

center even exists. We don't know if it even exists, if it's created by this earmark.

Concurrent Technology has been the recipient of millions upon millions of dollars over the years. The executives in Concurrent Technology contribute handsomely to Members of Congress. So it receives a lot of earmarks. It seems to be an earmark incubator of some type, an earmark that begets more earmarks.

And yet we have the report that comes with the bill that doesn't even mention Concurrent Technology. It just mentions this center as if it already existed. We don't even know if it does. We can't even find any information on it, and apparently we can't even get that information from the Appropriations Committee.

So I would submit that this is what this process is about. This is why we come to the floor. This is why we invite the sponsor of the earmark to defend the earmark. But I would say again, does this center exist? Do we even know if it exists? How do we know if it's a good center or a bad center? Is this Concurrent Technology, which already receives millions and millions of dollars in other bills, worthy of another earmark to create another center?

These are the questions that we have to ask.

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

Mr. VISCLOSKEY. I would continue to reserve my time.

Mr. FLAKE. Mr. Chairman, I guess I will finish off. I will call for a vote on this one, but I think it's important when Members are voting on this earmark and whether to retain it that we have to know what we know and know what we don't know.

We don't know if this center even exists. We are appropriating money for a center where the Appropriations Committee that has a responsibility to vet this earmark can't even tell us here if this even exists. We don't know that. We're voting on an earmark where in the report it says it goes to the center, but here in the certification letter it mentions Concurrent Technology, a private company. Which is it?

If we don't know these facts, we don't know what's going on here, I would say the thing to do is to vote this down, to actually vote for the amendment and wait until the Appropriations Committee actually has time to scrub and to vet these earmarks a little more carefully.

Mr. Chairman, I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Mr. VISCLOSKEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DAVIS of Illinois) having assumed the chair, Mr. TIERNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2641) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

#### APPOINTMENT OF CONFEREES ON H.R. 1, IMPROVING AMERICA'S SECURITY ACT OF 2007

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Homeland Security, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Mr. Thompson of Mississippi, Ms. Loretta Sanchez of California, Mr. Dicks, Ms. Harman, Mrs. Lowey, Ms. Jackson-Lee of Texas, Mrs. Christensen, Messrs. Etheridge, Langevin, Cuellar, Al Green of Texas, Perlmutter, King of New York, Smith of Texas, Souder, Tom Davis of Virginia, Daniel E. Lungren of California, Rogers of Alabama, McCaul of Texas, Dent, and Ms. Ginny Brown-Waite of Florida.

From the Committee on Armed Services, for consideration of secs. 1202, 1211, 1221, 1232, 1233, and 1241 of the House bill, and section 703 of the Senate amendment, and modifications committed to conference: Messrs. Skelton, Spratt, and Saxton.

From the Committee on Energy and Commerce, for consideration of Title I, Title II, secs. 743 and 901 of the House bill, and Title III, secs. 1002, 1481, 1482, 1484, and Title XVII of the Senate amendment, and modifications committed to conference: Messrs. Dingell, Markey, and Barton of Texas.

From the Committee on Foreign Affairs, for consideration of secs. 601, 1202, 1211, 1221, 1222, 1232, 1233, 1241, 1302, 1311, 1312, 1322, 1323, 1331-1333, 1412, 1414, 1422, 1431, and 1441-1443 of the House bill, and secs. 502, 1301, Title XVIII, secs. 1911-1913, and 1951 of the Senate amendment, and modifications committed to conference: Messrs. Lantos, Ackerman, and Ms. Ros-Lehtinen.

From the Committee on the Judiciary, for consideration of secs. 406, 501, 601, 702, and Title VIII of the House bill, and secs. 123, 501-503, 601-603, 1002, and 1432 of the Senate amendment, and modifications committed to conference: Mr. Conyers, Ms. Zoe Lofgren of California, and Mr. Sensenbrenner.

From the Committee on Oversight and Government Reform, for consideration of sec. 408 and subtitle A of title VIII of the House bill, and secs. 114, 601, 602, 903, 904, 1203, 1205, and 1601 of the Senate amendment, and modifications committed to conference: Messrs. Waxman, Clay, and Issa.

From the Permanent Select Committee on Intelligence, for consideration of secs. 601, 712, 723, 732, 733, 741, 742, and subtitle A of title VIII of the House bill, and secs. 111-113, 121, 122, 131, 502, 601, 602, 703, 1201-1203, 1205, 1206, and 1606 of the Senate amendment, and

modifications committed to conference: Messrs. Reyes, Cramer, and Hoekstra.

From the Committee on Science and Technology, for consideration of secs. 703, 1301, 1464, 1467, and 1507 of the Senate amendment, and modifications committed to conference: Messrs. Gordon of Tennessee, Wu, and Gingrey.

From the Committee on Transportation and Infrastructure, for consideration of Titles I-III, sec. 1002, and Title XI of the House bill, and secs. 202, 301, Title IV, secs. 801-803, 807, 901, 1001, 1002, 1101-1103, 1422-1424, 1426, 1427, 1429, 1430, 1433, 1436-1438, 1441, 1443, 1444, 1446, 1449, 1464, 1473, 1503, and 1605 of the Senate amendment, and modifications committed to conference: Messrs. Oberstar, DeFazio, and Mica.

For consideration of Title II of the House bill, and Title III and subtitle C of title XIV of the Senate amendment, and modifications committed to conference: Mr. Larson of Connecticut.

There was no objection.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 481 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2641.

□ 1335

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2641) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. TIERNEY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) had been postponed.

AMENDMENT NO. 35 OFFERED BY MR.

HENSARLING

Mr. HENSARLING. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 35 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the South Carolina HBCU Science and Technology initiative (SC).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this particular amendment would save the taxpayers \$1.5 billion. This would