

ANSWERED "PRESENT"—7

Bishop (UT)	Culberson	Poe (TX)
Bright	Johnson (IL)	
Chaffetz	Matheson	

NOT VOTING—22

Ackerman	Marchant	Solis (CA)
Boucher	Michaud	Speier
Carney	Mollohan	Tanner
Gallegly	Neugebauer	Tiberi
Garrett (NJ)	Pingree (ME)	Wamp
Johnson, E. B.	Rogers (AL)	Young (AK)
Larsen (WA)	Skelton	
Manzullo	Snyder	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1338

Mr. MELANCON changed his vote from "no" to "aye."

Mr. MATHESON changed his vote from "no" to "present."

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas.

Mr. Speaker, on the afternoon of January 22, 2009, I was unable to vote due to illness and missed three rollcall votes. Had I been present, I would have voted "nay" on rollcall No. 27, H.J. Res. 3, a resolution to disapprove the use of the second \$350 billion of the funds that were made available to the Secretary of the Treasury under the Emergency Economic Stabilization Act of 2008; "yea" on rollcall No. 28, on agreeing to H. Res. 56, expressing support for designation of the week of February 2 through February 6, 2009, as "National School Counseling Week"; and "yea" on rollcall No. 29, on passage of H. Res. 58, commending the University of Florida Gators for winning the Bowl Championship Series National Championship Game.

ELECTING MEMBERS TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 80

Resolved, That the following named Members be and are hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—Ms. Zoe Lofgren of California, Chairman; Mr. Chandler, Mr. Butterfield, Ms. Castor of Florida, Mr. Welch.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

Mr. CANTOR. Mr. Speaker, I object and would like the resolution to be read.

The SPEAKER pro tempore. Objection is heard. The Clerk will continue to read.

The Clerk continued to read.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. Pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Regents of the Smithsonian Institution:

Mr. BECERRA, California

Ms. MATSUI, California

Mr. SAM JOHNSON, Texas

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank my friend for yielding. I'm glad I am here for him to yield to.

On Monday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business.

On Tuesday, the House will meet at 10:30 a.m. for morning hour business and 12 p.m. for legislative business.

On Wednesday, the House will meet at 10 a.m. for legislative business.

On Thursday and Friday, no votes are expected due to the House Republican Issues Conference.

We will consider several bills under suspension of the rules. The complete list of suspension bills will be announced by close of business tomorrow.

We also expect to consider the American Recovery and Reinvestment Act of 2009. We anticipate as well the Senate taking action on the Lilly Ledbetter Fair Pay Act. And if they do, our hope is to consider the legislation as early as next week.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, as the gentleman knows, the Democrat congressional stimulus bill will add nearly \$1 trillion to the Nation's debt. That is roughly \$2,700 in additional debt for every man, woman and child in the United States. Republicans are hopeful, Mr. Speaker, that this stimulus bill will be considered openly so as to ensure there is no waste of taxpayer dollars.

Unfortunately, Mr. Speaker, the public has not been given an extra day to review the congressional Democratic proposal prior to committee consideration. Further, committees are rushing as we speak to consider their respec-

tive portions of the bill, completing markups in a single day.

Mr. Speaker, as has been announced, we are going to be hastily considering the bill next week. I would ask the gentleman from Maryland, will all Members and the American people be given 48 hours to review the committee report prior to a vote next week as the House rules dictate?

Mr. HOYER. Will the gentleman yield?

Mr. CANTOR. I yield.

Mr. HOYER. I thank the gentleman for yielding.

First let me say I appreciate the gentleman's comments. Clearly we have come into this Congress with an economy in crisis. That economy, very frankly, was not affected by anything the Democrats did over the last 2 years because, on economic policy, of course, we couldn't pass anything either through the Senate or over the President's veto. So the economic crisis that confronts us we believe is the result of 8 years of, in some respects fiscal irresponsibility and economic irresponsibility, and taking the referees off the field and with no regulation I tell my friend.

Having said that, I continue to believe the gentleman's point is a good point, a point with which I agree. It is my hope that the committee markups will be completed tonight, maybe early this morning. As you know, the Appropriations Committee yesterday had a full markup, adopted six Republican amendments and a number of Democratic amendments. I don't know what the amendment status is in Energy and Commerce or Ways and Means, but I expect all those markups to be completed late tonight. It is my hope that once those markups are complete, that by tomorrow night we will post the results on the Web and that they will be available not 48 hours, but either Friday night or Saturday so that we will have 4 days to review those items.

□ 1345

But I want to reiterate my hope and my expectation, to state it even more strongly, that you and the minority Members, the country, and the majority Members will have 48 hours to review the product that is reported out of the committee after their markups.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for his response. I appreciate the spirit in which he responds to the inquiry and will set aside the supposition that perhaps we have to rush because of some policies that were in place over the last 8 years and would point out to the gentleman that, again, it is his party that has served in the majority over the last 2 years building up to the current situation that we are in.

But I would ask the gentleman, specifically does he know what day the actual stimulus bill will be considered on the floor of this House?

Mr. HOYER. Will the gentleman yield?

Mr. CANTOR. I yield.

Mr. HOYER. My expectation is it will be Wednesday.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, President Obama has actively solicited Republican ideas to be included in his stimulus package. I would like to ask the gentleman from Maryland, and I yield to him to respond to the question, will congressional Democrats allow all ideas to be considered as amendments on the House floor without restriction?

I yield.

Mr. HOYER. I thank the gentleman.

As the gentleman knows, a very large portion of this bill will be tax cuts. Almost half of this bill is going to be tax cuts for working Americans and for business. As the gentleman knows as a member of the Ways and Means Committee, rarely, if ever, I'm not sure that I can remember a Ways and Means tax bill that came to the floor as an open rule, which is what the gentleman suggests. So you would be shocked if I said, yes, that's the way the bill is going to come to the floor because your bills never come to the floor that way, whether they're Democratic Chairs or Republican Chairs.

So my expectation is it will not come as an open rule, but I do not want to prescribe right now exactly—I have not talked to the Chair of the Rules Committee nor have the markups been complete, so I don't want to prejudice what the rule will be. But I certainly understand the gentleman's proposition that you would like alternatives considered, perhaps not to the tax provision. I don't know your particular position. I do know the position of the Republican leadership of the Ways and Means Committee historically and the Democratic leadership of the Ways and Means Committee historically. There has been bipartisan agreement that once a tax bill is forged, amending it on the floor becomes very complicated and very risky.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I would just respond by saying that perhaps because of the expedited nature of the process, given the severity of the crisis, that we would have an opportunity to change that tradition and open up Ways and Means bills. But I accept the gentleman's response, although I may not agree with the outcome.

Mr. Speaker, President Obama has asked that 40 percent of the stimulus bill be reserved for tax relief. Republicans agree on the need for fast-acting tax relief for families and small businesses. Unfortunately, it seems the Democrat majority in its proposal includes far less tax relief than what President Obama requested. Some estimates say there is only 10 percent tax cuts. The estimates that I have had that seem reasonable and accurate is that there is only 33 percent of this proposed bill that includes tax cuts and the rest, the 66 percent, is just pure government spending.

I'd also note that the nonpartisan Congressional Budget Office reported

that less than half of the spending on infrastructure in the congressional Democrat proposal will be spent by the end of 2010. That hardly seems stimulative. By contrast, Mr. Speaker, our position would be tax cuts can have an immediate impact.

So I would like to ask the gentleman from Maryland, the majority leader, will Democrats allow amendments to be considered for a vote on the floor that increase the tax relief in this bill, as President Obama has requested?

And I yield.

Mr. HOYER. I thank the gentleman for yielding.

I'm not sure that President Obama has requested specifically what you suggest he requested. He did say that he wanted a very significant portion of this bill to be tax cuts for working Americans. He promised that in his campaign. He promised that he was going to give 95 percent of taxpayers in America a tax cut. This bill will do that. And I'm not sure of the exact percentage, but I think probably between 30 and 40 percent. You're correct in that approximate range.

I think, as I have said before and maybe being redundant, as you know, and you're a member of the Ways and Means Committee, we appropriators sometimes felt constrained by this rule that your committee had, but, nevertheless, your committee has generally felt that tax provisions are very complicated and need to be worked on carefully and, once proposed, should be voted either up or down.

I don't think that your representation that President Obama's saying that it ought to be amended on the floor is necessarily accurate, I tell my friend. But he does want and we will have and you will have the opportunity and every Member of this House will have an opportunity to vote for a tax cut for 95 percent of the taxpaying public. Not only in terms of individuals but also significant tax cuts for those in business to try to make sure that they can be more successful, that they can have an increased investment tax credit, and that they can have a look-back provision for applying to profits they made in the past, significant losses that are occurring now. The reason for that, obviously, is to try to keep them in business, keep those jobs able to remain with those businesses. So I can tell the gentleman that he's going to have a very significant tax cut for the American taxpaying public to vote for or against.

Mr. CANTOR. I thank the gentleman.

It's my understanding that the President has said he expects Washington to act differently, that we should and owe it to the public to have an open and transparent process, up-or-down votes in the light of day. That's simply our request, Mr. Speaker, that we be given an opportunity to propose and vote on our tax relief. Obviously, there are differences in what types of tax relief are appropriate in terms of a stimulus bill, and that's being the spirit of my question.

Mr. Speaker, the House just voted to stop the administration from spending another \$350 billion in bailout funds. However, I would like to clarify the outcome of that vote for the people that elect us. Last week the Senate voted to allow the additional \$350 billion to be spent. Therefore, the House and Senate are in disagreement about whether the \$350 billion should be spent or not under the TARP program.

So I would like to clarify, even though the House voted against the \$350 billion, the administration will still be allowed to spend that money. And I would ask the gentleman, is that correct?

And I yield.

Mr. HOYER. That is correct.

Mr. CANTOR. I thank the gentleman.

Mr. HOYER. Essentially, if I might clarify for our Members and their constituents, obviously the vote today was symbolic and everybody knew it was symbolic. Symbolic to the extent that the Senate voted last week, as the gentleman pointed out, to defeat a resolution of disapproval. Under the statute that was passed by this House and Senate and signed by President Bush, the process is that those funds are now available for expenditure because the House and Senate did not pass resolutions of disapproval. Very frankly, President Bush had indicated, if we had done this earlier, he would have probably vetoed such a resolution.

I want to say to my friend that, in a bipartisan way, President Bush sent this request to the Congress. He indicated he sent it to the Congress at the request of President Obama. They both agreed that this request was necessary. So our two leaders, elected in 2000, 2004, and 2008, have said that given the crisis that confronts us, they believe that this money is absolutely essential if they are to have the ability to stabilize the economy. Secretary Paulson believed that was necessary, who was the Secretary of the Treasury under President Bush. Secretary Geithner, who was just confirmed by the Senate, has said he believes that is necessary.

So I say to my friend that the legislation passed, signed by President Bush, provided for a process which said that if either House voted against a motion for disapproval, the money would go forward. And as the gentleman has pointed out, in light of the Senate action, the money will, in fact, be available to President Obama and Secretary Geithner to try to continue to stabilize this economy, which is in such crisis.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, yesterday the House passed a bill to provide further restrictions on this next \$350 billion that, as the gentleman points out, the Senate has approved. Yet it is my understanding that the Senate has no intention of taking the House bill that was passed out yesterday.

So I would like to ask the gentleman, do you expect the bailout restrictions as passed by the House yesterday to become law?

Mr. HOYER. I would hope they would. I voted for it. I believe that they were a response to what we have seen is a lack of transparency, a lack of as much accountability as the taxpayer has the right to expect, and also the failure of the TARP funds already approved to help average people around this country who are faced with losing their homes, having their mortgages foreclosed on. The legislation that we passed yesterday, in a bipartisan vote, as you know, was legislation which said we ought to have greater accountability, greater transparency so the American public knows how their money is being spent and also that we need to have a greater focus on Main Street, not exclusively on Wall Street. I think the American public are for that legislation. I would hope the Senate would pass it.

Very frankly, I will tell my friend one of the problems that it has in the Senate is that there is a large number of Members in your party, I believe, who are not for money being diverted to mortgage relief. I disagree with that as a policy, but the issue is whether they can get 60 votes to take it up. I tell the gentleman I'm hopeful that they will.

In addition, as I said on this floor in response to Congresswoman FOXX, it is my understanding that Chairman FRANK and President Obama have had discussions and that President Obama believes that conditions and transparency and focus on helping people whose mortgages are at risk is something that his administration is going to follow whether or not that legislation is passed into law.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I'd just like to say in closing that I would hope that the standard of transparency and openness that should be applied to the expenditure of the TARP moneys can be applied to the conduct of the proceedings of this House over the next 2 years during the 111th Congress. I think we owe it to the American people. We owe it to the American people to know what the Members that they elect are doing, what they're voting on, which is why I again say to the gentleman I hope that the proceedings next week on this unprecedented amount of money in the bill that is currently being marked up, this unprecedented amount can come to this floor in the most open, transparent way possible, giving the minority, the Republicans on this side of the aisle, the ability to make their proposals known, to have votes on those ideas because, after all, that is the spirit in which we would like to work not only with the gentleman and his party but certainly with the new President.

when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

The SPEAKER pro tempore (Mr. LUJÁN). Is there objection to the request of the gentleman from Maryland?

There was no objection.

□ 1400

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HEINRICH). 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.

A RETURN TO JUSTICE FOR ALL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise today to applaud the bold leadership coming from our new administration. Today President Obama signed executive orders to put an end to destructive policies of the Bush administration. Americans and people all over the world will know, once again, that the United States rejects the use of torture and that we will proceed with the rule of law.

With his announcements this morning, President Obama is taking an important step for undoing the damage that has been caused over the past 8 years. The prison at Guantanamo Bay and the horrors at Abu Ghraib have so stained the honor of the United States that it will take years to regain the trust of the international community.

Under the past administration the world saw a White House that operated in secrecy and was all too eager to bend and break the rule of law when it was convenient to do so. Progressives fought every step of the way and demanded an end to torture and the closure of Guantanamo Bay.

President Obama is living up to his campaign promises, and he is signaling to the world a return to the very values that have led our Nation to be viewed as the greatest democracy on earth, our unyielding commitment to the rule of law and profound respect for human decency.

This Congress stands ready to help the administration. Whether it's bringing an end to prisons like Guantanamo or bringing our troops home from Iraq, we pledge to help the President forge a new path for America and for the world. Again, Mr. Speaker, I applaud the administration's bold move forward, and I will commit to supporting our renewed role as world leader for justice and human rights.

Mr. POE of Texas. Mr. Speaker, I bring you news from the second front. The second front is the border war on the southern border of the United States between America and Mexico.

It is important that America understand that there is a violent atmosphere in Mexico, our neighbors to the south. It's a possibility that the government may collapse. There is chaos, there is high unemployment, and much of the blame goes to the drug cartels that are operating in Mexico. They are violent; they are mean; they have a lot of money; and it makes no difference who they kill that gets in their way to smuggle that cancer into the United States.

This should concern all of us. We cannot wait for the reaction of the violence along the Texas-Mexico border, especially, to come into the United States. We must be proactive and not wait for Americans to be killed before our country does something about it.

You know, our country protects the borders of other nations, nations that many Americans don't even know where they are on the map. But the first duty of government is to protect our Nation and protect our borders, especially from those narcoterrorists that come into the United States habitually.

Even the Department of Homeland Security now has actually admitted that there is a problem on the border. For so long, in my opinion, Homeland Security has done very little to protect our border in the southern part of the United States.

But Homeland Security has developed a plan involving the U.S. Northern Command to deploy the United States military to protect American citizens in the event the drug wars in Mexico spill into the United States.

Just last year, there were over 5,300 murders in Mexico, that's more murders in Mexico than the number of American troops killed in the wars in Iraq and Afghanistan put together, and it's all because of the drug cartels and the violence that has occurred there.

I have had the opportunity to be on the Texas-Mexico border and the border all the way to California that we have with Mexico. I have been there many times, and every time I go, it's worse. The violence is terrible.

There used to be a time when Americans would go to Nuevo Laredo across the river from Laredo. Not any more. The three drug cartels are fighting for turf in Nuevo Laredo to smuggle drugs into the United States.

I want to read, Mr. Speaker, a portion of a military report that I have obtained from November 25, 2008, from the United States Joint Forces Command. It states that Mexico "bear[s] consideration for a rapid and sudden collapse," because "its politicians, police, and judicial infrastructure are all under sustained assault and pressure by criminal gangs and drug cartels." "Any descent by Mexico into chaos would demand an American response

HOOR OF MEETING ON TOMORROW

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow; and, further,

NEWS FROM THE SECOND FRONT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.