” and inserting “two”.

(b) **AVAILABILITY OF FUNDS.**—Paragraph (9) of section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended by inserting “which shall remain available until expended,” after “any fiscal year.”.

Page 31, line 4, strike “(h)” and insert “(i)”.

Page 33, line 14, strike “(g)” and insert “(i)”.

Page 34, line 19, strike “and”.

Page 34, line 22, strike the period and insert “; and”.

Page 34, after line 22 insert the following:

“(F) the number of flood-related major disaster or emergency declarations made by the President with respect to the relevant area under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) during the preceding five years.

Page 34, line 25, strike “(h)” and insert “(i)”.

Page 35, after line 4, insert the following new subsection:

“(g) **COORDINATION WITH OTHER AGENCIES.**—A local governmental agency that receives a grant under this section, and an entity that receives amounts pursuant to subsection (f), may coordinate or contract with other agencies and entities having particular capacities, specialties, or experience with respect to certain populations or constituencies, including elderly or disabled families or persons, to carry out activities described in subsection (b) with respect to such populations or constituencies.”.

Page 35, line 5, strike “(g)” and insert “(h)”.

Page 35, line 14, strike “(h)” and insert “(i)”.

Page 35, after line 16, insert the following new section:

**SEC. 24. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.**

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new section:

**“SEC. 1327. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.**

“In the case of any property that is otherwise in compliance with the coverage and building requirements of the national flood insurance program, the presence of an enclosed swimming pool located at ground level or in the space below the lowest floor of a building after November 30 and before June 1 of any year shall have no effect on the terms of coverage or the ability to receive coverage for such building under the national flood insurance program established pursuant to this title, if the pool is enclosed with non-supporting breakaway walls.”.

Page 36, line 17, strike “and” and insert a comma.

Page 36, line 17, before the period insert “, and the national flood insurance program”.

Page 39, line 6, strike “and”.

Page 39, line 10, strike the period and insert a semicolon.

Page 39, after line 10 insert the following:

“(E) facilitate the sharing of the best-practices of the Federal Emergency Management Agency amongst all offices of the Agency with respect to the creation and updating of floodplain maps;

“(F) not less than one year after receipt of a request from a community, perform an economic impact analysis for such community on the economic impact of floodplain maps and floodplain map determinations on small businesses, lending, real estate development, and other economic indicators within such community;

“(G) establish a national arbitration panel regarding flood map modernization, with panel members consisting of experts in flood insurance, flood map determination, real estate development, structural engineering, and other such experts, including a representative from the Federal Emergency Management Administration, to allow individuals or communities impacted by a flood map revision to challenge such a revision; such panel may, under such terms and conditions it may establish, temporarily suspend implementation of a floodplain map pending such panel’s review of evidence submitted by

such individuals or communities as part of such challenge;

“(H) establish a process under which scientific and engineering data, including maps and an explanation of how the Director makes a determination regarding a map revision, will be made publicly available to any interested individuals to be impacted by a flood map revision; and

“(I) establish a process under which each community to be impacted by a flood map revision will be provided an open community forum to consult with and ask questions of representatives of the Federal Emergency Management Administration.

Page 41, after line 8, insert the following new sections:

**SEC. 29. TREATMENT OF PREVIOUSLY MAPPED AREAS.**

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended by adding at the end the following new subsection:

“(k) **TREATMENT OF PREVIOUSLY MAPPED AREAS.**—If the Director issues a letter of map revision for an area or a portion of an area to correct an error in a recently issued flood insurance rate map and such letter results in the designation of such area as not having special flood hazards, the Director shall reexamine the designation of any areas bordering or abutting the area that was the subject of such letter if such areas are located within a special flood hazard area. The Director shall inform the community and residents within such area of the results of such examination no later than one year after the date of the initial letter of map revision.

**“SEC. 30. REMAPPING OF AREAS WITH IMPROVED LEVEES.**

“Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended by adding at the end the following new subsection:

“(a) **REMAPPING OF AREAS WITH IMPROVED LEVEES.**—If at any time any community, any State, the Army Corps of Engineers, or any other entity improves any levee system that protects any area that is located in an area having special flood hazards and the Director determines that such improvement mitigates flood risk in a manner that eliminates the risk of flooding in the area, the Director shall—

“(1) revise and update the floodplain areas and flood risk zones, and the flood insurance maps reflecting such areas and zones, for the areas protected by such levee system so that any requirement under the Flood Disaster Protection Act of 1973 for mandatory purchase of flood insurance does not apply to such area; and

“(2) make the updated maps and any information regarding such updating available to the affected communities.”.

Page 41, line 12, strike “Section” and insert the following:

(a) **FLOOD MITIGATION ASSISTANCE PROGRAM.**—Section

Page 41, line 15, before the quotation marks insert “of properties to at least base flood elevation or greater, if required by any local ordinance”.

Page 41, after line 15, insert the following:

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that section 1366 of the Flood Insurance Act of 1968 (42 U.S.C. 4104c), as in effect on the day before the date of enactment of this Act, authorized the Administrator of the Federal Emergency Management Agency to consider property demolition and rebuilding as eligible activities under the Flood Mitigation Assistance Program. The purpose of the amendment made by subsection (a) is to clarify that such authority exists.

Page 42, line 15, before the period insert “**AND FAMILIES IN RURAL COMMUNITIES AND ON INDIAN RESERVATIONS**”.

Page 42, line 21, after "(42 U.S.C. 1437a(b))" insert ", families residing in rural communities, and families who reside on Indian reservations,".

Page 44, line 14, strike "and".

Page 44, line 20, strike the period and insert a semicolon.

Page 44, after line 20, insert the following new paragraphs:

(7) the impact of such a building code requirement on rural communities with different building code challenges than more urban environments; and

(8) the impact of such a building code requirement on Indian reservations.

Page 45, after line 5, insert the following new sections:

**SEC. 36. STUDY REGARDING CERTAIN HARBOR AREAS.**

(a) **STUDY.**—The Administrator of the Federal Emergency Management Agency shall carry out a study to identify the impacts of the National Flood Insurance Program on harbor areas that are working waterfronts, which shall—

(1) identify the models and assumptions used under such program with respect to wave action in working waterfronts and harbors;

(2) determine whether these are the same models and assumptions used for open or unprotected coast lines;

(3) identify the assumptions used under such program in modeling V-zones;

(4) identify the underlying basis for projected impact of waves on working waterfronts,

(5) identify the frequency with which individual working waterfronts receive revised flood-risk based on the data they provide;

(6) determine the feasibility of basing flood maps for such working waterfronts on actual historical flood and damage data;

(7) identify the standards for construction and design of working waterfront infrastructure that would be needed to safely develop commercial buildings in the V-zone;

(8) determine the economic impacts of the National Flood Insurance Program on working waterfronts and working waterfront dependant businesses;

(9) identify any new or alternative models that may be used to more accurately reflect the risk of flooding in working waterfronts and harbor environments;

(10) review the current coastal flood insurance study guidelines and recommended methodologies;

(11) determine whether methodologies other than those referred to in paragraph (10) should be applied with respect to complicated harbors and open shorelines;

(12) review where 2-D ST Wave methodology should be applied and where other methodologies should be applied;

(13) review available data on wave attenuation through pilings and piers and determine whether a physical model for the attenuation of waves in that environment can be undertaken to derive such data; and

(14) include any other information the Administrator considers relevant to evaluating the flood risk and insurance challenges facing working waterfronts.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the Congress a report setting forth the results and conclusions of the study, including—

(1) a description of all of the matters identified and determined pursuant to subsection (a); and

(2) an analysis of the feasibility of developing a sheltered harbor flood zone for purposes of the National Flood Insurance Program that specifically recognizes the unique challenges faced by working waterfronts and built-up harbors.

(c) **DEFINITION.**—In this section, the term "working waterfront" means real property (including support structures over water and other facilities) that provides access to coastal waters to persons engaged in commercial fishing, recreational fishing business, boatbuilding, aquaculture, or other water-dependent coastal-related business and is used for, or that supports, commercial fishing, recreational fishing, boatbuilding, aquaculture, or other water-dependent coastal-related business.

**SEC. 37. STUDY REGARDING HAZARD MODELING.**

The Administrator of the Federal Emergency Management Agency shall conduct a study to identify and assess the impacts, including short-term and long-term impacts, of significant flooding events and subsequent revisions of hazard modeling and mapping since January 1, 2000, on the financial soundness of the national flood insurance program. The Administrator may enter into an agreement with Water Resources Research Institutes to conduct the study under this section. The Administrator shall provide for a final report regarding the study to be submitted to the Congress not later than the expiration of the 16-month period beginning on the date of the enactment of this Act. The report may include recommendations of the Administrator with respect to revising hazard modeling and mapping.

Strike line 16 on page 46 and all that follows through page 47, line 7, and insert the following:

**SEC. 40. INTERIM FINAL RULEMAKING.**

The Administrator of the Federal Emergency Management Agency shall issue an interim final rule to implement the amendments made by this Act as soon as practicable, but not more than 18 months after the date of the enactment of this Act. The Administrator of the Federal Emergency Management Agency shall issue a final rule within one year after the effective date of the interim final rule. In the event that the deadlines in this section are not met, the Administrator shall report to the Congress monthly on the status of the rulemakings and the reasons for the failure to comply with the statutory deadlines.

Page 19, after line 8, insert the following new section:

**SEC. 10. DISCOUNTED FLOOD INSURANCE RATES FOR PROPERTIES PROTECTED BY A FLOOD-PROTECTION SYSTEM FROM LESS THAN A 100-YEAR FREQUENCY FLOOD.**

Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended by adding at the end the following new subsection:

"(g) Except as provided in subsection (f) and notwithstanding any other provision of law, flood insurance coverage shall be made available for a property that the Director determines is protected by a flood-protection system that does not provide protection against a 100-year frequency flood at premium rates that reflect a discount for the actual protection against flood risk afforded by such flood-protection system."

The CHAIR. Pursuant to House Resolution 1517, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California.

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

Mr. Chairman, the manager's amendment I have submitted to the committee would make further improvements on the bill. The amendment would contribute to the stability of the flood insurance program by prospec-

tively phasing in actuarial rates for severe repetitive loss properties and properties sustaining substantial damage.

The financial solvency of the program would also be protected by a provision that would make sure that homeowners receiving preferred rates who deliberately drop out of the program are charged actuarial rates if they rejoin the program.

The amendment also strengthens protections for homeowners by allowing all homeowners to pay flood insurance premiums in installments, providing grants to homeowners experiencing repeated flooding with funds to mitigate their flood risk, requiring FEMA to take a second look at areas that may be incorrectly mapped, and requiring FEMA to study the impacts of the flood insurance program on working waterfronts.

I am pleased that this amendment also incorporates amendments offered by many Members, including Mr. HINCHAY, Mr. CLYBURN, Ms. HERSETH SANDLIN, Mr. HARE, Ms. MARKEY, Mrs. MCCARTHY, Mr. MELANCON, and Mr. PASCRELL. I thank these Members and others who have made suggestions to me for their constructive additions to this amendment.

This amendment makes significant improvements to the underlying legislation, and I urge an "aye" vote on the amendment.

Mr. Chairman I reserve the balance of my time.

Mrs. CAPITO. I rise to claim time in opposition to the amendment, although I'm not opposed.

The CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 10 minutes.

There was no objection.

□ 1210

Mrs. CAPITO. Mr. Chairman, I would like to say that the chairwoman's manager's amendment does make good improvements to the underlying bill by phasing out taxpayer subsidies for severe repetitive losses.

As we know, and as I said in my opening statement, the NFIP is facing serious financial challenges and the program cannot afford to go on its current path. So in this respect, I think that Chairwoman WATERS' manager's amendment is a positive step in the right direction. In addition, the manager's amendment includes additional reforms that seeks to reduce the subsidies over time that continue to burden this program.

The measure includes several provisions to address local community concerns that we have all heard in our districts resulting from new flood risk maps and the ongoing flood control projects, resulting in delays of purchase requirements and higher rates in certain cases.

I would like to point out why I believe that phasing out the subsidies for severe repetitive loss properties is important. If you look at the accounting

for these losses over the last several years, the repetitive loss properties only account for 1 percent of the total policies in the program nationwide, yet the repetitive loss properties account for almost 30 percent of the claims paid annually.

Well, I think there is a sense of fairness about this, and most of us recognize that this is unfair. The subsidies for folks who continue to live in repetitive loss property areas continue to run up the losses in this very important flood insurance program. The high incidence of claims on repetitive loss properties has cost the National Flood Insurance Program more than \$2.7 billion since 1978.

So with the reforms that the chairwoman has made in the manager's amendment, I support the manager's amendment.

I yield back the balance of my time.

Ms. WATERS. I think everything has been said that needs to be said.

I simply again want to thank all of the Members that have been involved. I am very pleased that we finally are responding to the concerns of all of our constituents, particularly about new mapping. There are a lot of concerns about that. But the way that we delay implementation will give our constituents an opportunity to prepare the installment plans, the way we deal with the actuarial rates. I think this is some of the best work that could have been done to honor the concerns of our constituents.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PUTNAM

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111-537.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 35, strike line 5 and insert the following:

“(g) REPORTING.—

“(1) LOCAL GOVERNMENTS.—Each local government agency that”.

Page 35, after line 13, insert the following new paragraph:

“(2) DIRECTOR.—The Director shall submit an annual report, not later than December 31 of each year, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the effectiveness of grants awarded under this section to local government agencies, the activities conducted using such grant amounts, and the effect of such activities on the retention or acquisition of flood insurance coverage.”.

The CHAIR. Pursuant to House Resolution 1517, the gentleman from Florida (Mr. PUTNAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. PUTNAM. Mr. Chair, I rise to outline a minor issue but an important issue.

Hurricane season began June 1, and in Florida, the seventh-largest State in terms of flood insurance claims and the third-highest in terms of foreclosure rates, we cannot afford any more uncertainty in our housing market.

When legislation recently failed to move on two separate occasions that would have provided for a temporary extension of flood insurance, I heard from my constituents that were beyond the point of frustration that they could not close on a home or renew an expiring policy, and they had every right to be frustrated.

Florida and Texas combined represent half of the properties covered by the National Flood Insurance Program, and a lapse in NFIP reauthorization prohibits the issuance of new flood insurance policies and renewal of expired ones. Our communities are located along the gulf coast. If a home is damaged by a storm or surge waters contaminated by the oil spill, only flood insurance would cover the cost of those repairs. For a program that has continually been placed on the GAO's high-risk list of government programs since 2006, this is unacceptable. It is time for Congress to reform and provide for a long-term extension of this important program.

Floods are the number one most common natural disaster in the United States, and since 2008 the National Flood Insurance Program has been temporarily extended six times. Whether you are a homeowner, business owner, or renter, the NFIP provides an opportunity to guard against the loss of property. We should encourage individuals and families to protect their property before the next storm hits, not just those communities located in high-risk flood zones.

Given the challenges facing the NFIP, the financial and management challenges, this amendment provides a step in the right direction in working towards the necessary reforms to assist in the long-term viability of the program.

Not expanding the scope of perils that the program currently covers, as well as eliminating subsidized rates over time for vacation homes and charging premiums that more accurately cover the risk associated with the property, are some of the reforms that will strengthen the NFIP. While the NFIP still has a long way to go to reach self-sufficiency, I applaud the bill's sponsors for taking the necessary steps and encourage the Senate to act on the long-term extension as well.

This amendment would require FEMA to submit to Congress through a report on the effectiveness of a portion of the bill that relates to new grants created and awarded to local government agencies for outreach to owners and renters. The report would include the activities conducted with those grants and an assessment of the results, the assessment of the effect that those activities have on the retention or purchase of additional flood insurance.

I caution against whether this is the most fiscally responsible approach to spend tax dollars and ensure that property owners and renters understand the apparent flood risks that exist, even though they are not subject to the mandatory purchase requirement.

The underlying legislation appropriates \$250 million for new outreach grants over a 5-year period. At a time of record deficits and spending, and frustration over a lack of transparency and accountability in our Nation's government, it is imperative that this new spending be fully accounted for.

Clearly, there is a need to control FEMA's communication with property owners and communities concerning flood risk maps and threats of flooding, but this is a large sum of new money to appropriate to an agency that is currently \$18.75 billion in debt to Treasury and consistently on the high-risk list. That is why it is essential to guarantee that the management and utilization of grant funding is completed in an effective and transparent way. I further encourage FEMA to go above and beyond and provide this information in an easily accessible form on their Web site so the taxpayers are aware of how their money is being spent.

We must ensure that these grants are used to increase participation in the program and educate owners and renters on flood preparedness and mitigation efforts which lower risk. This annual report will be an important first step in doing so.

I want to thank the sponsor of the legislation for her work on this issue for two consecutive Congresses and urge adoption of the amendment.

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

Ms. WATERS. Mr. Chairman, I rise to claim time in opposition, although I am not opposed.

The Acting CHAIR (Mr. CUELLAR). Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WATERS. Mr. Chairman, I would like to thank the gentleman from Florida for offering this amendment.

The underlying bill authorizes grants to local communities to reach out to homeowners and communities about the flood insurance program and flood risk. As we know, the process by which homeowners receive notification of new flood maps is severely lacking.

Too often, homeowners learn that they are in a floodplain when they receive a letter from their mortgage company informing them that they have 45 days to buy flood insurance or it will be purchased on their behalf. Local communities are supposed to inform residents about new maps. However, communities often receive little notification from FEMA themselves. Also, some communities simply lack the resources to do the type of notification that is necessary to ensure that homeowners are aware of changes to the flood maps.

By providing a grant program to assist communities, the underlying bill would address this problem. The gentleman's amendment would require the director of the flood insurance program to submit annual reports to the Congress on the effectiveness of these grants. I think that is important. And I think that Congress should know how these grants are working and how these funds are being spent.

So I support the gentleman's amendment, and I would urge an "aye" vote.

I yield back the balance of my time.

Mr. PUTNAM. I appreciate the gentleman's kind comments.

The amendment was agreed to.

I yield back the balance of my time.

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

The amendment was agreed to.

□ 1220

AMENDMENT NO. 3 OFFERED BY MR. DRIEHAUS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111-537.

Mr. DRIEHAUS. 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:

Page 46, after line 15, insert the following new section:

**SEC. 30. REIMBURSEMENT FOR COSTS INCURRED BY HOMEOWNERS OBTAINING LETTERS OF MAP AMENDMENT.**

If the owner of any property located in an area described in section 102(i)(1) of the Flood Disaster Protection Act of 1973 (as added by the preceding provisions of this Act) obtains a letter of map amendment during the 5-year period for such area referred to in such section, the Administrator of the Federal Emergency Management Agency shall reimburse such owner, or such entity or jurisdiction acting on such owner's behalf, for any costs incurred in obtaining such letter.

The Acting CHAIR. Pursuant to House Resolution 1517, the gentleman from Ohio (Mr. DRIEHAUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Chairman, I want to thank the chairman of the committee, Ms. WATERS, for her tremendous work on this legislation. Also, the cosponsors of this amendment, Mr. WELCH and Mr. HINCHEY. This amendment is pretty straightforward. It would authorize the administrator of the Federal Emergency Management Agency to reimburse property owners or entity or jurisdiction acting on their behalf for any expenses that they incurred in order to file for a letter of map amendment if they are ultimately successful in petitioning the exclusion of their property from a flood zone between fiscal year 2007 to the present, and in the future.

The problem is this, Mr. Chairman. We have thousands of property owners who are challenging these maps as FEMA has currently drawn them. They find out about them after the maps have been drawn, after the maps are official. They then want to challenge that designation. They hire the surveyors. They hire the engineers. They go ahead and incur that cost. And in many cases, when we find out that in fact the property owner was correct and they should not have been included in the designation to begin with, they're excluded. Yet they have incurred the cost. This amendment simply says that if that's the case and we find that the property owner is correct or if we find that the municipality or jurisdiction is correct in challenging the map, that they will be reimbursed by FEMA. CBO has scored this and said it would be negligible in terms of cost, yet it would relieve thousands of homeowners from the burden that they currently see in terms of incurring these costs.

Just a little background. Under current law, FEMA is authorized to reimburse property owners, lessees, and communities for engineering and surveying expenses that they incur for petitioning the inclusion of the property in a flood zone prior to the enactment of a new flood map. But this doesn't serve the folks that we're talking about. I've got a community in Harrison, Ohio, where over 370 households have been included in the flood map. Now, they didn't start the process of challenging the map until after the map was already official. So they're well beyond the time period that FEMA currently allows for that amendment to take place. This would address what is currently wrong in that situation—and that is, it would allow the homeowners to be reimbursed for their expenses.

With that, I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. Mr. Chairman, I certainly understand. And I've had constituents myself who have been remapped and fallen into the flood plain and questionable areas a lot, to their frustration. And I understand the gentleman from Ohio's intent on his amendment. But I think it sort of opens the door a little too broadly and a little too widely. While the amendment that he is proposing helps property owners who seek to recoup their expenses of appealing the flood map, it provides for full reimbursement for any costs. There's no specification to what reasonable costs could be—but any cost. And I think this is too broad.

I would prefer to see the amendment go back to the drawing board, reshape it, so that we can address the needs and the cost issues to our constituents but also make sure that we don't leave it

so the door is so wide open that it would encourage in some possibilities maybe re-looking at it, overly expensive investigations into the flood mapping, without any kind of reasonable assurances that the costs that are incurred in challenging the maps would fall within a reasonable amount.

With that, I yield back the balance of my time.

Mr. DRIEHAUS. Mr. Chair, I appreciate the concerns of my colleague from West Virginia. I take those very seriously. Although, FEMA does have rulemaking authority that allows them to address the concerns that were raised. This is really an issue of fairness—an issue of fairness for property owners. You've got the Federal Government coming onto your property, telling you that you have to purchase flood insurance because you're now designated within the map. When you find FEMA to be wrong, that payment shouldn't be incurred by you, the property owner, but it should be reimbursed by FEMA. It's just that simple. This is a taking. And the Federal Government shouldn't be in the business of taking property, which is what they're doing in this case, in the form of the expenses that are incurred by the homeowners. This has impacted thousands of Americans. And it's wrong that the Federal Government is making them pay the price to challenge the Federal Government.

With that, Mr. Chairman, I would like to yield 2 minutes to the gentleman from New York (Mr. HINCHEY), the cosponsor of the amendment.

Mr. HINCHEY. Mr. Chairman, I rise today in strong support of H.R. 5114, the Flood Insurance Reform Priorities Act of 2010 and the manager's amendment. I want to thank Representative WATERS for bringing forward this essential legislation, which will extend the national flood insurance program and make essential reforms to ensure that the program works efficiently and effectively. I also thank Representative WATERS and the committee for including in the manager's amendment several provisions which I sought to help to assist property owners with new costs they face due to the Federal Emergency Management Agency's flood map modernization program and improve congressional oversight.

FEMA is currently working to update, revise, and digitize the flood maps for more than 20,000 communities all across the country. While nobody doubts that we need to have accurate flood maps, some home and business owners in my district and also throughout the country are now finding out that their property is located in a flood zone—even though they may have never experienced a flood. As a result of FEMA's remapping process, many of these home and business owners are now required to purchase insurance.

To help those who suddenly face this new and unexpected cost, the underlying legislation and the manager's

amendment do several important things. First, property owners will have the option to delay the requirement to purchase flood insurance for 5 years. Second, home and business owners will then have the option to purchase the insurance at a reduced cost for another 5 years. Third, congressional oversight of the flood mapping process will be greatly improved by requiring FEMA to notify Members of Congress regarding key map modernization developments within their districts.

At a time when small businesses and homeowners throughout New York and everyplace else across the country are still feeling the pinch in a recovering economy, this bill will help ensure that this remapping process doesn't provide an additional burden. Again, I thank Representative WATERS for her strong leadership on this issue and I commend the committee for their understanding of the need for these reforms.

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111-537.

Mr. FLAKE. 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:

Page 35, line 16, strike the quotation marks and the last period.

Page 35, after line 16, insert the following new subsection:

“(i) PROHIBITION ON EARMARKS.—No amounts made available for grants under this section may be used for a Congressional earmark as defined in clause 9(e) of Rule XXI of the Rules of the House of Representatives.”.

The CHAIR. Pursuant to House Resolution 1517, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this is a straightforward amendment and should be noncontroversial. H.R. 5114 establishes a new grant program that would provide grants to local government agencies responsible for flood plain management in communities that participate in the national flood insurance program. Funds from this grant program would be used for outreach to inform both renters and owners of the national flood insurance program. This amendment would specifically prohibit any earmarking of the funds made available under this new grant program.

Mr. Chairman, I'm not sure it's the taxpayers'—or, I don't think it is the taxpayers' responsibility to inform renters and owners of these flood plain requirements. Having said that, if we are going to provide funds here and say that it's a competitive grant program,

then we shouldn't go in and earmark it later. Those funds ought to be available to those who compete for them, not directed by Members of Congress to favored constituents or groups.

□ 1230

With that, I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I rise to claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WATERS. Mr. Chairman, quite simply, I support the gentleman's amendment. While I believe that the bill is clear that the grants provided under the bill would be competitive and, therefore, not subject to earmarking, I can understand the gentleman's need for wanting to clarify that these funds cannot be used for earmarks. Therefore, I support the amendment, and I would urge an “aye” vote. I yield back the balance of my time.

Mr. FLAKE. I thank the gentlelady for accepting the amendment.

Some have asked, Why do this if there's no intention to earmark the program? Why do we need this language? Unfortunately, in the past, with programs that have been adopted like this, competitive grant programs, we have said and promised in Congress that we won't earmark those funds, and we've come and earmarked them. A good example is FEMA's Pre-Disaster Mitigation Grant Program that was put in place. It was not to be earmarked. It was a grant program like this one. Yet in 2007, nearly half of the funds for the program were earmarked. I just want to make sure that they aren't in this program as well.

So I thank the gentlelady for accepting the amendment. I urge its adoption.

I yield back the balance of my time.

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

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

Ms. WATERS. 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. 5 OFFERED BY MR. TAYLOR

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111-537.

Mr. TAYLOR. 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:

Page 35, after line 16, insert the following new section:

SEC. \_\_\_\_ REQUIREMENTS RELATING TO WINDSTORM AND FLOOD.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended

by adding at the end the following new subsections:

“(d) REQUIREMENTS FOR WRITE-YOUR-OWN INSURERS RELATING TO WINDSTORM AND FLOOD.—

“(1) WRITTEN AGREEMENT.—The Director may not utilize the facilities or services of any insurance company or other insurer or entity to offer flood insurance coverage under this title unless such company, insurer, or entity enters into a written agreement with the Director that provides as follows:

“(A) PROHIBITION ON EXCLUSION OF WIND DAMAGE COVERAGE.—The agreement shall prohibit the company, insurer, or entity from including, in any policy provided by the company or insurer for homeowners' insurance coverage or coverage for damage from windstorms, any provision that excludes coverage for wind or other damage solely because flooding also contributed to damage to the insured property.

“(B) FIDUCIARY RESPONSIBILITY.—The agreement shall provide that the company, insurer, or entity—

“(i) has a fiduciary duty with respect to the Federal taxpayers;

“(ii) in selling and servicing policies for flood insurance coverage under this title and adjusting claims under such coverage, will act in the best interests the national flood insurance program rather than in the interests of the company, insurer, or entity; and

“(iii) will provide written guidance to each insurance agent and claims adjuster for the company, insurer, or entity that sets forth the terms of the agreement pursuant to subparagraph (A) and this subparagraph.

“(2) REQUIREMENTS FOR ADJUSTMENT OF CLAIMS.—The Director shall, in utilizing the facilities of any insurance company or other insurer or entity pursuant to this section to offer flood insurance coverage under this title, the Director shall provide as follows:

“(A) APPROVAL OF ADJUSTMENT PROCEDURES.—No such insurance company, other insurer, or entity may offer flood insurance coverage under this title unless the Director has approved, as meeting standards as the Director shall establish, the procedures, protocols, guidelines, standards, or instructions used by the company, insurer, or entity in adjusting claims for identifying, apportioning, quantifying, and differentiating damage caused by flooding and damage caused by wind.

“(B) TREATMENT OF WIND AND FLOOD CLAIMS FROM SAME EVENT.—The Director shall require any insurance company or other insurer or entity that, pursuant to this section, provides flood insurance coverage under this title for a property and that also provides insurance coverage for the same property for losses resulting from wind, when claims are made both for damage resulting from flood and for damage resulting from wind involved in a single event, to comply with the following requirements:

“(i) CONTEMPORANEOUS ADJUSTMENT.—The claims for damage to the property under the coverage under this title for losses from flood and under the coverage for losses from wind shall be adjusted contemporaneously.

“(ii) INCLUSIONS IN FLOOD CLAIM FILE.—The insurance company, other insurer, or entity shall obtain and include in the file maintained with respect to any claim under the flood insurance coverage under this title, and make available to the Director upon request, the following information relating to the wind claim:

“(I) The amount paid on the claim and the date of such payment..

“(II) An explanation of rationale used by the company, insurer, or entity in determining which damage resulted from flood and which damage resulted from wind.

“(III) Copies of any photographs, witness statements, and other evidence related to the wind or flood claim.

“(iii) REVIEW.—The Director shall review the information obtained pursuant to clause (ii) to ensure that—

“(I) claims are paid under coverage under this title only for losses resulting from flood; and

“(II) in the adjusting the claims, the insurance company or other insurer or entity complied with procedures, protocols, guidelines, standards, or instructions for identifying, apportioning, quantifying, and differentiating damage caused by flooding and damage caused by wind that have been approved by the Director as meeting the standards established by the Director pursuant to subparagraph (A).

“(iv) PAYMENT UNDER FLOOD COVERAGE WHEN CAUSE OF LOSS CANNOT BE DETERMINED.—If the insurance company or other insurer or entity determines that the loss claimed was caused by flooding or wind, but that the evidence is insufficient to differentiate the losses caused by flooding from those caused by wind, the company, insurer, or entity shall pay the claim under the flood insurance coverage for the property as if the entire loss were caused by flooding, and shall submit all information regarding the claim to the Director.

“(v) FEMA DETERMINATION AND RECOVERY.—In the case of any claim paid pursuant to clause (iv), the Director shall review the information related to the claim and determine, in accordance with procedures for making such a determination regarding such claims as the Director shall establish, the losses caused by wind. The Director shall seek to recover any portion of the losses that the Director determines were caused by wind from the insurance company or other insurer or entity that, pursuant to clause (iv), paid such losses as flood losses”.

The Acting CHAIR. Pursuant to House Resolution 1517, the gentleman from Mississippi (Mr. TAYLOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

Mr. TAYLOR. Mr. Chairman, this amendment is to clarify a provision in the existing law. The existing provision was used to deprive thousands of homeowners of the wind coverage they should have had in the wake of Hurricane Katrina. It, unfortunately, had the additional effect of sticking the taxpayer, through the National Flood Insurance Program, with billions of dollars that they should not have paid.

Under the national Write Your Own program, we hired the private sector to write the policy. No problem there. We pay them a commission of 29 percent to write that policy. It saves us the cost of having additional government employees. The problem comes in in that we also let the private insurance company adjust the claim.

So think of it. You are a 29-year-old father of two. You are counting on your Christmas bonus. You work for State Farm, Nationwide or Allstate. A hurricane comes through and your house is gone. Now, you can look at it and say, you know, I see trees falling down. That is an indication of wind. I see tin up in trees. That means the wind blew it up there. But that means that my company is going to have to

pay something. Or I could say the flood did it all, which means the taxpayers have to pay it all.

You see, under the law, they are called upon to do a fair adjustment of the claim. But buried in a typical wind insurance policy, in the case of a State Farm policy in Mississippi, on page 10 of a 24-page document, there is one paragraph that said, If any two things happen concurrently, then State Farm wasn't going to pay at all. This question was actually raised before the Mississippi State Supreme Court. And the attorney for Nationwide Mutual Insurance Company, Mr. Landau, was asked a question by the chief justice of the Mississippi Supreme Court, Justice Pierce, “I'm giving you—the example is 95 percent of the home is destroyed, the flood comes in and gets the other 5 percent, and you know that. Does your interpretation of the word ‘sequence’ mean you pay zero?” The attorney for Nationwide Insurance, Mr. Landau, answered, “Yes, Your Honor.”

See, that goes beyond just hurting individuals on their payment. Number one, a typical insurance policy says that if your home is destroyed, the insurance company will pay to put you up until it's repaired, but if they deny your claim in full, then they pay nothing. So in the case of Hurricane Katrina, our Nation went out and bought 140,000 trailers at \$15,000 per trailer, then paid a friend of the Bush administration another \$16,000 per trailer to deliver those trailers just 60 miles, hook them up to a water line and a sewer line. So \$31,000 per trailer times 44,000 trailers, and that was just in Mississippi. That's \$1.3 billion that the taxpayers paid that the insurance companies, in almost every instance, should have paid. On top of that, there were the homeowners grants; on top of that, there were SBA loans, for a total of \$34 billion.

I understand the gentlewoman's concern that this program lost \$18 billion. The taxpayers lost \$34 billion because the insurance companies didn't pay. This amendment would prohibit the language that was buried in that State Farm insurance policy. This amendment would prohibit that language that was buried in that Nationwide policy. It would go back to, if these people want to do business with the Nation under the national Write Your Own program, then they are going to stick to their obligation of doing a fair adjustment of the claim.

If the house is 50 percent destroyed by water, flood insurance pays 50 percent. If it's 50 percent by wind, then the wind insurance company has to pay 50 percent. But whatever the ratio is, a fair adjustment of the claim, as it should have been, is already spelled out in the contract with the Nation. But the contract between the insurance companies and the individuals had this language buried in there that is completely contrary to what they told our Nation. And, quite honestly, I would like to see which shill for the insurance

companies wants to defend what they have done to individuals in the gulf coast and what they have done to the taxpayers as a whole.

I yield to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I stand in support of this gentleman's amendment.

In April, my subcommittee held a hearing on flood and wind insurance legislative proposals. And at that hearing, the gentleman from Mississippi testified about the way the insurance industry abused the flood insurance program following Hurricane Katrina by claiming that if so much as a drop of water touched a home, that all the resulting damage was the result of flood and not wind, even if there was damage to the contrary. Insurers were able to maintain their bottom line at the expense of the financial solvency of the National Flood Insurance Program.

Nobody has worked harder on these issues than he has. He deserves support for this amendment, and we will continue to support his instructions about what we should be doing in the future.

Mrs. CAPITO. Mr. Chair, I oppose the amendment, and I rise to claim the time in opposition to it.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I would like to begin by saying to my friend from Mississippi, we have kind of had an ongoing discussion on this. I think he knows this is not a personal issue for me, but it is a very personal one for him, and I certainly understand that. I can't really even imagine being in your shoes, quite frankly, and a lot of your fellow Mississippians in what has happened.

But I am going to oppose this amendment, really, by seeking to address the water and wind issue, which is something I think we do need to address. I have several issues that I would like to bring forward.

First of all, I have concern that this could interfere with the State regulation of insurance. As we all know, insurance is regulated through the States. It could dictate some of the processes that I think would undermine the State regulation of insurance.

It's interesting that the gentleman brought up State Farm because—and I'm sure he's aware that State Farm has just recently announced that they are going to be withdrawing from the WYO program, which is the Write Your Own insurance program, for several reasons, I believe. I'm not certain what they all are. But this means that 800,000 customers nationwide who bought their flood insurance coverage through State Farm will now need to be picked up by other Write Your Own insurance companies.

□ 1240

Third, I think this amendment could impose or would impose a new fiduciary responsibility on insurance companies that participate in this program. According to industry experts,

this could expose insurers to new lawsuits and force them to place the interests of the Federal program over the interests of their own policy holders.

I think there could be a better way to address this issue and the objectives of this amendment by working with FEMA officials and State insurance regulators to devise a formula with ratios that would apportion losses fairly to address the situation in the future. Some States and companies are already using this approach to help clarify potential wind-versus-water issues.

So, with that, I would like to thank the gentleman for his passion and his "stick-to-it-iveness" to try to solve a very deep problem, particularly in his region of the country. But with the way this amendment is written and printed, I would have to be in opposition to it.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111-537.

Mrs. MILLER of Michigan. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in the bill, insert the following new section:

**SEC. \_\_\_\_ . STUDY ON PRIVATE INSURANCE MARKET, COMMUNITY PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM, AND THE REGIONALIZATION OF THE NATIONAL FLOOD INSURANCE PROGRAM.**

(a) STUDY.—The Comptroller General shall conduct a study on—

(1) ways that the private insurance market can contribute to insuring against flood damage;

(2) the impact on the National Flood Insurance Program if communities decide not to participate in the Program; and

(3) the feasibility of regionalizing the National Flood Insurance Program and ensuring that there is no cross-subsidization between regions under such Program.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 1517, the gentleman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, my amendment calls for a GAO study to study the ways that the private insurance market can contribute to insuring against flood damage; to further study the impact on the National Flood Insurance Program if communities decide actually not to participate in this program; and to

study the feasibility of recognizing the National Flood Insurance Program and ensuring that there's no cross-subsidization between the regions.

The United States, Mr. Chairman, is actually the only industrialized nation that uses our form of government to administer flood insurance. In every other industrialized nation this is done by a private insurance company. Even in Canada or the U.K., they use the private industry to do so. And I believe that the role of the U.S. Government in terms of flood insurance certainly is the creation and maintenance of accurate flood maps, and to have those that live in flood-prone areas, though, pay their own freight by purchasing private flood insurance.

Since Congress established the NFIP, we have engaged in subsidizing our fellow Americans who do live in flood-prone areas, essentially creating a moral hazard. And as a result, more than half of the U.S. population now lives in coastal watershed counties or flood plain areas.

My constituents in Michigan, that's the reason I offered this amendment, Mr. Chairman, are paying very, very high flood insurance premiums; and yet we rarely receive claims. I mentioned this during general debate, but I'll mention it again: since 1978, Michigan residents have actually received about \$44 million in claims from the flood insurance program. However, this year alone our premiums in the State are going to be almost \$20 million, which means that in 2 years of premiums we have covered all of our losses since 1978, in other words, paid over \$200 million in premiums, yet we've sent more than \$150 million to other States since '78. And I would guess that all of the Great Lakes States, all of the States that are in the Great Lakes basin would have similar experiences.

So my constituents and the residents of my State, I think, are unfairly carrying a very high burden, given their relatively low risk. I think it's a very vivid demonstration when you see that the average premium for flood insurance in Michigan is \$764 and yet in Louisiana it's \$647.

I think, Mr. Chairman, again, we need to have a national catastrophic fund. We are very sensitive and very sympathetic to folks that live in States that flood, that are flood-prone, that have hurricanes, et cetera. But I don't think it is fair for property owners in areas that don't have this high risk to keep paying so much money for other areas. I think we should try to share the burden among the entire States.

I would also ask that the GAO would look at regionalization of the National Flood Insurance Program as a means to correct this balance. Currently, FEMA has 10 separate regions, and I believe that if you did this amongst those regions, perhaps that would be a good way to reorganize the flood insurance program. And so each region would then, ideally, have actuarially

sound premiums that are reflective of the risk of that region. And I think, under that plan, States like Michigan again would not be forced to subsidize other parts of the Nation that have substantially higher risk than we do.

And in lieu of that, the last part of the study for the GAO would look at the impacts of communities to actually opt out of this program.

Mr. Chairman, several years ago I actually wrote a letter to our Governor asking her to consider having Michigan, our entire State, opt out of this program because we are so unfairly disadvantaged. And although that has not happened yet, I'm going to continue to press that because I do think if we self-insured and got out of this program, it would be much, much, much better for the State of Michigan to do so.

So, again, my amendment asks the GAO to look at I think several commonsense ways to fix a very severely flawed program. And I would ask that my colleagues consider my amendment and support its adoption as well.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I rise to claim time in opposition, although I'm not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Ms. WATERS. Mr. Chairman, I support the gentleman's amendment. I understand that the gentleman has some concerns with the flood insurance program. I understand that she does believe that homeowners in her district are subsidizing the cost of flood insurance for homeowners along the coast.

While I disagree with her premise, I see no harm in having the GAO perform the study described in her amendment to look into the role of the private insurance market in providing flood insurance, the impact on the program if communities drop out, and the feasibility of regionalizing the program.

However, I would like to note that flood insurance is just that, insurance. It insures against an event that may or may not happen in the future. We have taken several steps in this bill to address the "sticker shock" that homeowners are encountering as a result of the mandatory purchase requirement resulting from the new maps.

However, if the maps are accurate, and if there is a flood risk, public policy should dictate that homeowners have coverage for that risk because if they don't, the Federal Government will have to pick up the tab.

Therefore, I disagree with the problem the gentleman has with the program. But I see no harm in her amendment, and so I would support that amendment.

I yield back the balance of my time.

Mrs. MILLER of Michigan. I would certainly just say that I am very appreciative of the gentleman's acceptance of my amendment. I do think it will help the Nation lead us forward

on a path to fairness and equity in this issue of flood insurance.

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

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

The amendment was agreed to.

□ 1250

AMENDMENT NO. 7 OFFERED BY MR. BOSWELL

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111-537.

Mr. BOSWELL. 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:

Page 14, line 11, insert "appropriate evacuation routes under the evacuation plan referred to in subparagraph (A)," after "risks."

Page 32, line 15, strike "properties; and" and insert "properties;"

Page 32, line 17, strike the period and insert ";; and"

Page 32, after line 17 insert the following: "(6) notify such owners of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Director where such information is available."

The Acting CHAIR. Pursuant to House Resolution 1517, the gentleman from Iowa (Mr. BOSWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. BOSWELL. Mr. Chairman, I rise today to thank the chairman of the committee and my good friend the gentleman from Massachusetts (Mr. FRANK) and Ranking Member BACHUS for their leadership on this issue, as well as Chairwoman WATERS and Ranking Member CAPITO.

Unfortunately, the Iowans I represent know all too well how flooding can ravage a farm, a neighborhood, a city. Much of the State is still recovering from the devastating floods of 2008, as high rivers and creeks are threatening their homes and businesses yet again. Neighborhoods are sandbagging, and some residents have left their homes. For Iowa, flooding is a real and a tangible threat.

Just last weekend, as I arrived back in my district, in my capital city, I met the mayor, I met the city manager, I met the public works director, and we went to the levees, and we really, really were worried whether we were going to make it through the night. So we understand it very well.

The bill before us is a good bill. I intend to support it. However, I rise today to offer a straightforward amendment that will strengthen this legislation for Iowans and the residents of other States that are often affected by flooding. I certainly understand, after being there and seeing the aftermath, the threat and the concerns that Congressman TAYLOR and his constitu-

ents had when they faced Katrina. Where to go, how to get there.

Under section 6 of this bill, State and local governments must provide flood risk and crisis information to residents in order to be eligible for a 5-year delay in the effective date of the mandatory purchase requirement of new flood hazard areas. This amendment would require that these entities also provide appropriate evacuation routes. Floodwaters rise quickly, and when people are forced to evacuate, we must make sure that residents have the information they need to do so in a way that is safe.

Additionally, my amendment would help residents and property owners to obtain flood insurance by including information about flood coverage in the outreach activities listed under section 1326. This amendment is about providing our constituents with the best possible information to keep their families and their property safe.

I ask my colleagues to support this important amendment.

I reserve the balance of my time.

Mrs. CAPITO. I rise to claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would just like to speak very briefly in support of the gentleman's amendment. We have all had in our States issues with knowing the correct way to leave and evacuate certain areas. I sort of was hoping that this area of information was already covered. So I want to thank the gentleman for bringing this amendment forward, and I would ask that we support the gentleman's amendment.

I yield back the balance of my time.

Mr. BOSWELL. I thank the gentlewoman for her support, and the chairwoman. I thank you very much, and I encourage passage.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. HILL

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111-537.

Mr. HILL. 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:

Page 39, line 6, strike "and".

Page 39, line 10, strike the period and insert ";; and"

Page 39, after line 10, insert the following: "(E) identify ways to assist communities in efforts to fund the accreditation of flood protection systems."

The Acting CHAIR. Pursuant to House Resolution 1517, the gentleman from Indiana (Mr. HILL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. HILL. Mr. Chairman, Indiana has been hit with a number of severe storms over the last few years. Residents in my district of southern Indiana have been hit especially hard, and many of our local communities continue to be devastated by flooding.

While natural disasters cannot be avoided, the government's efforts in responding, preparing, and dealing with these situations can certainly improve. The amendment I offer here today would call for a very small change, but one that I believe will help provide lasting benefits for American cities and towns in the overall flood insurance program.

The underlying bill establishes an Office of Flood Insurance Advocate within FEMA. This office is tasked with helping people in the program resolve problems with FEMA flood insurance and identifying potential changes to help fix these problems. My amendment would add another function to this office, and call on it to identify ways to assist communities in their efforts to fund the accreditation of flood protection systems.

I have heard from several of my local communities that are having problems obtaining funding to meet requirements to get their flood protection systems accredited. If a levee shows adequate protection, then FEMA will place it in a moderate risk zone, and property owners are not required to carry flood insurance, referred to as an accredited levee. Decertified, or uncertified levees, however, will not be accredited. Therefore, the areas behind these levees will be placed in high-risk areas, and flood insurance will be required for property owners.

While FEMA does not design, construct, fund, or approve levee systems or floodwall systems, in 2007 FEMA issued new guidelines that communities must meet. Unfortunately, private companies charge upwards of \$500,000 to certify levees for communities, and the Corps of Engineers will only perform them for those who obtain a Federal match. This clearly leaves out many smaller communities who are in the most cash-strapped areas. If these communities do not meet FEMA guidelines and due dates, then they will be deemed a high-risk area, and this will dramatically increase the cost of their flood insurance.

My amendment would ensure this office looks into this issue and helps find ways to assist communities in their efforts to comply with these new guidelines. I have two cities, Tell City and Cannelton, that face the possibility of being placed in a high-risk flood zone because they are having trouble obtaining certifications. If we help these communities complete their certifications, then we are helping them provide the checks and inspections that are needed to ensure our levees are safe. And if we have safer levees and flood protections in place, then not only will more Americans be protected from devastating natural disasters, but

this will prevent the flood insurance program and the Federal Government from taking on the high cost that would result if the levee or flood protection measure failed to do the job.

While I support updating this important program, I believe any new office should be focused on finding ways to reduce the cost burden for communities that are struggling during this difficult economy. My amendment would ensure that this new office focuses on communities who bear both the burden of natural disasters and the costs in preventing them.

I urge my colleagues to pass this commonsense amendment.

I reserve the balance of my time.

Mrs. CAPITO. I rise to claim the time in opposition to the amendment, although I am not necessarily opposed to it.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would like to address the gentleman's amendment really in the broader context of the Office of the Flood Insurance Advocate. This is creating it within this bill, and I think in my opening statements I addressed this issue. It's creating a new office. And at a time when we have rising debts and deficits, we are creating another bureaucracy, another obligation on the Federal taxpayer where I think that we could work within existing regulatory and administrative offices to try to accomplish the same thing.

We had a discussion yesterday in the Rules Committee where the chairwoman of our subcommittee talked about the need for advocacy. And I don't oppose the need for helping people wind through the intricacies of FEMA, trying to make appeals, trying to find out when and how they're going to be paid or what their alternate living arrangements might be and all the things that an advocate can do in terms of winding through a large bureaucracy like FEMA. But FEMA has assured us that they have already a functioning appeals process, and on top of an Inspector General and continual GAO oversight of the NFIP program.

So I think that the advocacy office itself is representing some duplicative and unnecessary bureaucracy and spending. So while I don't oppose the gentleman's amendment, if the advocacy office goes through, it's not really the substance of your amendment, it's really more the basis of the flood advocate itself, Office of the Flood Advocate itself.

I yield back balance of my time.

Mr. HILL. I would like to thank the gentlelady and the chairwoman for the opportunity to offer this amendment. It's not a big change, but it's a change I think will help local communities in my district.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. LOEBSACK

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 111-537.

Mr. LOEBSACK. 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:

Page 41, after line 8, insert the following new section:

**SEC. 23. APPEALS.**

(a) TELEVISION AND RADIO ANNOUNCEMENT.—Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended—

(1) in subsection (a), by inserting after “determinations” by inserting the following: “by notifying a local television and radio station,”; and

(2) in the first sentence of subsection (b), by inserting before the period at the end the following: “and shall notify a local television and radio station at least once during the same 10-day period”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to any flood elevation determination for any area in a community that has not, as of the date of the enactment of this Act, been issued a Letter of Final Determination for such determination under the flood insurance map modernization process.

The Acting CHAIR. Pursuant to House Resolution 1517, the gentleman from Iowa (Mr. LOEBSACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

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

I want to thank Congresswoman WATERS for bringing this bill to the floor today. It will help address concerns all of us have likely heard from our constituents about the flood insurance program and flood map modernization efforts. In Iowa, flood insurance is an issue we are all too familiar with.

□ 1300

Two years ago this issue was brought to our attention with terrible effects. Iowa was devastated by the floods of 2008, which left 85 of our 99 counties Presidentially declared disaster areas and caused billions of dollars in damage.

The National Flood Insurance Program was and remains an important program and has helped many homeowners recovering from the floods. Unfortunately, due to a lack of notification during the process of updating the flood insurance rate maps to digital maps, many homeowners continue to be surprised when they find out that their homes may be newly placed in a special flood hazard area and they will be required to purchase flood insurance. Many homeowners don't even know that new proposed flood elevations have been made and a flood rate map update is, in fact, taking place.

My amendment is simple. It will help to ensure communities and home-

owners that might be affected by new maps are made aware of the process taking place from the beginning. Currently, FEMA is only required to publish notice of new flood elevations in a local newspaper. For one community in my district, this translated to roughly a 2-inch by 2-inch paragraph in the legal notice section of the newspaper.

My amendment will require FEMA to notify not only the local paper, but also a local television and radio station of the proposed flood elevations. It will also require FEMA to notify a local television station and radio station in communities that are still in the middle of the flood map modernization process so they are fully informed of the process taking place.

This amendment will ensure the homeowners have the information they need to make informed decisions and to participate in the process while also ensuring media outlets for disseminating information, important information, so the public is made aware as well. The more homeowners that are aware of new flood elevations, I think, the more participation there is in the process.

It would also serve the purpose of making more people aware of the National Flood Insurance Program itself and in general, hopefully increasing voluntary participation rates as well.

I think we can agree that simply notifying a local television and radio station in addition to the local newspaper is a commonsense change and will help get the word out about flood map changes.

I urge my colleagues to support this amendment on behalf of homeowners in all of our districts.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. MCMAHON

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 111-537.

Mr. MCMAHON. 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:

Page 32, line 15, strike “and”.

Page 32, line 17, strike the period and insert “; and”.

Page 32, after line 17, insert the following: “(6) educate local real estate agents in communities participating in the national flood insurance program regarding the program and the availability of coverage under the program for owners and renters of properties in such communities, and establish coordination and liaisons with such real estate agents to facilitate purchase of coverage under this Act and increase awareness of flood risk reduction.”.

The Acting CHAIR. Pursuant to House Resolution 1517, the gentleman from New York (Mr. MCMAHON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. McMAHON. Mr. Chairman, I want to first thank Chairman FRANK and Chairwoman WATERS and the ranking member as well for their work to reauthorize the National Flood Insurance Program for 5 years.

The Flood Insurance Program is a good example of government providing a basic need for millions of Americans—insurance against catastrophic flooding at a reasonable price. The program is only as strong as the reserve fund created by selling insurance to people in certified flood risk areas and pooling those premiums to cover any losses. That is why this bill includes money to educate local authorities about flood insurance.

Many people don't know that an area requires flood insurance or that the NFIP program exists until it is very late in the process. Others hear the words "flood insurance" and think it is costly or will affect the value of their home. Sometimes people can't close on a House or refinance without having insurance in place. And sometimes people who have been living in a neighborhood all their life only find out that NFIP is needed when they try to move or sell their house.

The uncertainty of the program is something I have heard quite often from my constituents. Representing parts of the city of New York in Staten Island and Brooklyn, an urban area, people are quite often shocked to hear that they live in a floodplain, and quite often they find out too late, and that's why this program is so important.

My amendment will allow NFIP, in their education and partnership efforts, to also include local real estate agents in their outreach on the NFIP program and its costs and benefits. No one knows neighborhoods, markets, price points, and options better than a local Realtor.

This amendment works within the bill's existing outreach program and does not increase the cost of the program in any way.

NFIP should work with the Realtors to increase their knowledge of the NFIP program, educate them when areas are added to the floodplain area, and keep local agents up to date on the program itself.

The real estate market and the job of a Realtor are very dynamic. Things change all the time, and NFIP should communicate directly to them on how they can help their clients take advantage of this program. And this dovetails very nicely into the way FEMA already does communicate with Realtors on other issues.

And finally, in closing, Mr. Chairman, I urge my colleagues to support this long-term extension. The fact that the program expired in September of 2008 and this Congress continues to do short-term extensions isn't helpful to a fragile real estate market or to the long-term viability of this program. For the millions of current and future American homeowners who take advantage of NFIP, we need to extend this program for 5 years.

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

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition, although I'm not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would like to thank the gentleman for his amendment.

I raise questions about this amendment for the same reason that I raised questions about the previous amendment, and that is, you know, we are at a point here in our economy in this time where we have high unemployment. We have our deficit that has just passed over the trillion dollar mark for the second year in a row. We have increasingly excruciating debt that we're going to be passing on to our children and grandchildren, and yet we're still going to be creating a grant program in this bill that's going to cost the taxpayers \$250 million—significant dollars at a time when people are losing their jobs or cutting back or making decisions in their own lives about the ways to afford the things that they not just want but they absolutely must have and need. And while, you know, further education and outreach is always a good thing, I think now would be a good time for us to make a statement in this bill by saying, not now, not this time, not this \$250 million.

I have a question, too, in terms of the gentleman's amendment, not being a real estate agent myself. I'm not sure that in the real estate agent—in the training to become a real estate agent and the things—I know you have to be licensed and you have to take continuing ed and you have to keep up on all different kinds of financing and property evaluations and all the things. It's kind of a surprise to me that real estate agents don't already know the extent or how to deal with the Flood Insurance Program, particularly if there are regions of the country that are prone to this type of damage and these type of floods. But I don't know if the gentleman has an answer for that.

Are you aware of whether real estate agents now, across the country, are exposed to this kind of information? I mean, why wouldn't they already have this?

I yield to the gentleman if you have an answer to the question. I don't know the answer to that.

Mr. McMAHON. I thank the gentlelady for yielding.

And while real estate agents do go through rigorous training, as the gentlelady knows, the boundaries and lines of floodplains change through time as topographical maps are changed, as physical conditions change in certain areas. Certainly along the coast or in the harbor where my district exists, water levels change, as well, and requirements change. So it's the changing nature of the program that we seek

to have that information provided as requirements change, as mapping lines change and the like.

Mrs. CAPITO. Thank you for that clarification.

Reclaiming my time, I would just additionally say that I would think, through the continuing education of the real estate schools and the licensing boards throughout the different States who have these issues, that this would already be something that's covered.

Again, I will go back to my original premise, \$250 million in 5 years at a time of record debt and deficit and high unemployment, to me, is an improper expenditure at this time.

With that, I yield back the balance of my time.

□ 1310

Mr. McMAHON. Mr. Chairman, I yield myself the balance of my time.

I thank the gentlelady from West Virginia for her questions and comments and would certainly add that the costs of this program and certainly the Federal deficit and debt itself are of deep concern to me and the people who sent me here a little over 18 months ago to represent them.

My amendment raises no costs whatsoever. It simply says there's an option that if the NFIP program does share information with local community leaders and local entities that they include the local real estate community as well so that they can better provide that information to the people they represent, and I think it's a way to certainly instill confidence in the real estate markets that do exist in floodplain areas. So I think it's a good, commonsense solution and proposal and doesn't cost the taxpayer any money.

I certainly would comment that I share, as I said, the gentlelady's concern about the growing debts and deficits and am certainly glad that her side of the aisle has now joined in this fight with our side of the aisle, for certainly when they were in the majority in the House and had the presidency, there didn't seem to be such a great concern, but certainly we are glad that it is a concern they share with our side of the aisle at this time, and hopefully we can join together in a bipartisan fashion, something that hasn't been done before, to deal with this issue.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. MURPHY OF NEW YORK

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 111-537.

Mr. MURPHY of New York. 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, add the following new section:

**SEC. 31. ETHICS COMPLIANCE.**

All funds authorized under this Act or any amendment made by this Act shall be expended in a manner that is consistent with the manual on Standards of Ethical Conduct for Employees of the Executive Branch.

The Acting CHAIR. Pursuant to House Resolution 1517, the gentleman from New York (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MURPHY of New York. Mr. Chairman, as a small businessman, I'm deeply concerned with our Nation's fiscal mismanagement. In fact, we've now learned that in fiscal year 2009, Federal agencies were estimated to have made nearly \$98 billion in improper payments. You don't have to be a Democrat or a Republican to know that this is just unacceptable. It's just common sense.

My simple amendment to this bill reiterates that all the funds authorized in this act must be spent in compliance with the manual on Standards of Ethical Conduct for Employees of the executive branch.

As Members of Congress, it's our duty to allocate taxpayer dollars in a measured and responsible way, and we all know that Congress must do more to rein in wasteful spending. However, it is also our responsibility to make sure that the money we allocate is spent appropriately by the Federal agencies.

Sadly, we're far too accustomed to reports of Federal dollars being used inappropriately. Just recently, the Department of Homeland Security's Office of Inspector General issued a report noting that \$247,000 in improper expenses were charged to FEMA credit cards.

These examples highlight the need for Congress to be vigilant in its oversight of Federal agencies and to hold the agencies accountable and to create a system in which waste, fraud and abuse are eliminated. Yesterday, the House took an important step toward this goal when it passed legislation to identify, reduce, and eliminate improper payments, as well as recover lost funds that Federal agencies have spent improperly.

In that same spirit, my amendment today is intended to reaffirm our commitment to ensuring that Federal employees, in this case FEMA employees, spend Federal moneys properly and on their intended purpose, with only the best interests of the taxpayer.

I urge my fellow Members to support this amendment as well as the underlying bill.

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. MURPHY).

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

Mr. MURPHY 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 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 printed in House Report 111-537 on which further proceedings were postponed, in the following order:

Amendment No. 4 by Mr. FLAKE of Arizona.

Amendment No. 11 by Mr. MURPHY of New York.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

**AMENDMENT NO. 4 OFFERED BY MR. FLAKE**

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) 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 vote was taken by electronic device, and there were—ayes 423, noes 3, not voting 12, as follows:

[Roll No. 444]

AYES—423

Ackerman	Brady (TX)	Connolly (VA)	Eshoo	Lee (NY)	Rahall
Aderholt	Braley (IA)	Conyers	Etheridge	Levin	Rangel
Adler (NJ)	Brown (GA)	Cooper	Faleomavaega	Lewis (CA)	Rehberg
Akin	Brown (SC)	Costa	Fallin	Lewis (GA)	Reichert
Alexander	Brown, Corrine	Costello	Farr	Linder	Reyes
Altmire	Brown-Waite,	Courtney	Fattah	Lipinski	Richardson
Andrews	Ginny	Crenshaw	Filner	LoBiondo	Rodriguez
Arcuri	Buchanan	Critz	Flake	Loeb sack	Roe (TN)
Austria	Burgess	Crowley	Fleming	Lofgren, Zoe	Rogers (AL)
Baca	Burton (IN)	Cuellar	Forbes	Lowe y	Rogers (KY)
Bachmann	Butterfield	Culberson	Fortenberry	Lucas	Rogers (MI)
Bachus	Buyer	Cummings	Foster	Luetkemeyer	Rohrabacher
Baird	Calvert	Dahlkemper	Fox x	Lujan	Rooney
Baldwin	Camp	Davis (AL)	Frank (MA)	Lummis	Ros-Lehtinen
Barrett (SC)	Campbell	Davis (CA)	Franks (AZ)	Lungren, Daniel	Roskam
Barrow	Cantor	Davis (IL)	Frelinghuysen	E.	Ross
Bartlett	Cao	Davis (KY)	Fudge	Lynch	Rothman (NJ)
Barton (TX)	Capito	Davis (TN)	Gallegly	Mack	Roybal-Allard
Bean	Capps	DeFazio	Garamendi	Maffei	Royce
Becerra	Capuano	DeGette	Garrett (NJ)	Maloney	Ruppersberger
Berkley	Cardoza	Delahunt	Gerlach	Manzullo	Rush
Berman	Carnahan	DeLauro	Giffords	Marchant	Ryan (OH)
Biggert	Carney	Dent	Gingrey (GA)	Markey (CO)	Ryan (WI)
Bilbray	Carson (IN)	Deutch	Gohmert	Markey (MA)	Sablan
Bilirakis	Carter	Diaz-Balart, L.	Gonzalez	Marshall	Salazar
Bishop (GA)	Cassidy	Diaz-Balart, M.	Goodlatte	Matheson	Sanchez, Linda
Bishop (NY)	Castle	Dicks	Gordon (TN)	Matsui	T.
Bishop (UT)	Castor (FL)	Dingell	Granger	McCarthy (CA)	Sanchez, Loretta
Blackburn	Chaffetz	Djou	Graves (GA)	McCarthy (NY)	Sarbanes
Blumenauer	Chandler	Doggett	Graves (MO)	McCa ul	Scallise
Boccieri	Childers	Donnelly (IN)	Grayson	McClintock	Schakowsky
Boehner	Christensen	Doyle	Green, Al	McCollum	Schauer
Bonner	Chu	Dreier	Green, Gene	McCotter	Schiff
Bono Mack	Clarke	Drie haus	Griffith	McDermott	Schmidt
Boozman	Clay	Edwards (MD)	Grijalva	McGovern	Schock
Bordallo	Cleaver	Edwards (TX)	Guthrie	McHenry	Schwartz
Boren	Clyburn	Ehlers	Gutierrez	McIntyre	Scott (GA)
Boswell	Coble	Ellison	Hall (NY)	McKeon	Scott (VA)
Boucher	Coffman (CO)	Ellsworth	Hall (TX)	McMahon	Sensenbrenner
Boustany	Cohen	Emerson	Halvorson	McMorris	Serrano
Boyd	Cole	Engel	Hare	Rodgers	Sessions
Brady (PA)	Conaway		Harman	McNerney	Sestak
			Harper	Meek (FL)	Shadegg
			Hastings (WA)	Meeks (NY)	Shea-Porter
			Heinrich	Melancon	Sherman
			Heller	Mica	Shimkus
			Hensarling	Michaud	Shuler
			Herger	Miller (FL)	Shuster
			Herseth Sandlin	Miller (MI)	Simpson
			Hill	Miller (NC)	Sires
			Himes	Miller, Gary	Skelton
			Hinche y	Miller, George	Slaughter
			Hirono	Minnick	Smith (NE)
			Hodes	Mitchell	Smith (NJ)
			Holden	Mollohan	Smith (TX)
			Holt	Moore (KS)	Smith (WA)
			Honda	Moore (WI)	Snyder
			Hoyer	Moran (KS)	Space
			Hunter	Murphy (CT)	Spier
			Inglis	Murphy (NY)	Spratt
			Inslee	Murphy, Patrick	Stark
			Israel	Murphy, Tim	Stearns
			Issa	Myrick	Stupak
			Jackson (IL)	Nadler (NY)	Sullivan
			Jackson Lee	Napolitano	Sutton
			(TX)	Neal (MA)	Tanner
			Jenkins	Neugebauer	Taylor
			Johnson (GA)	Norton	Teague
			Johnson (IL)	Nunes	Terry
			Johnson, E. B.	Nye	Thompson (CA)
			Davis (AL)	Oberstar	Thompson (MS)
			Jones	Obey	Thompson (PA)
			Jordan (OH)	Olver	Thornberry
			Kanjorski	Ortiz	Tiahrt
			Kaptur	Owens	Tiberi
			Kennedy	Pallone	Tierney
			Kildee	Pascrell	Titus
			Kilpatrick (MI)	Pastor (AZ)	Tonko
			Kilroy	Paulsen	Towns
			Kind	Payne	Tsongas
			King (IA)	Pence	Turner
			King (NY)	Perlmutter	Upton
			Kingston	Perriello	Van Hollen
			Kirkpatrick (AZ)	Peters	Velázquez
			Kissell	Peterson	Visclosky
			Klein (FL)	Petri	Walden
			Kline (MN)	Pierluisi	Walz
			Kosmas	Pingree (ME)	Wasserman
			Kratovil	Pitts	Schultz
			Kucinich	Platts	Waters
			Lamborn	Poe (TX)	Watson
			Lance	Polis (CO)	Watt
			Langevin	Pomeroy	Waxman
			Larsen (WA)	Posey	Weiner
			Larson (CT)	Price (GA)	Welch
			Latham	Price (NC)	Westmoreland
			LaTourette	Putnam	Whitfield
			Latta	Quigley	Wilson (OH)
			Lee (CA)	Radanovich	Wilson (SC)

Wittman Wolf  
 Woolsey Wu  
 Yarmuth Young (FL)

NOES—3

Berry Paul Young (AK)

NOT VOTING—12

Blunt Hinojosa Moran (VA)  
 Bright Hoekstra Olson  
 Hastings (FL) Kagen Schrader  
 Higgins Kirk Wamp

□ 1344

Messrs. DAVIS of Illinois, BUCHANAN, and GINGREY of Georgia changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. MURPHY 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. MURPHY) 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 will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 421, noes 0, not voting 17, as follows:

[Roll No. 445]

AYES—421

Ackerman Brown (SC) Critz  
 Aderholt Brown, Corrine Crowley  
 Adler (NJ) Brown-Waite, Cuellar  
 Akin Ginny Culberson  
 Alexander Buchanan Cummings  
 Altmire Burgess Dahlkemper  
 Andrews Burton (IN) Davis (AL)  
 Arcuri Butterfield Davis (CA)  
 Austria Buyer Davis (IL)  
 Baca Calvert Davis (KY)  
 Bachmann Camp Davis (TN)  
 Baird Campbell DeFazio  
 Baldwin Cantor DeGette  
 Barrett (SC) Cao Delahunt  
 Barrow Capito DeLauro  
 Bartlett Capps Dent  
 Barton (TX) Capuano Deutch  
 Bean Cardoza Diaz-Balart, L.  
 Becerra Carnahan Diaz-Balart, M.  
 Berkley Carney Dicks  
 Berman Carson (IN) Dingell  
 Berry Carter Dju  
 Biggert Cassidy Doggett  
 Bilbray Castle Donnelly (IN)  
 Bilirakis Castor (FL) Doyle  
 Bishop (GA) Chaffetz Dreier  
 Bishop (NY) Chandler Driehaus  
 Bishop (UT) Childers Duncan  
 Blackburn Christensen Edwards (MD)  
 Blumenauer Chu Edwards (TX)  
 Blunt Clarke Ehlers  
 Boccieri Clay Ellison  
 Boehner Cleaver Ellsworth  
 Bonner Clyburn Emerson  
 Bono Mack Coble Engel  
 Boozman Coffman (CO) Eshoo  
 Bordallo Cohen Etheridge  
 Boren Cole Faleomavaega  
 Boswell Conaway Fallon  
 Boucher Connolly (VA) Farr  
 Boustany Conyers Fattah  
 Boyd Cooper Filner  
 Brady (PA) Costa Flake  
 Brady (TX) Costello Fleming  
 Braley (IA) Courtney Forbes  
 Broun (GA) Crenshaw Fortenberry

Foster Lowey Rodriguez  
 Foxx Lucas Roe (TN)  
 Frank (MA) Luetkemeyer Rogers (AL)  
 Franks (AZ) Luján Rogers (KY)  
 Frelinghuysen Lummis Rogers (MI)  
 Fudge Lungren, Daniel Rohrabacher  
 Gallegly E. Rooney  
 Garamendi Lynch Ros-Lehtinen  
 Garrett (NJ) Mack Roskam  
 Gerlach Maffei Ross  
 Giffords Maloney Rothman (NJ)  
 Gingrey (GA) Manzullo Roybal-Allard  
 Gohmert Marchant Royce  
 Gonzalez Markey (CO) Ruppertsberger  
 Goodlatte Markey (MA) Ryan (OH)  
 Gordon (TN) Marshall Ryan (WI)  
 Granger Matheson Sablan  
 Graves (GA) Matsui Salazar  
 Graves (MO) McCarthy (CA) Sánchez, Linda  
 Grayson Grayson, T.  
 Green, Al McCaul Sanchez, Loretta  
 Green, Gene McClintock Sarbanes  
 Griffith McCollum Scalise  
 Grijalva McCotter Schakowsky  
 Guthrie McDermott Schauer  
 Gutierrez McGovern Schiff  
 Hall (NY) McHenry Schmidt  
 Hall (TX) McIntyre Schock  
 Halvorson McKeon Schwartz  
 Hare McMahan Scott (GA)  
 Harman McMorris Scott (VA)  
 Harper Rodgers Sensenbrenner  
 Hastings (WA) McNerney Sessions  
 Heinrich Meek (FL) Sestak  
 Heller Meeks (NY) Shadegg  
 Hensarling Melancon Shea-Porter  
 Herger Mica Sherman  
 Herseth Sandlin Michaud Shimkus  
 Hill Miller (FL) Shuler  
 Himes Miller (MI) Shuster  
 Hinchey Miller (NC) Simpson  
 Hirono Miller, Gary Sires  
 Hodes Sires Skelton  
 Holden Minnick Slaughter  
 Holt Mitchell Smith (NE)  
 Honda Mollohan Smith (NJ)  
 Hoyer Moore (KS) Smith (TX)  
 Hunter Moore (WI) Smith (WA)  
 Inglis Moran (KS) Snyder  
 Inslee Murphy (CT) Space  
 Israel Murphy (NY) Speier  
 Issa Murphy, Patrick Spratt  
 Jackson (IL) Myrick Stark  
 Jackson Lee Nadler (NY)  
 (TX) Napolitano  
 Jenkins Neal (MA)  
 Johnson (GA) Neugebauer  
 Johnson (IL) Norton  
 Johnson, E. B. Nunes  
 Johnson, Sam Nye  
 Jones Oberstar  
 Jordan (OH) Obey  
 Kanjorski Oliver  
 Kaptur Kennedy Ortiz  
 Kildee Owens  
 Kilpatrick (MI) Pallone  
 Kilroy Pascrell  
 Kind King (IA) Pastor (AZ)  
 King (NY) Paul  
 Kingston Payne Paulsen  
 Kirkpatrick (AZ) Pence Perlmutter  
 Kissell Perriello  
 Klein (FL) Peters  
 Kline (MN) Peterson  
 Kosmas Kratovil Petri  
 Kratovil Kucinich Pierluisi  
 Kucinich Lamborn Pingree (ME)  
 Lamborn Lance Pitts  
 Langevin Platts  
 Larsen (WA) Poe (TX)  
 Larson (CT) Polis (CO)  
 Latham Latham Pomeroy  
 LaTourette Posey  
 Latta Price (GA)  
 Lee (CA) Price (NC)  
 Lee (NY) Putnam  
 Levin Quigley  
 Lewis (GA) Radanovich  
 Lewis (GA) Rahall  
 Linder Rangel  
 Lipinski Rehberg  
 LoBiondo Reichert  
 Loeb sack Reyes  
 Lofgren, Zoe Richardson

NOT VOTING—17

Bachus Kagen Serrano  
 Bright Kirk Tsongas  
 Hastings (FL) Moran (VA) Wamp  
 Higgins Olson Waxman  
 Hinojosa Rush Wittman  
 Hoekstra Schrader

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1353

So the amendment was agreed to. The result of the vote was announced as above recorded.

Stated for: Mr. WITTMAN. Mr. Chair, on rollcall No. 445, I was unavoidably detained. Had I been present, I would have voted “aye.”

Mr. BACHUS. Mr. Chair, on July 15, 2010, I missed rollcall vote No. 445. Had I been present, I would have voted “aye.”

Ms. TSONGAS. Mr. Chair, I missed rollcall vote No. 445 to require all funds authorized under H.R. 5114 to be expended in a manner consistent with the manual on Standards of Ethical Conduct for Employees of the Executive Branch.

Had I been present, I would have voted “aye.” I have consistently voted to hold Members of Congress and their staffs, Federal employees, and other representatives of government to the highest ethical standards.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SERRANO) having assumed the chair, Mr. CUELLAR, 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. 5114) to extend the authorization for the national flood insurance program, to identify priorities essential to reform and ongoing stable functioning of the program, and for other purposes, and, pursuant to House Resolution 1517, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HENSARLING. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HENSARLING. I am, in its current form.

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

The Clerk read as follows:

Mr. Hensarling moves to recommit the bill, H.R. 5114, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Strike section 18 (relating to flood insurance outreach).

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, the motion to recommit today is a simple one. It says today, right here, right now, this body will decline to create yet another new government spending program, this one, a quarter of a billion dollar new FEMA outreach program on top of the FEMA outreach program that is already in place.

Mr. Speaker, the American people know already that the National Flood Insurance Program is in trouble, just like almost every other federally administered insurance program.

Social Security has a long-term deficit of \$15.1 trillion. The Federal Pension Benefit Guarantee Corporation has a debt of \$22 billion. The Federal Crop Insurance Program, Medicaid, and the list goes on and on.

The National Flood Insurance Program owes the taxpayer, owes the Treasury already \$19 billion. Why are we going to add to this burden today, Mr. Speaker?

And, in addition, as I said earlier, this is duplicative of an already existing program. I'm not here to say, Mr. Speaker, that outreach is a bad idea. But I am curious what is wrong with the Cooperating Technical Partners Program of FEMA.

□ 1400

Mr. Speaker, even if this wasn't duplicative of an already existing system, even if we truly needed it, the question is, can we afford it? Is it really worth borrowing 43 cents on the dollar, mainly from the Chinese, and sending the bill to our children and grandchildren? At this time, Mr. Speaker, at a time when our Nation is facing a debt crisis, the motion to recommit says no, it doesn't meet that test.

I mean, Mr. Speaker, we know already that the deficit has increased almost tenfold in just 2 years. I mean we are looking at the largest deficits in American history. Our Nation is literally drowning in debt.

Don't take my word for it. Mr. Speaker, I have the honor, as a number of our Members do, to serve on the President's Fiscal Responsibility Commission. It's led by Democrat Erskine Bowles, former chief of staff to President Clinton, who just this week said before the National Governors Association, "The debt is like a cancer. It is truly going to destroy the country from within." That is the Democratic head of the President's Fiscal Responsibility Commission. He recognizes the problem that we are facing today.

Renowned economist Robert Samuelson has said that our spending could "trigger an economic and political death spiral." Former Comptroller David Walker has said we are facing, quote, "a fiscal cancer."

Mr. Speaker, if there was ever a crisis in our Nation's history that we could see coming from miles away it's this one. Why do we want to make it worse? Right here, right now we can take one tiny step towards ensuring we don't put more debt on our children and our grandchildren for a program that is already in the red almost \$19 billion.

I would say that there is very little that I agree with the distinguished chairman of the Financial Services Committee on. But I noticed that last night on NPR he was quoted as saying, "We have to reduce the deficit. I believe that we are reaching a point where the deficit could be unsustainable. We have to make this point: We're going to have to reduce government spending fairly significantly." And I agree with Chairman FRANK on that point. And I would hope that this would be the moment where we could take that one step.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I appreciate it, and I hope he would then join me in something really significant like getting our troops out of Iraq for a year and a half and save about a thousand times as much as this motion to recommit.

Mr. HENSARLING. Reclaiming my time, with the chairman being in the majority, I am sure if he wants to do that, he has the opportunity to do that. If the Democratic majority wants to raise taxes on those who have less than a quarter-billion dollars in income, that is their opportunity to do that. If they want to quit funding our troops in harm's way, they have the opportunity to do that.

What we are saying is there is an opportunity right here, right now not to create yet another duplicative program and add to the debt burden. Now, I am sure we might hear that somehow this is going to create more jobs, but I ask where are the jobs? Where has the spending led to?

I encourage all to support the motion to recommit.

Ms. WATERS. Mr. Speaker, I rise to speak in opposition to the motion.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker and Members, we patiently waited over here to hear what this motion to recommit was going to be all about. We thought about all of the Members who have been calling us, writing us, working with us from both sides of the aisle to please help them address the concerns of their constituents about flood insurance. We have worked very hard with

Members from both sides of the aisle to include their concerns in this bill.

You saw Members come to the floor with those amendments. You saw in the manager's amendment that we had worked with so many Members not only to include their concerns, but to answer questions and prepare them for going back to their communities explaining how this whole thing works.

Many of those questions that have been raised by our constituents have been raised over a long period of time. Our offices are bombarded with questions about the mapping. How does it work? How are they going to get timely notification? What are the premiums all about? These questions go on and on and on, to the point where our offices are oftentimes overwhelmed, not able to give sufficient information, or to assist those communities where they have banded together, despite the fact oftentimes they have few resources to deal with these issues.

And now, in this comprehensive authorization that we are doing we address those constituents' concerns with this outreach. I am very surprised that the Members on the opposite side of the aisle would try and deny to their constituents the basic kind of information and services that we should all be responsible for. We should be able to say to our constituents not only do you have a right to this information, but we are going to give you some help. You don't have to try and band together with resources that you don't have to find out how it all works to oppose FEMA, to find out from your mortgage servicers why you didn't get a timely notice, to find out from your city, who was notified perhaps by FEMA, why they didn't notify the community.

Mr. Speaker and Members, these are simply outreach activities that must be dealt with. These are outreach activities that our constituents deserve. To oppose assisting our constituents when they may be forced into new mapping that's going to cost them money that they had not anticipated, on and on and on, is just unbelievable.

So I would simply say it speaks for itself. Assistance to our constituents asking those basic questions. I would ask for a "no" vote on this motion to recommit. It works against the best interests of all of our constituents. They deserve better than this.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. HENSARLING. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum

time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 191, noes 229, not voting 12, as follows:

[Roll No. 446]

AYES—191

Aderholt	Frelinghuysen	Murphy (NY)
Akin	Galleghy	Murphy, Patrick
Alexander	Garrett (NJ)	Murphy, Tim
Austria	Gerlach	Myrick
Bachmann	Gingrey (GA)	Neugebauer
Bachus	Gohmert	Nunes
Barrett (SC)	Goddlatte	Nye
Bartlett	Granger	Paul
Barton (TX)	Graves (GA)	Paulsen
Biggert	Graves (MO)	Pence
Bilbray	Griffith	Peters
Bilirakis	Guthrie	Peterson
Bishop (UT)	Hall (TX)	Petri
Blackburn	Harman	Pitts
Blunt	Harper	Platts
Boehner	Hastings (WA)	Poe (TX)
Bonner	Heller	Posey
Bono Mack	Hensarling	Price (GA)
Boozman	Herger	Putnam
Boustany	Hunter	Radanovich
Brady (TX)	Inglis	Rehberg
Broun (GA)	Issa	Roe (TN)
Brown (SC)	Jenkins	Rogers (AL)
Brown-Waite,	Johnson (IL)	Rogers (KY)
Ginny	Johnson, Sam	Rogers (MI)
Buchanan	Jones	Rohrabacher
Burgess	Jordan (OH)	Rooney
Burton (IN)	King (IA)	Ros-Lehtinen
Buyer	King (NY)	Roskam
Calvert	Kingston	Royce
Camp	Kline (MN)	Ryan (WI)
Campbell	Kratovil	Scalise
Cantor	Lamborn	Schmidt
Capito	Lance	Schock
Carter	Latham	Sensenbrenner
Cassidy	LaTourette	Sessions
Castle	Latta	Sestak
Chaffetz	Lee (NY)	Shadegg
Childers	Lewis (CA)	Shimkus
Coble	Linder	Shuster
Coffman (CO)	LoBiondo	Simpson
Cole	Lucas	Smith (NE)
Conaway	Luetkemeyer	Smith (NJ)
Cooper	Lummis	Smith (TX)
Costa	Lungren, Daniel	Stearns
E.		Sullivan
Culberson	Mack	Taylor
Davis (KY)	Manzullo	Teague
Dent	Marchant	Terry
Diaz-Balart, L.	Marshall	Thompson (PA)
Diaz-Balart, M.	Matheson	Thornberry
Djou	McCarthy (CA)	Tiahrt
Donnelly (IN)	McCauley	Tiberi
Dreier	McClintock	Titus
Duncan	McCotter	Turner
Ehlers	McHenry	Upton
Ellsworth	McKeon	Walden
Emerson	McMorris	Westmoreland
Fallin	Rodgers	Whitfield
Flake	Mica	Wilson (SC)
Fleming	Miller (FL)	Wittman
Forbes	Miller (MI)	Wolf
Fortenberry	Miller, Gary	Young (AK)
Foxx	Mitchell	Young (FL)
Franks (AZ)	Moran (KS)	

NOES—229

Ackerman	Brady (PA)	Courtney
Adler (NJ)	Braley (IA)	Critz
Altmire	Brown, Corrine	Crowley
Andrews	Butterfield	Cuellar
Arcuri	Cao	Cummings
Baca	Capps	Dahlkemper
Baird	Capuano	Davis (AL)
Baldwin	Cardoza	Davis (CA)
Barrow	Carnahan	Davis (IL)
Bean	Carney	Davis (TN)
Becerra	Carson (IN)	DeFazio
Berkley	Castor (FL)	DeGette
Berman	Chandler	Delahunt
Berry	Chu	DeLauro
Bishop (GA)	Clarke	Deutch
Bishop (NY)	Clay	Dicks
Blumenauer	Cleaver	Dingell
Bocchieri	Clyburn	Doggett
Boren	Cohen	Doyle
Boswell	Connolly (VA)	Driehaus
Boucher	Conyers	Edwards (MD)
Boyd	Costello	Edwards (TX)

Ellison	Lewis (GA)	Rothman (NJ)
Engel	Lipinski	Roybal-Allard
Eshoo	Loebsack	Ruppersberger
Etheridge	Lofgren, Zoe	Rush
Farr	Lowe	Ryan (OH)
Fattah	Lujan	Salazar
Filner	Lynch	Sánchez, Linda
Foster	Maffei	T.
Frank (MA)	Maloney	Sánchez, Loretta
Fudge	Markey (CO)	Altmire
Garamendi	Markey (MA)	Andrews
Giffords	Matsui	Schakowsky
Gonzalez	McCarthy (NY)	Schauer
Gordon (TN)	McCollum	Schiff
Grayson	McDermott	Schwartz
Green, Al	McGovern	Scott (GA)
Green, Gene	McIntyre	Scott (VA)
Grijalva	McMahon	Serrano
Gutierrez	McNerney	Shea-Porter
Hall (NY)	Meek (FL)	Sherman
Halvorson	Meeks (NY)	Shuler
Hare	Melancon	Sires
Heinrich	Michaud	Skelton
Hill	Miller (NC)	Slaughter
Himes	Miller, George	Smith (WA)
Hinche	Minnick	Snyder
Hirono	Mollohan	Space
Hodes	Moore (KS)	Speier
Holden	Moore (WI)	Spratt
Holt	Moran (VA)	Stark
Honda	Murphy (CT)	Stupak
Hoyer	Nadler (NY)	Sutton
Inslee	Napolitano	Tanner
Israel	Neal (MA)	Thompson (CA)
Jackson (IL)	Oberstar	Thompson (MS)
Jackson Lee	Obey	Tierney
(TX)	Olver	Tonko
Johnson (GA)	Ortiz	Brady (PA)
Johnson, E. B.	Owens	Brady (TX)
Kanjorski	Pallone	Braley (IA)
Kaptur	Pascarell	Brown (SC)
Kennedy	Pastor (AZ)	Brown, Corrine
Kildee	Payne	Brown-Waite,
Kilpatrick (MI)	Perlmutter	Ginny
Kilroy	Perriello	Buchanan
Kind	Pingree (ME)	Burgess
Kirkpatrick (AZ)	Polis (CO)	Butterfield
Kissell	Price (NC)	Cao
Klein (FL)	Quigley	Watt
Kosmas	Rahall	Watson
Kucinich	Rangel	Watt
Langevin	Reichert	Waxman
Larsen (WA)	Reyes	Weiner
Larson (CT)	Richardson	Welch
Lee (CA)	Rodriguez	Wilson (OH)
Levin	Ross	Woolsey
		Wu
		Yarmuth

NOT VOTING—12

Bright	Hinojosa	Olson
Hastings (FL)	Hoekstra	Pomeroy
Herse	Kagen	Schrader
Herseth Sandlin	Kirk	Wamp
Higgins		

□ 1426

Messrs. McDERMOTT and RUSH changed their vote from “aye” to “no.”

Mr. SAM JOHNSON of Texas changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. HERSETH SANDLIN. Mr. Speaker, I regret that I was unable to participate in a vote on the floor of the House of Representatives today.

The vote was on the Motion to Recommit on the Flood Insurance Reform Priorities Act of 2010. Had I been present, I would have voted “no” on that question.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Ms. WATERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 329, noes 90, not voting 13, as follows:

[Roll No. 447]

AYES—329

Ackerman	Edwards (MD)	Lungren, Daniel
Adler (NJ)	Edwards (TX)	E.
Altmire	Ehlers	Lynch
Andrews	Ellison	Mack
Arcuri	Ellsworth	Maffei
Austria	Emerson	Maloney
Baca	Engel	Markey (CO)
Baird	Eshoo	Markey (MA)
Baldwin	Etheridge	Marshall
Barrow	Fallin	Matheson
Bean	Farr	Matsui
Becerra	Fattah	McCarthy (NY)
Berkley	Filner	McCauley
Berman	Forbes	McCollum
Berry	Fortenberry	McDermott
Bilirakis	Foster	McGovern
Bishop (GA)	Frank (MA)	McIntyre
Bishop (NY)	Fudge	McMahon
Bishop (UT)	Garamendi	McNerney
Blumenauer	Gerlach	Meek (FL)
Blunt	Giffords	Meeks (NY)
Bocchieri	Gohmert	Melancon
Bonner	Gonzalez	Mica
Bono Mack	Gordon (TN)	Michaud
Boozman	Granger	Miller (FL)
Boren	Graves (MO)	Miller (NC)
Boswell	Grayson	Miller, George
Boucher	Green, Al	Minnick
Boustany	Green, Gene	Mitchell
Boyd	Grijalva	Mollohan
Brady (PA)	Guthrie	Moore (KS)
Brady (TX)	Gutierrez	Moore (WI)
Braley (IA)	Hall (NY)	Moran (VA)
Brown (SC)	Hall (TX)	Murphy (CT)
Brown, Corrine	Halvorson	Murphy (NY)
Brown-Waite,	Hare	Murphy, Patrick
Ginny	Harman	Murphy, Tim
Buchanan	Harper	Nadler (NY)
Burgess	Heinrich	Napolitano
Butterfield	Heller	Neal (MA)
Cao	Herse	Nye
Capito	Herseth Sandlin	Oberstar
Capps	Hill	Obey
Capuano	Himes	Olver
Carnahan	Hinche	Ortiz
Carney	Hirono	Hodes
Carson (IN)	Carney	Owens
Carter	Holden	Pallone
Cassidy	Holt	Pascrell
Castor (FL)	Honda	Pastor (AZ)
Chandler	Hoyer	Payne
Childers	Inslee	Perlmutter
Chu	Israel	Perriello
Clarke	Jackson (IL)	Peters
Clay	Jackson Lee	Peterson
(TX)	(TX)	Petri
Cleaver	Johnson (GA)	Pingree (ME)
Clyburn	Johnson (IL)	Platts
Coffman (CO)	Johnson, E. B.	Poe (TX)
Cohen	Jones	Polis (CO)
Conaway	Kanjorski	Pomeroy
Connolly (VA)	Kaptur	Posey
Conyers	Kennedy	Price (NC)
Cooper	Kildee	Putnam
Costa	Kilpatrick (MI)	Quigley
Costello	Kilroy	Rahall
Courtney	Kind	Rangel
Crenshaw	King (NY)	Rehberg
Critz	Kingston	Reichert
Crowley	Kirkpatrick (AZ)	Richardson
Cuellar	Kissell	Rodriguez
Cummings	Klein (FL)	Roe (TN)
Dahlkemper	Kosmas	Rogers (KY)
Davis (AL)	Kratovil	Rooney
Davis (CA)	Kucinich	Ros-Lehtinen
Davis (IL)	Lance	Ross
Davis (KY)	Langevin	Rothman (NJ)
Davis (TN)	Larsen (WA)	Roybal-Allard
DeFazio	Larson (CT)	Ruppersberger
DeGette	Latham	Ryan (OH)
Delahunt	LaTourette	Salazar
DeLauro	Lee (CA)	Sánchez, Linda
Dent	Lee (NY)	T.
Deutch	Levin	Sánchez, Loretta
Diaz-Balart, L.	Lewis (GA)	Sarbanes
Diaz-Balart, M.	Lipinski	Scalise
Dicks	LoBiondo	Schakowsky
Dingell	Loebsack	Schauer
Djou	Lofgren, Zoe	Schiff
Doggett	Lowe	Schock
Donnelly (IN)	Luetkemeyer	Schwartz
Doyle	Lujan	Scott (GA)
Driehaus	Lummis	Scott (VA)

Serrano	Tanner	Wasserman
Sestak	Taylor	Schultz
Shea-Porter	Teague	Waters
Sherman	Terry	Watson
Shimkus	Thompson (CA)	Watt
Shuler	Thompson (MS)	Waxman
Shuster	Thompson (PA)	Weiner
Simpson	Thornberry	Welch
Sires	Tiberi	Whitfield
Skelton	Tierney	Wilson (OH)
Slaughter	Titus	Wilson (SC)
Smith (NJ)	Tonko	Wittman
Smith (WA)	Towns	Wolf
Snyder	Tsongas	Woolsey
Space	Turner	Wu
Speier	Van Hollen	Yarmuth
Spratt	Velazquez	Young (AK)
Stark	Viscofsky	Young (FL)
Stearns	Walden	Walz
Sutton	Walz	

## NOES—90

Aderholt	Gallegly	Miller (MI)
Akin	Garrett (NJ)	Miller, Gary
Alexander	Gingrey (GA)	Moran (KS)
Bachmann	Goodlatte	Myrick
Bachus	Graves (GA)	Neugebauer
Barrett (SC)	Griffith	Nunes
Bartlett	Hastings (WA)	Paul
Barton (TX)	Hensarling	Paulsen
Biggart	Herger	Pence
Blibray	Hunter	Pitts
Blackburn	Inglis	Price (GA)
Boehner	Issa	Radanovich
Broun (GA)	Jenkins	Rogers (AL)
Burton (IN)	Johnson, Sam	Rogers (MI)
Buyer	Jordan (OH)	Rohrabacher
Calvert	King (IA)	Roskam
Camp	Kline (MN)	Royce
Campbell	Lamborn	Ryan (WI)
Cantor	Latta	Schmidt
Castle	Lewis (CA)	Sensenbrenner
Chaffetz	Linder	Sessions
Coble	Lucas	Shadegg
Cole	Manzullo	Smith (NE)
Culberson	Marchant	Smith (TX)
Dreier	McCarthy (CA)	Stupak
Duncan	McClintock	Sullivan
Flake	McCotter	Tiahrt
Fleming	McHenry	Upton
Foxx	McKeon	Westmoreland
Franks (AZ)	McMorris	
Frelinghuysen	Rodgers	

## NOT VOTING—13

Bright	Hoekstra	Rush
Cardoza	Kagen	Schrader
Hastings (FL)	Kirk	Wamp
Higgins	Olson	
Hinojosa	Reyes	

□ 1435

Mr. INGLIS changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RUSH. Mr. Speaker, on rollcall No. 447, had I been present, I would have voted "aye."

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5114, FLOOD INSURANCE REFORM PRIORITIES ACT OF 2010

Ms. WATERS. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 5114, to include corrections in spelling, punctuation, section numbering and cross-referencing, the insertion of appropriate headings, and clerical errors in amendatory instructions.

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

There was no objection.

#### RESIGNATION OF CHIEF ADMINISTRATIVE OFFICER

The SPEAKER laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,

Washington, DC, July 1, 2010.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: I'm writing to tender my resignation as Chief Administrative Officer for the U.S. House of Representatives effective July 18, 2010.

It has been a distinct honor and privilege to serve you and House in this position over the past three and one-half years. I believe we have made substantial strides to make House operations more sustainable, provide Members and staff with improved benefits, and provide the House community with a safer and more secure information technology system.

I will always be grateful to you for giving me this opportunity to serve this wonderful institution. I also want to thank you for your personal support.

With warmest best regards, I am

Sincerely yours,

DANIEL P. BEARD.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

#### APPOINTMENT OF TEMPORARY CHIEF ADMINISTRATIVE OFFICER

The SPEAKER. Pursuant to the provisions of section 208(a) of the Legislative Reorganization Act of 1946, the Chair appoints Daniel J. Strodel of the District of Columbia to act as and to exercise temporarily the duties of Chief Administrative Officer of the House of Representatives, effective July 18, 2010.

Mr. Strodel appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

#### PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE ATTORNEY GENERAL

Mr. CONYERS from the Committee on the Judiciary, submitted an adverse privileged report (Rept. No. 111-538) on the resolution (H. Res. 1455) directing the Attorney General to transmit to the House of Representatives copies of certain communications relating to

certain recommendations regarding administration appointments, which was referred to the House Calendar and ordered to be printed.

□ 1440

#### LEGISLATIVE PROGRAM

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

Mr. CANTOR. Madam Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the Republican whip for yielding.

Madam Speaker, on Monday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6 p.m. On Tuesday, Madam Speaker, the House will meet at 10:30 a.m. for morning-hour debate and 12 p.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. A complete list of all suspension bills will be announced by the close of business tomorrow. In addition, we will consider Mr. TAYLOR's bill, H.R. 1264, the Multiple Peril Insurance Act of 2009. We're also expecting to consider several items from the Senate, including Senate amendments to H.R. 4213, the Restoration of Emergency Unemployment Compensation Act; and Senate amendments to H.R. 4899, the Supplemental Appropriations Act of 2010.

Lastly, Madam Speaker, we expect to consider several bills addressing the oil spill in the gulf, including H.R. 2693, the Oil Pollution Research and Development Program Reauthorization Act; and H.R. 5716, the Safer Oil and Natural Gas Drilling Technology Research and Development Act.

Mr. CANTOR. Madam Speaker, given the schedule the gentleman just announced, I would ask the majority leader whether he expects the House to be in session next Friday.

Mr. HOYER. I say to the gentleman that will, again, depend on what our colleagues in the Senate send over to us and whether or not we can complete the business that we have before us that I've announced by Thursday. In the event that we don't have legislation coming back from the Senate that we needed to deal with on Friday, or our business that is scheduled does not take longer than Thursday, then it is possible that we would not be in session. But, again, I would caution Members that we have 2 weeks left to go and those days will be scheduled and will be utilized if needed.

Mr. CANTOR. Madam Speaker, the gentleman just explained that we do only have 2 more weeks left in the month of July for legislative business. I would ask the gentleman if he could

expand upon the schedule for those 2 weeks and what we might expect for those following weeks.

Mr. HOYER. In addition to the bills that we've already mentioned for next week, including the unemployment extension, the supplemental coming from the Senate, and the Science and Technology bills addressing the oil spill, we'll also likely consider a number of other bills addressing oil spill legislation. In addition, I expect we will consider several bills from the Appropriations Committee. I've talked to the chairman about which bills would be most likely for floor action before August, and he's looking at the Veterans and Military Construction and the Transportation-HUD bills.

As the gentleman I'm sure knows, they have marked up now seven, I believe is the accurate number of appropriations bills—excuse me. I think it's nine because they marked up two today, or are in the process of marking them up today, and I expect by the end of the day there will have been nine appropriation bills marked up. They will proceed. But I think those two bills are probably the first ones that will come forward.

Mr. CANTOR. Madam Speaker, I would ask if those appropriations bills coming to the floor will be brought up under an open rule.

Mr. HOYER. Those bills, as you know, have not been reported out of committee yet and I've not discussed with the chairman his plans on how he would hope to bring those to the floor. I will be discussing it with him probably the latter part of next week, and perhaps we will have more information for you next week. Again, we expect the bills to come to the floor not next week, but the week after.

Mr. CANTOR. Madam Speaker, the gentleman mentioned the troop funding in his schedule for next week. I know originally the goal was to fund our troops by Memorial Day. That didn't happen. Then it became the goal of July 4th, and that didn't happen. I know that the gentleman and I are both committed to getting this critical funding for our men and women in uniform, and I would just suggest to the gentleman it is probably the most direct route to getting our mutual goal accomplished of getting this bill across the floor, that perhaps he and the majority ought to consider taking up the Senate-passed legislation and send it right to the President.

I can say, Madam Speaker, to the gentleman that the Senate bill does have 218 votes on this House floor, and would ask if the supplemental is coming to the House floor next week, whether that is his intention, to go ahead, take this route, expedite it, so our troops can get the money they need.

I yield.

Mr. HOYER. I thank the gentleman for his question and for his observation and for his assurances as well in terms of the number of votes we may have available for that alternative.

I say to the gentleman that it is my intention that certainly by the time we leave here that we will have made sure that the troops have the resources they need to prosecute the mission that we have given them as a Congress and the administration. There's no doubt that we will have 218-plus—a large plus, I think—of votes to accomplish that objective.

As the gentleman knows, however, we have passed a supplemental which does fund the troops. It wasn't the Senate supplemental. The House obviously has its own view on policy, and I'm sure the gentleman would want the House to prosecute its policies and redeem the majority of the House's view and try to reach agreement with the Senate.

The House acted on the supplemental before the break, including all of the President's request for troop funding, as the gentleman knows. It also included the administration's request for FEMA, Haiti, oil spill, and border security. In addition, as the gentleman knows, we added money to take care of almost 140,000 teachers and offset the additional money with spending cuts. So those were paid for. I'm hopeful that the Senate will not make significant changes to the bill that the House passed and will be able to pass that bill before the August work period begins. Again, however, I want to emphasize that I am fully committed and intend to ensure that the troops have the resources they need.

With respect to the gentleman's observation, he is absolutely correct. I was hopeful we would do it before Memorial Day, and then I was hopeful we would do it before the July 4th break. Interestingly enough, however, as we kept going along and I kept in contact with the chairman of the Defense Appropriations Committee, Mr. DICKS, as to when the funding was needed, the date kept moving. And the date that we now have, as the gentleman probably knows as well as I do, is August 7. But certainly I want to see us pass the funding for the troops and for the prosecution of the effort that the Congress has supported and the administration has set forth for our troops prior to that time.

Mr. CANTOR. I know the gentleman is in receipt of the same information that I am about the urgency now being communicated to us for the need for that money to be delivered. I would say, Madam Speaker, I probably have a little different view as to the intentions of the Senate to try and deliver on stripping out the House amendments that were attached to the supplemental bill, and would say, again, to the gentleman, House Republicans stand ready to vote in an expeditious way on the Senate-passed bill in its original form, and I look forward to being able to deliver that.

I yield.

Mr. HOYER. I thank you for that effort. We will look forward to working with you to make sure that our troops are fully funded.

Mr. CANTOR. Madam Speaker, as we're discussing the schedule for next week, I believe it's important to announce the eighth YouCut vote that will take place on the House floor next week. Over 1.3 million votes have been cast on YouCut to date at the RepublicanWhip.House.Gov/YouCut Web Site. We will vote sometime mid-week on one of five proposals selected by the people of America. The first would be to eliminate mandatory GPO bill printing, which is a \$35 million savings. Another would be to eliminate Senator DODD's health care clinic earmark in the Obama Care health care bill, estimated to save another \$100 million. Next would be, Madam Speaker, an effort to prohibit subsidies for long-distance "first class" sleeper train tickets, estimated at a cost savings of \$1.2 billion. Another, Madam Speaker, could be to reform the Energy Star program effort, which requires companies to pay for the cost of the program, saving the taxpayers \$655 million.

□ 1450

Another could be, depending on the vote and the will of the American people, an effort to prevent LIHEAP payments to fraudulent claims, an estimated savings of hundreds of millions of dollars to the taxpayer.

Madam Speaker, I would say the gentleman's party has been extolling the virtues of cutting \$7 billion from the President's \$1.2 trillion FY11 budget, \$7 billion. And I would say to the gentleman—I know we've had a lot of discussion about YouCut and the amount of money that we are attempting to cut from the Federal deficit through our program, and, in fact, at this point that total is now reaching \$130 billion. I know that many in his party have been dismissive of this program, saying that that's not real money in Washington. And I will just point out to the gentleman, if individuals on his side of the aisle think that \$7 billion reaches a significant milestone, I would say as well, \$130 billion of proposed cuts would do just as well, if not better.

So, Madam Speaker, I would like to, at this point, take a quick moment to congratulate someone who works together with our staff tirelessly behind the scenes, someone on the staff of the majority leader, Austin Burnes, who got a moment to get away from the floor prior to the recess to attend his own wedding. We wish the gentleman great success and best wishes in his nuptials.

Mr. HOYER. Will the gentleman yield?

Mr. CANTOR. I yield.

Mr. HOYER. We have a very strict leave policy in my office, but we were convinced that getting off for his wedding was an appropriate use of that leave. Austin is a wonderful member of the staff. I am very pleased that you mentioned it. He has a wonderful new bride. His demeanor has changed markedly. He is much happier, and we're all happier to work with him. So Austin, congratulations to you.

Mr. CANTOR. Well, I am told and hopeful as well there will be many more nuptials on your staff, I would say to the gentleman.

ADJOURNMENT TO MONDAY, JULY 19, 2010

Mr. HOYER. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate, and further, when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Tuesday, July 20, 2010, for morning-hour debate.

The SPEAKER pro tempore (Ms. CHU). Is there objection to the request of the gentleman from Maryland?

There was no objection.

THIS YEAR'S DEFICIT SURPASSES \$1 TRILLION

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERGER. Madam Speaker, the Federal deficit has topped \$1 trillion, and there are still 3 months remaining in the fiscal year. Spending is out of control, and the President and Democratic leadership have shown no sign of slowing down. Americans are still asking, Where are the jobs? Unemployment stands at near 10 percent nationally, and the administration's massive spending increases are harming the small businesses that are so crucial to our job creation. President Clinton's former chief of staff has said, "The debt is like a cancer . . . it is going to destroy the country from within."

Madam Speaker, we must reject Big Government and embrace fiscal responsibility and the pro-small business policies that have guided our Nation out of troubled times in the past.

PROTECTING FLOODWAY PROPERTIES

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Madam Speaker, thank you for your leadership; and, as well, I appreciate very much the debate that this House had just a few minutes ago about H.R. 5114, the Flood Insurance Reform Priorities Act of 2010. I rise to support that legislation and, specifically, to discuss an issue that really impacts all Americans.

An amendment that I crafted, a very effective amendment, would have prohibited States and local governments from misusing new Federal flood insurance program requirements to disadvantage businesses and homeowners in any way, meaning, to take their property away because they have misinterpreted the Federal laws as to whether or not your home is in a floodplain or in a floodway. Those of us from the gulf understand that very well.

Unfortunately, under Federal law, it is often misinterpreted by State and local officials, resulting in unintended consequences in many communities across this country. For example, in the White Oak community, 2,400 homes were being violated because a local government was misinterpreting whether or not these particular individuals could stay in their homes. Their values plummeted.

I am going to continue to work on this legislation going forward to ensure this language gets in the bill and that we fight to protect homeowners once and for all.

CELEBRATING HOWARD, PENNSYLVANIA'S BICENTENNIAL

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today as a lifelong resident of Howard, Pennsylvania, to honor its bicentennial.

Howard, albeit a small community of almost 700, has an extensive history dating back to its settlers in the late 1700s. It was officially formed by the Centre County Court in 1810 and named after English philanthropist John Howard. Howard features several historical structures, such as its post office built in 1828, a Methodist church dating back to 1843, and houses from 1810.

In the 1820s, Howard experienced growth due to industrial interests, as companies such as the Howard Iron Works attracted settlers. The first store in Howard opened in 1829, and the town was also known for its Woolrich factory during the last century.

I recently participated in the celebratory parade, which was followed by evening fireworks. The sense of community is great in Howard. Seeing residents come out and celebrating our history truly is wonderful. Our small size fosters a rare connection among the residents, store owners, and all government levels, and we are proud of this friendship.

I hope to see Howard continue to prosper through another 200 years. It's a great town and a welcoming place to live.

Congratulations to Howard and its citizens on its 200th anniversary.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

STAFF SERGEANT JESSE AINSWORTH—UNITED STATES ARMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, it's with great pride but a heavy heart that I honor a fallen son of Texas tonight, a United States Army soldier from my Second Congressional District.

Staff Sergeant Jesse Ainsworth gave his life fighting terrorists on a battlefield in a far, faraway, desolate land near Kandahar in Afghanistan on July 10, 2010. He died from injuries caused by an IED, the weapon of terrorists, those cowards that hide in their holes in the rugged deserts and come out like rats at night and plant roadside bombs to kill Americans, women, and children.

□ 1500

This is Jesse Ainsworth. He was 24 years of age. He was an American warrior, and he was born in Texas and Jesse was an all American boy. He loved to hunt and fish in the woods near his home in Dayton, Texas. And after attending Dayton High School, he joined the United States Army.

He was a team leader with the 1st Squadron, 71st Cavalry Regiment of the 10th Mountain Division out of Ft. Drum. Jesse served two combat tours in Iraq before deploying to Afghanistan. And, Madam Speaker, he re-enlisted after his second tour of duty in Iraq and then that is why he went to Afghanistan.

Yesterday, I talked to Jesse's mother, Margeret Hutchins, and she said a lot about her son. They live in a little small community called Kenefic, just outside of Dayton.

Jesse was Margeret's only son. And Margeret said Jesse was her hero. She said she used to pick him up when he was a little kid from kindergarten, and every Friday they'd go to Wal-Mart and buy some toy for him. She said ever since Jesse was an itty bitty fellow he wanted to be a soldier in the United States Army.

And the last time she talked to him, Jesse said he was setting up camp out in the middle of no place in the middle of the desert. And he asked his mother to send him, in the next care package, a Big Red soft drink and some Copenhagen chewing tobacco in that care package. Jesse was all Texas.

Jesse loved the Army, he loved his country, and he loved being a soldier. He was doing what he wanted to do. He was an Army man.

All of the flags in the small town of Dayton, Texas, are flying at half mast this week. There are signs all over this town of just 5,000, handmade signs, electronic signs throughout the community honoring Jesse.

The services will be held on Saturday at the Dayton Community Center, and the whole town will turn out to honor their native son and honor his family.

Jesse is survived by his wife, Sarah; their 6-month old daughter, Lanna Rose; and his daughter, Lexie, who is three; Jesse's mother, Margeret; and stepfather, Wesley; and Jesse's two sisters, Rebecca and Shane.

Jesse will then be buried at the Veterans Memorial Cemetery in Houston, Texas.

All of his fellow soldiers gave some, Madam Speaker, but Jesse Ainsworth gave all in his defense for freedom.

Our brave troopers go to war defending freedom and liberty in faraway lands. In the dark, cold desert night and the parched, insufferable desert heat, these brave warriors pay with their blood and sacrifice for freedom and liberty and for America.

They sanctify with their blood lands they have never seen, and they fight for people they do not know.

Madam Speaker, I have a recent photograph of Jesse. Here he is in Afghanistan with an Afghan farmer. You see, that's what our American troops are doing. They are the greatest ambassadors for freedom and liberty and the American way in the world. And here they are, here Jesse is with a person in Afghanistan, a nation that Jesse and his fellow troopers are liberating.

Patrick Henry once said, "The battle, sir, is not to the strong, it is to the vigilant, to the active, to the brave."

Madam Speaker, those words still ring true today, and our American soldiers carry those values into battle because they are "Army Strong." Jesse Ainsworth was such a soldier and a family man. He was that hero who has given his life to something bigger than himself.

So when we gather Saturday to honor this fallen American, Jesse's flag-draped coffin will be carried by the Honor Guard. The old war horses of the Patriot Guard, those motorcycle riders made primarily of Vietnam veterans, they will stand vigil over this beloved family and over their sacred fallen brother carrying American flags.

The rifles will fire the 21-gun salute, and the bugle will sound taps for the last time as the name of Staff Sergeant Jesse Ainsworth is placed forever on the hallowed roles of those who have given their lives defending American freedom and liberty. He will be surrounded by his family for the last time, and the war will be over for Staff Sergeant Jesse Ainsworth. But the war will never end for his family.

It has been said what we have done for ourselves dies with us. What we have done for others and the world remains and is immortal.

Staff Sergeant Jesse Ainsworth is that rare breed, that American breed that lived and died for something bigger than himself. And today we honor his life and his sacrifice.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

(Mr. HOYER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### NEW GENERAL, SAME WAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, after General Stanley McChrystal was relieved of his command last month and replaced by General David Petraeus, we read a lot of headlines that said things like this: "Generals Change, But Afghan Doesn't." "Afghan Policy Won't Change After Dismissal."

But that is precisely, Madam Speaker, the problem. All the chatter about General McChrystal's indiscretion and firing obscured the critical point. The problem isn't with the personnel or the leadership, but with the strategy and the policy. The problem isn't with the generals, but with the war itself.

There's a bit of a rearranging-of-the-deck-chairs-on-the-Titanic quality to all of this. No matter what the captains say and no matter who captains the ship, as long as we continue to prosecute this failed war, as long as we keep sending Americans to die on a mission that's doing nothing to defeat terrorists or stabilize Afghanistan, then we are headed straight for that iceberg.

The more troops we deploy, the more violent Afghanistan becomes and the more Taliban grows its ranks. Unless General Petraeus is prepared to change that, then this change at the top doesn't amount to very much.

If General Petraeus' appointment leads to any change at all, it may not be the kind of change we should be enthusiastic about. In his confirmation hearing, General Petraeus refused to take ownership of the July 2011 troop withdrawal deadline, stating very clearly that he did not recommend such a date to the President, nor did anyone else in uniform. And he once again equivocated about July 2011, calling it the beginning of a process, which sounds an awful lot like a diplomatic way to say he doesn't believe in it and will ask the President to extend it.

He also added in his testimony, and I quote him, he said, "The commitment to Afghanistan must be an enduring one." And on that point, Madam Speaker, I couldn't agree with the general more.

□ 1510

But an enduring commitment doesn't have to be a military commitment. We need an enduring civilian commitment, a smart security approach that invests in Afghanistan infrastructure, bolsters Afghan education, fights Afghan poverty, invigorates Afghan democracy, and much more. But we can do it without combat troops occupying the country, without the military footprint that has earned us more enemies than friends.

Madam Speaker, eight Americans were killed during a 24-hour period in Afghanistan early this week. We've had 35 fatalities already in July, putting it on track to be the deadliest month of the entire war. We are losing our people, we are losing our money, we are losing our credibility without advancing our goals. That has to end. It's time to bring our troops home.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### AKC PROJECT 7-4

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Madam Speaker, on July 8, I had the privilege of visiting the American Kennel Club in Raleigh, North Carolina, where care packages were being prepared to be sent to our K-9 units overseas. The effort is called Project 7-4.

Project 7-4 is an effort to help the United States War Dog Association collect much-needed supplies for both dogs and their handlers to send over to our active duty dog teams in Afghanistan and Iraq. It was very touching for me to see all the boxes being prepared by people who care so much. I was absolutely amazed by everything I saw that day at the American Kennel Club in Raleigh, North Carolina.

Last year I had the great opportunity to watch some of these valuable dogs being trained at Lackland Air Force Base. Lackland is the center for all the training of all these dogs that help our men and women in uniform.

Through the years that I have been in Congress, I have had the pleasure and honor to talk to many military dog handlers, some that go back to the Vietnam War, some to Desert Storm, and certainly many who have been in Iraq and Afghanistan. These dogs are so valuable because they are trained to sniff out the IEDs that kill so many and maim so many of our wonderful men and women in uniform.

These dogs themselves many times are wounded, and many times killed. But as I had a soldier tell me one time, Yes, it breaks my heart. This has become my friend, this has become my buddy. But you know what? My buddy is willing to give his life for me so that I can continue to serve this Nation.

I bring that story forward, Madam Speaker, because these dogs are truly heroes, these dogs are truly valuable to the national security of our country. And I have beside me a poster that has the dog named Lex. Lex is looking at the headstone of his master, Marine Corporal Dustin Lee, who was killed by

a rocket-propelled grenade in Iraq. He was a dog handler, and this was his friend, his dog Lex. Lex himself has shrapnel in the back. And the family, the Lee family, wanted so badly to have Lex, since they gave their son up for this country. And I want to thank Mike Regner, United States Marine Corps, for helping this become a reality. Madam Speaker, when Dustin was killed and Lex was wounded, the Marine Corps told me that they found Lex laying next to the body of his master.

War dogs have been used in every war throughout history. There are currently between 500 and 700 dog teams stationed in the Middle East. This is not a new concept, but it is time that these dogs and their handlers are acknowledged for their sacrifice to this country.

I would like to thank the United States War Dog Association for all they do and for helping the American Kennel Club with this tremendous effort. I also encourage anyone who would like to donate to this effort to contact the American Kennel Club or United States War Dog Association. Both dogs and handlers are in need of basic daily items that we all take for granted.

Madam Speaker, as I begin to close I would like to ask God, as I always do on this floor, to please bless our men and women in uniform, ask God to please bless the families of our men and women in uniform, ask God in his loving arms to hold the families who have given a child dying for freedom in Iraq and Afghanistan, and ask God to please bless the House and Senate that we will do what is right in the eyes of God, and ask God to give wisdom, strength, and courage to President Obama that he will do what is right in the eyes of God for the American people.

And I will close by asking three times, God, please, God, please, God, please continue to bless America.

#### DECLARE VICTORY IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. As you can see, there are untold stories of valor on the front lines of war around the world. We can be very proud as Americans of the resilience of our men and women in the United States military and those valiant animals who stand by them and the support that families have given to them.

I stand here as a proud American not out of arrogance, but simply out of recognition that we are the front-liners for peace and democracy. I had the privilege of spending the last week in Afghanistan, not closed in in a small room, but traveling throughout the country, visiting with our commander on the ground, visiting with the inter-

national allied forces, being briefed and seeing in action the Afghan National Security Forces, meeting the leadership of the Afghan Government in Kabul, going down to Kandahar and being out on a command post and a check site that was engaged with Afghans on the highway. I got a sense of a country—of which I chair the Afghan Caucus in this Congress. And I want what is best for people who are striving for democracy and freedom.

I want to say to my colleagues that I stand here asking us to do what we did not do in Vietnam, which was to recognize the valiant and outstanding service of our men and women, and to understand victory had been achieved. Today we have two Vietnams side by side, North and South, exchanging and working. We may not agree with all that North Vietnam is doing, but they are living in peace. I would look for a better human rights record for North Vietnam, but they are living side by side because that was a civil war.

And because the leadership of this Nation did not listen to the mothers and fathers who bore the burden of 58,000 dead and did not declare victory, the mounting deaths, the violence continued going up and up. Rather than understanding the political nature of the war in Vietnam, we did not listen to those families. So we mourned. But I say today they were valiant heroes, proud of them, although fallen, and proud of those who lived.

As I look back on Afghanistan and the past week, I will say to you that it is time not out of defeat, but it is time in victory to return home. Our soldiers can come home in victory, for not one more treasure should be cast in this war that is a civil war. Al Qaeda is not present in Afghanistan. And we have the opportunity to cast over to the Afghan civilian government, which is now working to build up the Afghanistan National Security Forces, which we expect to be some 300,000 strong over the next couple of months, national police, and national army, trained by the brilliance of our young men and women.

We understand the military says the job is yet not done, conditions on the ground. Conditions are movable. They are always changing. What you have to look at is whether you have a government that has the resolve to lead itself. President Karzai must stand against corruption, he must fight to eradicate the poppy crop, he must stop the bribery so that farmers can get their products to market. That is a civilian challenge. That is a challenge of the Afghan people. He must get electricity with the money that has been given to him down in the south.

But to go into the NATO hospital, or to go into a hospital in Germany, to see the brutality of the IED injuries, to see the lost limbs—we have claimed victory. We have provided an opportunity for President Karzai to lead.

□ 1520

And so I'm a proud American; again, not standing here in arrogance, but for the sacrifice of the reservists and others who have come and the full-time military willing to stay as long as the civilian leadership of this country demands that they stay.

And so I say to the moms and dads and families who've sacrificed their loved ones both in terms of those who now serve us and those who have fallen in battle, we cannot thank you enough. And none of us can mourn as you're mourning if you have lost a loved one. But we can say "thank you" by bringing our troops home with a hero's welcome, something we have not done probably since World War II.

It is time to bring our troops home, to declare victory, and to thank them for being heroes, not only of America but for this world, in the name of peace and freedom.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### ARIZONA CRIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. POLIS) is recognized for 5 minutes.

Mr. POLIS. It should be common sense that with the limited dollars we have in law enforcement, diverting those law enforcement resources to hunt down immigrants detracts from our efforts to combat violent crime. However, believe it or not, some supporters of Arizona's new immigration law actually claim that it's a crime-fighting measure.

That overlooks a basic point: Crime rates have already been falling in Arizona for years despite, or perhaps in part because of, the presence of immigrants. This was once again proven by a recent study conducted by America's Voice, which documented the change in violent crime levels in various Arizona police jurisdictions from 2002 through 2009.

As you can see, crime is down in Arizona, the purple line. In fact, the only jurisdiction in the study where crime increased was in the part of Maricopa County under the jurisdiction of the incompetent sheriff Joe Arpaio, who's famously used anti-immigrant policies to advance his political agenda at the expense of keeping his communities safe.

From 2002 to 2009, the crime rate in Maricopa County increased 58 percent

while the State as a whole averaged a 12 percent decrease. Compare that 58 percent crime increase to other localities of Arizona that did not use the immigrant-bashing approach. In that same time period, Phoenix enjoyed a 14 percent decrease in crime; Tempe, a 26 percent decrease; and Mesa, a 31 percent decrease—communities dealing with the same types of immigration issues as Maricopa County and yet communities that, during the same period of Sheriff Arpaio's tenure, decreased their crime rate.

Why? In recent years, local law enforcement communities have increased, successfully, community policing efforts, which includes establishing relationships with immigrant communities to fight crime. These efforts are part of the reason why crime is dropping in Arizona. And Senate Bill 1070 threatens to undo that process. That's the reason the Arizona Association of Chiefs of Police, the Yuma County Sheriff, Mesa Police Chief, and many other law enforcement officials nationally are opposed to the new Arizona law, Senate Bill 1070, which will stretch local police forces and hinder law enforcement's ability to obtain critical information on criminals.

Anti-immigrant laws like Senate Bill 1070 will lead to a crime wave across Arizona and across the Nation, and we see the evidence right here in Sheriff Arpaio's own district.

In my home district of Colorado, the chief of police of Boulder County, Chief Pelle, has been an outspoken leader on this front. He's criticized the Arizona law because it threatens successful community policing efforts that have been implemented in my district and across the Nation.

Misguided laws like Senate Bill 1070 will increase crime. Only comprehensive immigration reform can address this issue, and only Congress has the power to pass it. We need to pass tough, fair, and practical reform that will secure our borders, crack down on employers who hire immigrants illegally, require all immigrants here illegally to register with the government, pass a security check, pay taxes, and learn English.

I call on Congress to fix our broken immigration system now. No one from either side of the aisle thinks that the status quo is working for our country. It's time to stop playing politics with an issue that should have been addressed long ago. We must pass comprehensive immigration reform immediately.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HONDA) is recognized for 5 minutes.

(Mr. HONDA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4173) "An Act to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end 'too big to fail', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes."

#### OIL DRILLING NEEDED IN GULF OF MEXICO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. BRADY) is recognized for 60 minutes as the designee of the minority leader.

Mr. BRADY of Texas. Madam Speaker, the spill in the gulf coast has produced an environmental tragedy, and obviously losing the lives of 11 American workers has been devastating for the families. Our prayers are with them.

The gulf coast right now, the priority of America has to be stopping the oil from gushing, and it seems to be making progress there, protecting our beaches and marshes. But we have a new threat to the Gulf of Mexico and America, especially its workers, and this is the White House's moratorium on drilling in the Gulf of Mexico.

According to the Federal courts, the moratorium has been stayed. It was overly broad without much scientific basis. It didn't result in anything more safe or secure for the gulf. But nonetheless, the Secretary of the Interior has issued a new moratorium, thumbing his nose at the courts and really creating a broader moratorium that has stopped drilling in the Gulf of Mexico.

The impact of this is that American rigs are leaving the Gulf of Mexico, and U.S. jobs with it. Capital will soon follow and, ultimately, if the moratorium is allowed to go its full 6 months until the end of the year, we will see a significant, severe dismantling of America's energy infrastructure, future higher gas prices, and we will be ceding more of our energy independence to Middle East and foreign oil.

The truth of the matter is, today, the Gulf of Mexico has been extraordinarily safe to explore for America's traditional energy, our oil and gas. Over 50,000 wells have been drilled in the Gulf of Mexico. This is the first major spill. Over 14,000 deepwater wells have been drilled around the world. This is the first major spill. And just as you don't stop all automobile production because there is a problem with one model, the White House, unfortu-

nately, has stopped all energy production in the gulf because of the disaster with British Petroleum. And the impact on our jobs and our economy is severe. They are laying off workers today. Small businesses are struggling to survive. Rigs are being deployed overseas.

Joining me today to talk about the impact to this economy is Congressman JOHN CULBERSON of Houston, as well. He and I were in a roundtable last week with a number of our small, midsize, independent businesses who are already laying off workers and re-deploying resources as a result of this terrible moratorium that unfortunately is turning an environmental disaster, making it worse by creating an economic disaster, not just in the Gulf of Mexico but one that will reach throughout the United States.

So I yield to the gentleman from Texas, Mr. JOHN CULBERSON.

Mr. CULBERSON. Thank you, Mr. BRADY. Thank you for the invitation, for putting together the roundtable with industries in the Houston area who are part of the oil and gas industry.

We, in Houston, know that our city is to the energy industry what Silicon Valley is to the computer industry, and there are jobs, not just throughout southeast Texas and Louisiana but throughout the Nation, that are dependent on the oil and gas industry. We, as a Nation, are dependent upon the oil and gas produced in the Gulf of Mexico for—I've seen numbers as high as 80 percent of the oil that the United States—where does that 80 percent number come from, KEVIN, of the oil and gas produced in the Gulf of Mexico? What percentage of the oil and gas consumed by the United States comes out of the Gulf of Mexico?

Mr. BRADY of Texas. I think we probably produce about 30 percent. Much of the specialty oil is for jet fuel and a number of our fuels.

Mr. CULBERSON. That's what I remember. The jet fuel is particularly vital.

And, KEVIN, we found out in the roundtable you held in Houston last week, as you said, jobs are being lost as we speak. We, as a Nation, are going to lose those jobs permanently. The infrastructure, the rigs themselves, particularly the semisubmersible floating rigs, are tremendously expensive to operate and maintain, and they are already leaving.

KEVIN, what did we learn? What did you hear about what's happening to these offshore rigs? Where are they going if we don't reverse this moratorium and stop it?

Mr. BRADY of Texas. Already, Diamond Offshore's announced that the first rig is leaving the United States for Egypt. They are already leaving, planning to leave others for West Africa, the Middle East, Brazil, and those points. And as they made the point, these rigs, you have them for a limited amount of time. They are well sought

out for around the world. And when they leave, they don't come back for years.

And with them are our energy workers, the companies that support them, American businesses that sell to them and ship to them and provide those services. And as we know, the rest of the world, including state-owned enterprises in China, is now aggressively swooping in to bid for these rigs which, again, takes away our jobs and our prosperity.

□ 1530

Mr. CULBERSON. Once they're gone, those rigs will be almost impossible to bring back to the United States. The world's appetite for oil is going to continue for some time. All of us are committed to an all-of-the-above energy policy that encourages development in the intermediate term of alternative energy sources and the longer term, developing innovative new technologies like the quantum wire project, the extraordinary promise that carbon nanotubes hold for transmitting electricity ballistically. There are so many new technologies that we have as a Nation great opportunity, great promise to invest in, but that's down the road.

Right now, it is vitally important for our Nation's strategic security that we continue to find and develop every natural resource we can here in the United States. The Gulf of Mexico, our offshore waters has produced so much of this Nation's oil and gas.

We're joined by our good friend Mr. SCALISE from Louisiana; and since as the one controlling the time, if I could call on Mr. SCALISE to verify, as I've heard it, 99.99 percent of the oil produced in the offshore waters of the United States has been produced cleanly, safely, without an incident, and this is the very first incident of its kind. Tragic and catastrophic as it is, it is the very first. It like an airplane falling out of a clear blue sky, and you would no more ground all aircraft if a plane fell out of the sky for no good reason than you would shut down all drilling.

And I would like to ask Mr. SCALISE to join us and talk about the safety record of producing oil and gas safely and cleanly in offshore waters of the United States.

Mr. BRADY of Texas. I would like to yield to the gentleman from Louisiana who has been a leader on this effort both in trying to compel the Federal Government's response to local and State communities and to keep and protect their beaches and marshes but also to try to stop our energy jobs, our families in the gulf area that have been hurt from being hurt further.

I yield to Congressman SCALISE.

Mr. SCALISE. I thank the gentleman from Texas for yielding. I thank both of my colleagues for talking about this important issue because right now as we're battling what is already a human tragedy with eleven deaths, an environmental tragedy, probably the worst in

the country's history, we're trying to battle to keep the oil out of our marsh and our seafood beds and the estuaries where the pelicans nest. We're also now fighting a new battle and that's an economic battle against this moratorium on all energy exploration in not only deep water but shallow water, which is going on.

So what we've been trying to point out is that, in fact, if you look at the safety recommendations that were made by the President's own scientific panel right after the explosion of the Deepwater Horizon, the President assembled a team of scientists, engineers, experts that he picked—we didn't pick, he picked—to come back with a 30-day safety report, report on how to improve safety on the rigs and recommendations on drilling.

In fact, they came back with those recommendations. The interesting part was that many of the recommendations that they came back with are things that are already being implemented out there in the gulf by companies who have a safety record that is much different than BP, companies that have been in even deeper water. The Deepwater Horizon was in 5,000 feet below the surface. There are companies drilling in 10,000 feet that haven't had any problems because they do follow a different set of safety standards. In fact, they have a very high bar for safety.

As you were talking about, over 2,500 wells have been drilled in the deep water, many more, over 50,000 all across the gulf, but over 2,500 wells in the deep water, and yet this is the first time you've had an incident like this. And it's because the companies that are out there, unlike BP, have a different safety approach and haven't cut corners and haven't done the things that led to this disaster.

So as we're trying to find out what went wrong, we already know many of the things that went wrong and what needs to be done to stop it from happening again, not by reinventing the wheel, but actually going and looking at those companies who are already doing it the right way.

And, in fact, that's what the President's group of scientists came back with in their safety report. So we embrace those safety changes that were recommended that most of the industry is already using; but another thing that the President's commission said was the majority of those members said they oppose this moratorium on drilling, and they did it for a number of reasons, but one of the things they point out that's been interesting and hasn't been talked about in this whole debate is, it's not just all the loss of jobs, because there's a tremendous loss of jobs, over 40,000 good, high-paying jobs in Louisiana alone, and I know in Texas it's an even bigger number.

But they point out, the scientists the President appointed said that it would actually reduce safety in the Gulf of Mexico by having a moratorium. Whereas, the Secretary of the Interior

tries to call it a pause, he says, we'll just do a 6-month pause, and if there's some magical pause button you can press and then take your hand off 6-months later and the industry magically reappears. The industry will not magically reappear.

What's already happening today is companies are leaving the Gulf of Mexico to go to foreign countries: Brazil, West Africa, many other nations that are competing for these very scarce resources. You have 33 deep water rigs, many of these are assets of half a billion to a billion dollars each, and their operating costs are half a million dollars a day to a million dollars a day. They can't just afford to sit idle.

So what they're doing is they are starting to lay off employees, starting to move to foreign countries, and what that does, number one, it makes our country less safe because it reduces America's energy independence. Our demand for oil in this country hasn't dropped, and I want to support all the alternatives in wind and solar and nuclear, everything, all of the above, but in the meantime our demand in this country hasn't dropped for oil. And so as we reduce the supply by maybe 20 percent, that means we're importing more oil from foreign countries who don't like us.

And how does that oil get here? It doesn't magically appear. It has to come in from supertankers and these big barges that bring in the oil, and 70 percent of all spills of oil come from tankers, not from the drilling. So you have actually increased the likelihood of spills.

But the other side of that is why you also reduce safety is your most experienced crews, your most safe and technologically advanced rigs are the ones that leave first. So you lose your rigs, you lose the experience of those 10- to 20-year employees, people that understand drilling better than anybody in the world. They're not going to sit around idle for 6 months collecting unemployment as the President suggested. They're going to go find work somewhere else, maybe they're going to go to these other countries and so we lose all of that experience. And if you then 6 months later remove your hand from some mysterious pause button, you don't have an industry left and we don't have any experience left; and if you start drilling, you're doing it with people without experience, without those new rigs.

So it poses tremendous damage, not only economically for the jobs lost, but it also poses safety challenges and safety problems by having this pause, as the President calls it, on drilling. It's a horrible policy. It is making our country less energy secure, and it's creating a bigger dependence on Middle Eastern oil.

Mr. CULBERSON. If I could, I want to visit with you because you are so knowledgeable about this. The States of Louisiana and Texas, as you know, have played such a vital role in producing oil and gas offshore.

You serve on the Energy and Commerce Committee, and I wanted to ask, isn't it true that the committee, your committee, other committees of Congress, have come to no conclusion as to the cause of this accident, and even though we don't know what caused it yet, the President's imposed a blanket moratorium, shutting down all drilling; is that correct?

Mr. SCALISE. It's correct that there is not a final report. There are a lot of groups out there doing investigations. The Federal Government is, private institutions are, a lot of different investigations are going on as there should be. But we know many of the things that caused the problems on that rig on the Transocean-BP Horizon, and in fact, they were preventable. And that's the sad part of this is that this was a preventable disaster; and if you look at what the companies do that are in deeper waters, that don't have the safety problems BP had, it's because they do things the right way, a much safer way, and that's what we should be following.

We should go and look to what the President's own safety commission came back with. Unfortunately, the President, when he got that 30-day report back from his scientists and engineers, it didn't give him I guess the results he wanted. It didn't suggest a moratorium, and he just wanted to do one anyway. So he threw away the science and trumped science with politics, and that's a sad state of affairs for our country to be in where we're ignoring science that actually recommends the right way to go for safety, and the President chose a path for a less safe approach that actually throws jobs away and makes our country more dependent on Middle Eastern oil.

Mr. CULBERSON. Which his own commissioned opposed and which flies in the face of the record, tremendous record of safety and cleanliness of producing oil and gas offshore in the gulf. Again 99.99 percent of all the oil and gas produced in offshore waters of the United States have been produced cleanly, safely, even during giant hurricanes, when there were underwater landslides in the gulf. In particular, I remember Hurricane Ivan, which caused underwater landslides and severed oil pipelines underneath the Gulf of Mexico. There were no leaks. They have got a tremendous record of safety because they follow guidelines. All of these rigs as a rule follow the guidelines of the IPAA. The Independent Petroleum Association of America has safety guidelines that are followed by offshore drilling rigs.

□ 1540

They have got a tremendous record of safety. I am not sure of any other energy industry that has got a better safety record than the oil and gas industry, other than perhaps the nuclear industry. This catastrophic tragic accident is one we need to obviously make sure doesn't happen again, but not in such a blanket, destructive way.

Mr. BRADY of Texas. Well, this moratorium's impact on our economy is greater than most imagined. It is not just along the Gulf Coast. But imagine, if you will, you have at this point both the 33 deepwater rigs that are now idle, leaving America, along with our American workers and our American vendors, but in the shallow waters, which has even a more sterling record of safe and secure exploration, which now is also idle because the Interior Department is not providing permitting in any timely fashion at all. So those rigs are going away, those workers are going away, and that impact is deep.

On any one of those deepwater rigs, you have got at least 1,500 workers tied directly to the rig, Congressman CULBERSON, and more beyond that. Each rig may have 1,000 vendors supplying and servicing it, vendors throughout the United States. I am going to talk about that in a few moments with a map we have here on the floor as well.

These companies are not the big companies. These are family-owned businesses, small and medium-sized businesses. They are already starting to lay off workers. They are already redeploying, as I think Halliburton and Schlumberger, or Halliburton Baker Hughes said they have already been forced to relocate some 4,000 jobs. And offshore development impacts at least 170,000 jobs, all of which are at risk with this moratorium.

As small businesses have told us, who said, I have already laid off 20 percent of my workforce. Next week I lay off 50 percent of my workforce. What small business in America, what industry, can hope to survive without six months of its revenues?

Mr. CULBERSON. That is a key point.

Mr. BRADY of Texas. The answer is none. Maybe the big guys can, but most companies cannot. So at a time when we have almost 10 percent unemployment, people are desperately looking for work, here we have a White House policy that puts at risk 150,000 good-paying American jobs or more that will impact every State in the Nation.

By the way, Congressman CULBERSON, there have been studies that talk about what the impact is in various areas. If you think about it, the average salary in the Gulf of Mexico for petroleum-related workers is almost \$118,000, average annual salary. Some of those are roughnecks, those who may not even have a high school education, who are getting \$70,000, \$80,000 salaries. It is a tough job. It is hard work. But it not only produces fuel to drive America's prosperity, but it gives them an opportunity to raise their family, to live the American dream, to put their kids through college, to own their own home. Those jobs are now at risk.

And who is fighting for them? It seems to me the White House, so far, and I hope it changes, has a deaf ear to

these American workers. These are U.S. energy workers. There are more than 2 million of them around America. But with this moratorium, as the rigs leave, as the jobs go, as our vendors and small businesses go as well, many of those are not coming back for years. And with it goes the capital, the funding from companies who have to decide soon whether they put money into exploring in the Gulf of Mexico or over in Brazil or West Africa or somewhere else around the world.

Also with the rigs and capital and jobs goes our brain power. We worry about a brain drain of America's best and brightest, energy research and workers that will go. And then ultimately when that leaves, the energy headquarters leave as well, which in many communities along the Gulf of Mexico, make up such a big part, good-paying part of our economy.

So this moratorium, the refusal to allow permits, sort of the tin ear on allowing these safe wells to go back to work, is having a devastating impact.

I have invited, and I know you support this, I have invited President Obama to come to Houston, Texas, to meet with our energy workers, those whose jobs have been lost or are at risk. Just as he has visited every State along the Gulf, come to Texas to see the economic spill of his policy, the economic devastation that is beginning, and can be changed and can be averted, not by stopping a well from gushing, but by stopping bad policy, overly broad, that costs U.S. American jobs throughout the country, raises energy prices, makes us more dependent on countries that frankly don't care much for us.

I yield to you, congressman.

Mr. CULBERSON. Congressman BRADY, I know you have seen, as I have, these countries where these rigs are going overseas. The companies themselves also have got high standards. They are going to maintain a safe, clean environment for their workers and produce oil as safely and cleanly as they can.

But common sense tells you, where are they going to have better, cleaner standards for producing oil and gas: In Indonesia, or off the coast of Louisiana and Texas? Where are the standards going to be better to protect the environment: Here in the United States or in a Third World nation where they are not as concerned with protecting the environment as we are here in America?

I had a chance to work on offshore rigs in the summers in college as what is called a mudlogger, sort of a well-side geologist. It was great work. These are great jobs. I had a chance to experience it firsthand and see the level of commitment of these men and now women that work on the rigs and in the offshore industry that know better than anybody how to make sure a well doesn't blow out.

No one has a greater stake in protecting the safety of their workers, in

protecting the environment, in producing oil and gas safely and cleanly, than the companies themselves. The liability that they are exposed to is immense. They care deeply about the safety of their workers.

The rigs that I worked on offshore were both jack-up rigs and semisubmersible rigs. And this was in the late 1970s and 1980s, right before the bottom dropped out and oil got so cheap and a lot of the service companies disappeared because of the price of oil declining so rapidly. But the technology today is so amazing that we are enabled to drill at the depths that the Deepwater Horizon was drilling in, Congressman BRADY.

I have to wonder as a conservative, as a Texan, watching this administration not let any crisis go to waste, and remembering, as I do, Congressman BRADY, when last summer or the summer before the last election, that Speaker PELOSI and this liberal majority had shut down all offshore drilling in the United States.

And you remember when the Congress adjourned in the summer of 2008, KEVIN, I remember you coming on to the House floor with your suitcase. Remember we stayed down here and kept talking to force the Speaker and this liberal majority to lift the moratorium on offshore drilling. We stayed down here and talked to the gallery. We used our social media devices to talk to the country on Twitter and Facebook and Quick.

The country responded. The Nation supports, the Nation understands the importance of producing American oil and gas. The country supports drilling in offshore waters, continues to support drilling in the offshore waters of its United States. Despite this catastrophic, terrible accident, the Nation understands that this is an anomaly, that this is something that does not happen, it has not happened in all the many years that we have been producing oil and gas in the offshore waters of the United States.

And that last summer, that August of 2008, Congressman BRADY, when the House had adjourned and we stayed down here and kept talking, ultimately we forced the leadership of the House to reverse its position and withdraw temporarily their ban on offshore drilling. Yet as soon as this administration actually gets back in place and the first chance they get when they have a catastrophic accident offshore, what do they do, in opposition to the recommendation of their own commission? Without knowing the exact cause of the accident, they impose a blanket moratorium, stopping all drilling.

It literally is as though you stop all airplane flights when a DC-10 falls out of the air in the clear blue sky, a catastrophic, terrible accident. But it is a particular type of aircraft, and you would want to find out what caused that particular type of aircraft to fall out of the sky.

Instead, this administration's knee-jerk reaction, taking advantage of this

crisis I believe to achieve their bigger, their long-term goal as liberals to shut off as much domestic oil and gas production and exploration as they can, they have imposed this moratorium, so destructive, so shortsighted, so damaging, not only to the economy of the Gulf Coast States, Congressman BRADY, but to the Nation, driving up the price of oil and gas, driving up the price of gasoline, driving American jobs overseas, driving these rigs overseas where the wells will be drilled in areas of the world where they do not have the concern, they do not have the restrictions on protecting the environment that we do here in the United States.

□ 1550

The liberals are so obsessed with stopping all drilling in the United States I believe, that's where this moratorium comes from, and we, the American people, understand how shortsighted and how destructive it is.

In fact, one other aspect that we need to be sure to educate people about, Madam Speaker, as a part of the overall policy of this Congress, this liberal majority in Congress, that we talked about earlier today, Congressman BRADY, is the effort of this Congress to prohibit fracturing of formations. There is this general direction of the Obama administration, under the Obama-Pelosi regime, to shut down as much domestic oil and gas production and exploration as they can. They even want to make it illegal to fracture formations, which would devastate the production of natural gas in the United States.

In fact, Congressman BRADY, I see here on the USGS Web site, when you look up how much recoverable oil is available in North Dakota and Montana's Bakken Formation, the U.S. Geological Survey estimates that the Bakken Formation has an estimated 3 to 4 billion barrels, quoting, of undiscovered technically recoverable oil in an area known as the Bakken Formation. Yet if this majority has its way, they would prohibit fracturing thousands of feet deep, far below any fresh drinking water, fracturing those formations and allowing us to get access to that recoverable oil and gas.

This moratorium on offshore drilling is devastating to the gulf, damaging to the Nation, but part of what I see, a larger pattern of behavior by this administration, by this Congress, until we can replace them come January, to shut down all domestic oil and gas exploration.

Is that consistent with what you are seeing and hearing?

Mr. BRADY of Texas. The cost of the drilling moratorium in human lives and jobs, the impact on people's lives and families, is devastating. We face other immediate threats to America's energy future within the next several weeks: The Blowout Prevention Act, through the efforts of Congressman JOE BARTON and others, working with Con-

gressman HENRY WAXMAN and others, I think has become a more manageable or acceptable bill. A real concern still exists. The Oil Spill Accountability Act, which will stop exploration in America's gulf; energy taxes that will force, or really drive U.S. energy jobs to other countries. All of this will have a huge impact.

Can I talk for a moment, though, about the lives that are already being affected? We know that the lives of those 11 workers that have been lost, praying for their families and their recovery are a top priority for us. Stopping that spill from gushing further. Protecting the beaches and marshes and seabeds and trying to help the gulf States communities recover have to be our priority. The question is, do we make it worse for the gulf by a moratorium? The answer is yes.

Here is the impact on jobs. Just in the short time the moratorium has been in place, I talked about how companies are redeploying thousands of workers to other countries. As National Oceans Industry Association Chairman Burt Adams said, "There is right now no clear path for deepwater exploration companies to follow. Until such a path exists, exploration is at a standstill and more jobs will be lost."

Aker Solutions has workers in Texas now; in Alabama. They have had to refocus their efforts on international projects to compensate for the loss of exploring in the moratorium. Their offshore services work is coming to a halt already. They have about 750 employees in Texas and Alabama, but they are now going elsewhere with their work.

ATP Oil & Gas Corporation, the moratorium caused this company to stop drilling a natural gas development well and release the rig. It went away. The well would have produced 40 million cubic feet of gas daily for America. ATP estimates that they will be penalized about \$30 million because of the moratorium and lose over \$1 million of revenue a day.

Bollinger Shipyards, family-owned and operated since 1946, employs 3,000 American workers. They say, "In the 64 years of our existence, we have never been faced with such an uncertain future. This moratorium has created an environment leaving Bollinger Shipyards no choice but to downsize our company, thereby eliminating good-paying jobs."

Mr. CULBERSON. Where are they located?

Mr. BRADY of Texas. They are in Texas, I believe. It doesn't say so right there, I should say.

CapRock Communications. They will be forced to redeploy personnel to different regions or support them finding some other way. They have over 50 field service and operations personnel supporting clients in the Gulf of Mexico; employ 750 people throughout Houston, Lafayette and New Orleans.

C&C Technologies, they expect to layoff approximately 10 employees to begin with; will not be hiring the dozen

or so workers they expected to hire. So they're laying off workers and we're missing an opportunity to put even more people back to work.

Cobalt International Energy with their exploration, their drilling rigs, services, vessels, tools and people that were contracted to support the drilling programs, all have been released. We talked about the rigs go, the jobs go, the businesses go and the capital leaves America. Cobalt will shift its capital spending program and resources to West Africa, because they have no choice. This White House, this government, is forcing them overseas. Again, as you pointed out, those are not only U.S. energy workers but U.S. energy that's leaving with Cobalt.

Davis-Lynch, Incorporated has locations throughout Lafayette, Houston, Corpus Christi. This moratorium leaves them no alternative other than to implement another reduction in their workforce. They employed over 300 people last year, had to cut 100, were starting to hire people back. Now that is being reversed.

Delmar Systems, operations 100 percent directly related to this, to the deepwater semi-submersibles in the Gulf of Mexico. It will directly affect their ability to operate.

Heerema Marine Contractors, their business future is in a state of uncertainty here in the United States. They employ people in Texas and Louisiana.

I will go on and on here a little later, but the point is these are real American workers. These are real American businesses. Some family-owned, some mid-size, some larger. But the economic devastation. I sometimes wonder, are people as important as turtles and birds? We all love our wildlife and are fighting to protect them, but shouldn't we be fighting to protect American workers and their livelihoods? How about American small businesses and their livelihoods? What about their ability to survive, to employ workers? How about an energy worker who had nothing to do with the BP spill, who no longer has a job, no longer has a future, can't put their kids through college? Mr. President, don't those workers count, too? And why won't you come to Texas and meet with them? Why won't you pay as much attention to them as you do other regions and wildlife? These lives and their livelihoods are at stake. They are already paying a price. They didn't ask for this. The energy industry did not cause this spill. British Petroleum experienced this spill. We ought not punish innocent American workers, communities, our future, force higher energy prices, become more dependent on some of America's worst enemies because of a terrible policy response, moratorium, to what has been an environmental and human tragedy of our own making now, an economic disaster of this government's own making.

I would yield.

Mr. CULBERSON. Congressman BRADY, I couldn't agree with you more.

That is so well said. But I wanted to also make the point, Madam Speaker, make sure all Americans listening understand, Congressman BRADY, that this moratorium is not just shutting down deepwater drilling. All of the companies that we have visited with, all of the industries that are involved with drilling and producing, finding, drilling, producing oil and gas in the offshore waters of the United States are telling us that this moratorium has had the effect of shutting down and stopping all permitting in shallow as well as deep water.

Isn't that correct, Congressman BRADY? Talk a little bit about that.

□ 1600

Mr. BRADY of Texas. It is. Well, because they're not permitting. As you know, initially, the moratorium, over the advice of a number of scientists, was extended to both the shallow and deep waters. And then it was lifted in the shallow waters. But no permitting has really—no permit of significance has occurred. So those rigs are idle and going away.

Now the whole moratorium was stayed by the Federal courts and the new moratorium now was put in place. Shallow and deep waters are essentially shut down. And, again, what that means to the rest of America is that workers' jobs are shut down, the ability to provide energy supplies for America is shut down, and our dependence on other countries for our daily energy needs is increased every day because of our wrong-headed government policy.

Mr. CULBERSON. The Obama administration has therefore shut down, Congressman BRADY, all offshore permitting, all offshore drilling in all the continental waters of the United States. That's essentially where we are.

Mr. BRADY of Texas. It is. There is very little activity at all going on.

Mr. CULBERSON. Imagine if you are, Mr. Speaker, a business owner, a banker, someone who wants and needs and is prepared to make a significant investment because these are tremendously expensive operations to drill in either shallow—or in the deep water they're even more expensive—imagine you want to make that investment but you're, A, not sure is the permit deep or shallow. Well, it has now been rewritten by the Obama administration, attempting to circumvent the Federal court's order stopping the moratorium. The administration has simply rewritten their moratorium to bypass the court order.

So if you as a company are trying to make this significant investment, significant amount of money, you have no way of knowing when or if permits are ever going to be issued, what type of permits are possibly ever going to be issued. They're just going to leave. The money, as Congressman BRADY has said so eloquently, will go overseas. The rigs, the equipment, the jobs, the talent, the skilled American jobs that

have worked; people in families generation after generation that have worked in the offshore oil industry in the United States will just leave. They're gone.

Again, I know this firsthand. I've met these men and women. I know how committed they are to finding and producing oil and gas cleanly and safely. And no one has got a bigger stake than they do.

Mr. RANGEL. Might I ask my colleague from Texas whether he could yield to me 5 minutes for the purposes of making a statement?

Mr. BRADY of Texas. Mr. Speaker, I will kindly yield to the gentleman from New York.

Mr. RANGEL. I can't thank you enough, Congressman, for this courtesy that you've extended, especially in view of the great contribution that you make on the committee and in the Congress. And I want to thank you for bringing to attention of the American people the sacrifices that so many are making as a result of the incident that's taking place in the Gulf.

But, Mr. Speaker, I rise to alert the House that, once again, I have introduced legislation to reinstate the draft and to make it permanent during time of war. It is H.R. 5741. And what this does is to make everyone between the ages of 18 and 42, whether they're men or women, whether they're straight or gay, to have the opportunity to defend this great country whenever the President truly believes that our national security is threatened.

During the last few weeks and months, as we have gone through a heat wave in the Northeast, I could not but think of the tens of thousands of Americans that find themselves in the Middle East just hoping and praying that the extent of their inconvenience and suffering was just being in the heat of being back home with their loved ones. And they are so dedicated and there are so few of them that many of them have gone back into combat once, twice, even up to six times. To me, that's asking a whole lot from such a small part of our population. And I truly believe that if people thought for one minute that our Nation was in trouble, that age would not even be a factor in people saying, Count me in, because this great country has been so good to me that whatever we can do, we want to be able to make some type of sacrifice.

And it just seems to me that when Presidents come and say that in their opinion the country has to go or should go, or makes a request to go to war, then ultimately it will be the people of this House and the Senate that will determine whether or not this request is going to be fulfilled. To me, if you're not prepared to put Americans and your kids and grandkids in harm's way, then you have reached a conclusion that the President is wrong and we should not enter this type of a war. If, on the other hand, I am thoroughly

convinced that when the American people are persuaded that our great democracy is in danger, that we would not want just a select group of people to be pulled out to over and over and over again put themselves in harm's way.

And so I know the tragedies that have occurred when there's been so many exceptions to the drafts in the past. And for that reason it was not found to be favorable to the average citizen; that if you were in college, if you came from a background, you were excluded from the draft. Well, this is not involved in this in any way. The only exclusions would be those who have mental or physical handicaps or conscientious objectors. Of course, if you're not needed, since it would be an overwhelming number of troops that would be available, then you could in national service be able to provide something in line for the American security.

And so I want to thank the gentleman from Texas for allowing me to interrupt this very informative and educated discussion of the impact of moratoriums and to thank him again for the contribution you make not only to Congress but specifically the Ways and Means Committee.

I yield back any time that I may have.

Mr. BRADY of Texas. Thank you to the gentleman from New York. I appreciate that very much.

Joining us today on this very important topic as we look at the devastating impact of this drilling moratorium on American jobs and energy workers is a Congressman from Humble, Texas, who has taken a lead on a number of key national security interests, especially the border, but lives in a community that's adversely affected.

I yield to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentleman for yielding. We all represent an area of the State of Texas that is dramatically impacted by the oil and gas industry. And having a district on the Gulf Coast representing about 20 percent of the Nation's oil refineries, this is an especially serious incident that has occurred offshore, this BP Deepwater Horizon disaster. No question about it, this problem, this accident has to be solved. I understand within the last hour that the cap that has now been placed on the well by BP is apparently working. Hopefully, it will be working long enough for them to finish drilling the other two wells to solve this problem.

And we always must be mindful of the people that were killed in this tragedy, plus the tremendous damage it has done to certain parts of our environment. But we cannot allow this accident to be an overreaction. And I think the Federal Government has overreacted in this situation.

□ 1610

The deep water in the Gulf of Mexico provides 17.3 percent of the Nation's

domestic crude oil, and the Federal Government now has said, No more deepwater drilling until 6 months or when we get back with you. Now, no industry, whether it's a doughnut shop or the oil and gas industry or anybody else, can be shut down for 6 months by the Federal Government and expect to survive.

And these deepwater rigs are not cheap endeavors. They cost \$500,000 a day to drill in the deep water. They're not going to wait 6 months for the Federal Government to make its decision whether they can continue to drill or not. That's why some of them have already left the deep water and gone to friendlier waters where those governments aren't quite as oppressive and prevent deepwater drilling.

Those people who work offshore in the deep water now are unemployed thanks to the Federal Government. It's an overreaction. Now, all of a sudden, 17.3 percent of the Nation's crude oil is gone out of the deep water. To make up for just what is now going to be eliminated in the deep water, it will take 300 tankers a year coming in from those countries in the Middle East to supply or resupply just the difference in the crude oil that we will not obtain from the deep water. And of course those tankers, some of them have had problems of containing that crude oil that is coming all the way from the Middle East. Once again, now we are paying and sending American money overseas, sending jobs somewhere off the coast of Brazil, Africa, and Egypt, and yet it is, in my opinion, an overreaction.

I will give you an example. In 2005, in Texas City, Texas, very near our districts, we had a BP explosion at a refinery. People were killed. In fact, more people were killed then and injured than in this explosion offshore, but we didn't close all of the refineries in the United States. We closed BP's refinery until we found out what the problem was and made sure that they were held accountable for what they did. But we didn't overreact.

I got a letter from a Cajun fellow, a real mad Cajun, from Houma, Louisiana. The Cajun community, as you know, Mr. BRADY, they border our State. We have a lot of Cajuns in our southeast Texas. They come from Louisiana and ours go over there. Anyway, a lot of them work in the oil and gas industry. I want to read a portion of his letter. He wrote it to the President, but I got a copy of it as well. He runs an offshore drilling related business, and here's what he says.

"I am terribly troubled that after striving to find jobs for Americans, you make a hasty decision to stop drilling for 6 months. Did you stop coal mining after all the incidents they have been having? No. Did you stop the airlines after all the crashes and accidents they have been having? No. Did you shut down the mortgage companies, the banks, and the auto industry after they stole money from those same Americans that invested in them? No. You

bailed them out. Now you want to shut down the oil industry for 6 months, which will hurt tens of thousands of workers! I only hope you understand the trickle-down effect this will have on many industries," such as for Timmy Bergeron.

I won't read the rest of the letter. It gets a little more colorful. But it's important that we understand these are real people that are losing their jobs because of this decision.

A Federal judge has said that the Federal Government's decision to stop or to issue a moratorium to stop deepwater drilling—and I quote the Federal judge in issuing an injunction, saying this injunction was wrong. The Federal judge said that the government's decision to stop deepwater drilling was "arbitrary," it was "capricious," it was "unfounded," and it was "punitive"—pretty strong words—because the government couldn't show evidence that stopping the deepwater drilling was necessary because of the accident with BP.

So the Federal Government is still suing the Americans, went and appealed this decision. A three-judge panel ruled that that decision would be upheld. The final decision will be in August. But the Federal Government has had its way because continuing to fight Americans in the courtrooms, prolonging the ultimate decision that will be made by the appellate courts on whether the injunction should be granted to stop the Federal Government's moratorium or not, is such a delay that more of those deepwater rigs will leave.

The people are still unemployed. They need jobs. They want to work offshore. And most of the people in this country, 73 percent of the Nation's population, think we should still continue to drill in the deep water, even in spite of this horrible accident, solve this problem, and allow Americans to continue to work.

With that, I yield back to my friend from Texas (Mr. BRADY).

Mr. BRADY of Texas. Well, I appreciate the gentleman from Texas talking about that gentleman from Houma and about how frustrating it is to see the government ride to the rescue of so many industries and companies and unions and special interests, but when it comes to just an average U.S. energy worker, they go out of their way to actually kill that job or put that person's livelihood or that small business's livelihood at risk. People may think, Congressman, that this is just one or two States, it doesn't affect us in our community, but nothing could be further from the truth.

The International Association of Drilling Contractors, they surveyed a number of members all throughout the country. They surveyed just nine of their members, nine drilling contractors and one boat company just to ask them, Where are your workers at in America? And just nine companies found workers in almost 300 congressional districts throughout the United

States of America. Just these nine companies and one boat company reached through almost 70 percent of U.S. congressional districts. It didn't include tens of thousands of other workers—oil service companies, large and small equipment manufacturers, mom-and-pop operations, oil companies. None of that's included. Just these nine drilling contractors and a boat company, almost 70 percent of the districts in America. You think, well, man, this can't be affecting our neighbors, but it is.

You've got a few examples just from these few companies. You've got wire rope from Missouri and Arkansas that is at risk; workers who build radiators in Minnesota; steel and pipe in Ohio; workers from fabrics and uniform makers in Illinois; those who create protective paints from Missouri; machinery for the offshore oil companies from Michigan; engines from Illinois; corrosion prevention materials from Illinois and Minnesota; Connecticut, workers who make electrical cables; drilling equipment from Illinois; pipe protective chemicals from Ohio; drilling equipment from Kansas; background checks and security services from Wisconsin; safety footwear from Oregon; on and on and on again. These are our neighbors whose jobs are at risk, not because BP didn't follow standard safety practices but because the White House decided these energy jobs weren't worth protecting. They'll bail out the auto unions, but they won't lift a finger to protect these jobs.

These are our people who are researchers and manufacturers. Some of them are roughnecks without a high school education who have the one job in America that allows them to actually raise their family, live the American Dream, and give their kids a college education. And those jobs are disappearing as we speak, and they're not going to come back any time soon. The companies are going. The rigs aren't coming back. The workers aren't coming back. The infrastructure isn't coming back. We become more dependent on foreign oil. Our energy prices for every American will go up. We'll buy more from companies that detest the United States of America.

That's why we have asked the President, Come to Texas. Come see these drilling workers, these energy workers face to face and tell them why their jobs aren't important, why their livelihoods don't matter, why their small business, family-owned business, it doesn't matter if they go away or not. And these people are from all across all walks of America.

I yield to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Congressman BRADY, I also want to say that we have extended an invitation to the President to come to Houston to meet the workers of the Johnson Space Center, where the President's administration has attempted to shut down America's manned space program, similar, as the

administrator even admitted in my subcommittee, I asked him, Isn't what the administration is proposing on NASA like privatizing the Navy so that we would have to rent an aircraft carrier, we'd have to rent spacecraft?

It looks to me, Congressman BRADY, that map you've got down there that you're showing us, I see a striking parallel there, Congressman POE, that jobs affected by the President's attempt to shut down the manned space program—which, thankfully, Congress has rejected. And I want to thank the chairmen of the committees because we are going to get legislation to build a heavy-lift vehicle and manned capsule. Congress rejected the President's unwise strategy. We need to reject this unwise moratorium.

□ 1620

But looks like the attempt to shut down the manned space program affected jobs in those same areas. To shut down the oil and gas industry affects jobs in those same areas. The attempt to cap and tax energy production in the United States devastating the American energy industry affects jobs in those same areas. I think all those areas are Republican. Aren't all those States in those areas pretty strongly Republican? Certainly there's no correlation there, is there? Looks to me like there might be a pattern.

As Congressman BRADY correctly points out, this administration's quick to bail out their buddies in the unions, but slow to protect American jobs that enhance this Nation's security, that enhance our prosperity. This moratorium is an outrage and we need to stop it. I thank you, Congressman BRADY, for giving us this time on the floor to talk about it.

Mr. BRADY of Texas. Well, thank you to the gentleman from Houston.

I'd like to turn to the gentleman from Humble. You're seeing this. You have communities that stretch from the suburbs of Houston over to southeast Texas, which has some of the highest unemployment rates in the State of Texas. These are the workers tied to these companies. You know them. You visited with them. You've had town hall meetings; they're neighbors.

Can you describe how disheartening this is for these workers who had nothing to do with the spill to have their jobs at risk and their livelihoods at risk?

Mr. POE of Texas. I thank the gentleman for yielding. As you know, Mr. BRADY, Port Arthur, especially Port Arthur, Texas, is a refinery town; but it has high unemployment. The whole area has high unemployment for a lot of reasons. One reason, of course, is we've been hit by numerous hurricanes. Just since I've been in office, we've had Katrina, Rita, Gustav and Ike all come through my congressional district and your congressional district. Because of that, it's affected the economy. And now these workers are trying

to get back to work. Many of them work offshore, and then they work onshore in oil-related industries.

But the effect of the shutdown in the deep water causes economic hardship, not just on the workers on those platforms, but for the people on shore that supply parts and maintenance and other industries, other commodities to those people who work offshore. And so we don't know yet how many thousands or hundreds of thousands of jobs would be lost because of this.

But one thing that we also need to understand is the loss of energy, the lack of having crude oil that we were producing in the deep water; 17 percent of the Nation's domestic crude oil production comes from deep water. That is now going to be gone, and we'll have to make that up some other way. So we should expect gasoline prices to rise, probably in 2 years, maybe less because of that.

And I think it's imperative that we understand that the folks that are affected want to continue to work. They want to continue to work offshore. They want to continue to work safely. And they don't want the Federal Government putting them out of work. And that's exactly what happened. The Federal Government has shut them down, has sent their jobs overseas.

Mr. BRADY of Texas. Well, if the gentleman would yield, can we talk a little more about how the loss of energy in America from this moratorium drives up fuel prices, makes us more dependent? Because I don't think most people realize, as you said, the Gulf of Mexico is a key generator of oil and natural gas for America. But it actually is very key to keeping OPEC from controlling energy prices throughout the world.

OPEC controls about 40 percent of the world's oil supply. And what happens is, when what we need as the world gets to about within 2 to 3 percent of everything that's produced, OPEC then has amazing leverage to drive those prices up for American families and workers. The Gulf of Mexico is our relief valve. That's where we produce energy and gas here in America. But because we have that producing, OPEC doesn't have the leverage that it historically has.

But with this moratorium, as you said, the energy supply isn't today. The shortage is in 2011 and 2012, which we know from the last time. When energy went to \$4 a gallon, we saw the devastating impact on American energy, American prosperity, our economy and jobs. Man, the average families and small businesses just suffered. We're going to see more of that in the future.

Mr. POE of Texas. Will the gentleman yield?

That's exactly what will occur is not only energy costs, but we also must remember that this deepwater drilling and the crude oil that comes from the deep water produces millions of other products besides just fuel. All of the plastics, many of our technology comes

from some base of crude oil. And all of that is affected, and the costs of all those items that are produced in our refineries and petrochemical plants will be affected because of this arbitrary, capricious, and punitive decision to just stop deepwater drilling.

I would hope the administration would re-evaluate their position, quit suing Americans, get out of the courtroom and get down on the Gulf of Mexico and fix this problem and let people go back to work.

I yield back.

Mr. BRADY of Texas. I appreciate the gentleman from Humble and his remarks that are right on target. I have some closing remarks, but I'd like the gentleman from Houston to conclude.

Mr. CULBERSON. Mr. BRADY, I just want to join you and Congressman POE in inviting the President to come to Houston. Come meet, firsthand, these people, these fine men and women who are so committed to finding and producing American oil and gas cleanly and safely. These are our neighbors and friends, Congressman BRADY and Congressman POE, who we live with, alongside, have picnics with. These are good people. We all know how committed they are to this Nation and to finding American oil and gas cleanly and safely.

Come to Houston, President Obama. Meet them firsthand. See how much pride they take in their work, how much pride they take in their country, and how valuable and important their role is in this Nation's economy.

I yield back.

Mr. BRADY of Texas. Well, thank you.

And in conclusion, let me just say, these are not Republican workers. These aren't Democrat workers, these aren't Libertarian workers, these aren't tea party workers. They're just American workers. These are their jobs. These are their hopes, their dreams, and they didn't do anything wrong. They've paid for the bailouts of other industries. They're not asking for that. They just want to go back to work on the rig that's been safe.

Historically, these energy workers, 50,000 wells in the gulf, this is the first accident. It wasn't their fault. You don't ground them all because of it.

Yet, their lives are at stake. And our energy prices, our energy independence, revenue to our State and Federal Government, small businesses who will never survive this moratorium ever if it goes the full 6 months, did nothing wrong, whose reach is all throughout the United States of America.

We have a lot at stake here. We are asking Republicans and Democrats in Congress to join us in asking the President to end this moratorium. Accept, adopt the safe practices, the newest, the safest practices proposed by experts in the industry. Allow this safe drilling to go forward. Stop sending our rigs overseas. Stop sending our jobs overseas. Stop sending our service companies overseas, our capital, our best

and brightest minds, and ultimately our headquarters.

Keep America going on the path of energy independence. But don't hurt these 2 million workers who are tied to this important industry.

With that, I appreciate Congressman CULBERSON, Congressman POE, being here tonight, as well as Congressman SCALISE.

These are jobs. Put our American energy workers back to work.

□ 1630

#### THE GOVERNMENT IS BUYING TOO MUCH LAND

The SPEAKER pro tempore (Mr. KISSELL). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Mr. Speaker, again it's certainly a privilege to get to speak in this hallowed hall, where so many courageous decisions have been made, and also so many ill-begotten decisions have been made.

Speaking of which, today in our Natural Resources Committee we voted a bill out of committee to deal with the disaster in the Gulf of Mexico, disastrous oil spill that hopefully, maybe, prayerfully, maybe, they have gotten the cap on things and are going to be able to stop the oil from destroying lives and livelihoods.

But our bill did some amazing things. For example, the bill we passed in committee—should be coming to the floor now for a vote for the whole Congress—provided \$900 million a year for the next 30 years, through 2040, to buy more land for the Federal Government to sit on. Now, it was pointed out that actually we already own so much land, we have so many Federal parks, national parks that we can't take care of them, and we are not taking care of them.

There is a report that indicated that just in maintenance alone we are \$3.7 billion behind on just doing necessary maintenance to keep the Federal parks from falling apart. And we are not taking care of that. And here we voted \$27 billion to buy more land for the Federal Government to sit on. And it's important to understand when the Federal Government buys any land at all, that land is immediately taken off of the tax rolls. And the schools, the local governments, the State governments are prohibited from taxing that land. So that land that has brought so much revenue in taxes to those schools, hired teachers, all that kind of thing, hired local servants, it goes away.

And there for a while when this started 100 years-plus ago, old people were assured locally, well, don't worry, though, like if we take timberland, we will sell timber, and we will give you a cut of the proceeds. Well, that's gone away. So the Federal Government takes land and the local folks get nothing.

Some say, oh, no, but it creates green jobs. Right. And just like Spain has found this year, as the report of the country that this administration and this majority has said repeatedly we want to emulate because they have moved toward a green economy, Spain has found that for every one green job that's been created they lost two jobs. And I am tired of looking into the faces of people who have lost their jobs due to no fault of their own, but due to terrible decisions by the public servants that were elected to come here to Washington and not meddle, not take over the country, but just to make sure there was a level playing field, people had an opportunity, not happiness, but the opportunity to pursue happiness. And what we find repeatedly is when this government, when any government weighs in and steps in and buys or takes over land, money, property, it doesn't really leave anybody happy.

So, I got a little chart here we put together yesterday that shows where we have been on money that was appropriated in the budget, been appropriated to buy land. You've got over \$100 million here, not quite \$150 million in 2008, and that was with this majority. This majority took over in 2007, 2008, and they had already gone many times from where we were in 2004, 2005, 2006, 2007. By 2008, the majority started just going many times over. That's how we got over \$100 million to buy land in 2008. And then the same majority in 2009 kicked it up quite a bit more over the \$150 million mark. 2010, this year, we are approaching nearly \$300 million to buy more land for the Federal Government to sit on. And in this bill that passed committee today, there is this provision for \$900 million. Why don't we just call it a billion? You know, you are that close. Doesn't seem like \$100 million means that much to this administration. But it's \$900 million a year for the next 30 years to buy more land.

I had such great hopes. We were hearing responsible economists telling us, you know, there is a way out of this runaway deficit. Now, \$1.5 trillion in 1 year, you know, it took the Bush administration a number of years to do that. And here, boom, 1 year we got it done here with this majority and this administration.

But economists have said, you know, get responsible. Quit frittering away money like it was no issue, like it's growing on trees, because it's growing off of China, and they're saying they about got enough. And we are printing it. Got printing presses running like crazy printing it. We will eventually pay for that with inflation. So the vote today was as if we got all the money in the world. Why not just buy more land?

And what we heard from people who live in the Western half of the country was, you've already taken so much of our State, why do you have to keep taking more and more? One Congressman from Utah, ROB BISHOP, had offered a verbal proposal: How about, if

you're so inclined to spend that much money, how about if we just say, okay, we will only buy land from now on from States in which the Federal Government owns less than 20 percent of the State? Because when you look at the Western United States, the red represents land owned by the Federal Government, you begin to understand why people in the West are saying haven't you taken enough of our land?

This country didn't start out owning all the land. And as we've seen over and over, we're not taking care of what we've got. And we've got people who have lost their jobs, and yet last summer we passed a bill for \$700 million to buy wild horses more habitat because there had been a bill before that that this majority passed that said you can't do anything about the overgrowing population of wild horses on Federal land. You can't use birth control, you can't sell them off in auctions. So they have proliferated.

And at a time when Americans are being thrown out of their homes in record numbers this year, foreclosures are up higher than ever before, bankruptcies continue to be filed, the folks in charge decide, you know what, let's take care of the wild horses. They matter more to us than all these people getting thrown out of their homes and losing their livelihoods. That's more important.

We have lost our priorities. And I understand it didn't just start in the last year-and-a-half. The President I admire greatly, who is smarter than most people give him credit for, a good man, he listened to maybe the worst Secretary of the Treasury we've ever had, Hank Paulson, as he ran around like Chicken Little saying the financial sky was falling, but give me \$700 billion and I can go make my friends rich, and I can fix everything. So Goldman Sachs didn't suffer, AIG didn't suffer. And the American people are suffering.

□ 1640

And I know I've heard people on the other side of the aisle, including this week, talking about, you know, all the rich, fat-cat Republicans, yet if you look at the truth—which is a good thing to look at time to time—you look at the truth and you find out that Wall Street families give to Democrats four times as much as they give to Republicans. You look at BP and you wonder why it took the Federal Government to intervene and call their hand? And they really haven't completely yet. And then you find out they gave much more to this administration than they did to the McCain campaign. They got heavy on Democratic lobbyists from administrations that were Democratic. They'd signed on to the crap-and-trade bill. We're pushing that to be passed.

So this administration, this majority didn't want to buck their good friend that was going to help them push through some things that were not going to help America even though

they were going to help BP get richer. So they hated to call their hand, and that's why it took so long. And we're fixing it by buying more land for the Federal Government. How in the world that makes sense.

Now, we also had the committee vote against my amendment that was very important, protecting our homeland. My amendment to the bill was very simple, and it arose out of finding out during hearings that there was only one entity within the Mines and Minerals Management Service that was allowed to be unionized, and that was the offshore inspectors. Unionized. Well, union contracts usually have restrictions on travel, restrictions on how much that can be worked, things like that. And it reminded me a great deal of the job of sentry. And in mock war games when I was in the Army, I sat sentry. I wasn't about to go to sleep, be court-martialed for that, at least an article 15 punishment because you're it. You're the protection for the rest of the people there. You're supposed to be standing guard. That's what our offshore inspectors are. And they're unionized.

And we were told by the Director of MMS that the real check of how we can be so sure that they're doing their job, we send them out in pairs. And we found out the last pair of offshore inspectors that went to the Deepwater Horizon rig before it blew was a father-and-son team. Yeah. So much for checks and balances. But that's what we got.

So my amendment just said for people who are offshore, deepwater rig inspectors, you can't strike and you can't threaten to strike. Just like if you're in the military, you can't go on strike. You're protecting the country. Our offshore inspectors are what stand between our homeland and environmental disaster and the loss of lives as we had on the Deepwater Horizon rig. And all but one Democrat voted against my amendment, so our offshore inspectors can strike, can get out there on a rig and say, "You know what? I'm what stands between our homeland and disaster, and either you give me what I want or I'm going on strike and you'll have no protection. And who knows, you may have another Deepwater Horizon happen because I'm not checking anything."

If you've got a problem with your contract, then get your Congress, get others to help if you're working for the Federal Government. But if you're not working for the Federal Government as a government employee and yet at the same time you are the protection for a country, you shouldn't be able to strike. And in this case, even though MMS had become basically, we're told, a stagnant pond that stunk it up because of the cozy relationship between the people that worked there and Big Oil, it had to be divided into three parts.

Well, we haven't found out how it's going to work out. I tried to find out

what else was going to be unionized once it was split into three parts, was told they didn't know, didn't know how exactly it was going to come out. But from east Texas, we often find if you want to fix a stagnant, stinking pond, it doesn't help if you just divide it up into three parts. You've got to do something to fix it, and we haven't seen that happen.

And, in fact, when we found out that a person involved in the leases that may have critical testimony as to why the price adjustment language was pulled out of the 1998-1999 leases that have now cost the Federal Treasury billions of dollars—1998-1999, under the Clinton administration. You want to know why they pulled that language out? It made billions extra for the oil companies, but it cost our treasury billions, because that language is normally in there.

Why did they dictate that it be pulled out? And I was told at a hearing by the Inspector General, well, I wasn't able to talk to people that were critical into finding out why they pulled that language out because they've left government service. When the Clinton administration left, they left. And then after hearing President Obama talk about the cozy relationship between the people in the government managing minerals and Big Oil, I had a hunch and checked. And sure enough, that person, one of the people I was told had been involved and had direct knowledge about the language being pulled that cost us so many billions of dollars, made it for companies like BP, found out she'd gone to work for British Petroleum when she left the Clinton administration. And in June of last year, she came back to work for the same people that managed the affairs of British Petroleum offshore.

Yep, the President knew what he was talking about. He has helped create a cozy relationship between those who were supposed to keep Big Oil honest and Big Oil.

And we find out BP had 800 or so safety violations. And this administration dealt with those in a strong way—by giving them a safety award for a wonderful safety record. And yet they were apparently the only company that had that horrible safety record when compared with Exxon and others that had one or zero violations.

You wonder why was BP entitled to a safety award, and then you find out who they gave most of their contributions to in the election. You find out they were going to support bills that the administration wanted pushed through when other big oil companies would not. So you begin to understand. They felt bullet proof. They felt like they had such good friends in the administration and in the majority that certainly nobody would ever throw them under the bus. Well, guess what? When the public heat got hot enough, they got thrown under the bus.

And how did we deal with it today? We passed a bill through committee to

appropriate \$900 million a year for the next 30 years to buy more Federal land. I haven't figured out how that solves the problem in the gulf. And, in fact, it creates a worse problem because, as we've already seen from this administration, they do not like to lease land for drilling.

And, in fact, in the prior administration, 7 years before this administration took office, a leasing process was begun to lease land in the Utah, Wyoming, Colorado area. And it took 7 years to get to the point that companies would be in a position to make a knowing bid, and the bid could be chosen, the high bid, for the lease. Those leases, after that 7 years, were let at the end of 2008. Immediately, Secretary Salazar came in and ordered that the checks not be cashed and then ordered that they be returned, that he was not going to allow the leases that took 7 years to come into being to exist because they were done at, in his words, the midnight hour.

□ 1650

For 7 years, he calls it the midnight hour, as the Bush administration left. So there went one source of oil that was going to help eliminate the need for deepwater drilling, and we've seen that happening over and over.

Last year, as I understand, the second most rich deposit of uranium was declared off limits. It came through our committee. That was a bill we voted out to put our second best source of uranium off limits, and that all at a time when we're trying to figure out ways how to get off carbon-based fuels, and nuclear should be one of those ways that we utilize, especially when you find out, as we have in our committee, that 90 percent of our uranium we're using in our nuclear plants right now is imported, and yet we have uranium that could be used for that.

God has so richly blessed this country with resources, when you take them all into consideration, like no nation in the world. When you look at all the natural resources that would produce energy, nobody comes close to this little country where we've had until more recently an experiment, as the Founders called it, in a democratic Republic, in an elected representative government.

We appropriated \$900 million a year for the next 30 years to buy land to put more of it off limits. You know, we heard when gasoline went to \$4 a gallon that actually there is land about 500 square miles in this country where within a 500-square-mile area, from the thicker tar sands, if oil is \$80 a barrel, they can do it and be able to make money, produce maybe 1 trillion barrels of oil. We've also heard in the entire Middle East there may only be 1 to 3 trillion barrels of oil; and yet, since then, we've heard there may be 3 to 5 trillion barrels of oil in that same area, as long as oil is \$80 a barrel or higher.

When you start realizing that, you go Why are we not like 90 percent effec-

tive in providing all our own energy? Why do we continue to fund people that hate us like Chavez and countries in the Middle East who are harboring terrorists and in which terrorists are farm fed and farm grown.

I mentioned yesterday here on the floor about Yemen. I just wonder how many New Englanders, how many people who live in Boston know that this year for the first time they've gotten rid of their contract for liquid natural gas, liquefied natural gas from areas that are very friendly to us, some in the Caribbean. That's been done away with, and now the contract for the next 20 years is with Yemen. Now, I know they're nice folks. I've met some nice folks from Yemen, but they also happen to harbor terrorists; and when people from Guantanamo were released to Yemen, they ended up getting away and those terrorists are at large, maybe back here in the United States now.

Another thing, of course, that occurred today, in addition to this massive appropriation that came out of committee, we find out the Senate has voted to send the so-called financial reform bill to the President for signature to come into law. Breaks my heart. Now, there's some things in there that are good reform rules and changes that needed to be done, but there are also poison pills in that bill.

For example, the systemic risk council in which we have some Federal, unelected, unconfirmed by anybody in Congress bureaucrats who are going to decide what businesses they deem to be a systemic risk and, therefore, businesses that the Federal Government will never let fail.

What happened to America? We used to be the land of the free. When the government gets to pick and choose, we're going to let your business be the one that lives because nobody can compete effectively with a business that can run in the red because they know the government will not let them fail because other businesses can't run in the red. They have to declare bankruptcy. So what used to be the land of the free has become the land of the government's hand-picked winners and hand-picked losers. We're not going to allow the opportunity to sink or swim as God as given us, as we've been endowed with by our Creator, because our government has now come to the point where it's decided we're not going to let you decide who wins by how hard you work and how smart you work; we are going to pick winners and losers with our systemic risk council.

There are things in there, once again, they're going to cripple community banks who have suffered enough because of the greed, in some cases avarice, displayed in some of the investment banks. It nearly brought the finances to a standstill. Community banks have just been lumped in with them, and they've been hurt by the regulators and it is tragic.

So much for the financial reform bill because it deforms the market that

used to exist, and this government has gotten so busy picking winners and losers and meddling and telling car makers what kind of cars to make and exactly what they've got to do to make them, how to make them, what they can do to make them, and how they got to be when they're finished. We've gotten so busy into the minutia of things that we shouldn't be involved in that the government—we haven't done our jobs, because if we had there would never have been somebody that was able to bilk people out of \$50 billion of their life savings so they could squander it on himself. There were plenty of red flags that went up, but we were too busy as a government meddling to actually do the job to make sure everyone has a level playing field, everybody has an opportunity and people are playing fair, and when they're not playing fairly we punish them.

That's what government is supposed to do; and if as the Founders you look at Romans 13:1-4, you see that as the Founders believed, government's ordained by God. And if you believe as philosophers have pointed out that a democracy ensures that a people are governed no better than they deserve, then you see that we get what we deserve.

So for generations they have been deserv-ing of more opportunity than the last generation before them, and now we come to a place where 70 percent of adults in America when polled say they don't believe their children will have as good a life, as good opportunities as they've had. That has never been the case in American history that a majority of Americans would say that. We've lost our way.

But if you're concerned about the detainees in Guantanamo, there's good news. We've been releasing detainees. And this is a report from this year: it's believed that roughly 20 percent of the 560 detainees released from Guantanamo are back on the terror front lines.

□ 1700

Interesting, huh?

But I really like this story about Abdullah Massoud. He came to Guantanamo, as the House panel was told previously, he came to us without one leg from about the knee down, and we fitted him with a prosthetic leg before he left while he was in U.S. custody. So the leg, this report indicates, the artificial limb cost American taxpayers between \$50,000 and \$75,000. But it was nowhere to be found after Massoud had directed a homicide attack that killed 31 people, and then two months later blew himself up to avoid capture. Now, that was in 2005 that he had been released and did that, so you would think that a smart administration would come in and learn from mistakes of prior administrations.

We heard friends across the aisle over here say over and over, you got to stop deficit spending, and our friends across the aisle won the majority in 2006 for

that very reason. Republicans were deficit spending. Now by a margin of about 8 to 1 or 10 to 1 that has been increased in deficit spending for one year. Extraordinary.

Well, then we get back to the issue of morality, because this is what it all comes back to. As Chuck Colson said previously, when you demand the morals of Woodstock, you are going to have to expect some Columboes.

Think about it. When the morality that is demanded by those in charge is one that says if it feels good, do it, then somewhere you are going to have some nut that thinks it might be interesting to find out how it feels to kill people. It might feel good, so let's do it. You can't demand the morality of Woodstock and not expect some terrible tragedies to be wrought from that.

That can also be pointed in the direction of the loss of life of the unborn. We used to talk in terms of over 40 million abortions. Now we are talking about over 50 million abortions.

So we have got to get back to a morality that recognizes there is something more important than ourselves, and it is not the government. It is that we have been endowed by our Creator with certain inalienable rights, and among those are life, liberty, and the pursuit of happiness, and unless we are willing to fight for our endowment, to fight for our inheritance, then, as so many generations, so many countries before us, we lose that for which so many paid the ultimate price. We have an obligation as a government to protect those who have entrusted us with this responsibility.

When I was a judge, one of the jobs was to qualify people for jury duty for anything from significant civil cases to capital murder cases. There were some disqualifications listed in statute, and many times, thank goodness, not that often, but over my 10 years I would have people come in and say, I won't be able to be qualified to be on a jury because I am a Christian, and I am not supposed to judge lest I be judged, and I am supposed to turn the other cheek.

What they didn't understand is, and I never sought to use my position to force my beliefs on someone else, but if they would read their scripture more carefully, they would find out as individuals, we are to forgive and turn the other cheek, but the government is given the responsibility that no individual has.

As Romans talks about, God has given the sword, and the government is his minister to punish evil. And if you do evil, be afraid, because that sword is not given in vain.

You have to understand our history, and that is where maybe we begin to fall down, when people didn't learn our history, and they didn't find out that the Founders were so excited, 1775, 1776, especially around the time of the Declaration, July 4, 1776, because they said we have within our grasp something that philosophers have only dreamed

about. We have the chance to govern ourselves.

In England they had a parliament, but the king could throw them out at any time, and did. This was going to be a nation for the first time not like Rome, where there was a Caesar, but where people would govern themselves. And that sword would be given not to a Caesar, not to a king, not to a duke, but to the people, we the people.

So a method of government was set up such that the people as the government would hire servants to come in and do what they hired them to do, and if they didn't do what they were hired to do, then they could be fired and replaced by other servants, public servants, to do what the government, the people, we the people, said must be done.

So when citizens of this country, these United States, are called for jury duty and they refuse to serve and they try to do so on the basis of saying, well, I am a Christian, then they have rejected Romans, they have rejected teaching in both the Old and New Testament, they have rejected the sword, the power that was ordained and put in their hand, and said I am not going to do my job. I reject the power that God has placed at my disposal to protect my country.

And when people don't go out and vote, it is the same thing. They are rejecting the power that was put in their hand to govern this country. And when they don't support good candidates, they are rejecting the power that was put in their hands to hire their own servants to carry out their will. And when they don't run for office when they feel that calling to do so, the same thing. They can't say they are an obedient Christian, the way I read scripture and the way so many before us in the founding of this country read it, if they are willing to walk away from that power that is put in their hand to govern this country by hiring servants and firing servants when they don't do their jobs.

Now, I have been told by my staff, you have to be careful talking about those things, because you have an election every 2 years. Somebody could come in and say, okay, I am using your words against you. The people have the right to hire and fire, and so I am saying it is time to fire you.

Well, I am not afraid of that, because I believe I am doing what my district hired me to do. I serve at their pleasure and at their will, and if they say I am not doing the proper job because I believe in this little experiment in elected representative government, this incredible gift that this Nation was given so long ago and has fought to keep ever since, I believe in it to the point where, yes, it will hurt to be defeated, it will hurt your pride. But I can also say thank the Lord, I know there is something else for me to do.

The people, for good, for bad, in a democracy, get the government they de-

serve. And I think it is too important that people understand that to worry about somebody using my own words against me. Come on and use them, and I will run on my record.

□ 1710

Speaking of the record, we were talking about Guantanamo and people—detainees—that have been released. This article was incredibly good news. The headline in the New York Times said, "Five Charged in 9/11 Attacks Seek to Plead Guilty." Hallelujah. What great news that is.

From Guantanamo Bay, Cuba. "The five Guantanamo detainees charged with coordinating the September 11th attacks told a military judge on Monday that they wanted to confess in full, a move that seemed to challenge the government to put them to death. That is such great news. Such great news.

Unfortunately, that was on December 9, 2008. December 9, 2008, the five people alive still most responsible for the killing—the wanton, lustful, murderous killing—of over 3,000 people in New York City and in the Pentagon were ready to plead guilty, and this administration came in and snatched defeat for justice from the jaws of victory. It just seems like somebody owes an apology to the victims' families from 9/11 for taking a victory and justice being done and throwing it away, costing millions—some project hundreds of millions, maybe billions—to try these terrorists who, 2 years ago, were ready to plead guilty, and now, with the encouragement of this administration, are ready to play games. Very tragic.

As the last minutes come to an end for this session of Congress, for today, which will be the last for this week, I want to close as I try to normally do by pointing to some history so that, Mr. Speaker, people will understand where we came from. There is no way to really chart a good path of where you're going in the future unless you honestly know where you've been without it being a deception.

There are those who continue to say that George Washington was not a religious man, that he was a deist, didn't really believe in religion, didn't practice religion; and those are great lies. Anyone can go read the huge book George Washington's Sacred Fire written by the same guy that wrote this, Peter Lillback, over in Philadelphia.

Here is a letter, text written by the moderator of the Presbyterian General Assembly, Rev. John Rodgers, in his correspondence with Washington during the war about giving away Bibles to the American troops. The Presbyterians as a group wrote:

"We adore Almighty God, the author of every perfect gift, who hath endued you"—talking about George Washington—"with such a rare and happy assemblage of talents as hath rendered you equally necessary to your country in war and in peace; the influence of your personal character moderates the divisions of political parties."

He had such integrity and character that it moderated through all the squabbles between the parties. They say on further:

"A steady, uniform, avowed friend of the Christian religion, who has commenced his administration in rational and exalted sentiments of piety, and who in his private conduct adorns the doctrines of the Gospel of Christ." That's not a deist.

But, anyway, the letter says Washington "adorns the doctrines of the Gospel of Christ, and on the most public and solemn occasions devoutly acknowledges the government of divine Providence." That's where we came from. They recognized his character. I read yesterday where Washington's own order said that there could be no higher compliment to the soldiers than that they put on Christian qualities, the qualities of a Christian.

In June of 1985 in a decision, *Wallace v. Jaffree*, unfortunately it was in dissent, but William Rehnquist pointed out the deception that was being talked about by Lillback in the *Wall of Misconception*, and these are Rehnquist's words:

"The wall of separation between church and state is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned."

And in the Supreme Court decision, *Lynch v. Donnelly*, the decision itself actually said:

"The Constitution does not require complete separation of church and state. It affirmatively mandates accommodation, not mere tolerance, of all religions, and forbids hostility toward any." And yet we find today as we dealt with hate crime issues, the only group which it is becoming lawful and unfortunate to show prejudice against are Christians. The same people our Founders kept talking about.

Patrick Henry correctly warned future Americans the following:

"Bad men cannot make good citizens. It is impossible that a nation of infidels or idolators should be a nation of free men. It is when a people forget God that tyrants forge their chains."

John Adams wrote, August 28, 1811:

"Religion and virtue are the only foundations, not only of republicanism"—and that doesn't mean our Republican Party at all; it means the system where we have elected Representatives—"they are the foundations not only of republicanism and of all free government, but of social felicity under all governments and in all the combinations of human society." This is just so important that people understand these things.

Harry Truman stated this:

"The fundamental basis of this nation's laws was given to Moses on the Mount." And isn't it ironic, when this Hall of Representatives was built and decorated, above every door up in the gallery is a profile of all of those that our predecessors believed were the

greatest lawgivers of all time. The greatest.

Hammurabi. Some say, why is Napoleon up there? The Napoleonic Code. The Justinian Code, of course. But in the middle is the only face that's not a side profile and that is because he was considered to be the greatest lawgiver of all time. As it says under his face, Moses. That's the Moses Truman was talking about.

Truman goes on:

"The fundamental basis of our Bill of Rights comes from the teachings we get from Exodus and St. Matthew, from Isaiah and St. Paul. I don't think we emphasize that enough these days. If we don't have a proper fundamental moral background, we will finally end up with a totalitarian government which does not believe in rights for anybody except the State."

John F. Kennedy said, "The rights of man come not from the generosity of the state but from the hand of God."

Supreme Court Justice Douglas remarked, "We are a religious people whose institutions presuppose a Supreme Being."

James Madison said in November of 1825:

"The belief in a God all powerful, wise and good is so essential to the moral order of the world and to the happiness of man, that arguments which enforce it cannot be drawn from too many sources nor adapted with too much solicitude to the different characters and capacities to be impressed with it."

□ 1720

Our history is so full of such incredible quotes. But those words that are carved into the Jefferson Memorial, so powerful, are these: "God who gave us life gave us liberty. And can the liberties of a Nation be thought secure when we have removed from their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath? Indeed, I tremble for my country when I reflect that God is just; that His justice cannot sleep forever."

That's why we begin every session every day in this Congress with prayer led by a minister from that podium, going back to the unanimous motion by Benjamin Franklin, that unless the Lord build a house, they labor in vain that build it. If we have the morals of Woodstock, we can expect more tragedies. We can expect more greed and more avarice, more lawlessness, and more rights to be usurped by the servants that were elected and selected and hired. And we owe the future generations so much better than that.

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

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Mr. RANGEL, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFazio, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. HONDA, for 5 minutes, today.

Mr. POLIS, for 5 minutes, today.

Ms. JACKSON LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, July 21 and 22.

Mr. POE of Texas, for 5 minutes, July 22.

Mr. JONES, for 5 minutes, July 22.

Mr. BURTON of Indiana, for 5 minutes, July 19, 20, 21, and 22.

#### ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 689. An act to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes.

H.R. 3360. An act to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes.

H.R. 4173. An act to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

H.R. 4840. An act to designate the facility of the United States Postal Service located at 1981 Cleveland Avenue in Columbus, Ohio, as the "Clarence D. Lumpkin Post Office".

H.R. 5502. An act to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until Monday, July 19, 2010, at 12:30 p.m., for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

8341. A letter from the Under Secretary, Department of Defense, transmitting a report of two violations of the Antideficiency Act, Case Numbers 06-03 and 07-03, pursuant

to 31 U.S.C. 1517(b); to the Committee on Appropriations.

8342. A letter from the Secretary, Judicial Conference of the United States, transmitting request to be included in any Southwest border supplemental appropriation; to the Committee on Appropriations.

8343. A communication from the President of the United States, transmitting A Request For Budget Amendments For Fiscal Year 2010 proposals in the Fiscal Year 2011 Budget for the Department of Commerce; (H. Doc. No. 111—133); to the Committee on Appropriations and ordered to be printed.

8344. A letter from the Assistant, Department of Defense, transmitting a copy of the Department of Defense (DoD) Chemical and Biological Defense Program (CBDP) Annual Report to Congress, pursuant to 50 U.S.C. 1523; to the Committee on Armed Services.

8345. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

8346. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

8347. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Honduras pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

8348. A letter from the Chairman and President, Export-Import Bank of the United States, transmitting a report on transactions involving U.S. exports to Ethiopia 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.

8349. A letter from the Chief Executive Officer, Anti-Doping Agency, transmitting the Agency's 2009 Annual Report and Financial Audit; to the Committee on Energy and Commerce.

8350. A letter from the Vice President and Controller, Federal Home Loan Bank of Des Moines, transmitting the 2009 management report and statements on system of internal controls of the Federal Home Loan Bank of Des Moines, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

8351. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled "Prohibited Personnel Practices — A Study Retrospective", pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Oversight and Government Reform.

8352. A letter from the Chairman, National Capital Planning Commission, transmitting the Commission's annual report for FY 2009 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

8353. A letter from the Secretary, Judicial Conference of the United States, transmitting a letter expressing concern over section 6 of H.R. 5503; to the Committee on the Judiciary.

8354. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report for the National Tropical Botanical Garden for the period from January 1, 2009 through December 31, 2009, pursuant to 36 U.S.C. 10101(b)(1)(B) Public Law 88-449, section 10(b); to the Committee on the Judiciary.

8355. A letter from the Staff Director, United States Sentencing Commission, transmitting the Commission's report entitled, "2009 Annual Report and Sourcebook of Federal Sentencing Statistics", pursuant to (98 Stat. 2026); to the Committee on the Judiciary.

8356. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Mount Pleasant, SC [Docket No.: FAA-2010-0069; Airspace Docket No. 10-ASO-15] received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8357. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Astazou XIV B and XIV H Turboshaft Engines [Docket No.: FAA-2010-0219; Directorate Identifier 2010-NE-14-AD; Amendment 39-16315; AD 2010-11-10] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8358. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Makila 2A Turboshaft Engines [Docket No.: FAA-2010-0411; Directorate Identifier 2010-NE-19-AD; Amendment 39-16278; AD 2010-09-13] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8359. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125-01 and TAE 125-02-99 Reciprocating Engines Installed in, but not limited to, Diamond Aircraft Industries Model DA 42 Airplanes [Docket No.: FAA-2009-0201; Directorate Identifier 2008-NE-47-AD; Amendment 39-16314; AD 2010-11-09] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8360. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: BAE SYSTEMS (Operations) Limited Model BAe 146 Airplanes and Model Avro 146-RJ Airplanes [Docket No.: FAA-2008-0909; Directorate Identifier 2007-NM-363-AD; Amendment 39-16301; AD 2010-10-22] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8361. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault-Aviation Model FALCON 2000 and FALCON 2000EX Airplanes [Docket No.: FAA-2009-0791; Directorate Identifier 2008-NM-213-AD; Amendment 39-16303; AD 2010-10-24] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8362. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 Series Airplanes; Model A300 B4-600, B4-600R Series Airplanes, and Model A300 C4-605R Variant F airplanes (Collectively Called A300-600 Series Airplanes); and A310 Series Airplanes [Docket No.: FAA-2010-0172; Directorate Identifier 2009-NM-189-AD; Amendment 39-16308; AD 2010-11-03] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8363. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Model Gulfstream 100 Airplanes, and Model Astra SPX and 1125 Westwind Astra Airplanes [Docket No.: FAA-2010-0034; Directorate Identifier 2009-NM-120-AD; Amendment 39-16307; AD 2010-11-02] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8364. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dowty Propellers R175/4-30-4/13; R175/4-30-4/13e; R184/4-30-4/50; R193/4-30-4/50; R193/4-30-4/61; R193/4-30-4/64; R193/4-30-4/65; R193/4-30-4/66; R.209/4-40-4.5/2; R212/4-30-4/22; R.245/4-40-4.5/13; R257/4-30-4/60; and R.259/4-40-4.5/17 Model Propellers [Docket No.: FAA-2008-0750; Directorate Identifier 2008-NE-21-AD; Amendment 39-16302; AD 2010-10-23] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8365. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AVOX Systems and B/E Aerospace Oxygen Cylinders as Installed on Various 14 CFR Part 23 and CAR 3 Airplanes [Docket No.: FAA-2010-0272; Directorate Identifier 2010-CE-009-AD; Amendment 39-16310; AD 2010-11-005] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8366. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ, -135ER, -135KE, -135KL, -135LR, -145, -145ER, 145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No.: FAA-2009-0132; Directorate Identifier 2008-NM-081-AD; Amendment 39-16306; AD 2010-11-01] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8367. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Quartz Mountain Aerospace, Inc. Model 11E Airplanes [Docket No.: FAA-2010-0261; Directorate Identifier 2010-CE-008-AD; Amendment 39-16312; AD 2010-11-07] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8368. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AeroSpace Technologies of Australia Pty Ltd Models N22B, N22S, and N24A Airplanes [Docket No.: FAA-2010-0235; Directorate Identifier 2010-CE-010-AD; Amendment 39-16311; AD 2010-11-06] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8369. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCAT Model TBM 700 Airplanes [Docket No.: FAA-2010-0286; Directorate Identifier 2010-CE-013-AD; Amendment 39-16320; AD 2010-11-15] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8370. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Stemme GmbH & Co. KG Model S10-VT Powered Sailplanes [Docket No.: FAA-2008-0788; Directorate Identifier 2008-CE-039-AD; Amendment 39-16313; AD 2010-11-

08] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8371. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Corporation Model MD-11 and MD-11F Airplanes [Docket No.: FAA-2009-0866; Directorate Identifier 2009-NM-074-AD; Amendment 39-16317; AD 2010-11-12] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8372. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 190-100 STD, -100 LR, -100 IGW, -200 STD, -200 LR, and -200 IGW Airplanes [Docket No.: FAA-2010-0175; Directorate Identifier 2009-NM-187-AD; Amendment 39-16319; AD 2010-11-14] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8373. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes [Docket No.: FAA-2010-0176; Directorate Identifier 2009-NM-201-AD; Amendment 39-16318; AD 2010-11-13] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8374. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and Model A340-300 Series Airplanes [Docket No.: FAA-2009-0914; Directorate Identifier 2009-NM-122-AD; Amendment 39-16304; AD 2010-10-25] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8375. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601), and CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604 Variants) Airplanes [Docket No.: FAA-2010-0169; Directorate Identifier 2009-NM-102-AD; Amendment 39-16305; AD 2010-10-26] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8376. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's statement of actions with respect to the Government Accountability Office report GAO-10-202; to the Committee on Science and Technology.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on the Judiciary. House Resolution 1455. Resolution directing the Attorney General to transmit to the House of Representatives copies of certain communications relating to certain recommendations regarding administration appointments, adversely; (Rept. 111-538). Referred to the House Calendar and ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 5301. A bill to extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Pollution Control Act for certain discharges that are incidental to normal operation of vessels (Rept. 111-539). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 5545. A bill to deauthorize a portion of the project for navigation, Potomac River, Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers (Rept. 111-540). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 258. Resolution congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut, and for other purposes (Rept. 111-541). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 1366. Resolution recognizing and honoring the freight rail industry; with amendments (Rept. 111-542). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 1401. Resolution expressing gratitude for the contributions that the air traffic controllers of the United States make to keep the traveling public safe and the airspace of the United States running efficiently, and for other purposes; with amendments (Rept. 111-543). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 1463. Resolution supporting the goals and ideals of Railroad Retirement Day (Rept. 111-544). Referred to the House Calendar.

Mrs. MALONEY: Joint Economic Committee. Report of the Joint Economic Committee on the 2010 Economic Report of the President (Rept. 111-545). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 5604. A bill to rescind amounts authorized for certain surface transportation programs (Rept. 111-546). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 569. A bill to amend titles 28 and 10, United States Code, to allow for certiorari review of certain cases denied relief or review by the United States Court of Appeals for the Armed Forces; with an amendment (Rept. 111-547). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RANGEL:

H.R. 5741. A bill to require all persons in the United States between the ages of 18 and 42 to perform national service, either as a member of the uniformed services or in civilian service in furtherance of the national defense and homeland security, to authorize the induction of persons in the uniformed services during wartime to meet end-strength requirements of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. HOLT (for himself and Mrs. CAPPES):

H.R. 5742. A bill to encourage the use of medical checklists through research, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SPEIER (for herself, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, and Mr. FRANK of Massachusetts):

H.R. 5743. A bill to amend the Fair Credit Reporting Act to prohibit the furnishing of certain negative loan modification information to a consumer reporting agency and to prohibit such information from being used in computing a consumer's credit score; to the Committee on Financial Services.

By Mr. YARMUTH:

H.R. 5744. A bill to amend the Internal Revenue Code of 1986 to extend the credit for energy efficient appliances; to the Committee on Ways and Means.

By Mr. LEWIS of California (for himself, Mr. YOUNG of Florida, Mr. ROGERS of Kentucky, Mr. WOLF, Mr. KINGSTON, Mr. FRELINGHUYSEN, Mr. LATHAM, Mr. ADERHOLT, Mrs. EMERSON, Ms. GRANGER, Mr. SIMPSON, Mr. CULBERSON, Mr. KIRK, Mr. CRENSHAW, Mr. CARTER, Mr. ALEXANDER, Mr. CALVERT, Mr. BONNER, Mr. COLE, Mr. WAMP, Mr. REHBERG, and Mr. LATOURETTE):

H.R. 5745. A bill making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LYNCH:

H.R. 5746. A bill to amend the provisions of title 5, United States Code, relating to the methodology for calculating the amount of any Postal surplus or supplemental liability under the Civil Service Retirement System; to the Committee on Oversight and Government Reform.

By Mr. RUSH (for himself, Mrs. CHRISTENSEN, Mr. PAYNE, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Ms. MOORE of Wisconsin, Mr. JOHNSON of Georgia, Mr. LARSON of Connecticut, and Mr. DAVIS of Illinois):

H.R. 5747. A bill to authorize a program to provide grants to nonprofit organizations that carry out child-parent visitation programs for children with incarcerated parents; to the Committee on Education and Labor.

By Mr. CONYERS (for himself, Mrs. NADLER of New York, Mr. WU, Mrs. CHRISTENSEN, Mrs. MALONEY, Ms. WATERS, Mr. PRICE of North Carolina, Mrs. NAPOLITANO, Mr. FARR, Mr. SERRANO, Mr. DAVIS of Illinois, Mr. STARK, Ms. WOOLSEY, Ms. KILPATRICK of Michigan, Mr. HASTINGS of Florida, Mr. WATT, Mr. BISHOP of Georgia, Ms. LEE of California, Mr. JOHNSON of Georgia, Mr. THOMPSON of Mississippi, Mr. JACKSON of Illinois, Ms. FUDGE, Mr. CUMMINGS, Ms. CLARKE, Mr. FATTAH, Mr. SCOTT of Virginia, Mr. MEEKS of New York, Mr. COHEN, Ms. JACKSON LEE of Texas, Ms. CHU, Mr. ELLISON, Ms. BALDWIN, Mr. WEINER, Ms. LINDA T. SANCHEZ of California, Mr. POLIS, Mr. QUIGLEY, Mr. GUTIERREZ, Mr. LARSEN of Washington, Mr. RANGEL, Mr. FILNER, Mr. CLAY, Mr. RUSH, Mrs. CAPPES, Ms. MATSUI, Mr. HONDA, Ms. NORTON, Mr. MCDERMOTT, Mr. CAPUANO, Mr. BERMAN, Mr. GEORGE MILLER of California, Ms. ESHOO, Ms. HIRONO, Mr.

SCOTT of Georgia, Mr. GRIJALVA, Ms. MCCOLLUM, Ms. SCHAKOWSKY, and Mr. ANDREWS):

H.R. 5748. A bill to eliminate racial profiling by law enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. GEORGE MILLER of California (for himself and Ms. WOOLSEY):

H.R. 5749. A bill to provide whistleblower and other protections to certain offshore workers, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE of Texas (for herself and Mr. DENT):

H.R. 5750. A bill to increase the number of Federal air marshals for certain flights, require criminal investigative training for such marshals, create an office and appoint an ombudsman for the marshals, and for other purposes; to the Committee on Homeland Security.

By Ms. KILROY:

H.R. 5751. A bill to amend the Lobbying Disclosure Act of 1995 to require registrants to pay an annual fee of \$50, to impose a penalty of \$500 for failure to file timely reports required by that Act, to provide for the use of the funds from such fees and penalties for reviewing and auditing filings by registrants, and for other purposes; to the Committee on the Judiciary.

By Mr. QUIGLEY (for himself, Mr. MINNICK, and Mr. FOSTER):

H.R. 5752. A bill to make the Federal budget process more transparent and to make future budgets more sustainable; to the Committee on the Budget, and in addition to the Committees on Rules, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Indiana:

H.R. 5753. A bill to amend the Elementary and Secondary Education Act of 1965 to award grants to eligible entities to establish, expand, or support an existing school-based mentoring program to assist at-risk middle school students with the transition from middle school to high school; to the Committee on Education and Labor.

By Mr. COHEN (for himself, Mr. DELAHUNT, and Ms. HIRONO):

H.R. 5754. A bill to authorize the Secretary of Housing and Urban Development to provide grants to State and local governments to carry out programs to provide mediation between mortgagees and mortgagors facing foreclosure; to the Committee on Financial Services.

By Mr. COURTNEY:

H.R. 5755. A bill to amend title 10, United States Code, to provide authority to restrict competition to businesses within States that fund projects at military installations; to the Committee on Armed Services.

By Mr. DOYLE (for himself and Mr. SMITH of New Jersey):

H.R. 5756. A bill to amend title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide for grants and technical assistance to improve services rendered to children and adults with autism, and their families, and to expand the number of University Centers for Excellence in Developmental Disabilities Education, Research, and Service; to the Committee on Energy and Commerce.

By Mr. FORTENBERRY:

H.R. 5757. A bill to amend the Internal Revenue Code of 1986 to extend and modify the credits for alcohol used as a fuel, and for

other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts (for himself, Mr. MARKEY of Massachusetts, Mr. NEAL, Mr. OLVER, Mr. DELAHUNT, Mr. MCGOVERN, Mr. TIERNEY, Mr. CAPUANO, Mr. LYNCH, and Ms. TSONGAS):

H.R. 5758. A bill to designate the facility of the United States Postal Service located at 2 Government Center in Fall River, Massachusetts, as the "Sergeant Robert Barrett Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. HEINRICH:

H.R. 5759. A bill to amend the Mineral Leasing Act to require an operator to compensate a surface owner for damages resulting from the oil and gas operations of the operator on land affected by the operations; to the Committee on Natural Resources.

By Mr. MELANCON:

H.R. 5760. A bill to expand eligibility for Pell grants to certain students who are pursuing a postbaccalaureate professional certification or licensing credential required for employment as a teacher; to the Committee on Education and Labor.

By Mr. MELANCON:

H.R. 5761. A bill to amend the Patient Protection and Affordable Care Act to expedite the application of the provision prohibiting rescissions of health insurance coverage; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 5762. A bill to amend the Internal Revenue Code of 1986 to provide for the creation of disaster protection funds in the District of Columbia by property and casualty insurance companies for the payment of policyholders' claims arising from natural catastrophic events; to the Committee on Ways and Means.

By Mr. POLIS (for himself and Ms. LINDA T. SÁNCHEZ of California):

H.R. 5763. A bill to amend the Internal Revenue Code of 1986 to increase for 2 years the residential energy credit and the investment tax credit with respect to solar property with a nameplate capacity of less than 20 kilowatts; to the Committee on Ways and Means.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Ms. WATSON, Ms. NORTON, Ms. LEE of California, and Mr. MCGOVERN):

H.R. 5764. A bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes; to the Committee on Ways and Means.

By Ms. LINDA T. SÁNCHEZ of California (for herself and Mr. POLIS):

H.R. 5765. A bill to amend the Internal Revenue Code of 1986 to increase for 2 years the residential energy credit and the investment tax credit with respect to solar property with a nameplate capacity of less than 20 kilowatts; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Ms. WOOLSEY, Ms. MATSUI, Mr. ISRAEL, Ms. ZOE LOFGREN of California, Mr. FARR, Mr. STARK, Ms. LORETTA SANCHEZ of California, Ms. ESHOO, Ms. WATSON, Mr. SHERMAN, Mr. BERMAN, Ms. SPEIER, Mrs. DAVIS of California, Mr. MCNERNEY, Ms. SCHWARTZ, Mr. RANGEL, Mr. LEVIN, Mr. MCDERMOTT, Ms. BERKLEY, Mr. NEAL, Mr. BLUMENAUER, Mr. YARMUTH, Mr. SCHIFF, Mr. TIERNEY, Mr. GEORGE MILLER of California, Mr.

GARAMENDI, Mr. WAXMAN, Mr. POLIS, and Mr. SARBANES):

H.R. 5766. A bill to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of property assessed clean energy programs to finance the installation of renewable energy and energy efficiency improvements; to the Committee on Financial Services.

By Mr. VAN HOLLEN (for himself, Mr. RUPPERSBERGER, Mr. POLIS, Ms. MCCOLLUM, and Ms. SCHWARTZ):

H.R. 5767. A bill to amend the Internal Revenue Code of 1986 to allow a credit for equity investments in high technology and biotechnology small business concerns developing innovative technologies that stimulate private sector job growth; to the Committee on Ways and Means.

By Mr. WELCH (for himself, Mr. BOOZMAN, Ms. BORDALLO, Mr. TEAGUE, and Mr. MICHAUD):

H.R. 5768. A bill to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OWENS:

H. Con. Res. 297. Concurrent resolution approving certain regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 with respect to certain covered employees under the Congressional Accountability Act of 1995; to the Committee on House Administration, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H. Con. Res. 298. Concurrent resolution expressing the sense of Congress that the videotaping or photographing of police engaged in potentially abusive activity in a public place should not be prosecuted in State or Federal courts; to the Committee on the Judiciary.

By Mr. PITTS (for himself, Mr. HASTINGS of Florida, and Mr. SMITH of New Jersey):

H. Res. 1520. A resolution expressing the sense of the House of Representatives regarding the situation in the Republic of Kyrgyzstan; to the Committee on Foreign Affairs.

By Ms. SHEA-PORTER:

H. Res. 1521. A resolution supporting the goals and ideals of National Carbon Monoxide Awareness Day; to the Committee on Oversight and Government Reform.

By Ms. WASSERMAN SCHULTZ:

H. Res. 1522. A resolution expressing support for designation of the last week of September as National Hereditary Breast and Ovarian Cancer Week and the last Wednesday of September as National Previvor Day; to the Committee on Oversight and Government Reform.

By Mr. BOSWELL (for himself, Mr. LATHAM, Mr. BRALEY of Iowa, Mr. LOEBACK, Mr. KING of Iowa, Mr. TERRY, and Mr. MICHAUD):

H. Res. 1523. A resolution to observe the contributions of the chiropractic profession and recognize National Chiropractic Health Month; to the Committee on Energy and Commerce.

By Mr. BACA:

H. Res. 1524. A resolution expressing support for designation of the fourth Friday of March as "Cesar E. Chavez Day"; to the Committee on Education and Labor.

By Mr. BONNER (for himself, Mr. HOYER, Mr. CLYBURN, Mr. BOEHNER, Mr. CANTOR, Mr. BRIGHT, Mr. ROGERS

of Alabama, Mr. ADERHOLT, Mr. GRIF-FITH, Mr. BACHUS, and Mr. DAVIS of Alabama):

H. Res. 1525. A resolution honoring the 50th anniversary of the publication of "To Kill a Mockingbird", a classic American novel authored by Nelle Harper Lee of Monroeville, Alabama; to the Committee on Oversight and Government Reform.

By Mr. ENGEL:

H. Res. 1526. A resolution expressing support for the Energy and Climate Partnership of the Americas and its goal to encourage collaboration and cooperation among countries to address the energy and climate change challenges facing the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. GOHMERT (for himself, Mr. CONAWAY, Mr. MARCHANT, Mr. CAO, Ms. BERKLEY, Mrs. MYRICK, Mr. PIERLUISI, Mr. NUNES, Mr. KAGEN, Mr. KIRK, Mr. QUIGLEY, and Mrs. BONO MACK):

H. Res. 1527. A resolution congratulating the United States Men's National Soccer Team for its inspiring performance in the 2010 FIFA World Cup; to the Committee on Oversight and Government Reform.

By Mr. HONDA (for himself, Ms. ZOE LOFGREN of California, and Ms. ESHOO):

H. Res. 1528. A resolution honoring the life and accomplishments of Paul Leo Locatelli, S.J., and for other purposes; to the Committee on Education and Labor.

By Mrs. MCCARTHY of New York (for herself, Mr. WEINER, Mr. MURPHY of New York, Mr. HALL of New York, Mr. PALLONE, Mr. NADLER of New York, Mr. SERRANO, Mr. MEEKS of New York, and Mr. PASCRELL):

H. Res. 1529. A resolution commending Bob Sheppard for his long and respected career as the public-address announcer for the New York Yankees and the New York Giants; to the Committee on Oversight and Government Reform.

By Mr. OWENS:

H. Res. 1530. A resolution approving certain regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 with respect to employing offices and covered employees of the House of Representatives under the Congressional Accountability Act of 1995; to the Committee on House Administration, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER:

H. Res. 1531. A resolution expressing support for designation of 2011 as "World Veterinary Year" to bring attention to and show appreciation for the veterinary profession on its 250th anniversary; to the Committee on Oversight and Government Reform.

By Ms. TITUS (for herself, Ms. BERKLEY, Mr. KLEIN of Florida, Mr. BILIRAKIS, Mr. HELLER, Mr. WEINER, Mr. FRANKS of Arizona, Mrs. BACHMANN, Mr. GOHMERT, Mr. ENGEL, Mr. WAMP, Mr. PETERS, and Mr. LAMBORN):

H. Res. 1532. A resolution urging an investigation into the role of the *Insan Hak ve Hurriyetleri ve Insani Yardim Vakfi* in providing financial, logistical, and material support to terrorists, and into the role of any foreign governments, including the Republic of Turkey, which may have aided and abetted the organizers of the recent "Gaza Flo-tilla" mission to breach Israeli coastal security and assault the naval defense forces of the State of Israel; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

335. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 292 memorializing the Congress and the Department of Defense to select the Boeing NewGen Tanker aircraft for the United States Air Force; to the Committee on Armed Services.

336. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 158 urging the Environmental Protection Agency to rescind rules that would require dairy farms to have oil spill prevention plans; to the Committee on Transportation and Infrastructure.

337. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 61 directing local, state, and federal governmental agencies to work in coordination to minimize the damage to Louisiana's natural resources caused by the Deep-water Horizon oil spill; jointly to the Committees on Transportation and Infrastructure and Natural Resources.

338. Also, a memorial of the Legislature of the State of Virgin Islands, relative to Resolution No. 1738 urging Congress to adopt President Barack Obama's Health Care Plan; jointly to the Committees on Energy and Commerce, Ways and Means, Education and Labor, Rules, Natural Resources, House Administration, the Judiciary, and Appropriations.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. LYNCH.  
 H.R. 305: Mr. TIERNEY and Mr. VAN HOLLEN.  
 H.R. 571: Mr. CALVERT, Mr. SCOTT of Virginia, Ms. MATSUI, Mrs. CAPPS, Mr. BISHOP of New York, and Ms. RICHARDSON.  
 H.R. 610: Mr. LEVIN.  
 H.R. 709: Mr. DJOU.  
 H.R. 745: Mr. WALZ, Ms. KILROY, Mr. COURTNEY, Mr. QUIGLEY and Mr. COSTA.  
 H.R. 758: Mr. LARSEN of Washington.  
 H.R. 775: Mr. DJOU, Mr. MELANCON, and Mr. GARY G. MILLER of California.  
 H.R. 840: Mr. FILNER.  
 H.R. 1210: Mr. KAGEN.  
 H.R. 1230: Mr. BOUCHER.  
 H.R. 1240: Ms. BALDWIN.  
 H.R. 1351: Ms. ROYBAL-ALLARD, Mr. DAVIS of Kentucky, and Ms. WOOLSEY.  
 H.R. 1521: Mr. MATHESON.  
 H.R. 1597: Mr. HARE.  
 H.R. 1751: Mr. LEWIS of Georgia.  
 H.R. 1806: Mr. YOUNG of Alaska.  
 H.R. 1816: Mr. WALZ.  
 H.R. 1831: Ms. JACKSON LEE of Texas.  
 H.R. 1855: Mr. HASTINGS of Florida.  
 H.R. 1923: Mr. ROE of Tennessee.  
 H.R. 1995: Ms. NORTON and Mrs. CAPPS.  
 H.R. 2000: Mrs. LOWEY, Ms. RICHARDSON, Mr. MCMAHON, Mr. PETERSON, Ms. FUDGE, Mrs. DAHLKEMPER, Mr. BAIRD, Mr. BECERRA, Mr. WELCH, Mrs. NAPOLITANO, Mrs. MCCARTHY of New York, Mr. KUCINICH, Mr. ALTMIRE, Ms. CLARKE, Mr. COURTNEY, Mr. POLIS, Mr. McKEON, Mr. PLATTS, Mr. WILSON of South Carolina, Mr. GUTHRIE, Mr. HUNTER, Mr. ROE of Tennessee, Mr. THOMPSON of Pennsylvania, Ms. BEAN, and Mr. HINOJOSA.  
 H.R. 2039: Ms. SUTTON.  
 H.R. 2149: Mr. LEWIS of Georgia.  
 H.R. 2159: Mr. MCGOVERN.  
 H.R. 2262: Mr. NADLER of New York.  
 H.R. 2275: Mr. RUPPERSBERGER, Mr. TOWNS, Mr. SCHOCK, Ms. BEAN, Mr. PRICE of North Carolina, Mr. FARR, and Mr. LATHAM.

H.R. 2308: Mrs. MALONEY.  
 H.R. 2408: Mr. GONZALEZ.  
 H.R. 2853: Mr. PERRIELLO, Mr. HARE, and Mr. DEFAZIO.  
 H.R. 2962: Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 2987: Mr. POLIS.  
 H.R. 3012: Mr. QUIGLEY.  
 H.R. 3043: Mr. TOWNS, Mr. HONDA, and Mr. SCOTT of Virginia.  
 H.R. 3077: Ms. EDWARDS of Maryland.  
 H.R. 3108: Mr. SHULER.  
 H.R. 3286: Ms. SPEIER and Mr. TERRY.  
 H.R. 3525: Ms. MATSUI.  
 H.R. 3578: Mr. COURTNEY.  
 H.R. 3668: Ms. DELAURO and Ms. KILPATRICK of Michigan.  
 H.R. 3712: Mr. ROGERS of Kentucky.  
 H.R. 3729: Ms. RICHARDSON.  
 H.R. 3742: Mr. LINCOLN DIAZ-BALART of Florida.  
 H.R. 3764: Mr. MICHAUD.  
 H.R. 3936: Mr. BOSWELL.  
 H.R. 3974: Mr. REYES.  
 H.R. 4037: Ms. BERKLEY and Ms. MARKEY of Colorado.  
 H.R. 4070: Mr. THOMPSON of Pennsylvania and Mr. CRITZ.  
 H.R. 4085: Mr. FILNER and Mr. MEEK of Florida.  
 H.R. 4195: Mr. GRIJALVA, Mr. LOEBSACK, and Mr. MURPHY of Connecticut.  
 H.R. 4197: Mr. ISSA and Mr. PATRICK J. MURPHY of Pennsylvania.  
 H.R. 4278: Mr. MOLLOHAN.  
 H.R. 4296: Mr. COSTELLO.  
 H.R. 4306: Mr. LINCOLN DIAZ-BALART of Florida.  
 H.R. 4469: Mr. GINGREY of Georgia, Mr. CLAY, Mr. LARSEN of Washington, and Mr. SPRATT.  
 H.R. 4530: Mr. PATRICK J. MURPHY of Pennsylvania and Ms. MOORE of Wisconsin.  
 H.R. 4594: Ms. CHU.  
 H.R. 4599: Mr. CROWLEY.  
 H.R. 4671: Mr. PERLMUTTER and Mr. HASTINGS of Florida.  
 H.R. 4689: Mr. FRANK of Massachusetts, Mr. ADLER of New Jersey, Mr. KILDEE, Ms. KAPTUR, and Mr. CHANDLER.  
 H.R. 4692: Mr. SHIMKUS.  
 H.R. 4693: Mr. PIERLUISI and Ms. TSONGAS.  
 H.R. 4771: Mr. ROTHMAN of New Jersey and Mr. ENGEL.  
 H.R. 4806: Mr. WEINER.  
 H.R. 4808: Mr. MCGOVERN, Mr. SCHAUER, Mrs. MALONEY, Mr. FRANK of Massachusetts, Mr. RANGEL, Ms. BERKLEY, Mr. HODES, Ms. SUTTON, Ms. HIRONO, Mr. SPACE, Mr. BOSWELL, Mr. THOMPSON of California, Ms. SCHWARTZ, Mr. FARR, Mr. JOHNSON of Georgia, Ms. MOORE of Wisconsin, Ms. SLAUGHTER, Ms. WOOLSEY, Ms. BEAN, Mr. DINGELL, Mr. BLUMENAUER, Ms. LEE of California, Mr. MORAN of Virginia, Mr. HINCHEY, and Mr. MCDERMOTT.  
 H.R. 4864: Mr. KILDEE and Mr. COURTNEY.  
 H.R. 4926: Mr. LEWIS of Georgia.  
 H.R. 4940: Mr. CARSON of Indiana and Ms. KILROY.  
 H.R. 4947: Mr. PIERLUISI.  
 H.R. 4959: Mr. HALL of New York, Mr. HINCHEY, Mr. MICHAUD, Ms. MCCOLLUM, and Mr. MCGOVERN.  
 H.R. 4971: Ms. PINGREE of Maine, Ms. HIRONO, Mr. HINCHEY, Mrs. LOWEY, and Mr. MORAN of Virginia.  
 H.R. 4993: Mr. KENNEDY.  
 H.R. 5008: Mr. BOCCIERI.  
 H.R. 5029: Mr. SULLIVAN and Mr. BISHOP of Utah.  
 H.R. 5034: Mrs. BONO MACK.  
 H.R. 5037: Mr. STARK and Mr. HOLDEN.  
 H.R. 5040: Mr. CUELLAR, Mr. CAPUANO, Mr. CRITZ, and Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 5043: Mr. WAXMAN.  
 H.R. 5081: Mr. BISHOP of Georgia and Mr. GARAMENDI.

H.R. 5142: Mr. LEWIS of Georgia.  
 H.R. 5157: Mr. BOCCIERI.  
 H.R. 5235: Mr. BISHOP of Georgia, Mr. PETERSON, and Mr. OWENS.  
 H.R. 5244: Mr. MANZULLO, Mr. NUNES, Mr. ROSS, and Mr. COBLE.  
 H.R. 5268: Mr. SCHIFF and Mr. FILNER.  
 H.R. 5282: Mr. KANJORSKI, Mr. STUPAK, Mr. DOYLE, Mr. SCOTT of Georgia, Ms. WATSON, Mr. MICHAUD, Mr. BOREN, Mr. CHILDERS, Mr. SPACE, Mr. CHANDLER, Mr. ROSS, Mr. LEVIN, Mr. MARSHALL, Mr. CROWLEY, Mr. TANNER, Mr. MELANCON, Mr. CARDOZA, Mr. COOPER, Mr. DONNELLY of Indiana, Mr. GONZALEZ, Mr. BRALEY of Iowa, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. CLEAVER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARNAHAN, Mr. DINGELL, Mr. SKELTON, Mr. ISRAEL, Mr. SHULER, Mr. HILL, Mr. ALTMIRE, Mr. RUSH, Mr. ENGEL, Mr. MINNICK, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. ELLSWORTH, Mr. MURPHY of Connecticut, Mr. MOORE of Kansas, and Mr. LIPINSKI.  
 H.R. 5324: Mr. HOLT.  
 H.R. 5424: Mr. PAULSEN and Mr. LOBIONDO.  
 H.R. 5434: Ms. NORTON and Ms. SCHWARTZ.  
 H.R. 5440: Mr. HOLDEN.  
 H.R. 5458: Mr. MCMAHON, Mr. OWENS, Ms. PINGREE of Maine, Mr. KISSELL, Ms. KOSMAS, and Mr. GRAYSON.  
 H.R. 5473: Mr. LARSEN of Washington.  
 H.R. 5475: Mr. YOUNG of Alaska, Mr. ROSS, and Mr. KISSELL.  
 H.R. 5479: Mr. SPACE.  
 H.R. 5492: Ms. NORTON.  
 H.R. 5504: Mr. TIERNEY, Ms. ESHOO, and Mr. GONZALEZ.  
 H.R. 5509: Mr. SHUSTER.  
 H.R. 5510: Mr. DEFazio and Mr. DINGELL.  
 H.R. 5527: Mr. COURTNEY.  
 H.R. 5532: Mr. FORTENBERRY, Mr. CONYERS, and Mr. SMITH of Texas.  
 H.R. 5533: Mr. COURTNEY, Ms. SHEA-PORTER, and Mr. CHANDLER.  
 H.R. 5536: Mr. INGLIS, Mr. CHAFFETZ, and Mr. HOEKSTRA.  
 H.R. 5537: Mr. CARNEY.  
 H.R. 5550: Mr. COURTNEY.  
 H.R. 5555: Mr. HOLDEN and Ms. CLARKE.  
 H.R. 5561: Mr. KUCINICH and Mr. POLIS.  
 H.R. 5566: Mr. LYNCH and Mr. SCHRADER.  
 H.R. 5568: Ms. GIFFORDS, Mr. MURPHY of New York, and Mr. SALAZAR.  
 H.R. 5572: Ms. CASTOR of Florida.  
 H.R. 5594: Mr. HILL, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. DELAHUNT, Mr. PERRIELLO, Mr. CARNEY, Mrs. LOWEY, Mr. ENGEL, Ms. KAPTUR, Mr. COOPER, Mr. DAVIS of Tennessee, Ms. LORETTA SANCHEZ of California, Ms. WASSERMAN SCHULTZ, Mr. SHULER, Mr. CHANDLER, Mr. ROSS, Mr. ELLSWORTH, Mr. ARCURI, Mr. CARDOZA, Mr. COSTA, Ms. DEGETTE, Mr. TONKO, Mr. MCNERNEY, Mr. JOHNSON of Georgia, Ms. SUTTON, Mr. GONZALEZ, Mr. BERRY, Mr. THOMPSON of California, Mr. SCOTT of Georgia, Mr. KUCINICH, and Mr. MAFFEI.  
 H.R. 5605: Mrs. DAHLKEMPER, Mr. KANJORSKI, and Mr. PITTS.  
 H.R. 5606: Mrs. DAHLKEMPER, Mr. KANJORSKI, and Mr. PITTS.  
 H.R. 5617: Mr. VAN HOLLEN.  
 H.R. 5631: Ms. NORTON.  
 H.R. 5632: Mr. SHIMKUS.  
 H.R. 5637: Ms. LINDA T. SANCHEZ of California.  
 H.R. 5648: Mr. CARNEY, Mr. SPACE, and Ms. GINNY BROWN-WAITE of Florida.  
 H.R. 5654: Mr. PRICE of North Carolina and Mr. MCGOVERN.  
 H.R. 5655: Mr. BILIRAKIS, Mr. STEARNS, Mr. YOUNG of Florida, and Mr. DEUTCH.  
 H.R. 5671: Ms. BERKLEY, Ms. ROYBAL-ALLARD, and Mr. ORTIZ.  
 H.R. 5679: Mr. CARTER.  
 H.R. 5693: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. HONDA.  
 H.R. 5718: Mrs. MCCARTHY of New York and Mr. MORAN of Virginia.  
 H.R. 5736: Mr. MORAN of Virginia.  
 H. Con. Res. 226: Mr. HOLDEN and Mr. LINCOLN DIAZ-BALART of Florida.  
 H. Con. Res. 259: Mr. RYAN of Ohio.  
 H. Con. Res. 266: Mr. GARY G. MILLER of California.  
 H. Con. Res. 273: Mr. ROGERS of Kentucky.  
 H. Con. Res. 274: Mr. KING of New York, Mr. TIBERI, Mr. UPTON, Mr. BARRETT of South Carolina, Mr. LATHAM, and Mr. REHBERG.  
 H. Con. Res. 275: Mr. REICHERT and Ms. ROYBAL-ALLARD.  
 H. Con. Res. 287: Mr. BOUSTANY, Mr. BUCHANAN, Mr. BILIRAKIS, Mrs. BONO MACK, and Ms. FALLIN.  
 H. Con. Res. 292: Mr. LAMBORN.  
 H. Con. Res. 296: Mr. GOHMERT, Mr. WOLF, Mr. YOUNG of Florida, Mr. WITTMAN, Ms. GIFFORDS, Mr. BRADY of Pennsylvania, Mr. HEINRICH, and Mr. KISSELL.  
 H. Res. 111: Mr. JACKSON of Illinois, Mr. FRANK of Massachusetts, and Mr. PIERLUISI.  
 H. Res. 173: Mr. REYES.  
 H. Res. 611: Ms. LINDA T. SANCHEZ of California.  
 H. Res. 767: Mrs. MALONEY.  
 H. Res. 1052: Mr. AKIN, Mr. BROUN of Georgia, and Mr. POE of Texas.  
 H. Res. 1207: Mr. KISSELL.  
 H. Res. 1226: Mr. LEWIS of Georgia.  
 H. Res. 1251: Mr. ROE of Tennessee and Mr. HEINRICH.  
 H. Res. 1264: Mrs. BLACKBURN, Ms. ZOE LOFGREN of California, and Mr. MCINTYRE.  
 H. Res. 1370: Mr. WEINER and Ms. MOORE of Wisconsin.  
 H. Res. 1394: Mr. SESTAK.  
 H. Res. 1396: Mr. FRANK of Massachusetts.  
 H. Res. 1402: Mr. PETERSON.  
 H. Res. 1430: Mr. BOREN, Mr. MOORE of Kansas, Mr. PIERLUISI, Mr. ORTIZ, Mr. CLAY, and Ms. ROYBAL-ALLARD.  
 H. Res. 1444: Mrs. BLACKBURN, Mr. PITTS, Ms. SUTTON, Mr. SPACE, Ms. SCHAKOWSKY, Mrs. CHRISTENSEN, Mr. WHITFIELD, Mr. BRALEY of Iowa, Mr. ROGERS of Michigan, Mrs. MALONEY, Mr. WU, Mr. GENE GREEN of Texas, Mr. SABLAN, Mr. CAO, and Mr. TERRY.  
 H. Res. 1472: Ms. PINGREE of Maine and Mr. PETERSON.  
 H. Res. 1486: Mr. CONYERS, Mr. ETHERIDGE, Mr. BISHOP of Georgia, Mr. ORTIZ, Mrs. CHRISTENSEN, and Mr. HASTINGS of Florida.  
 H. Res. 1494: Ms. MOORE of Wisconsin, Mr. MAFFEI, Mr. THOMPSON of Pennsylvania, Mr.

MEEKS of New York, Mr. MCDERMOTT, Mr. MOORE of Kansas, and Mr. RANGEL.

H. Res. 1498: Mrs. BIGGERT.  
 H. Res. 1499: Mrs. CAPPS, Mrs. CAPITO, Ms. DELAUNO, Mr. DRIEHAUS, Ms. JACKSON LEE of Texas, Mr. REICHERT, Ms. CASTOR of Florida, Mr. CROWLEY, and Ms. ESHOO.  
 H. Res. 1507: Mr. BOOZMAN, Mr. DUNCAN, Mr. ROONEY, and Mr. THOMPSON of Pennsylvania.

H. Res. 1511: Mr. GENE GREEN of Texas, Mr. HINOJOSA, and Mr. TEAGUE.

H. Res. 1513: Mr. ROGERS of Kentucky and Ms. LINDA T. SANCHEZ of California.

H. Res. 1516: Ms. GIFFORDS, Mr. CLEAVER, Mr. TAYLOR, Mr. WILSON of South Carolina, Mr. JONES, Mr. ANDREWS, Mr. SNYDER, Mr. SMITH of Washington, Ms. MCCOLLUM, Ms. SHEA-PORTER, Mr. GARAMENDI, Mr. ISRAEL, Mr. MOORE of Kansas, Mrs. DAVIS of California, Mr. HOYER, Ms. RICHARDSON, Mr. DOYLE, Mr. LARSON of Connecticut, Mr. DELAHUNT, Mr. BLUNT, Mr. FORBES, Mr. CONAWAY, Mr. MILLER of Florida, Mr. BOOZMAN, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. CORRINE BROWN of Florida, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mr. BERRY, Mr. MCDERMOTT, Mr. HALL of Texas, Mr. NYE, Mr. ORTIZ, Mr. SHUSTER, Mr. COSTELLO, Mr. DICKS, Mr. SPRATT, Mr. KRATOVIL, Mr. ROSS, Mr. MURPHY of New York, Mr. BOREN, Mr. CARDOZA, Mr. CARNAHAN, Mrs. EMERSON, Mr. COOPER, Mr. CLAY, and Mr. BRIGHT.

H. Res. 1518: Mr. CLAY, Mr. RUSH, Mr. TOWNS, Ms. KILPATRICK of Michigan, Ms. CORRINE BROWN of Florida, Mrs. CHRISTENSEN, Mr. BISHOP of Georgia, Mr. MEEKS of New York, Mr. MCGOVERN, and Ms. CLARKE.

#### PETITIONS, ETC.

Under clause 3 of rule XII:

161. The SPEAKER presented a petition of Common Council, City of Albany, New York, relative to Resolution Number 62.61.10R expressing support for the passage of the Uniting American Families Act; which was referred to the Committee on the Judiciary.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 11, by Mr. KING of Iowa, on H.R. 4972: Timothy V. Johnson, Michael T. McCaul, Thaddeus G. McCotter, Robert J. Wittman, Lamar Smith, Cynthia M. Lummis, Wally Herger, Vern Buchanan, Christopher H. Smith, Geoff Davis, Jack Kingston, Brian P. Bilbray, Zach Wamp, Jerry Lewis, Erik Paulsen, Roy Blunt, Jo Ann Emerson, Frank R. Wolf, George Radanovich, Steve Austria, Greg Walden, Frank D. Lucas, Adrian Smith, and Jeff Fortenberry.