

"Aye" on rollcall vote 453; "Aye" on rollcall vote 454; "No" on rollcall vote 455; "No" on rollcall vote 456; "Aye" on rollcall vote 457; "Aye" on rollcall vote 458; "No" on rollcall vote 459; "Aye" on rollcall vote 460.

PERSONAL EXPLANATION

Mr. CAPUANO. Mr. Speaker, earlier today, June 25, 2009, due to a medical situation involving a member of my family, I was not present for rollcall votes 453 through 460. Had I been present, I would have voted in the following manner:

"Aye" on rollcall 453: The McGovern/Jones/Pingree Amendment; "Aye" on rollcall 454: The McGovern/Sestak/Bishop/Lewis Amendment; "No" on rollcall 455: The Franks/Cantor Amendment; "No" on rollcall 456: The Akin/Forbes Amendment; "Aye" on rollcall 457: The Holt Amendment; "Aye" on rollcall 458: The Connolly Amendment; "No" on rollcall 459: The Motion to Recommit on H.R. 2647; "No" on rollcall 460: Final Passage of H.R. 2647.

PERSONAL EXPLANATION

Mr. BECERRA. Mr. Speaker, I was meeting with President Obama at the White House on immigration reform earlier today and missed rollcall votes 453–460. If present, I would have voted "aye" on rollcall votes 453, 454, 457, 458 and 460 and "nay" on rollcall votes 455, 456, and 459.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, on June 25, 2009 I missed rollcall votes 454 and 460. Had I been present, I would have voted "yes" on both.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2647, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

Mr. SKELTON. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2647, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, and that the Clerk be authorized to make the additional technical corrections, which are at the desk.

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

There was no objection.

GENERAL LEAVE

Mr. SKELTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend remarks and in which to insert extraneous materials in the RECORD on the bill that was just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. WEINER. Mr. Speaker, because I was attending a conference at the White House on immigration reform, I was unavoidably detained and would like to state for the RECORD that, had I been present, I would have voted "yes" on the McGovern-Jones amendment, would have voted "yes" on the McGovern-Sestak amendment, would have voted "no" on the Franks amendment, would have voted "no" on the Akin amendment, would have voted "yes" on the Holt amendment, would have voted "yes" on the Connolly amendment, and would have voted "no" on the Republican motion to recommit.

PERSONAL EXPLANATION

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent to be recognized to note that I also was at a meeting for the last 2 hours, with the President at the White House, on immigration and unavoidably missed the votes. Had I been present, I would have voted "yes" on the McGovern-Jones amendment, "yes" on the McGovern-Sestak amendment, "no" on the Franks amendment, "no" on the Akin amendment, "yes" on the Holt amendment, "yes" on the Connolly amendment, and "no" on the motion to recommit.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. I ask unanimous consent to place in the RECORD how I would have voted because I was unavoidably detained at a 2-hour meeting with the President on the issue of immigration.

I would have voted "yes" on the adoption of the McGovern-Jones. I would have voted "yes" on the adoption of the McGovern-Sestak. I would have voted "no" on the Franks-Cantor. I would have voted "no" on the Akin-Forbes amendment. I would have voted "yes" on the Holt amendment. I would have voted "yes" on the Connolly amendment and "no" on the Republican motion to recommit.

PROVIDING FOR CONSIDERATION OF H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. POLIS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 578 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 578

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. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, 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 Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except: (1) the amendment printed in part A of the report of the Committee on Rules accompanying this resolution; (2) the amendments printed in part B of the report of the Committee on Rules; (3) not to exceed three of the amendments printed in part C of the report of the Committee on Rules if offered by Representative Flake of Arizona or his designee; (4) not to exceed one of the amendments printed in part D of the report of the Committee on Rules if offered by Representative Campbell of California or his designee; and (5) not to exceed one of the amendments printed in part E of the report of the Committee on Rules if offered by Representative Hensarling of Texas or his designee. Each such amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI and except that an amendment printed in part B, C, D, or E of the report of the Committee on Rules may be offered only at the appropriate point in the reading. 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. In case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without intervening demand for division of the question. 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. After consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations 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).

SEC. 4. During consideration of H.R. 2996, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentleman from Colorado is recognized for 1 hour.

Mr. POLIS. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlelady

from North Carolina, Dr. FOXX. All time yielded during consideration of the rules is for debate only.

GENERAL LEAVE

Mr. POLIS. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 578.

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

There was no objection.

Mr. POLIS. I yield myself such time as I may consume.

Madam Speaker, House Resolution 578 provides for consideration of H.R. 2996, the Department of the Interior, Environment, and Related Agencies Appropriations bill for fiscal year 2010.

I rise in support of the rule and the underlying bill, the Interior, Environment, and Related Agencies Appropriations bill for fiscal year 2010. I thank Chairman OBEY and Chairman DICKS and the Appropriations staff for their hard work and dedication in bringing this bill to us.

Madam Speaker, I am a lucky man. I am truly blessed to represent communities in Colorado like Vail, Breckenridge, and Boulder, some of the most awe-inspiring forests, mountains, and wilderness that our country has to offer and I had the opportunity to witness as a kid growing up to this day.

□ 1600

Visitors from across the globe come to my district in Colorado and others like it across the Nation year-round to get a taste of what we experience every day. Amidst this beauty, Coloradans grow up understanding the great responsibility we all share to protect our precious natural resources for generations of Americans to enjoy.

This bill, I'm proud to say, reflects that great responsibility and priority by providing a total of \$32.3 billion for the Department of the Interior, the Environmental Protection Agency, the Forest Service, the Indian Health Service, and related agencies—an increase of \$4.7 billion over the 2009 enacted levels.

These funds are absolutely critical in addressing the problems that have come with historic underfunding and have a tangible impact not only on communities in my district, but across the country. This bill also keeps its foundation in fiscal responsibility and contains over \$320 million in program terminations for programs that simply don't work, reductions in other savings for the fiscal year 2009 level, and over \$300 million from the budget request. Included in this amount is a \$142 million rescission from EPA prior year STAG account funds based on an inspector general report of unliquidated obligations and \$18 million in reductions from a number of requested increases for EPA administrative functions.

This bill also terminates \$28 million for a new initiative in Federal aid in wildlife restoration programs due to

concerns about implementation of this program.

Our natural environment plays such a critical role in the quality of our lives not only in my district, but across the country, and this bill will help continue the proud tradition of Federal stewardship of our public lands.

I reserve the balance of my time.

Ms. FOXX. I yield myself 3½ minutes. I appreciate my colleague yielding time and, like my colleague from Colorado, I feel extremely fortunate to live where I live in my district—I think the most beautiful area of this country.

But, Madam Speaker, the underlying bill we have here today, the Interior Appropriations Act, that most of my colleagues on both sides of the aisle are being denied the ability to offer amendments to, is filled with wasteful spending. The bill itself is a 17 percent overall increase in funding from last year's bill, and most programs are increased not only above the 2009 levels, but also above the levels the President requested.

This does not reflect the hard economic times our country and our constituents are experiencing right now and is instead spending borrowed money that we do not have.

This bill contains an astounding 38 percent increase in funding for the Environmental Protection Agency. When combined with stimulus funding approved earlier this Congress, which I did not support, the EPA will receive more than \$25 billion in a single calendar year, which is the equivalent of three-quarters of the entire Interior Appropriations Act we have before us.

This kind of excessive spending does not reflect but it mocks the economic challenges our constituents are experiencing.

The money that Speaker PELOSI and the Obama administration want to spend today is all borrowed money. We do not have this money. Our constituents do not have this money. And the Federal Government does not have this money.

The Democrat leaders have made the irresponsible decision to borrow in order to spend it at their whim. This bill will increase the deficit even more by borrowing and spending money we don't have.

We can no longer blame the deficit and economic difficulties today on the previous administration because the Democrat leaders are continuing to dig America into a bigger and bigger hole with more reckless spending.

This borrowed money is all being spent by Speaker PELOSI and the Obama administration and, as a result, the unemployment rate continues to rise and the deficit continues to rise also.

This bill contains also several hundred earmarks. The earmark system is flawed. And we know that even some of the earmarks in this bill have had questions raised about them.

This legislation contains several giveaways for and preferential treatment to green companies in order to promote the green climate. This bill applies Davis-Bacon, which will create wasteful spending that we do not need to have.

Madam Speaker, I urge my colleagues to vote against this rule in order to allow this body to appropriately and adequately offer their ideas and engage in the debate that our constituents deserve.

I reserve the balance of my time.

Mr. POLIS. This bill has several cuts that I went into in a number of different areas showing strong fiscal discipline in this difficult fiscal environment. And I would agree with the gentlelady that we need to ensure that we return to fiscal responsibility and indeed balance our budget and certainly preserve our national heritage as an important part of long-term fiscal responsibility.

I'd like to yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I want to thank the gentleman from Colorado, my colleague on the Rules Committee, for yielding me the time.

Madam Speaker, I am proud to stand here in support of this rule and of the underlying legislation. This Interior Appropriations bill is a bill that respects our environment. I'd especially like to thank Chairman Dicks for his leadership, and I want to thank him also for accepting my amendment to increase funding for the Land and Water Conservation Fund Stateside Assistance program by \$10 million and for including it in the manager's amendment.

The LWCF Stateside Assistance program is one of the most successful Federal-State-local partnerships in the history of the Department of the Interior. The LWCF Stateside Assistance program matches funds to assist communities in creating new public parks, creating open space, and developing public resources and creating jobs.

The States, cities, counties, and towns that apply for and accept Federal funding from the LWCF Stateside Assistance program agree to match the Federal investment on a dollar-for-dollar basis, and often match significantly more than the Federal share.

Since its inception, it has provided funding for over 41,000 State and local projects in 98 percent of all U.S. counties. There is not a congressional district that has not been impacted in a positive way by an LWCF stateside project.

Having said that, Madam Speaker, I also want to rise in strong opposition to an amendment that will be offered by my colleague from Utah, Mr. CHAFFETZ, later on today, which would eliminate, which would eliminate the LWCF Stateside Assistance program.

Madam Speaker, as I have already stated, the LWCF Stateside Assistance program has supported projects in 98

percent of all United States counties, including the counties that are included in the State of Utah that are in the district of my friend who's offering this amendment.

This program serves a vital, national need, which helps fulfill conservation efforts while promoting healthy living for all Americans. LWCF funding provides critical funding to protect and enhance our parks, protect our wildlife, and retain the quality of our conservation spaces.

Again, I want to thank Chairman DICKS for working with me on this issue, and I look forward to continuing efforts on behalf of the LWCF Stateside Assistance program.

I urge my colleagues to support the rule and to support the underlying bill.

Ms. FOXX. I will now yield 5 minutes to my colleague from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentle lady for yielding. I come to this side of the well because I fear the distance between us has grown so great that we can no longer hear each other from the chasm that divides us. It's time to stop talking at each other and start listening to one another.

When I first read this rule, I wasn't so much angry as I was deeply saddened. I was saddened by what we have allowed this institution to devolve into—little more than a Third World dictatorship. And we are all to blame because we have all allowed this to happen.

We can point fingers at one another ad nauseam, claiming, We did this to you; you did that to us; et cetera, et cetera. Unfortunately, pointing fingers has never solved a problem.

I was also saddened because the Rules Committee had it within their grasp, within their power to pull us back from this precipice that we find ourselves on. But they chose not to. They took a pass.

As I said at the Rules Committee hearing last night, History is replete with people who found an excuse to do the wrong thing. It takes a little courage to do the right thing.

It's time for us to stand up and show the courage to do the right thing—not as Democrats, not as Republicans, but as Members of Congress. It's time to restore this House to the time-honored traditions of open debate, which we inherited from those who came before us, when Members had the right and the ability to represent their constituents.

I find it ironic that around the world people hope for, pray for, even die for the simple right to have their voices heard. They look to us not because they want to be Americans, but because they want for themselves what we have, or at least what we had—the right to be heard. Yet here, in this penthouse of democracy, we are going exactly the opposite direction by trying to silence all opposition.

We all know this rule is wrong. We all know it damages this institution. I know in my heart that Mr. HOYER, the

majority leader, knows this rule is wrong. I know in my heart Mr. OBEY, the chairman of the Appropriations Committee, knows this rule is wrong. I know that Ms. SLAUGHTER, the chairwoman of the Rules Committee, knows this rule is wrong.

Yet here we are, all in the name of expediency, silencing the voices of the Americans who elected us to Congress to speak on their behalf. We are sacrificing what is right to just get the job done.

There will come a time when Republicans will once again become the majority party. We don't know when that will be. It might be 2 years, it might be 10 years, it might be 20 years. But it will happen—and we all know that. I will tell you that members of my party will want to use the actions today, your rules, as a precedent—a precedent to shut you out of the process, a precedent to silence your voices, a precedent to deny your ability to represent your constituents, a precedent to take the easy road instead of doing the hard work of democracy.

I want you to know here today that I won't be a part of using this precedent against you. I will stand up for your rights as a minority when you find yourselves in the minority. It's the very heart of democracy. And I'll do it because I care more about the integrity of this institution than I do about sticking to an arbitrary schedule scratched out on some piece of paper.

I fear, I truly fear that you know not the damage that you do to this institution with these rules.

Mr. POLIS. This proposed rule makes in order 12 Republican amendments and indeed only one Democratic amendment, a manager's amendment, which includes two Democratic amendments. I think it is fair to both parties. Included in the allowed amendments are five earmark amendments.

I would like to yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the distinguished member of the Rules Committee, Mr. POLIS, for yielding me the time. Madam Speaker, as chairman of the Committee on Natural Resources, I do rise today to express my strong support for the fiscal year 2010 appropriation bill for the Interior, Environment, and Related Agencies.

For many years, many programs in the Department of the Interior were severely underfunded, leaving us with a legacy of tired visitor facilities and a backlog of needs for many natural resources programs. The legislation before us today funds the most important programs harmed by years of starvation budgets. I'm very supportive of the funding increases for our public lands.

Madam Speaker, I do wish to commend the Subcommittee on Interior Appropriations chairman, my classmate, Mr. NORM DICKS, and Ranking Member SIMPSON for the work that they have put in on this legislation.

They have provided a needed increase to U.S. Forest Service for both wildlife prevention and wildlife suppression. The legislation also provides the necessary funding for the National Park Service to ensure that park visitors can experience our national parks in their full glory. I'm also pleased to see an increase in funding for the Land and Water Conservation Fund.

Further, I applaud the spending items contained in the pending measure for Indian Country. Through treaties entered into many years ago, the United States has a trust responsibility and moral obligation to provide for our Native Americans.

The unmet needs of Indian Country can never be addressed by a 1-year spending bill. However, we are making good progress with the increased funding for law enforcement, health care, and education in this legislation. These funding levels show our commitment to meet both our legal and moral obligations to Native Americans.

From the standpoint of our natural resources, the preservation of our heritage and keeping faith with Indian Country, this is a very good bill, and I urge my colleagues to support it.

Ms. FOXX. I now yield 3 minutes to our distinguished colleague, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. I need to stand and congratulate our Rules Committee for all the hard work they are doing in creating precedent around here. Until last year, in the history of this House the ability to limit speaking rights and amendments was always done by a unanimous consent agreement. So the Rules Committee must indeed be working overtime to establish which issues will never be discussed on this floor.

When the ranking member of the Resources Committee, the ranking member of two of the subcommittees can go 0-9 in proposed amendments, it must be truly an effort on the part of the Rules Committee to guard free speech on this floor—as long as the topic is something on which they agree should be discussed.

□ 1615

For, indeed, we are not simply debating about dollars here. We are debating about dollars to create national security, for dollars have consequences to them.

There was one proposed amendment, which I proposed in there obviously, that dealt with the border security and border guards. Our border guards right now are concentrating their efforts on urban areas. Their efforts are working. But what that is doing is funneling the traffic of illegal immigrants into this country through side lands that are all owned by the Department of Interior and the Forest Service, which constitutes 41 percent of our borders. Madam Speaker, 80 percent of all drugs smuggled are going through those lands. The foot traffic is destroying those wilderness areas. In 2002 alone, eight major wildfires were established

by the foot traffic in that area. The Goldwater training range was shut down because of illegal immigrants trespassing upon that land. Some of those areas are controlled by drug cartels. Some are subject to violence. And one of the problems that we face is, the Border Patrol actually has to pay money to the Interior Department to have access to some of those lands.

One of the Border Patrol agents was threatened with lawsuits and even arrests by a Federal land manager for attempting simply to enter a wilderness area and land a helicopter to pick up a wounded victim. The Border Patrol has to notify land managers if they ever change procedure, even if they are in hot pursuit of an individual. All those issues should be addressed in this particular area.

This device, which I have right here, is one of the listening devices that the Border Patrol needs to communicate with each other. It is placed in jeopardy simply because the Department of Interior now wants it to have limitations. A threat of a lawsuit by an environment group indicated that a memorandum of understanding has to be used to put restrictions on this even though this technology is important and even though environmental assessments said this has no impact. It is temporary. It is mobile. It does not leave a footprint. And if any of these areas were to be created as wilderness, this would have to be, by the memo of understanding, moved.

This picture is of a cactus illegally cut down. It's a crime scene. The illegals who cut this cactus down used this to stop a passenger, then to rob and beat him and then leave him on the scene. The irony is, by the laws we have, if the Border Patrol were to try to move this, that violates the Endangered Species Act if this was one of the endangered species. If it is protected, to take it at all becomes a Federal crime.

Now those are the issues that are at hand. Those are the issues that should be discussed. Those are the issues that are important to America, and those are the issues the Rules Committee decided are not worthy of being discussed on this floor. Good job.

Mr. POLIS. Madam Speaker, I would like to yield 3 minutes to the Chair of the subcommittee whose hard work brings us this bill here today, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I appreciate the gentleman yielding time.

I just want to say to my colleagues that I believe this is an extraordinarily good bill. Mr. SIMPSON and I worked together on a bipartisan basis to craft this legislation. Our staffs worked together very effectively; and we had an open process, an open subcommittee markup where any member could have offered any amendment that they wanted. We had a full committee markup where any member of the Appropriations Committee could have offered an amendment, either side of the aisle; and many were offered.

I just want you to know that I understand Mr. SIMPSON's statement here. He feels badly that we don't have an open rule. I would have preferred an open rule. But when we took control of the House, all of a sudden we had an extension of time on these bills. I can remember the last year I was the ranking member, Mr. TAYLOR was the chairman. I think we went about 8 hours. The next year when I became chairman, it was over 20 hours, and it was an exhaustive process.

I just think we have to remember that we've got to get these 12 bills passed. The greatest sin, in my judgment, is to not do our work; and there are some people in this House who don't want to see the work get done because then they can point the finger of failure at the majority. I have to support my leadership because they have offered their hand—they went over and they talked to Mr. BOEHNER. They talked to Mr. LEWIS, who is here on the floor. And they said, We would like to work out an agreement on these bills on how we can proceed. And they were rebuffed.

So we started out, and we found that there was going to be, on the first bill, a huge number of amendments. There was going to be a long-term delay in getting the work done. So we had no choice but to go to the Rules Committee and get a structured rule. I would have preferred an open rule, but I support what our leadership has done. I think until the leadership gets together and works out a different way, we're going to be doing it this way. It takes both sides here to cooperate and to realize that we have to limit the number of amendments, either by an agreement or by a structured rule.

Now this is a very good bill. I hope that this dispute about the procedure doesn't get in the way of the fact that this is one of the best—maybe the greatest—Interior appropriations bill that has ever been enacted.

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

Mr. POLIS. Madam Speaker, I would like to yield an additional minute to the gentleman from Washington.

Mr. DICKS. I want to say something. Over the last 8 years, between 2001 and 2008, during the previous administration, the budget for the Interior Department was cut by 16 percent. The budget for the EPA was cut by 29 percent; and the budget for the Forest Service, if you take fire out, was cut by 35 percent. These were huge cuts in these programs. The Park Service was in trouble. The Fish and Wildlife Service was in trouble. We had to step in, and we did this on a bipartisan basis. In fact, when I was in the minority, Mr. TAYLOR and I, Mr. Regula and I worked to try to increase the funding for the Park Service so we wouldn't see it deteriorate. Now we have a better budget, and it helps us correct some of the problems. Still we have huge backlogs of work that have to be done in the Park Service, in the Fish and Wild-

life Service, at the BLM. So even with a better budget, we still do not have enough money to take care of all the issues that we need to address.

But this is a good bill that deserves our support, and this rule deserves support.

Ms. FOXX. Madam Speaker, I think it's important to point out to the American people that there are only 60 members on the Appropriations Committee, which means that only 60 out of 435 Members in this body had the opportunity to amend the bill that's under consideration here. If we had an open rule, every Member would have had that opportunity.

I'd also like to mention that my colleague from Colorado said, Only one Democrat amendment was accepted and 12 Republican amendments. But that reinforces the point that even Members of his own party were turned away from offering amendments, and that isn't right.

Madam Speaker, I would like to yield now 2 minutes to our distinguished colleague from California (Mr. NUNES).

Mr. NUNES. Madam Speaker, 636 days and counting. This is the number of days that have passed since I asked the Democrats in this body to take direct action and avoid destruction of the San Joaquin Valley. Instead, we've had 636 days of inaction, 636 days of a man-made drought, a California dust bowl.

Last week there was a close vote, apparently too close for the Democrat leadership. The bipartisan amendment I offered would have stopped the Obama administration from taking additional measures to starve the people of the San Joaquin Valley of water. The Democrat leadership will not risk the possibility of defeat again. No mistakes this time. No vote will be allowed on the House floor this week on my new amendment to the Interior bill.

The hypocrisy of this situation is that the Democrat majority champions working families but in reality is just backing the radical environmental element in this country. For the San Joaquin Valley, the Democrats in this House have chosen the 3-inch minnows over working families. What we are witnessing is the greatest elected assembly in the history of the world starving its citizens of water, acting like a despot who tortures the innocent just to stay in power. Make no mistake—raw power is what we're witnessing, power that injures and wounds, exercised at the highest levels of this government, straight from the Obama White House and the Democrat leadership in this Congress. They will say anything and do anything to keep power. Their victims are my constituents, the people of the San Joaquin Valley, who have done nothing to deserve this cruelty at the hands of this government. The clock is ticking. There's very little time left. This Congress must act and act now.

At this moment, Madam Speaker, Members of this body are at the White

House having a luau; and in the meantime, there's 40,000 people without jobs in the San Joaquin Valley because of the inaction by the Democrats and this Congress. Come back. Stop the luau. Stop the partying, and come back, and vote "no" on this rule and allow an amendment on this bill to bring people of the San Joaquin Valley.

Come back. Stop the party. Come back now.

Mr. POLIS. Madam Speaker, to address the gentleman from California—in a previous discussion at the Rules Committee, we talked about the fact that the Secretary of the Interior, Secretary Salazar, has agreed to visit San Joaquin Valley and learn more about the situation firsthand to address the very legitimate concern that the gentleman from California has raised.

As a fellow Coloradan, I can attest to the savvy ability of our former Senator, former Attorney General, former water lawyer, one of the most knowledgeable minds and best minds that we have in the area of water law, water rights and water. I know that the gentleman from California shares our desire to address the legitimate issue raised by his constituents. I have every degree of confidence that the Secretary will play a constructive role in doing that.

The health of our communities is our most precious resource. This bill provides a historic and much needed investment in the Environmental Protection Agency, \$10.5 billion, a large portion of which will improve our water and wastewater infrastructure. As a westerner, I understand the vast challenges we face with water. Establishing the water infrastructure that encourages and promotes conservation is of incredible importance for regions that will only see their water sources become fewer and farther between as demands grow.

In Colorado, we rely on clean water not just for municipal and agricultural use—many of our communities are supported by visiting kayakers, fly fishermen and outdoorsmen from across the country who flock to our pristine rivers and in doing so, are a key driver of the success of our economy. Our environment, communities, industries and businesses all stand to gain under the water provisions of this bill. Without significant infrastructure investment and improvement, our water quality could be further compromised, endangering the future health and economic viability of our communities nationwide and our environment. Building upon the job creation and stimulus of the American Recovery and Reinvestment Act, this bill will provide loans and assistance to more than 1,500 communities across this country and will also create as many as 40,000 new construction jobs to help get our economy going again. Moreover, Madam Speaker, wildfire season has grown exponentially over the last decade, and it is just beginning in Colorado and across the West. The cost of fighting fires has

continued to increase. The House recently passed the FLAME Act, and I hope the Senate will move quickly to do the same. The communities in my district are growing increasingly worried about another fire season that has the potential to be very dangerous to both property and to people. We've been hit hard, as have many communities across our country, by the mountain pine beetle epidemic, an epidemic that has killed millions of acres of trees. Hard-hit counties in my district, like Grand County and Summit County, have had their mighty lodgepole pines felled across the district, turning the area into a potential powder keg for forest fires, bringing the threat of wildfire literally to our backyards. Over the past 10 years, this outbreak has spread, and it is devastating the Mountain West. There is a strong correlation between previous outbreaks of mountain beetles and forest fires 10 years after the event. We are now coming upon the 10-year time frame when the risk of forest fires is at its maximum.

This bill is of particular note to my home State of Colorado as it reinstates a vital program, the good neighbor authority, which is currently helping to protect communities from wildfire threats with collaboration at both the State and Federal levels. Collaboration is key to forest fire prevention. Climate modeling predicts a large change in the frequency of precipitation and intensity of drought in the area, which will only add to our increasing wildfire risk.

This bill provides a significant increase for programs that address wildland fire mitigation and suppression at both the Forest Service as well as within the Department of the Interior, and that will directly aid our communities that are most at risk. In past years, Federal wildfire accounts have fallen dangerously low. This bill provides \$3.6 billion to address wildfires, including \$1.49 billion for suppression and \$611 million for hazardous fuels reduction. It also provides \$357 million for wildland fire suppression contingency reserve funds, which are critical to protect the health of our communities and health of our public lands. This bill is an important part of our overall strategy to prevent forest fires across the West and on public lands across our country.

Madam Speaker, I would like to reserve the balance of my time.

□ 1630

Ms. FOXX. Madam Speaker, our colleague from California made an impassioned plea in the Rules Committee and again here on the floor today, and I have to ask the question: The Secretary of the Interior has been there to see the situation in the San Joaquin Valley. What more does he need to see? What is it going to take to take action to turn this water back on? How much more damage needs to occur before the Obama administration needs to take

action or will take action on the needs there? As a person who grew up without water, I am very, very sensitive to this issue, and I know what a devastating thing it can be not to have water.

Madam Speaker, I would now like to yield 3 minutes to my colleague from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank the gentlewoman for yielding.

Madam Speaker, I strongly urge opposition to this undemocratic rule. The majority is apparently unwilling at best or afraid at worst of debating whether the Environmental Protection Agency should have the authority to change the Clean Air Act without congressional opinion.

I went to the Rules Committee last night and asked them to make in order my amendment that would prohibit the EPA from using funding to implement or enforce its Notice of Proposed Rulemaking finding six greenhouse gases constitute a threat to the public's health and welfare. On April 24, 2009, the EPA issued a proposed rulemaking that it had found six greenhouse gases—carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride—pose a significant threat to the public's health and welfare. This endangerment finding is a precursor for the EPA to regulate these gases' emission, with or without explicit authority from Congress to do so.

My amendment would have simply returned this explicit authority to Congress to regulate greenhouse gases. Without this amendment, the EPA could threaten sweeping changes without giving any consideration whatsoever to its effects on the economy since the EPA's mandate is environmental and public health. Passing this amendment could have removed a threat so that we can consider climate change legislation in an open, deliberative process.

If the majority's national energy tax scheduled for debate later this week gets signed into law, eventually the EPA can move forward on enforcing this explicit action by Congress. But there has been no action taken yet. Rather, the courts have decided the EPA has the authority to make such a determination, which is hardly what Congress intended when it passed the Clean Air Act.

Unfortunately, the Rules Committee blocked this amendment. Furthermore, Congressman LEWIS and Congressman BLACKBURN had similar amendments, and the Rules Committee denied all three. If we had an open rule, we could not be debating all three of our amendments. We would be debating one. Unfortunately, because of the Democrats' unprecedented lockdown rule, we don't get a chance to debate at all. This is a travesty for democracy.

I urge all Members to reject the Democratic leadership's attempt to stifle debate and impose its will on the House by defeating this embarrassing rule.

Mr. POLIS. Madam Speaker, the economy of Colorado and many other States rely on the health of our public lands. Our public lands draw visitors every year to explore Rocky Mountain National Park, hike the Collegiate Peaks Wilderness, or enjoy skiing on our hundreds of world-class slopes.

To protect the historic and natural beauty of our State and our country, this bill includes much-needed increases for both the national parks as well as the wildlife refuges. The \$2.7 billion provided for the National Park Service includes a \$100 million increase to operate the parks and \$25 million for the Park Partnership Program.

I was lucky enough to have grown up in Boulder, Colorado, hiking in Mount Sanitas, the Flat Irons, and Flagstaff Mountain, areas under public management. This bill will protect and defend some of America's truly great public lands so that children all across the country can grow up enjoying our environment and interacting with it every day just as I and many of my colleagues did.

We provide over \$500 million to operate the National Wildlife Refuge System, \$20 million above the request. These funds will provide critically needed staff for many areas, implement climate change strategies and improve conservation efforts. Currently more than 200 of the 550 National Wildlife Refuges have no on-site staff. This bill also provides \$386 million for the Land and Water Conservation Fund, including an \$11 million increase for the stateside land acquisition account in the National Park Service.

Colorado's landscape goes hand in hand with its character. All of us define where we come from by the character of our natural heritage. We're lucky to have as many beautiful places across our country set aside as public lands. Over half of the State of Colorado is held in public trust as a national forest. My district is home to the Indian Peaks Wilderness and the White River. The White River is the single most visited national forest in the Nation, and we have many other marvelous attractions as well in the public trust.

This bill invests in public land management, State assistance, and science programs at the U.S. Forest Service. The nonfire Forest Service budget is \$2.77 billion, including \$100 million for the Legacy Road and Trail Remediation Program at the Forest Service to protect streams and water systems from damaged forest roads. This effort is a key part of our effort to protect the national forests and grasslands.

American arts and artists, not to mention their invaluable impact on education and recreation, are another important American resource which we must protect. Under this bill, the National Endowment for the Arts and the National Endowment for the Humanities will each receive \$170 million, a \$15 million increase above 2009 for each endowment. This bill also supports the

Smithsonian Institution here in Washington, D.C. and across the country, the world's largest museum complex, with an increase of \$15 million above the President's request and \$43 million above 2009 levels.

Madam Speaker, I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I love our national parks. My husband and I visit them whenever possible because we believe that they are crown jewels in our environment in this country. But by putting this and future generations further into debt, we are making it less likely that the population of this country is going to be able to visit these wonderful national parks.

I offered an amendment yesterday in the Rules Committee that was intended to save taxpayer money that was also not made in order; so we will not be debating it on the floor of the House today, much to my disappointment and all of our constituents' detriment. My amendment was a common-sense amendment to H.R. 2996, the fiscal year 2010 Interior Appropriations Act. It would save taxpayers \$10 million by eliminating proposed funding for local climate change grants.

During a time when families across America are making sacrifices in order to keep food on their tables, Congress should be finding ways to reduce unnecessary spending. My amendment would have taken a small step in the right direction by removing \$10 million in taxpayer funds for local groups to come up with ambiguous projects to counter climate change.

The Federal Government has increasingly entrenched the American people in trillions of dollars of debt. It is irresponsible and negligent to continue spending Federal taxpayer funds on frivolous projects that should be funded locally such as the one that I tried to take the money from. Unfortunately, in blocking debate on my amendment, the majority did not side with the taxpayers to eliminate this wasteful grant project. Instead, the majority has worked to frivolously and unnecessarily spend the public's money without listening to any of their input or ideas.

Madam Speaker, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, with regard to fiscal responsibility, this is an issue that we all care about for this generation and future generations. Americans across the country are tightening their belts in response to our financial meltdown, and the government is doing the same.

Opponents of this bill may claim that the \$4.7 billion increase over 2009 is extravagant or unwise. But the programs in this bill are expected to return more than \$14.5 billion to the Treasury next year. The Department of the Interior alone has estimated to return more than \$13 billion to the Treasury through oil, gas, and coal revenues, grazing and timber fees, recreation fees and the revenues from the sale of the

duck stamps, not to mention the secondary impact of tourism on economies like the one in my district in Colorado. And the EPA's Leaking Underground Storage Tank program, which is financed by a 0.1 percent tax per gallon of gas, has a balance of more than \$3 billion that offsets the deficit.

The provisions in this bill have been built with strong bipartisan support and were designed to pay for themselves. And by protecting the health of our Nation's drinking water, boosting support for our beautiful parks and wild lands, and, in turn, our national tourism industry, and reducing the threat of global climate change, I can't think of a wiser investment to make or a better time to make it than now.

Madam Speaker, I reserve the balance of my time.

Ms. FOXX. Madam Speaker, as my colleagues have spoken so eloquently before me about the process by which this rule has been brought to the floor by the majority, I want to talk again about what's wrong with this closed process.

Never before in the history of this Congress have we seen this kind of action by the majority party. As my colleagues have expressed during today's debate on this rule, as well as the past two appropriations debates, bringing appropriations bills to the floor under a closed rule is unprecedented. It's very important that the American people understand that. It does an injustice to both Democrats and Republicans who want to have the opportunity to offer amendments and participate in debate with their colleagues over pressing issues of our time.

By choosing to operate in this way, the majority has cut off the minority and their own Democrat colleagues from having any input in the legislative process. By choosing to stifle debate, the Democrats in charge have denied their colleagues on both sides of the aisle the ability to do the job that they have been elected to do. That job is to offer ideas that represent and serve their constituents. The Democrats are denying Members the ability to offer improvements to legislation, and this is an injustice to our colleagues on both sides of the aisle.

Article I, section 9 of the Constitution places the responsibility to spend the people's money in our hands as Members of Congress. This is a great responsibility given only to this congressional body with the expectation that we will engage in rigorous debate over how to best appropriate taxpayer funds. However, the majority has chosen to refuse Members any participation in this decisionmaking and instead has anointed itself as the sole appropriators in this legislative body. The Democrats in charge are limiting what ideas can be debated on the floor and what constituents can be adequately represented in this House.

Our constituents in both Republican districts and Democrat districts are

struggling to make ends meet, are facing unemployment, and yet are simultaneously being shut out of participating in a debate of how their hard-earned taxpayer dollars are being spent by the Federal Government.

Why is the majority blocking debate on such an important legislation? Are they afraid of debate? Are they protecting their Members from tough votes? Are they afraid of the democratic process?

After promising to make this Congress the most open and honest in history, Speaker PELOSI has time and time again worked to shut out both Republicans and Democrats from participating in debate and taking part in the legislative process. And I would like to give one quote from the Speaker when she was trying desperately to take control of this House. This is her quote:

“Bills should generally come to the floor under a procedure that allows open, full, and fair debate, consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.”

This is exactly the opposite of what the Speaker is doing. Why is she going back on her word? Is she afraid that the American people will disagree with her? Is she keeping other Democrats from having to make tough decisions on difficult votes? Is she afraid of democracy, the very principle upon which our country was founded?

□ 1645

Madam Speaker, it's very concerning to me that the Democrats in charge have chosen to silence the minority yet again. In doing so, they have chosen to keep the millions of constituents the minority represents from having a voice on the floor of the people's House.

Several of my colleagues, both Republicans and Democrats, offered amendments to the Rules Committee, amendments which were arbitrarily not made in order by the majority.

These amendments included asserting Second Amendment rights on Federal lands, protecting private property rights, preventing excessive regulation of greenhouse gases, eliminating excessive earmark spending across the Nation, increasing our ability to produce energy domestically, and cutting unnecessary funds in order to save our constituents money.

The list goes on and on, but these amendments will not be heard on this floor because, for some reason, the majority is afraid of allowing debate on these topics.

And we fear it's going to get even worse because they are working very hard to bring to the floor a bill on climate change. They stopped calling it global warming and now are calling it climate change.

This bill, H.R. 2454, is a \$646 billion tax that will hit every American family, small business and family farm. Speaker PELOSI's answer to the country's worst recession in decades is a na-

tional energy tax that will lead to higher taxes and more job losses for rural America and small businesses.

It will shift jobs to China and India. The bill will result in an enormous loss of jobs that would ensue when U.S. industries are unable to absorb the cost of the national energy tax and other provisions, like sending jobs overseas. There is little debate that the tax would outsource millions of manufacturing jobs to countries such as China and India. According to the independent Charles River Associates International, H.R. 2454 would result in a net reduction in U.S. employment of 2.3 million to 2.7 million jobs each year of the policy through 2030.

Higher gas prices. The American Petroleum Institute reports that the cost impacts of H.R. 2454 could be as much as 77 cents per gallon for gasoline, 83 cents per gallon of jet fuel, and 88 cents for diesel fuel.

The Heritage Foundation has estimated that as a result of these increased prices, the average household will cut consumption of gasoline by 15 percent, but forcing a family of four to pay at least \$600 more in 2012. It's going to be a huge impact.

It's also going to unfairly target rural America. Rural residents spend 58 percent more on fuel and travel 25 percent farther to get to work than Americans living in urban areas.

Farm income would drop as a result of H.R. 2454, according to a Heritage Foundation study, \$8 billion in 2012, \$25 billion in 2024, and over \$50 billion in 2035; decreases of 28 percent, 60 percent, and 94 percent, respectively.

More importantly, 25 percent of U.S. farm cash receipts come from agricultural imports. U.S. farmers would be at a severe disadvantage compared to farmers and nations which do not have a cap-and-tax system and correspondingly high input costs. Over 100 State and agricultural groups oppose the cap-and-tax bill.

Madam Speaker, what it appears is happening here in this House is nothing less than a tremendous power grab and an attempt to control every aspect of our lives.

With that, Madam Speaker, I would like to yield 3 minutes to our colleague from the State of Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Thank you, Madam Speaker, and I rise to enter into a brief colloquy with my friend from Washington (Mr. DICKS).

In this bill, in the underlying bill, there are monies for land acquisition, national forest land acquisition. I know that the gentleman and I have a little different view on that. I am not necessarily in favor of land acquisition for the Federal Government, and I know you have a different view on that.

But there is a provision in this bill that allows for land acquisition within my district, and I have specifically said in the past that I don't want to have any more land acquisition in my district.

My understanding, and the way the language is is that there would be some allowance for that land acquisition to happen in other Members' districts, principally in western Washington, until—at least we have an opportunity in my district. Counties are concerned about that because it takes land off the tax rolls.

So I would wonder if the ranking member would work with me on this land acquisition so that we can at least satisfy the counties' concerns should this land acquisition move forward.

With that, I would yield to my friend from Washington.

Mr. DICKS. Thank you for yielding. Is this the Cascade ecosystems in Mount Baker, Wenatchee?

Mr. HASTINGS of Washington. That is the land I am talking about, yes.

Mr. DICKS. And this is in the Forest Service?

Mr. HASTINGS of Washington. Yes, that's correct.

Mr. DICKS. This is the first I have known of this. My colleague from Washington State, I understand your very long and very principled position on this issue. I would be delighted to take a look at this and report back to the gentleman on what I have found out and see what the situation is with the Forest Service.

Mr. HASTINGS of Washington. Good.

Reclaiming my time, I appreciate that. Again, the basis of that is I have heard from my local county commissioners, smaller rural counties than what is on the other side of the mountains, and they are concerned about the loss of revenue, rightfully so. And so I want to make sure that on anything like that they are at least made whole.

And I appreciate the gentleman taking a look at that, and I look forward to working with him. And I would yield if he has more to say on that.

Mr. DICKS. Yes. I appreciate the gentleman bringing this to our attention, and we look forward to working together, as we have on many projects throughout the years.

Mr. HASTINGS of Washington. Good.

I thank the gentleman for taking that and for his work, and I look forward to working with him.

Mr. POLIS. Madam Speaker, I would like to yield 2 minutes to the gentleman from Washington, the Chair of the subcommittee, Mr. DICKS.

Mr. DICKS. I want to point out that in this bill, at the request of the local cities and counties of our country, we have appropriated some money that will be used for climate change and to deal with the impacts of climate change.

And I would just point out, since this issue was raised on the other side of the aisle, that if we were going to do meaningful work on climate change, it's going to take our local communities to be involved, to work with their transportation systems and their energy systems and do all the other work that's necessary to deal with the

consequences of climate change. So I think this was a very wise investment. The local communities, the League of Cities, the counties, are all very enthusiastic about this.

Administrator Lisa Jackson put out an announcement the other day about this program. I am sure there will be hundreds of applications from all over this country. Climate change is one of the most serious issues facing our country.

We held hearings and brought in representatives from all the Federal agencies, and they all tell us unequivocally that they can already see the impacts of climate change on the Federal lands across the country. I mean, people are talking about bug infestation and they are talking about the effect of this bug infestation, which has a devastating effect on our forestry and our trees.

And then we have the fire issues that relate to this. The fire season now is 1 month longer on each end. So we have drought, bug infestation. We have longer fire seasons. So we have all these things that are happening because of global warming and climate change, and we have to deal with that. And we have to have our communities involved. We have to have our rural communities involved.

So I think the investments that we are making here and the research that we are doing is very necessary. There are still some people, it's amazing to me, who still have some doubts about this from a scientific perspective. So that's why we are doing all these things in the Interior bill.

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

The gentleman from North Carolina has 1½ minutes remaining.

Ms. FOXX. Madam Speaker, my colleague from Colorado a moment ago said this bill is going to create jobs. I love that old saying, "Fool me once, shame on you. Fool me twice, shame on me."

I wonder if this bill is going to create jobs like the stimulus package has created jobs since our unemployment has gone up significantly since the stimulus package was passed. I would also like to point out that Spain, which counted on having so many jobs from green issues, has the highest unemployment rate in Europe right now.

Madam Speaker, I am going to urge my colleagues to vote "no" on the previous question so that I can amend the rule to allow all Members of Congress the opportunity to offer his or her amendment to the Interior Appropriations bill under an open rule.

Madam Speaker, I ask unanimous consent that the text of the amendment and extraneous material be placed in the RECORD prior to the vote on the previous question.

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

There was no objection.

Ms. FOXX. Madam Speaker, I urge my colleagues to vote "no" on the previous question and "no" on the rule.

I yield back the balance of my time.

Mr. POLIS. Madam Speaker, the jobs that this bill creates are very real: repairing our roads, doing trail work. Over 40,000 jobs are created, just as real as the jobs that are created under the American Recovery Program.

As I was driving through the mountain area of my district just last week, I saw signs alongside the road that these jobs are created by the American Recovery and Reinvestment Act. There were men and women at work making necessary improvements in our infrastructure and preparing it for the next generation. This bill provides crucial investment in America's resources, natural and human.

As representatives of the people and land of this great Nation, it's our responsibility to protect our resources and be good stewards of our forests, our parks, our wild lands, and our waters. This bill reinforces that imperative and makes sure that we keep our resources safe and take great steps to ensure that future generations will be able to enjoy them for years to come.

I urge a "yes" vote on the previous question and the rule.

The material previously referred to by Ms. FOXX is as follows:

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. RES. 578

OFFERED BY MS. FOXX OF NORTH CAROLINA

Strike the resolved clause and all that follows and insert the following:

Resolved, That immediately upon the adoption of this resolution the Speaker shall, 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. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, 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 chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, 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.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling on January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. FOXX. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. PRICE of Georgia. Madam Speaker, I rise to a question of privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas on January 20, 2009, Barack Obama was inaugurated as President of the United States, and the outstanding public debt of the United States stood at \$10.627 trillion;

Whereas on January 20, 2009, in the President's Inaugural Address, he stated, "[T]hose of us who manage the public's dollars will be held to account, to spend wisely, reform bad habits, and do our business in the light of day, because only then can we restore the vital trust between a people and their government.";

Whereas on February 17, 2009, the President signed into public law H.R. 1, the American Recovery and Reinvestment Act of 2009;

Whereas the American Recovery and Reinvestment Act of 2009 included \$575 billion of new spending and \$212 billion of revenue reductions for a total deficit impact of \$787 billion;

Whereas the borrowing necessary to finance the American Recovery and Reinvestment Act of 2009 will cost an additional \$300 billion;

Whereas on February 26, 2009, the President unveiled his budget blueprint for FY 2010;

Whereas the President's budget for FY 2010 proposes the eleven highest annual deficits in U.S. history;

Whereas the President's budget for FY 2010 proposes to increase the national debt to \$23.1 trillion by FY 2019, more than doubling it from current levels;

Whereas on March 11, 2009, the President signed into public law H.R. 1105, the Omnibus Appropriations Act, 2009;

Whereas the Omnibus Appropriations Act, 2009 constitutes nine of the twelve appropriations bills for FY 2009 which had not been enacted before the start of the fiscal year;

Whereas the Omnibus Appropriations Act, 2009 spends \$19.1 billion more than the request of President Bush;

Whereas the Omnibus Appropriations Act, 2009 spends \$19.0 billion more than simply extending the continuing resolution for FY 2009;

Whereas on April 1, 2009, the House considered H. Con. Res. 85, Congressional Democrats' budget proposal for FY 2010;

Whereas the Congressional Democrats' budget proposal for FY 2010, H. Con. Res. 85, proposes the six highest annual deficits in U.S. history;

Whereas the Congressional Democrats' budget proposal for FY 2010, H. Con. Res. 85, proposes to increase the national debt to \$17.1 trillion over five years, \$5.3 trillion more than compared to the level on January 20, 2009;

Whereas Congressional Republicans produced an alternative budget proposal for FY 2010 which spends \$4.8 trillion less than the Congressional Democrats' budget over 10 years;

Whereas the Republican Study Committee proposed an alternative budget proposal for FY 2010 which improves the budget outlook

in every single year, balances the budget by FY 2019, and cuts the national debt by more than \$6 trillion compared to the President's budget;

Whereas on April 20, 2009, attempting to respond to public criticism, the President convened the first cabinet meeting of his Administration and challenged his cabinet to cut a collective \$100 million in the next 90 days;

Whereas the challenge to cut a collective \$100 million represents just 1/40,000 of the Federal budget;

Whereas on June 16, 2009, total outstanding Troubled Asset Relief Program, or TARP, funds to banks stood at \$197.6 billion;

Whereas on June 16, 2009, total outstanding TARP funds to AIG stood at \$69.8 billion;

Whereas on June 16, 2009, total outstanding TARP funds to domestic automotive manufacturers and their finance units stood at \$80 billion;

Whereas on June 19, 2009, the outstanding public debt of the United States was \$11.409 trillion;

Whereas on June 19, 2009, each citizen's share of the outstanding public debt of the United States came to \$37,236.88;

Whereas according to a New York Times/CBS News survey, three-fifths of Americans (60 percent) do not think the President has developed a clear plan for dealing with the current budget deficit;

Whereas the best means to develop a clear plan for dealing with runaway Federal spending is a real commitment to fiscal restraint and an open and transparent appropriations process in the House of Representatives;

Whereas before assuming control of the House of Representatives in January 2007, Congressional Democrats were committed to an open and transparent appropriations process;

Whereas according to a document by Congressional Democrats entitled "Democratic Declaration: Honest Leadership and Open Government," page 2 states, "Our goal is to restore accountability, honesty and openness at all levels of government.";

Whereas according to a document by Congressional Democrats entitled "A New Direction for America," page 29 states, "Bills should generally come to the floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the Minority the right to offer its alternatives, including a substitute.";

Whereas on November 21, 2006, The San Francisco Chronicle reported, "Speaker Pelosi pledged to restore 'minority rights'—including the right of Republicans to offer amendments to bills on the floor . . . The principles of civility and respect for minority participation in this House is something that we promised the American people, she said. 'It's the right thing to do.'" (The San Francisco Chronicle, November 21, 2006);

Whereas on December 6, 2006, Speaker Nancy Pelosi stated, "[We] promised the American people that we would have the most honest and open government and we will.";

Whereas on December 17, 2006, The Washington Post reported, "After a decade of bitter partisanship that has all but crippled efforts to deal with major national problems, Pelosi is determined to try to return the House to what it was in an earlier era—'where you debated ideas and listened to each others arguments.'" (The Washington Post, December 17, 2006);

Whereas on December 5, 2006, Majority Leader Steny Hoyer stated, "We intend to have a Rules Committee . . . that gives opposition voices and alternative proposals the ability to be heard and considered on the floor of the House." (CongressDaily PM, December 5, 2006);

Whereas during debate on June 14, 2005, in the Congressional Record on page H4410, Chairwoman Louise M. Slaughter of the House Rules Committee stated, "If we want to foster democracy in this body, we should take the time and thoughtfulness to debate all major legislation under an open rule, not just appropriations bills, which are already restricted. An open process should be the norm and not the exception.";

Whereas since January 2007, there has been a failure to commit to an open and transparent process in the House of Representatives;

Whereas more bills were considered under closed rules, 64 total, in the 110th Congress under Democratic control, than in the previous Congress, 49, under Republican control;

Whereas fewer bills were considered under open rules, 10 total, in the 110th Congress under Democratic control, than in the previous Congress, 22, under Republican control;

Whereas fewer amendments were allowed per bill, 7.68, in the 110th Congress under Democratic control, than in the previous Congress, 9.22, under Republican control;

Whereas the failure to commit to an open and transparent process in order to develop a clear plan for dealing with runaway Federal spending reached its pinnacle in the House's handling of H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;

Whereas H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010 contains \$64.4 billion in discretionary spending, 11.6 percent more than enacted in FY 2009;

Whereas on June 11, 2009, the House Rules Committee issued an announcement stating that amendments for H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010 must be pre-printed in the Congressional Record by the close of business on June 15, 2009;

Whereas both Republicans and Democrats filed 127 amendments in the Congressional Record for consideration on the House floor;

Whereas on June 15, 2009, the House Rules Committee reported H. Res. 544, a rule with a pre-printing requirement and unlimited pro forma amendments for purposes of debate;

Whereas on June 16, 2009, the House proceeded with one hour of general debate, or one minute to vet each \$1.07 billion in H.R. 2847, in the Committee of the Whole;

Whereas after one hour of general debate the House proceeded with amendment debate;

Whereas after just 22 minutes of amendment debate, or one minute to vet each \$3.02 billion in H.R. 2847, a motion that the Committee rise was offered by Congressional Democrats;

Whereas the House agreed on a motion that the Committee rise by a recorded vote of 179 Ayes to 124 Noes, with all votes in the affirmative being cast by Democrats;

Whereas afterwards, the House Rules Committee convened a special, untelevised meeting to dispense with further proceedings on H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;

Whereas on June 17, 2009, the House Rules Committee reported H. Res. 552, a new and restrictive structured rule for H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;

Whereas every House Republican and 27 House Democrats voted against agreeing on H. Res. 552;

Whereas H. Res. 552 made in order just 23 amendments, with a possibility for 10 more amendments, out of the 127 amendments originally filed;