

□ 1030

EARLY DIAGNOSIS SAVES MONEY
FOR RESEARCH

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

Mr. PALLONE. I heard my Republican colleague from California who just spoke say that somehow the President was suggesting that this health care reform bill, which is so important, might go so far as to cure cancer. I tell you, it's not going to cure cancer. But if you think about the fact that in this bill we put so much emphasis on prevention and we make sure that 97 percent of Americans who are not elderly would now be covered, the fact of the matter is that means that people go to a doctor on a regular basis. And if they go to a doctor and they find out that they have cancer at an earlier stage, then they get the attention so maybe they don't die from the cancer.

You know what? If everybody goes to the doctor now and as a result of that they don't have to go for more serious treatment and the expense that's involved with that, there will be money saved—and that money can go towards more research on cancer and the cure for cancer.

So I would say to my colleague, we're not saying it's going to cure cancer, but I tell you it would do a lot towards preventing those people that have serious problems, finding them out early, being diagnosed, and helping them out.

SELLING THE FAILED STIMULUS
PLAN

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

Ms. FOXX. Five months ago, President Obama warned that if Congress failed to pass the stimulus plan, unemployment could reach 9 percent. But the President promised if we took action and accepted his stimulus plan, unemployment would halt around 8 percent.

Despite borrowing \$787 billion for wasteful government spending under the guise of stimulus, the national unemployment rate now stands at 9.5 percent—a rate not seen in 26 years.

Even though unemployment is rising at an alarming rate, the President continues to sell the American people on his failed stimulus plan. Just recently, the President said the stimulus plan had “done its job.” The American people know better. The American people know you can't spend and borrow your way back to a growing economy.

It's time for a real economic recovery plan, one that puts money back in the hands of families and small businesses. It's time for Congress to pass the House Republican's economic recovery plan—a plan for fiscal discipline and tax relief.

PROVIDING FOR CONSIDERATION
OF H.R. 3170, FINANCIAL SERVICES
AND GENERAL GOVERNMENT
APPROPRIATIONS ACT,
2010

Mr. PERLMUTTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 644 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 644

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. 3170) making appropriations for financial services and general government 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. The bill shall be considered as read through page 145, line 11. 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 the amendments printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 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. 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 the case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After disposition of the amendments specified in the first section of this resolution, 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. 3170, 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 (Ms. EDWARDS of Maryland). The gentleman from Colorado is recognized for 1 hour.

POINT OF ORDER

Mr. FLAKE. Madam Speaker, I raise a point of order against consideration of the rule because the resolution violates section 426(a) of the Congressional Budget Act.

The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated. Such a point of order shall be disposed of by the question of consideration.

The gentleman from Arizona and a Member opposed each will control 10 minutes of debate on the question of consideration.

After that debate, the Chair will put the question of consideration, to wit: “Will the House now consider the resolution?”

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I rise today once again to plead with the majority party to lift the legislative version of martial law that's been imposed on appropriation bills this year.

We're more than halfway through the season and so far we've had, for appropriation bills, more than 700 amendments have been filed with the Rules Committee. Only 119, or less than 20 percent, have been made in order. Roughly a quarter of them that have been made in order have been my earmark amendments, which I'm pleased for. Don't get me wrong. I'm grateful they're made in order.

But these earmarks, this is about the only vetting, as shallow as it may be, on the floor of the House that these earmarks get, because they're certainly not getting the vetting they deserve in the Appropriations Committee. But this is insufficient.

It's not right to have a legislative version of martial law on appropriation bills and to bring up the issue of timing, to say, We don't have time to deal with all the amendments that have been offered, as was demonstrated yesterday when I asked unanimous consent five times—five times—to simply swap out an amendment that was not ruled in order by the Rules Committee—that was germane, just not ruled in order—for one of mine that would have been given.

It wouldn't have taken any extra time. We would have been under the same time constraints of the bill. So we would be living within the time constraints that the majority party has laid down.

But the majority party simply wouldn't allow it, because this isn't about time. We adjourned or we were finished with legislative business by around four o'clock yesterday. We were finished with amendments by five o'clock. Members were free to go after the last amendment votes around four o'clock.

This isn't an issue of time. But say that it was. If it was an issue of time, then allowing amendments to be swapped and substituted or amendments to be modified within the time limit should be allowed.

But instead, the majority party simply doesn't want to deal with certain amendments. They don't want their members to vote on certain amendments. That's what is at issue here.

As a result, the votes on amendments on these appropriation bills have all the excitement and anticipation of a Cuban election. You know the result. It's going to be lopsided or it's agreed to in advance.

That may be efficient. The trains may run on time. But it isn't the legislative process that we're used to here. Traditionally, appropriation bills have been brought to the floor under an open rule. That's always been important.

It's become even more important over the last several years when we placed in those bills literally thousands and thousands and thousands of appropriation requests by individual Members, many of them no-bid contracts—Members awarding no-bid contracts to private companies and, in many cases, their campaign contributors, with virtually no vetting in the Appropriations Committee.

So the only opportunity we have to vet those is here on the House floor, and then Members are denied the opportunity in many cases to bring those amendments to the floor. That simply is not right.

Let me take the bill that we will be dealing with today and give a few examples. In the Rules Committee under this rule that we're dealing with now, many amendments were offered, as I mentioned, and they were submitted as requested by the Rules Committee, pre-submitted, which we didn't even used to have to do with appropriation bills, but we can accept that. These were submitted—and many of these were turned down.

For example, one was to make in order to provide the appropriate waivers for amendment 87 offered by Representative BOEHNER, the minority leader, which would ensure that low-income D.C. students are able to receive a scholarship through the D.C. Opportunity Scholarship Program by removing the requirement that students must be OSP recipients during the 2009–2010 school year.

This would simply allow the D.C. voucher program—the highly popular D.C. voucher program—to continue. This is not something that is not germane. It is germane. This is the bill

that deals with D.C. appropriations. But the majority party simply didn't want to vote on that. And so they rejected it, and it's out.

Later today, I will be asking for unanimous consent to substitute this amendment for one of mine that I have been fortunate enough to have made in order. It won't take any additional time.

So time is not an issue. It's simply saying that we should be able to vote on amendments that Members want to vote on, not just those amendments that the majority leadership wants us to vote on; to lift martial law on appropriation bills, if only for a brief window, for the appropriation bills that we have still to consider.

Another amendment—I see Mr. WALDEN here—that he has offered. The Walden-Pence amendment would prohibit funds from being available in the act from being used to implement the fairness doctrine and certain broadcast localism regulations.

I'd like to yield to the gentleman from Oregon to speak on that.

Mr. WALDEN. I appreciate the gentleman raising this point of order and yielding. How ironic; the amendment we offered in good faith, after consideration with the parliamentarians, is fully in order under our House rules normally, except for the gag order that's been placed on us by the Rules Committee.

How ironic; we're trying to stand up and protect First Amendment free speech rights for American citizens and broadcasters to be able to discuss political issues and religious issues on America's airwaves, protect that right as the House did in 2007 with a 309–115 bipartisan vote.

We're talking about free expression, First Amendment rights, privileges that American citizens have enshrined, and the Democrat leadership of this Congress has conspired to prevent us from even allowing that amendment to be debated on this House floor and voted on. And yet, when it was brought before this House in 2007, 309 Members voted "yes." It was a 3–1 margin that stood up for free speech and to protect free speech on America's airwaves, to protect the rights of religious broadcasters to engage in their discussions on America's airwaves.

Members of both parties supported this. And yet today, sometimes I feel like we're more an Iranian-style democracy, where all these rules that have been in place for many, many years in this House, historically back to its inception, that allow for open and vigorous debate on our House floor, have been now twisted and turned and crammed down to the fact that you're gagged. I'm gagged, the people we represent are gagged. It is simply outrageous that this is occurring.

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We should be able to offer these amendments, as we have historically, in Republican and Democrat Con-

gresses in the past. This is nearly unprecedented in the scope of clamping down on our ability to represent our constituents and in our ability to raise these issues on the floor of this great institution, of this democratic institution, where free speech and the opportunity to debate public policy issues are enshrined.

What has this House come to?

Mr. FLAKE. I thank the gentleman.

I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 10 minutes.

Mr. PERLMUTTER. I oppose the gentleman's point of order. I yield myself such time as I may consume.

Madam Speaker, once again, this point of order is not about unfunded mandates. It's about TV broadcasting and about a whole variety of other things, but it's about delaying the bill that is under consideration and about, ultimately, stopping it. I hope my colleagues see through this attempt and will vote "yes" so we can consider this legislation on its merits and not stop it on a procedural motion. Those who oppose the bill can vote against it on final passage. We must consider this rule today, and we must pass this legislation.

I have the right to close, but in the end, I will urge my colleagues to vote "yes" to consider the rule.

With that, I reserve the balance of my time.

Mr. FLAKE. Madam Speaker, yes, this isn't about unfunded mandates. Unfortunately, it's about the only opportunity we have to stand up, and we'll stand up later when the rule is discussed, but I'm here because the Rules Committee would not make in order the amendments that Members wanted to offer on an appropriations bill.

These are bills that are brought to the floor under open rules, traditionally, to allow Members the opportunity to represent their constituencies; but here we're being gagged and told we can't do that because we're only going to allow the amendments that we want to hear, the ones that are non-controversial, the ones that we have debated before and that we know won't impact negatively on us. That's not any way to run this body.

I yield to the gentleman from Oregon.

Mr. WALDEN. If you want to talk about how this body is being run, in the Energy and Commerce Committee yesterday, the best we could get on the Democrats' health plan was a closed-door briefing from the Congressional Budget Office that was only open to members of our staff and to no other staff and to no other citizens, and it was shut down to the press. Now, I find that outrageous.

So not only is this occurring on the amendments we hope to bring that are fully within the scope of the rules of this House and that have been well vetted—and you can smile. I get it. You

guys are in control. You're going to win. You've got the votes. You can shut us down. Yet, at the end of the day, the American people get it, and they get that bills are being rammed through here without due consideration and process and that Members on both sides of the aisle are having their amendments shut down, and they're not even being allowed to be considered.

I've been here for 10 years now. I remember, during appropriations season, we worked hard. We worked day and night, sometimes a lot longer than I'd wished we'd worked, but Members had the right under our rules to bring amendments forward that were within the constraints of the rules of this House and within the historic principles of this House. We had vigorous debates and we took tough votes. Then we went back and we defended those votes.

Mr. FLAKE. Madam Speaker, I yield back the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I appreciate the gentleman's comments, but they did not speak to the point of order at all. So, Madam Speaker, again, I want to urge my colleagues to vote "yes" on this motion to consider so we can debate and pass this important legislation.

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

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. PERLMUTTER. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. PERLMUTTER. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 644.

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

There was no objection.

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

Madam Speaker, House Resolution 644 provides for the consideration of H.R. 3170, the Financial Services and General Government Appropriations Act for fiscal year 2010. This is the first Financial Services Appropriations bill under a President who believes Wall Street actually needs someone to watch it. This bill provides the much needed resources for the Federal Government to improve our oversight of Wall Street while investing in small businesses on Main Street.

As a member of the House Financial Services Committee, we have worked

with Chairman FRANK to examine the causes of our recent economic downturn. There were many causes of it, but our findings conclude that a large factor of this downturn was misguided deregulation promoted in the financial markets.

Under the Bush administration, the Securities and Exchange Commission was underfunded. The SEC promoted a "good old boy" atmosphere that disregarded investor and taxpayer interests in favor of Wall Street wealth. Under the Bush administration, the SEC repeatedly turned a blind eye regarding fraud as they did with the warnings about Bernie Madoff. Also, the SEC knowingly helped build the house of cards that was the basis for this subprime mortgage bubble.

Under the Bush administration, big business just became too big to fail, and the whole house of cards came tumbling down. AIG, Bernie Madoff, Lehman Brothers, Bear Stearns, WaMu, Wachovia, and other financial disasters could have been avoided if our Federal agencies had been given the resources to connect the dots, to look at the books and to take preventative measures.

This legislation increases funding for the SEC by 8 percent over last year. It provides funds for the SEC to hire 140 additional analysts to protect investors and taxpayers from nefarious corporate interests and schemes. Those 140 new analysts can monitor publicly traded companies and can restore trust for investors and taxpayers. This provision sends a clear message to Wall Street that your days of wine and roses are over. The bill also increases funding for the FTC to help consumers and to go after illegal credit card practices.

For my constituents back in Colorado, this bill provides a 38 percent increase in funding for the Small Business Administration. During an economic downturn, many individuals who have been laid off open small businesses where they can pursue their entrepreneurial dreams and can be their own bosses. This boost in funding will reinvigorate communities across the Nation at the precise time that we need it.

For the judicial branch, this bill provides the Federal judiciary the funds it needs to hire additional staff and judges. In particular, the past year has seen a 28 percent increase in the number of bankruptcies. This bill will provide for 142 more staff for Federal bankruptcy courts to put these businesses and individuals back on the road to recovery.

Finally, if there is one issue people in our districts will support in this bill, it is the reinstatement of auto dealer franchise agreements which were severed with little notice earlier this year. In my own district, hundreds of workers were put in jeopardy when GM and Chrysler terminated their dealerships—even long-time profitable franchises. At a time when too many Americans are unemployed, adding more workers

to the unemployment rolls is the last thing our economy needs.

This bill is another step toward economic recovery, and I urge its adoption.

I now reserve the balance of my time.

Mr. SESSIONS. I appreciate the gentleman from Colorado for yielding the time. I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the structured rule, and I also rise in opposition to how my Democrat colleagues continue to shut out Republican voices on the floor of the House of Representatives in virtually every committee here in the House.

My friends on the other side of the aisle have set an historic precedent by shutting down the amendment process once again today in order to accomplish legislative business during the appropriations process, and Republicans disagree with this. Madam Speaker, you will continue to hear of our opposition, and the American people will hear the same.

Chairman OBEY has set an arbitrary time line to finish the financial year 2010 spending bills, which has forced the Democrat-run Rules Committee to limit every single Republican and Democrat chance to offer amendments on the House floor. Hundreds of amendments have been offered by my colleagues, and they have been rejected in an unprecedented fashion.

What is this majority afraid of? Why won't they allow for an open and honest debate that has happened for hundreds of years in this body? Why won't we have open rules on appropriations bills?

Because of this historical new restrictive process, as part of my committee assignments, I had to go to the Rules Committee on Wednesday night just to offer three commonsense amendments. Not one was made in order for the debate today. Two dealt with allowing the same restrictions and opportunities for Federal Government employees and for private contractors.

In a time of record deficits by this Democrat Congress, Congress should find a better way to deal with the American taxpayer for the success of this country and for jobs. Instead, they chose to ignore these amendments and ideas.

My last amendment would have required this Obama administration to post any interaction or communication with General Motors as a public record. Since the American public was not consulted before the takeover of GM, they should at least be able to monitor now how their tax dollars are being spent.

Madam Speaker, today, we are discussing the Financial Services Appropriations bill for fiscal year 2010. It is my intent to focus on the huge increase in spending—no surprise—over last year's level and to discuss the majority party's destructive initiatives that have intruded into the private sector. It is my idea to talk about how

they will continue killing jobs and how we will continue having historic record deficits and to discuss the new Democrat priority of using TARP dividends for more housing handouts instead of using that money to be repaid to the taxpayer.

This underlying legislation is a 7 percent, or \$1.6 billion, increase above the current year's spending levels, and that is excluding the massive stimulus funding. Even Federal Reserve Chairman Ben Bernanke recently stated, Unless we demonstrate a strong commitment to fiscal stability, in the long term, we will have neither financial stability nor healthy economic growth.

The Congressional Budget Office has stated that the budget is on an unsustainable path. This bill does not represent a commitment to fiscal sustainability. With this legislation, Congress only further slows down and impedes our economic recovery, and it increases the financial burden placed on our children, grandchildren and on our future.

With the facade of fiscal sustainability, the Obama administration is posing sweeping financial reforms that will further stretch rather than help the banking industry. The Obama regulatory plan calls for large, interconnected companies to pay a heavy price by limiting companies from mixing banking and commerce. This potentially forces companies like General Electric to spin off its largely lending subsidiary, GE Capital, and turn it into a bank holding company with more regulations, less revenue and less loan capacity.

Once again, this is the Democratic plan to kill private sector jobs and to further encumber and harm economic recovery.

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Madam Speaker, what kind of precedent is this administration and Congress setting by forcing regulation on successful businesses while completely avoiding responsibility and transparency in their own spending habits? The American people know that you shouldn't spend what you don't have, and that's exactly what this Democrat majority is doing. According to the Congressional Budget Office, the Obama administration is on its way to doubling the national debt in 5 years. Just last week the Congressional Budget Office released a monthly budget review which states that the Federal budget deficit reached \$1.1 trillion, and this was reached during the month of June. According to the CBO, that is \$800 billion more than the deficit record through June 2008. The bottom line is that the United States is looking at a possible \$2 trillion record deficit for this year alone, a long stretch from the group of people who talked about fiscal insanity just before the election. I think we know what the truth is. The Democratic Party is tax and spend. Especially at a time of deep economic recession, this Congress

should be promoting pro-growth policies that reduce spending and increase jobs. Unemployment continues to rise while our friends on the other side of the aisle consciously continue to tax, borrow and spend their way into record deficits. The CBO estimates that unemployment benefit spending is more than two-and-a-half times what it was at this point last year. The current unemployment rate is now over 9.5 percent, which is the highest level in 26 years, and their own budget estimates say it's going to rise.

Madam Speaker, with record deficits and growing job loss, you would think that this majority would want to bring the national debt down and try to curb spending. But nope, not going to happen. Not with what's on the floor again today. Last month Financial Services Chairman BARNEY FRANK dropped a bill and held a hearing that would redesignate dividends from TARP funds to two housing slush funds. This would take the \$6.2 billion in dividends paid back to the American people and would create a brand new spending program. It is unconscionable that any dividend received would be redistributed in new spending projects rather than returning it to the taxpayer. Again, my friends on the other side of the aisle continue to tax, borrow and spend money that not only they do not have, but the American public knows that it comes out of jobs and economic recovery for this country.

Madam Speaker, how is this economy supposed to bounce back with this Democrat Congress forcing Americans to pay for a failed trillion-dollar stimulus package, a bailout for those who defaulted on their own mortgages, a bailout for those who abused their credit cards, a bailout for corporate America's bad decision making, a new national energy tax, and a possible \$1.5 trillion health care package that will force 120 million Americans out of their current health care coverage? When does this malaise stop? Where are the jobs? Why are we spending more and more money simply to get more unemployment? Madam Speaker, it should be asked on the floor of this House, where are the jobs? Where are the jobs that were promised by Speaker PELOSI? They evaporate again today.

In closing, Madam Speaker, I will continue to point out to our friends on the other side of the aisle that we simply cannot tax, we cannot simply spend and borrow our way out of the country's economic recession that comes from the Democrats running the House, the Senate and the presidency. Madam Speaker, the misery index of this country continues to rise under the leadership of the Democratic Party, and rising unemployment and record deficits cannot be remedied with massive increases in spending. Americans back home are tightening their belts, and the U.S. Congress should be doing the same. I encourage a "no" vote on this rule and a "no" vote on the previous question to amend the rule to allow for an open rule.

I reserve the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I yield myself as much time as I may consume.

I have to say that my friend from Texas and I couldn't disagree more about the causes of the troubles that exist today in our economy. The Republican administration under George Bush, prosecuting two wars, cutting taxes for the wealthiest among us, helped drive this country into the ditch. That, coupled with a penchant, a desire, a real effort to deregulate, unregulate and privatize led to failures all throughout Wall Street and the banking system, starting first with a \$60 million Ponzi scheme conducted by Bernie Madoff, followed in part and at the same time by a \$700 billion failure of Wall Street and financial institutions that had to be filled. President Obama inherited a \$1.3 trillion deficit as a result of the misguided policies of the Republican Party and the Bush administration.

With that, I will yield 3 minutes to my friend from Michigan, Mr. BART STUPAK.

Mr. STUPAK. I thank the gentleman and the coach for yielding me time.

I rise today in opposition to the rule and the underlying bill. Madam Speaker, those of us who respect the right of life for the unborn know that when taxpayers fund abortion, more lives are lost to the tragedy of abortion. Out of our conviction for the unborn, 180 Members sent a letter to the Speaker, the chairwoman of the Rules Committee and the chairman of the Appropriations Committee, requesting that existing pro-life riders be included in any legislation reported out of the Appropriations Committee. These provisions include long-standing restrictions, some of which have been there for more than 30 years, on funding for abortion, on the conscience clause and policies respecting human life. These restrictions are important. They are a crucial part of Federal law. But they must be reapproved every year, as they have been by both Democratic and Republican leadership. We asked that those policies remain in legislation out of respect for all Americans who identify themselves as pro-life and out of respect for pro-life Members on both sides of the aisle. But anticipating the possibility that a pro-life appropriations policy will be deleted, a bipartisan group of Members asked for a reasonable accommodation by the Rules Committee. We asked that, at a minimum, the full House be given a reasonable opportunity to debate whether we should use taxpayers money to fund abortions. We asked to just allow us an up-and-down vote on this critical issue. When we saw that the ban on government-funded abortion in the District of Columbia was rendered meaningless, 5 Democrats, 5 Republicans, 10 Members, a bipartisan group, went to the Rules Committee and asked for a simple change, an amendment to strike one word on page 143, line 8, the word Federal. Unfortunately our amendment

was flatly denied. We are not even given a chance to debate whether we should use taxpayer money to fund abortion, a very basic issue and question facing this country.

So, unfortunately, I'm going to urge my colleagues to vote "no" on the rule and also to vote "no" on the underlying bill in its current form and in opposition to the rule, which muzzles the voices of pro-life Members.

Mr. SESSIONS. Madam Speaker, I appreciate the gentleman coming down to talk about the muzzle that's been placed upon Members of this body by Speaker PELOSI. This muzzle affects not just Republicans but Democrats and millions of people's voices that might be heard on the floor of this House.

Madam Speaker, at this time I would like to yield 3 minutes to the gentleman from Concord Township, Ohio, (Mr. LATOURETTE).

Mr. LATOURETTE. I thank my friend from Texas for yielding.

Madam Speaker, this is a bad rule. It's a bad rule because it continues to muzzle the voices of representatives in this House that represent millions of people. As our friend from Michigan just indicated, we should have a debate on these issues. At the end of the debate, we have a vote. Somebody wins, somebody loses.

I can remember, Madam Speaker, in happier times—and I define happier times as being when we were in the majority, sadly—that I had the honor to be where the Speaker pro tempore is. I sat for 3 days once doing the Interior appropriations bill while Member, after Member, after Member came and spoke and said what was on their minds on the issues of the day; and then we voted. Our Democratic friends knew we then had more votes than they did. They were going to lose most. They might win some. But we at least got to talk about it. This is unconscionable.

I rise to thank a couple of people because even on this horrible rule, there is some daylight. I want to thank the Rules Committee for protecting from a potential point of order an amendment that I inserted into the Financial Services appropriations bill during the course of the markup; and I want to thank Chairman SERRANO and Chairman OBEY for going before the Rules Committee and protecting it as well.

The amendment simply says that we will not, as taxpayers in this country, give billions of dollars to General Motors and Chrysler until they come to terms with the hundreds of thousands of people they have put out of work. We know that their actions have thrown 40,000 auto workers out of work. We know that 50,000 people who worked for Delphi have lost their health coverage. This week we had the auto dealers in town, and the actions of the President's auto task force is going to cause the closure of 789 Chrysler dealerships across this country, 2,600 General Motors dealerships. About 60 people work at each dealership. Over

200,000 people thrown out of work because of the goofy actions of an unelected task force, and now the car company is taking advantage. Why do we know it's the goofy action of the task force? We know it because both car companies filed to plan for reorganization on February 17. That plan was rejected. We know from Mr. Bloom, who is the new head of the task force, why that plan was rejected. In testimony before the Senate, he indicated, "We rejected that plan because they didn't get rid of enough people, they didn't close enough auto plants, and they didn't close enough auto dealerships across the country." Well, in response to that, the car companies, if they wanted the billions, they came back and presented a plan that will now cause 300,000 people, 300,000 families to be without jobs in this country.

I would say to my friend from Texas, you would think, Well, maybe this auto task force knows more about manufacturing cars and selling cars than the rest of us. But perhaps the gentleman knows, out of all of the members of the President's task force, do you think anyone has any experience in making a car, selling a car, making a car part? No. No, they don't have any experience.

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

Mr. SESSIONS. I yield the gentleman 15 additional seconds.

Mr. LATOURETTE. The Wall Street Journal did a survey that indicated that most of the members of the President's auto task force don't even own a car; and those that do own cars, own a foreign car. We have got to stop this madness; and if we don't stop the madness, the only stimulation of the economy, as we continue to throw people out of work, is going to be those clerks at the unemployment offices across America.

Mr. PERLMUTTER. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I thank the gentleman from Colorado for the time. I thank both the chairman and ranking member of the Subcommittee on Financial Services for what I think has been a holistic approach to the needs that we are having to address and what has been called an economic collapse. As it has been based on the practices of our past administration, we're simply trying to put Humpty Dumpty back together again. I would hope as we make progress on this bill, that as we fund the Small Business Administration, that we will be reminded of the importance of language to advocate for small businesses. It is very disconcerting to find out how difficult it is for small businesses to actually do business with the Federal Government.

□ 1115

Veterans' businesses, minority-owned businesses, in essence, they don't have an advocate, and our agencies are using "good old boy" systems to give busi-

ness not to our small businesses, but to others.

We need that kind of advocacy in the Small Business Administration, taxpayer advocacy. Americans pay their taxes, and there are people who work and pay taxes and want to do the right thing. The taxpayer advocacy system needs to get teeth because it is dysfunctional. The IRS does what it wants to do and treats taxpayers poorly. And the taxpayer advocacy needs to strengthen its ability to serve. I like the language in the TARP oversight. It is important to ensure that the TARP oversight also includes the ability to make banks lend.

But, lastly, let me say how grateful I am for this language dealing with automobile dealers to restore their civil rights and keep them in this place. Bob Knapp of Knapp Chevrolet in Texas has said, We will lose 10,000 jobs. He is a central city car dealership of some 60 years old. The atrocity of GM to close this longstanding, profit-making, employee-providing institution is a shame. Let us get Chrysler and GM at the table to restore the ownership of these dealerships to their owners and let them sell cars the American way.

The language in this bill is the right language. I thank those who have helped to offer this language, but now we have to implement the language. Get these car dealers back doing their jobs. And to GM and Chrysler, accept these appeals, recognizing the large number of jobs that will be lost. Create a job or save a job, there are jobs here. We can save a job.

Mr. SESSIONS. Madam Speaker, I would like to yield 1 minute to the distinguished gentleman from Colorado Springs, Mr. LAMBORN.

Mr. LAMBORN. I thank the gentleman for yielding.

Madam Speaker, I rise today to oppose the provision in this Financial Services bill that allows taxpayer-funded abortions in the District of Columbia. We cannot seriously talk about wanting to reduce the number of abortions in this country and then turn around and pay for them with taxpayer money. Planned Parenthood's own researchers report that without public funding, 30 percent fewer women have abortions.

We have seen many polls showing that the American people oppose using their tax dollars for abortions. A poll done this year found that 69 percent of respondents said they are against repealing the Hyde amendment if its repeal would result in taxpayer funding of abortion as a method of birth control. Life begins at conception, and I cannot, in good conscience, support a bill that squanders taxpayer money for the first time in decades to destroy life in the womb.

I urge my colleagues to reject this bill. I urge President Obama to reject this bill and to oppose taxpayer-funded abortions in the District of Columbia.

Mr. PERLMUTTER. Madam Speaker, before I yield 4 minutes to the gentlewoman from the District of Columbia,

I need to respond to my friend from Colorado, as well as the gentleman from Michigan who spoke earlier, and I'm looking at page 143, lines 8 through 12, section 812, which says: "None of the Federal funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered or where the pregnancy is the result of an act of rape or incest."

Mr. LAMBORN. Would the gentleman yield?

Mr. PERLMUTTER. Yes, for 15 seconds.

Mr. LAMBORN. Thank you for that brief response on my part. Those funds are fungible, and that is not a true prohibition. It will be used for taxpayer-funded abortions.

Mr. PERLMUTTER. I thank my friend. I think the language is about as clear as it could be when it says "none of the Federal funds appropriated."

I will now yield 4 minutes to my friend from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman for yielding, and I thank him for making a clarification before I could.

Let me tell you something about fungible funds. You go home and tell the folks in your county or in your city that the funds that come from the Federal Government are fungible with their local funds, and therefore Congress should have jurisdiction over what they do in your local jurisdiction, and they may put you out of the House.

The fact is that the committee was at pains to respect the difference between local and Federal issues, and I very much appreciate that they did. I'm surprised that Mr. STUPAK would come to the floor with misinformation without looking at the bill to work up people on a controversial issue. The District asks, only be left abortion in our control inasmuch as it is left in the control of other Americans. And throughout the United States, pursuant to the Supreme Court decision in *Roe v. Wade*, local jurisdictions may use local funds for abortions for poor women.

We are American citizens, and we demand to be treated as American citizens. We are older American citizens than some of you because we were created as a city with the Nation itself more than 200 years ago. I appreciate that our Rules Committee appreciated our citizenship and responded to and respected it.

Now for those who are new, they might say, well, why is the D.C. appropriations in the Financial Services bill? The proper question is, why is Congress having anything to do with the D.C. budget, a local budget? It is none of your affair. And it is an anomaly that we are going to cure soon. But the fact is that it is here under the Home Rule Act, which made the District of Columbia a self-governing jurisdiction. It is in the Financial Services bill because there is no place to put it. There is no place to put it be-

cause it doesn't belong in a Federal budget because it is not the money of the people of the United States. These are the funds of the people who live in the District of Columbia.

Some Members may mistakenly, others deliberately, come to the floor to try to impose their will or their choices or the choices of their citizens on the citizens of another jurisdiction. They wouldn't stand for that for one second in their own jurisdictions, whether on abortion or on any other issue. We saw the deadly effects that can occur, and I appreciate that Mr. SERRANO removed from the D.C. appropriations an attachment that was responsible for the death and for the terrible health of thousands of D.C. residents when we were barred from using a needle exchange program that thousands of jurisdictions are able to do. We are not going to stand for it. It is not your business to deal with the health of my citizens or to keep us from doing what is required and legal to keep them healthy.

Local control is older than the Nation itself. The war slogan "no taxation without representation" meant today, as it means in the District when you see it on the license plates, "Take your hands off of the local jurisdiction that is not your own." This is the D.C. budget before you. It contains funds raised here and nowhere else.

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

Mr. PERLMUTTER. Madam Speaker, I would like to inquire as to the amount of time on each side.

The SPEAKER pro tempore. The gentleman from Colorado has 14½ minutes remaining.

The gentleman from Texas has 14¾ minutes remaining.

Mr. PERLMUTTER. I yield the gentlewoman 1 additional minute.

Ms. NORTON. I thank the gentleman for his generosity.

This is a local budget. Make no mistake about it: no amendment is in order on anybody's local budget. The time for lip service for local control has run out. We have profound disagreements on some issues from abortion to vouchers. Go home and deal with them there. Allow us to deal with these issues in our own way as a local jurisdiction.

I appreciate that the Rules Committee has indeed respected our citizenship. And I demand that other Members of Congress do so, as well.

Mr. SESSIONS. Madam Speaker, I would remind the gentlewoman from the District of Columbia that the Democratic Party owns the majority in this House. It has 60 Senators in the Senate, it has the President of the United States, and that is how they can get their own things done.

Madam Speaker, at this time, I would like to yield 3 minutes to the distinguished gentleman from Hood River, Oregon (Mr. WALDEN).

Mr. WALDEN. It is kind of ironic for someone who is so passionate about

achieving voting rights in this city that we would be denied voting rights on this floor on amendments that we sought to be considered.

And that is really the issue I want to speak about at this time, and that is that we brought an amendment fully vetted within our rules to be allowable, had the Democrat majority allowed it to be considered, to protect freedom-of-speech rights for broadcasters and American citizens when it comes to debating political issues and religious issues on the Nation's airwaves.

The great irony here is in this city we cannot, and in this Chamber cannot, get a vote or even a debate on that amendment under the new regime in charge here in the House.

Now in 2007 when democracy was flourishing a little bit more in this body, and Members of Congress, elected by however many thousands of votes and representing more than half a million people, 650,000 or 660,000 people, could bring issues to this floor during this one time and have them debated and considered. When Mr. PENCE and I brought the Broadcaster Freedom amendment to this floor, and it was allowed to be considered, 309 Members of this body voted in favor of it. When we sought to renew the prohibition on the Federal Government from putting Federal censors over the airwaves, we were denied the opportunity even to have that debate. You see, the one we got passed in 2007 expired 1 year later because it only went for as long as the appropriations bill.

We have a bill, a bipartisan bill, in committee to make this permanent. But once again, the Democratic leadership refuses to engage in democracy and allows us even to have a hearing on that legislation. Now, the irony is that both Republicans and Democrats in times gone by have abused the Fairness Doctrine. Bill Ruder who was assistant Secretary of Commerce under John Kennedy admitted to CBS news producer, Fred Friendly, "Our massive strategy was to use the Fairness Doctrine to challenge and harass right-wing broadcasters and hoped the challenges would be so costly to them that they would be inhibited and decide it was too expensive to continue." George Will reported in a column December 7, 2008, that Richard Nixon emulated that process.

What we are trying to do is prevent any party, any politician in Washington from using a flawed process to silence and gag political speech on the airwaves. We all ought to be for that. Now the Fairness Doctrine is gone right now. But there are many, including leaders on the other side of the aisle, who have called for its return. Leader after leader, when asked by the press, called for its return. Some will say, well, no, that is not going to happen. Well, they have come around with a Trojan horse in the back door and say, we are going to do it a different way. We are going to call it "localism." We are going to set up these

boards and commissions. We will have all this involvement. And if a broadcaster doesn't live up to what they are told to do, then their license will be pulled, or whatever.

We are just trying to say, no, Government, we don't need your censorship. Stay out of the process and allow us a vote. Don't just gag and spend here.

Mr. PERLMUTTER. If I could, I would ask my friend from Texas how many more speakers he has. We don't have any others. And I will close.

Mr. SESSIONS. I appreciate the gentleman asking. Due to the limited time that I was allowed by the Rules Committee, I know that we have a lot of people, but we have at least three additional speakers.

Mr. PERLMUTTER. Then I would reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, just for the record, I think we are on even time about now that is left. Is that an indication, if I can engage with the gentleman, that he is through with his speakers?

Mr. PERLMUTTER. Yes. I don't have any other speakers. Somebody may come wandering in, and I may ask for your indulgence. But at this point, we don't have any speakers.

Mr. SESSIONS. I appreciate the engagement of the gentleman. We will go ahead and proceed and run through our speakers with an indication that he believes he is through at this time.

Madam Speaker, at this time, I would like to yield 3 minutes to the gentleman from Clarence, New York (Mr. LEE).

Mr. LEE of New York. I thank my friend from Texas for yielding.

I rise to strongly oppose the rule. I had offered an amendment to this measure that deals with one of the less-discussed aspects of the restructuring of the auto industry and, that is, the treatment of retirees. By now we all have heard the stories of workers who have given much of their lives to these companies, only to see their retirement benefits slashed or completely lost. But with Delphi Corporation, which is GM's largest parts supplier, we have an incredibly egregious case of inequity.

As part of the restructuring agreement, GM agreed to assume the pension benefits of Delphi's hourly workers, 100 percent guaranteed, while the salaried workers' pension liabilities will be turned over to the federally chartered Pension Benefit Guaranty Corporation. When these pensions are turned over to the PBGC, salaried retirees stand to lose up to as much as 70 percent of their pension payments.

□ 1130

So basically, we have two groups of employees who've worked side by side for the same company for decades, and being treated so differently by the government.

My view, and that of a number of Members on both sides of the aisle, is that it is fundamentally unfair, and it

will be incredibly damaging to these families, especially when, going back to the beginning of the year, these same retirees lost not only their health benefits but also their life insurance.

In the weeks since the decision has been announced, I have pursued all possible avenues to acquire information regarding how this inequitable decision was arrived at. And last week, I, along with 43 Democrats and Republicans representing 13 different States, requested that congressional hearings on this issue be held in both the House and in the Senate.

Now, the amendment I offered simply prevents funds from being allocated to the auto task force until all relevant data and documents pertaining to this matter are turned over. This is certainly an extraordinary step, but you and I, and all Americans, are now 60 percent owners of General Motors, and we have every right to use all tools at our disposal to get to the bottom of this travesty.

My amendment was not made in order, which is unfortunate. I have spoken with a number of these salaried retirees, and they recognize the need to make sacrifices in order to ensure a better economy over this long-term period that we're struggling through. They did not, however, sign up for having their benefits that they have earned, the benefits they counted on, being taken from them, and certainly not without a substantive explanation.

I urge my colleagues to vote down this rule and give the House an opportunity to stand up for hardworking Americans.

Mr. SESSIONS. Madam Speaker, at this time I would like to yield 3 minutes to the distinguished gentleman from Mesa, Arizona (Mr. FLAKE).

Mr. FLAKE. I have 3 minutes. I'd like to, if I can, on my time, engage the gentleman in a colloquy about the rule. I was told earlier that I was discussing an amendment, I'm sorry, a point of order on unfunded mandates so we couldn't really talk about the rule. But now we are talking about the rule, so I'd like to have some kind of window into the mind of the Rules Committee as to why certain amendments were allowed on an appropriation bill and certain amendments weren't. If I could engage the Member in a colloquy, I'd enjoy that.

Mr. PERLMUTTER. Madam Speaker, I will let the gentleman do a soliloquy. I am not going to enter into a colloquy.

Mr. FLAKE. I don't blame the Member for not wanting to talk about this. And I really feel for members of the Rules Committee that are forced to carry out the bidding of the leadership, because this clearly, this clearly is a decision from the top, this year, to declare martial law on appropriation bills and not allow Members of Congress to bring amendments to the floor under an open rule that we have traditionally, and this has been the hallmark of this institution—openness.

The gentleman from Ohio (Mr. LATOURETTE) mentioned that he'd been

in the Chair in previous years where, for 3 days we debated amendments to the Interior bill. Many of those amendments were amendments that I offered, some of which were uncomfortable to people on that side and on this side, earmark amendments or others. Yet, we did it for 3 days.

This party has said, the majority party now has said we can't take 3 days on that bill. Okay, then let's limit the time. So we agreed here; we have time limits already set for the Financial Services bill. I have 11 amendments that were made in order. I'll be asking unanimous consent later, when I offer my amendments, to swap a few of those amendments out to modify them to reflect the amendments that were offered by Members and were not allowed by the Rules Committee.

So it's not going to be an issue of time. We've settled the issue of time. It will tell us whether or not the majority party simply wants to muscle, not just this side of the aisle, but certain of their Members as well.

The gentleman from Michigan (Mr. STUPAK) stood up to oppose the rule because the amendment with regard to Federal funding for abortion was not allowed. That is one amendment that I will try to modify instead of one of mine, or have mine modified to reflect that amendment.

Again, it won't be an issue of time. The question will be, can or will—they can—will the majority allow that modification and allow that amendment to be offered. Under rules of unanimous consent, or under the rules of this body, under unanimous consent the majority party can agree to modify any amendment that is offered by a Member. And so it's not a question if they can. The question is if they will.

Mr. SESSIONS. Madam Speaker, at this time I would like to yield 3 minutes to the gentleman from Hamilton, New Jersey, Mr. SMITH.

Mr. SMITH of New Jersey. Madam Speaker, Ms. NORTON earlier suggested that prohibiting funding for abortion, over which we have constitutional jurisdiction, is none of our affair. I would respectfully submit, Madam Speaker, defending innocent and inconvenient children, protecting them from violence, is always our affair.

Human rights, and the defense of human rights, protecting the weak and the most vulnerable, is always our affair. So I would respectfully ask Members to reject this rule.

Last week, President Obama told, of all people, the Pope, that he wanted to reduce abortion. Oh, really? This week, pursuant to Mr. Obama's 2010 budget policy request, the House is getting ready to reverse a longstanding pro-life policy that prohibits taxpayer funding for abortions except in the rare cases of rape, incest or to save the life of the mother.

Today's vote isn't just about whether pro-life Americans will be forced to subsidize dismembering unborn children to death, or paying to poison unborn children to death, or delivering

premature children to effectuate their destruction, children who are too immature to withstand life outside of the womb. Our vote today is also about government policies that are hurting women, abandoning women to the abortionists. We know that abortion hurts women. The evidence grows every day.

Retaining current law, and that's what the Lincoln Davis, Todd Tiahrt amendment would have done and should do if this rule goes down, actually reduces abortion. Some of my colleagues have already pointed this out. It couldn't be more clear. The evidence is in. When you deny funding for abortion, the numbers go down. So when President Obama says he wants to reduce abortions, the answer is to take away the public subsidy.

My friend on the other side said the bill restricts no Federal funds. We have jurisdiction over all the funds with regard to this issue. If we want to save a life, please don't use that kind of very thin and, I think, very shallow argument. Saving a life in the District of Columbia is no different than saving a life anywhere in the United States of America. These are our children. We need to protect and safeguard those children from the violence of abortion.

If you want to reduce abortion, Madam Speaker, and colleagues, don't subsidize it. The Guttmacher Institute, Planned Parenthood's research arm, has said that between 20 and 35 percent do not get abortions under the Medicaid program because of the Hyde amendment.

There are millions of children walking in America. There are thousands of children in the District of Columbia who today are enjoying their summer vacation, playing ball, having fun, getting ready to go back to school in late August and early September, because the subsidy was not there to effectuate their very painful demise through abortion.

Abortion is child abuse. It is violence against children. Vote "no" on this rule.

Mr. SESSIONS. Madam Speaker, this debate today, once again focuses on jobs, more spending by this Democrat majority, higher unemployment, more taxation, further government intrusion into the financial sector of this country. And we've heard about even some issues dealing with abortion that the gentleman, Mr. STUPAK, brought to this floor, that the gentleman, Mr. SMITH brought to this floor. So I'll be asking for a "no" vote on the previous question so that we can amend the rule to do it right, to go back to what essentially has been 200 years worth of open rules on appropriations.

There's no question that this rule the majority brings forth today will only cement the dangerous precedent that the majority is setting every single day.

Madam Speaker, it's so sad because no new Member of this body in the last session or this session has ever seen an

open rule. They're damaging bipartisanship in this body. It's sad.

I'll urge my colleagues to vote "no" on the previous question so that we can allow a free and open debate on appropriations bills and uphold the right of millions of Americans who've been gagged, not only by Speaker PELOSI, but the Rules Committee.

Madam Speaker, I ask unanimous consent to insert the text of the amendment and extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. SESSIONS. I urge a "no" vote on the previous question, a "no" vote on the rule, and once again, a demand from the Republican Party where we want to know where are the jobs that were promised, Madam Speaker.

I yield back the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I yield myself such time as I might consume to close.

First, to my friend from Oregon and his concern about the fairness doctrine, there is nothing in the bill that allows for the fairness doctrine. He was concerned about a smile that I had on my face because I remember when the gentleman brought the amendment last year and I supported his amendment. But there is nothing in the bill that provides for the fairness doctrine. And in effect, what he's trying to do is restrain something that doesn't exist. So that's point number one.

Point number two: to my friend from New Jersey, I respect his passion about abortion and his feelings about abortion. It is a very emotional and difficult discussion. But section 812 of the bill, at page 143, couldn't be more clear: None of the Federal funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered, or where the pregnancy is the result of an act of rape or incest.

So to those two specific points, I wanted to make my comments.

As to my friend from Texas and his closing argument, it simply doesn't hold water. The administration that preceded the Obama administration, the administration of George Bush, drove this country into a fiscal ditch. And it's going to take everything that we have to get out of that ditch. The banking system almost collapsed. Jobs were lost. Plants were closed. Businesses were shuttered. Homes were foreclosed. And it is with great effort, great energy that we are trying to reverse what occurred because of the reckless actions of that administration.

Under this bill, there is more money invested in the Small Business Administration to encourage and build and strengthen our small businesses which have been hurt by this recession. But that is the engine that will ultimately drive this economy. We need to get

small businesses back on their feet. That happens, in part, through this bill.

Secondly, we restore reasonable regulation to the marketplace, regulation that was denied and excluded under the prior administration. The Securities and Exchange Commission was, in effect, rendered neutral and neutered under the prior administration, exposing the country to gigantic Ponzi schemes like that conducted by Bernard Madoff.

We need to make sure that our Federal Trade Commission is fully funded so that it can protect consumers and businesses alike against unfair and deceptive trade practices. The Judiciary has to be staffed to handle all the bankruptcies that have occurred. The bill that is pending that we propose will assist the Federal Government in managing these affairs.

Finally, Mr. LATOURETTE's amendment concerning the auto dealers is an important portion of this bill, to give those who had franchises and were terminated improperly the right to get their franchise back and their dealerships open and going again, thereby saving jobs.

□ 1145

This is an important piece of legislation. This bill helps keep the government running, so providing the funds that exist in the bill is something that we must move forward on.

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

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 644 OFFERED BY MR. SESSIONS OF TEXAS

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. 3170) making appropriations for financial services and general government 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 of 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. PERLMUTTER. 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 yeas appeared to have it.

Mr. SESSIONS. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

- H.R. 1442, by the yeas and nays;
- H.R. 129, by the yeas and nays;
- H.R. 2188, by the yeas and nays;
- H.R. 409, by the yeas and nays;
- ordering the previous question on H. Res. 644, by the yeas and nays;
- adopting H. Res. 644, if ordered;
- H. Res. 543, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR SALE OF FEDERAL INTEREST IN SALT LAKE CITY LAND

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1442, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1442, as amended.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 10, as follows:

[Roll No. 548]
YEAS—422

Abercrombie	Bilirakis	Buchanan	Cleaver	Holt	Mitchell
Ackerman	Bishop (GA)	Burgess	Clyburn	Honda	Mollohan
Aderholt	Bishop (NY)	Burton (IN)	Coble	Hoyer	Moore (KS)
Adler (NJ)	Bishop (UT)	Butterfield	Cohen	Hunter	Moore (WI)
Akin	Blackburn	Buyer	Cole	Inglis	Moran (KS)
Alexander	Blumenuaer	Calvert	Conaway	Inslee	Moran (VA)
Altmire	Blunt	Camp	Connolly (VA)	Israel	Murphy (CT)
Andrews	Bocchieri	Campbell	Conyers	Issa	Murphy (NY)
Arcuri	Boehner	Cantor	Cooper	Jackson (IL)	Murphy, Patrick
Austria	Bonner	Cao	Costa	Jackson-Lee	Murphy, Tim
Baca	Bono Mack	Capito	Costello	(TX)	Murtha
Bachmann	Boozman	Capps	Courtney	Jenkins	Myrick
Bachus	Boren	Capuano	Crenshaw	Johnson (IL)	Nadler (NY)
Baird	Boswell	Cardoza	Crowley	Johnson, E. B.	Napolitano
Baldwin	Boucher	Carnahan	Cuellar	Johnson, Sam	Neal (MA)
Barrett (SC)	Boustany	Carney	Culberson	Jones	Neugebauer
Barrow	Brady (PA)	Carson (IN)	Cummings	Jordan (OH)	Nunes
Bartlett	Brady (TX)	Carter	Dahlkemper	Kagen	Nye
Barton (TX)	Brady (TX)	Cassidy	Davis (AL)	Kanjorski	Obey
Bean	Braley (IA)	Castle	Davis (CA)	Kaptur	Olson
Becerra	Bright	Castor (FL)	Davis (IL)	Kennedy	Olver
Berkley	Broun (GA)	Chaffetz	Davis (KY)	Kildee	Ortiz
Berman	Brown (SC)	Chandler	Davis (TN)	Kilpatrick (MI)	Pallone
Berry	Brown, Corrine	Chandler	Deal (GA)	Kilroy	Pascarell
Biggert	Brown-Waite,	Clarke	DeFazio	Kind	Pastor (AZ)
Bilbray	Ginny	Clay	DeGette	King (IA)	Paul
			Delahunt	King (NY)	Paulsen
			DeLauro	Kingston	Payne
			Dent	Kirk	Perlmutter
			Diaz-Balart, L.	Kirkpatrick (AZ)	Perriello
			Diaz-Balart, M.	Kissell	Peters
			Dicks	Klein (FL)	Peterson
			Doggett	Kline (MN)	Petri
			Donnelly (IN)	Kosmas	Pingree (ME)
			Doyle	Kratovil	Pitts
			Dreier	Kucinich	Platts
			Driehaus	Lamborn	Poe (TX)
			Duncan	Lance	Polis (CO)
			Edwards (MD)	Langevin	Pomeroy
			Edwards (TX)	Larsen (WA)	Posey
			Ehlers	Larson (CT)	Price (GA)
			Ellison	Latham	Price (NC)
			Ellsworth	LaTourette	Putnam
			Emerson	Latta	Quigley
			Engel	Lee (CA)	Radanovich
			Etheridge	Lee (NY)	Rahall
			Fallin	Levin	Rangel
			Farr	Lewis (CA)	Rehberg
			Fattah	Lewis (GA)	Reichert
			Filner	Linder	Reyes
			Flake	Lipinski	Richardson
			Fleming	LoBiondo	Rodriguez
			Forbes	Loeback	Roe (TN)
			Fortenberry	Lofgren, Zoe	Rogers (AL)
			Foster	Lowey	Rogers (KY)
			Fox	Luetkemeyer	Rogers (MI)
			Frank (MA)	Lujan	Rohrabacher
			Franks (AZ)	Lummis	Rooney
			Frelinghuysen	Lungren, Daniel	Ros-Lehtinen
			Fudge	E.	Roskam
			Gallely	Lynch	Ross
			Garrett (NJ)	Mack	Rothman (NJ)
			Gerlach	Maffei	Royal-Ballard
			Giffords	Maloney	Royce
			Gingrey (GA)	Manzullo	Ruppersberger
			Gonzalez	Marchant	Rush
			Goodlatte	Markey (CO)	Ryan (OH)
			Gordon (TN)	Markey (MA)	Ryan (WI)
			Granger	Marshall	Salazar
			Graves	Massa	Sanchez, Linda
			Grayson	Matheson	T.
			Green, Al	Matsui	Sanchez, Loretta
			Green, Gene	McCarthy (CA)	Sarbanes
			Griffith	McCarthy (NY)	Scalise
			Grijalva	McCauley	Schakowsky
			Guthrie	McClintock	Schauer
			Gutierrez	McCollum	Schiff
			Hall (NY)	McCotter	Schmidt
			Hall (TX)	McDermott	Schock
			Halvorson	McGovern	Schwartz
			Hare	McHenry	Scott (GA)
			Harman	McHugh	Scott (VA)
			Harper	McIntyre	Sensenbrenner
			Hastings (FL)	McKeon	Serrano
			Hastings (WA)	McMahon	Sessions
			Heinrich	McMorris	Sestak
			Heller	Rodgers	Shadegg
			Hensarling	McNerney	Shea-Porter
			Herger	Meek (FL)	Sherman
			Herseth Sandlin	Meeks (NY)	Shimkus
			Higgins	Melancon	Shuler
			Hill	Mica	Shuster
			Himes	Michaud	Simpson
			Hinchee	Miller (FL)	Sires
			Hinojosa	Miller (MI)	Skelton
			Hirono	Miller (NC)	Slaughter
			Hodes	Miller, Gary	Smith (NE)
			Hoekstra	Miller, George	Smith (NJ)
			Holden	Minnick	Smith (TX)