

terrorism, but the Federal Government has to do many other things, too. The Wall Street Journal editorial said: "We would like to suggest a new post-September 11 rule for Congress. Any bill with the words "security" in it should get double the public scrutiny and maybe four times the normal wait, lest all kinds of bad legislation become law under the phony guise of fighting terrorism."

More significantly, Homeland Security Secretary Michael Chertoff testified in front of a congressional committee: "We should not let an over-exaggerated threat of terrorism drive us crazy, into bankruptcy, trying to defend against every conceivable threat." He went on to say: "We do have limits, and we do have choices to make. We don't want to break the very systems we're trying to protect. We don't want to destroy our way of life trying to save it. We don't want to undercut our economy trying to protect our economy, and we don't want to destroy our civil liberties and our freedoms in order to make ourselves safer."

#### THE STORY OF TWO TENS IN IRAQ AND HERE IN THE UNITED STATES

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

Mr. ALTMIRE. Madam Speaker, when we as a Nation talk about our priorities, it is often useful to use numbers to put things in perspective. So today let's think about the number 10. On Thursday, this House will have the opportunity to override a Presidential veto that would allow us to ensure 10 million children have access to quality health care so that they can see the doctor of their choice when they need to. We realize the importance of preventive care. Children shouldn't be forced to let a cold or earache linger until it reaches emergency proportions.

President Bush says our bipartisan compromise is too expensive. But while we are working to ensure 10 million children have access to health care, President Bush has no problem asking us to send \$10 billion every month to Iraq.

Madam Speaker, this is a debate about priorities. House Republicans should join us in overriding the President's veto to send a message that children's health care is a priority of this House.

#### TAXPAYER CHOICE ACT

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

Mr. MCHENRY. Madam Speaker, I am confident the only thing worse than having to pay taxes is figuring out how to fill out the forms to pay taxes. As Albert Einstein said: "The hardest

thing in the world to understand is the income tax." He was right. It is 16,485 pages. Our income tax is an outrage, an outrage long in need of reform and simplification.

Last week Republicans introduced an alternative to this outrage. The Taxpayer Choice Act does what it says. It gives taxpayers a choice between all the headaches of the current tax system or a highly simplified alternative tax. It simplifies the process for taxpayers and gives them what they deserve, a transparent, efficient, simple and fair Tax Code and completely eliminates AMT tax and makes permanent the capital gains and dividends tax cuts of 2001 and 2003.

Madam Speaker, it is long time that we pass fundamental tax reform and give taxpayers the choice, the Taxpayer Choice Act.

#### RED TAPE DELAYS RESCUE

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

Ms. FOXX. Madam Speaker, homeland security and the safety of our men and women in uniform should be on the front of everyone's mind in Congress. Yet, we are here again this week discussing a Democrat bill that fails to provide our intelligence community the tools necessary to monitor terrorist activity. The Democrat RESTORE bill does nothing to streamline a process that is hampered by endless red tape and severely slows the reaction time between Washington and our battlefield commanders.

Intelligence opportunities sometimes exist for minutes, and we need the flexibility to monitor activity that can save lives. The article in the New York Post yesterday is a perfect example. The current law delayed a rescue mission by 10 hours. Our troops should never have to wait 10 hours for permission to rescue them.

I urge my Democrat colleagues to reconsider the RESTORE Act. We should focus our efforts on a bipartisan approach to our national security, not on legislating defeat.

#### PROVIDING FOR CONSIDERATION OF H. RES. 734 EXPRESSING THE SENSE OF THE HOUSE REGARDING WITHHOLDING OF INFORMATION RELATING TO CORRUPTION IN IRAQ

Mr. WELCH of Vermont. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 741 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 741

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 734) expressing the sense of the House of Represent-

atives regarding the withholding of information relating to corruption in Iraq. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommit which may not contain instructions.

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

Mr. WELCH of Vermont. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Mr. WELCH of Vermont. Madam Speaker, I also ask unanimous consent that all Members be given 5 legislative days to revise and extend remarks on House Resolution 741.

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

There was no objection.

Mr. WELCH of Vermont. Madam Speaker, House Resolution 741 provides for the consideration of House Resolution 734, expressing the sense of the House of Representatives regarding the withholding of information relating to rampant corruption in Iraq, corruption that is being used with taxpayer money from our country. The rule provides for 1 hour of general debate controlled by the Committee on Oversight and Government Reform.

Resolution 734 expresses the explicit sense of the House that the State Department, our State Department, has abused its classification authority by withholding from Congress and the American people information about the extent of corruption in the Maliki government. The resolution further condemns the State Department for retroactively classifying documents that had been widely distributed previously as unclassified and by directing State Department employees not to answer questions in an open forum.

□ 1030

Madam Speaker, we are in the fifth year of this war. We have lost over 3,700 of our best young men and women. By the time this war is over, many experts anticipate that the cost to the taxpayers will exceed \$1 trillion. General Ricardo Sanchez, a retired commander, last week described the situation in Iraq as an absolute nightmare with no end in sight.

This war started on the basis of bogus information: the threat of weapons of mass destruction that did not exist. Hard questions that should have been asked weren't asked. The war continued for years, until November of 2006, with a Congress that was a rubber stamp for whatever it was that the executive agencies wanted. Those days are over.

The Committee on Oversight and Government Reform has been pursuing relentlessly article I powers of this Congress to accept its responsibility on behalf of the citizens of this country to ask questions and get answers; yet the State Department is refusing to allow relevant information to be disseminated to the members of that committee.

Madam Speaker, let me go through the history. On October 4, 2007, the Oversight and Government Reform Committee held a hearing regarding the extent of corruption within the Iraqi Government. David Walker, the Comptroller General of the United States, and Stuart Bowen, the Special Inspector General for Iraq Reconstruction, testified that entrenched corruption in the Iraqi Government is actually fueling the insurgency, undermining the chances of political reconciliation, which, incidentally, was the whole point of the surge strategy of General Petraeus, and that this corruption is, in fact, endangering our troops.

The former Commissioner of the Iraqi Commission on Public Integrity, Judge Radhi Hamza al-Radhi, testified that his own investigation documented at least \$18 billion in money stolen by corrupt officials. He stated that Prime Minister Maliki personally intervened to prevent the investigation from continuing.

Each witness that day provided evidence suggesting that corruption within the Iraqi Government was tantamount to a second insurgency. Specifically, David Walker testified that widespread corruption undermines efforts to develop the government's capacity by robbing it of needed resources, some of which are used to fund the insurgency itself. Similarly, Mr. Bowen testified that corruption in Iraq stymies the construction and maintenance of Iraq's infrastructure, deprives people of goods and services, reduces confidence in public institutions, and publicly aids insurgent groups reportedly funded by graft from oil smuggling or embezzlement.

Judge al-Radhi testified that corruption in Iraq today is rampant across the government, costing tens of billions of dollars, and has infected virtually every agency and ministry, including some of the most powerful in Iraq. He further stated that the Ministry of Oil is effectively financing terrorism.

Madam Speaker, after hearing this testimony, which can only be described as shocking, the Oversight Committee heard from Ambassador Lawrence Butler, Deputy Assistant Secretary of State. Members of the committee asked the obvious questions, very simple, very straightforward: A, whether the Government of Iraq currently has the political will or the capability to root out corruption within its government; B, whether the Maliki government is working hard to improve the corruption situation so that he can unite his country; C, whether Prime

Minister Maliki obstructed any anticorruption investigations in Iraq to protect his political allies. Simple questions; no answers.

Ambassador Butler refused to answer any of these questions at the hearing because on September 25, 2007, 7 business days before this hearing, the State Department instructed officials not to answer questions in open setting that called for, basically, answers. In the jargon of the State Department, you couldn't answer a question that called for "broad statements or assessments which judge or characterize the quality of Iraqi governance or the ability or determination of the Iraqi Government to deal with corruption, including allegations that investigations were thwarted or stifled for political reasons."

It is astonishing; \$1 trillion, over 3,700 lives, a war that has no end in sight, that was based on misinformation. Now, with billions of dollars gone missing, no one is disputing this is as a result of corruption, not just bad decisions. The State Department is directing the people who have answers to deny answers to Congress and to the American people.

Madam Speaker, the thrust of this resolution is very simple. It is whether Congress has the right and the will to demand that it get answers on behalf of the American people about this most catastrophic foreign policy blunder.

In addition to preventing officials from answering questions about the corruption in Iraq, the State Department retroactively classified two reports written by the Office of Accountability and Transparency, one of the two primary entities established by the State Department to lead U.S. anticorruption efforts. So we turned the Office of Transparency into the "Office of Obscurity."

These reports were initially marked "sensitive but unclassified," and they suddenly, by fiat of the State Department, became "confidential." The State Department also retroactively classified portions of a report that was released and distributed at that October 4 hearing by Comptroller Walker. It addressed the commitment of the Iraqi Government to enforce anticorruption laws.

As a member of the Oversight and Government Reform Committee, I and my colleagues witnessed firsthand the State Department's absolute, adamant, willful, and really intransigent refusal to testify about Iraqi corruption. That is why the committee believes so strongly in the support of this resolution.

The resolution states in very simple and plain language what every American, I think, believes they are entitled to. One, it is essential that Congress and the people of the United States know the extent of corruption in Iraq. Two, it was wrong, not right, but wrong, to reclassify documents that are embarrassing but do not meet the criteria for classification. Three, it is

an abuse of the classification process to withhold from the American people broad assessments of the extent of corruption within the Iraqi Government. Four, the directive issued by the State Department on September 25, 2007, prohibiting its officials from discussing the state of Iraqi corruption should be, indeed must be, rescinded.

Madam Speaker, corruption within the Iraqi Government is unacceptable. It undermines the efforts of this country; it undermines the efforts of the honest people in Iraq to build a civil society. We have no recourse but to demand from the State Department that they tell us the facts and not withhold them because they are embarrassing and don't serve what has been a self-serving and misguided policy since its inception.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to begin by thanking my very good friend, a new member of the Rules Committee, the gentleman from Vermont (Mr. WELCH) for his statement that was very thoughtful. But it actually in many ways buttressed the argument that I was making in the Rules Committee yesterday, that Chairman WAXMAN countered, that this resolution is little more than an attempt to try and appease this sector of the House of Representatives that wants this immediate withdrawal from Iraq, represented by more than a couple of my colleagues who are here right now.

I rise, Madam Speaker, in strong opposition to both this rule and the underlying resolution. Once again the Democratic leadership has shut down the normal, open legislative process in order to bring their substantively flawed legislation to the floor, and once again they must resort to a complete distortion of facts in order to advance their agenda.

They have the formula down pretty well, Madam Speaker. First, you pick an issue that no one could possibly oppose. In this case they have bravely come forward and taken a stance against corruption. Well, it is very impressive. Obviously we are all opposed to corruption.

Next, they slap together a resolution that ostensibly advances this position, but, in reality, twists the facts such that the issue is actually abandoned for purely political potshots; then shut down regular order so that no dissenting voice can be heard.

Finally, when all due process and substantive deliberation has been thwarted, attack those who expose their sloppy work by calling them "pro-corruption," or "anti-poor children," or whatever dark and sinister trope we are exploiting this week.

This is a well-worn approach that has been, unfortunately, standard operating procedure in this 110th Congress. What makes it so troubling this time is that it came from a committee whose

chairman and ranking member have generally worked in a bipartisan way, despite the Democratic leadership's very heavy-handed approach on so many issues.

The ranking member, the gentleman from Virginia (Mr. DAVIS), has been very eager to work constructively with, Madam Speaker, our California colleague (Mr. WAXMAN) who chairs the committee. They have worked together on a number of issues. And it was the same way when our friend from Fairfax, Virginia (Mr. DAVIS) was the chairman of the then Committee on Government Reform and Oversight, now the Committee on Oversight and Government Reform, when Mr. DAVIS was the chairman and Mr. WAXMAN was the ranking member.

Mr. DAVIS has not shied away from taking a very, very honest and fair approach to oversight and speaking very frankly about the problems that are exposed. He has always concerned himself only with the facts, not the party affiliation of those who have come under scrutiny.

So why is it, Madam Speaker, why is it that the majority did not so much as share the text of this resolution with the minority before introducing it? Why did it not go through the regular committee process to vet the language? What exactly do they fear by allowing just a little bit of sunshine in their work?

Madam Speaker, when the Republicans on the Committee on Oversight and Government Reform finally got to have just a little peek at this resolution, what they found were half-truths, distortions and blatant omissions.

Our friend from Virginia (Mr. DAVIS) offered a substitute that would modify the resolution by adding the critical information that the majority had omitted and correcting what was mischaracterized. The majority shamelessly but predictably shut out the amendment, in an apparent attempt to suppress any effort to expose the glaring flaws to their resolution.

Madam Speaker, all we have asked is to have a debate based on facts rather than on phony narratives and biased misinformation. I have no doubt that their side will continue this charade of a debate and pretend that this resolution is simply about exposing corruption and those who try to cover it up.

Madam Speaker, they can have their charade, but this side is going to actually talk about facts today, something that we are proud to regularly do, and, unfortunately, doesn't emerge too often from the other side of the aisle.

We will start with the issue of corruption in the Iraqi Government. It is a huge problem. It is a huge problem, corruption in the Iraqi Government, Madam Speaker. We all recognize that. The Iraqis recognize that. Today in The Washington Post a representative from the State Department made it very clear that the issue of corruption within the Iraqi Government is a serious one. The entire world recognizes

the fact that there is corruption within the Iraqi Government.

Through a number of U.S. departments and agencies, including the State Department, we are funding a wide range of programs to find, root out and prevent corruption; to build the capacity of the Iraqi Government to fight corruption within its own ranks, which is what our goal is, making sure we fight corruption. We want to strengthen the democratic institutions that must be strong, transparent and enduring, so that the rule of law can prevail, and those who break the law will, in fact, be brought to justice.

That is what our goal is, Madam Speaker, and that is something that I believe we could address in a bipartisan way if Mr. WAXMAN and Mr. DAVIS had, in fact, had the chance to come together. Mr. DAVIS very much wanted to, but apparently he was rebuffed.

This is the primary goal of our policy, ensuring that we take on and root out and eliminate corruption within the Iraqi Government. And our efforts would be highlighted in this resolution, if its authors had not systematically struck the positive comments made by the very experts quoted in their text.

□ 1045

For example, they quote Judge Radhi Hamza al-Radhi as saying, and I quote, Madam Speaker, "Corruption in Iraq today is rampant and has infected virtually every agency and ministry." That is what is in the resolution, Madam Speaker. They unfortunately in this resolution cut out the rest of the quote.

Judge Radhi went on to tell the committee, and I quote, Madam Speaker, "The Iraqi people would hope that you continue your support to them, otherwise they will be suppressed by the neighboring countries." He went on to say, "I believe if you help the Iraqi people to be managed and governed by an honest government, I believe that the problem will be over." Now that's the full quote from Judge Radhi Hamza al-Radhi.

To this key point, the very people that came before the committee to testify on Iraq's corruption problem also highlighted our attempts to combat it; and they begged us, they begged us, Madam Speaker, not to abandon them. A number of other key quotes were cut short in the resolution resulting in a skewed view of testimony.

They suppressed testimony from the Inspector General for Iraq Reconstruction citing that the Iraq Government fully recognizes its corruption problem. They cut out the Comptroller General's testimony that this is an internal Iraqi problem which does not involve U.S. funds, and that the Iraqis face enormous challenges following decades of a dictatorship where, and I quote, "corruption was woven into the very fabric of governing."

It is all there in black and white in the alternative that Mr. DAVIS presented to us up in the Rules Committee.

Of course, that full litany of the facts will never come to a vote in this House because of a decision that the majority leadership has made. They would rather cherry-pick quotes and give a distorted account of the facts.

Madam Speaker, the resolution's second major premise, which also suffers from being disassociated with the facts, is that the State Department has tried to cover up Iraqi corruption and has withheld pertinent information from Congress. Again, the majority can continue their pseudo-debate if they would like; but, Madam Speaker, on this side of the aisle, we are just going to stick to the facts. And the fact is that a portion of an unfinished, unvetted document was inadvertently leaked. When the report was ultimately finalized, portions were deemed classified in the interest of protecting sources whose lives would be threatened for their anticorruption efforts and to protect private conversations stemming from diplomatic efforts.

We can accuse the State Department of sloppiness because of the leak; we can play Monday morning quarterback and say that they shouldn't have bothered to classify information no matter how sensitive after it was inadvertently leaked. But to accuse them of trying to cover up information is a blatant mischaracterization of the facts.

Furthermore, Chairman WAXMAN has declined to release the transcripts of interviews with State and Justice Departments officials on the very issues raised in this resolution. State has also offered classified briefings to answer any and all questions that can't be addressed in an open setting. Now, Madam Speaker, according to the State Department, Chairman WAXMAN has declined that offer. It would appear that the authors of this resolution may not actually be interested in gathering this information.

In fact, it is ironic that a resolution accusing government officials of withholding information would cherry-pick quotes from testimony and suppress an amendment that tells the whole story. And it is ironic that its authors make these accusations while refusing to release the transcripts of its own proceedings and deny the opportunity for a full classified briefing. If they were truly interested in combating corruption or the full disclosure of information, they would have gone through regular order that developed legislation within the context of a full debate that includes the facts in the situation.

I would ask them to take the issue of corruption more seriously, Madam Speaker. This is an issue that has plagued our own government. We have wrestled for years over ethics reform, and we still haven't got it right. We are trying right now to bring to the floor earmark reform. We have a discharge petition in the well and we have encouraged our colleagues to sign that to deal with what clearly has been a bipartisan issue. It is an issue that has been wrought with corruption in the

past. We are trying very hard to address that. Unfortunately, the majority leadership refuses to allow us to bring to the floor earmark reform that would simply bring us to the standard that we passed in the last Congress.

Now, Madam Speaker, as we look around the world at democracies old and new, we see that no one has been able to completely root out the problem of corruption. I have the great privilege to work with my colleague, David Price, and 18 other of our Members as part of the House Democracy Assistance Commission. Our commission works directly with legislatures in developing democracies all around the world, and corruption tops the list of challenges every single time.

In every one of the 12 member countries that we have within the House Democracy Assistance Commission, this problem of corruption comes to the forefront. Endemic corruption threatens the very survival of real democracy, and that is why we are tackling the problem across the globe; and, Madam Speaker, Iraq is no exception.

Unfortunately, rather than furthering our efforts, the Democratic majority would rather sit in the cheap seats taking shots at the Iraqi Government awash in righteous indignation over trumped-up charges of a coverup. I would call on them instead to offer a meaningful bill that addresses the very serious issue of corruption and take it up under regular order. I would call on them, Madam Speaker, to allow their work to stand before the rigors of scrutiny and deliberation.

Madam Speaker, I am quite confident that we could all come together to work on a universally supported issue of combating corruption. As I said, we have these great models of HENRY WAXMAN and TOM DAVIS who traditionally in a bipartisan way have worked together. I believe we could do that again. But, unfortunately, Mr. DAVIS was completely rebuffed when this resolution was introduced, as our colleague from Pasco, Washington (Mr. HASTINGS) said, in the Rules Committee last night, was introduced last Friday with no markup whatsoever, and then we brought it up last night in the Rules Committee.

Let's work to have a constructive, meaningful debate on this issue based on facts that actually attempt to do something grander than the political posturing that we are seeing with this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, before I yield to my friend from Massachusetts, I would like to just comment on a few of the observations and statements made by my friend from California.

First of all, I agree with him that Chairman WAXMAN and Ranking Member DAVIS have worked cooperatively and extremely well. And, in fact, there was an effort to maintain that tradition here when Chairman WAXMAN last

Wednesday delivered a copy of the text of this resolution to the minority with specific heads-up that this resolution was going to be introduced on Friday and with the request that comments or edits be provided in a timely way so that the introduction could occur on that day.

The edits were not presented until Monday, just before the Rules Committee meeting. So the good news here is that that cooperative approach continued. Mr. WAXMAN, in his usual gentlemanly and collegial way, made apparent what his intentions were, provided the language and opportunity for response, and it was not forthcoming. So that's the story.

The gentleman from California will have an opportunity to respond on his own time, so I won't yield at this time.

Secondly, the premise that on a matter of enormous public importance where it is our lives, it is our money that is imperiled, that is being wasted, that Members of Congress could sacrifice their capacity to be a representative of the people that we represent by accepting a classified briefing on something that is profoundly public in nature is flat out rejected by the committee and by most Members of this Congress.

When we are asked to go get a private briefing up in the Intelligence SCIF with a requirement that we sign an oath that we can't reveal anything that we learned, it means that the State Department has succeeded in its goal of keeping secret information that should be made public. So that is not simply an option that makes any sense if we are going to move ahead.

Madam Speaker, at this time I yield 6 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Madam Speaker, I regret that the intransigence and stonewalling by the Bush administration of Congress' oversight responsibilities have made this legislation necessary.

H. Res. 734 rightfully expresses the sense of the House that the Department of State has abused its classification authority by withholding from Congress and the American people information about the extent of corruption in the Iraqi Government. This resolution criticizes the State Department for retroactively classifying public documents that have previously been widely distributed as unclassified.

It also calls upon the State Department to rescind its directive that orders officials not to answer questions in an open committee hearing that might characterize the situation of corruption in the Iraqi Government.

What is the background on this, Madam Speaker? On October 4, the Committee on Oversight and Government Reform held a hearing on corruption in Iraq. Mr. Stuart Bowen, the Special Inspector General for Iraq, and Mr. David Walker, the Comptroller General of the United States with the Government Accountability Office, tes-

tified that entrenched corruption in the Iraqi Government is fueling the insurgency, undermining the chances of political reconciliation and endangering our troops. Judge Radhi Hamza al-Radhi, the former head of Iraq's own Commission on Public Integrity, stated that his work documented \$18 billion stolen by corrupt officials. He also testified that Prime Minister Maliki personally intervened to block further investigations and prosecutions of his relatives and political allies from going forward.

Concern about endemic corruption in the Iraqi Government should be of great concern to every single Member of this House. It raises a fundamental question: Is the Iraq Government, under the leadership of Prime Minister Maliki, too corrupt to succeed?

It should definitely concern the White House and the State Department. So how did the Bush administration respond?

The State Department took the extraordinary step of retroactively classifying corruption reports by its own officials, and even portions of a GAO report already released by Mr. Walker.

State Department witnesses appearing before the committee refused to answer even the most basic questions about corruption in Iraq in open session.

So imagine my surprise when I opened this morning's Washington Post to find that the State Department told the press yesterday that official corruption in Iraq is "real, endemic and pernicious," and remains a major challenge to building a functioning, stable democracy.

Now that wasn't in a classified setting; it was on a conference call with reporters. So it is okay to make such statements to the press but not to a congressional committee?

Madam Speaker, we are not talking about state secrets on how to carry out attacks against al Qaeda in Iraq. We are talking about corruption. Government corruption. There is no reason for stonewalling Congress, especially when the topic is discussed freely with reporters in a conference call.

Quite simply, Madam Speaker, the Bush administration has abused the classification system and demonstrated its contempt of congressional oversight and accountability. More than 3,800 of our troops have been killed in Iraq and more than 28,000 wounded. Let me repeat that. More than 3,800 of our troops have been killed in Iraq and more than 28,000 wounded.

What kind of an Iraqi Government are they fighting for? I think their families and their military comrades deserve to know. President Bush is asking Congress to give him another \$150 billion for the war. I think Congress and the American people deserve to know the extent of corruption within the Iraqi Government and how that might affect our chances of success in Iraq.

Madam Speaker, the facts about corruption may be embarrassing for the Iraqi Government, but they do not meet the test for secret classification.

□ 1100

Every newspaper in America has written stories on corruption in Iraq. Classifying previously released public documents, silencing public officials so that Congress and the American people are unable to get a complete picture, the good and the bad, about corruption in Iraq serve no legitimate purpose.

Any Member, Madam Speaker, who stands up on the House floor and says they're against corruption in Iraq has to vote for this measure.

The fact is that our occupation of Iraq is, occupation of Iraq is now in its fifth year. For four of those years, when Republicans were in control of Congress, they did nothing and said nothing about corruption. They were silent, while hundreds of billions of dollars were funneled to a government who I wouldn't trust to tell me the correct time.

Madam Speaker, talk is cheap, and if you're against corruption, then you should vote for this resolution. The problem is that for too long in this Congress there have been some who have been apologists for bad behavior. They have looked the other way while they have known that corruption in the Iraqi Government has been an increasing problem, not a decreasing problem.

So I would say to my friends on the other side of the aisle that if, in fact, you want to change the behavior of the Iraqi Government, if you want to stop the silence and the inaction that characterized your control of this Congress when it came to the issue of corruption in Iraq, then you need to vote for this resolution. The administration's actions need to be denounced and rescinded.

I would urge my colleagues to stand up finally and belatedly and do the right thing and support H. Res. 734.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume, and I look forward to yielding to my friend from Worcester if he would like to engage in a colloquy with me on this issue.

Now, my friend has basically stood here basically buttressing the entire argument I made in my opening statement. Who is it that's a proponent of corruption? My friend has argued, Madam Speaker, that if you are opposed to corruption, you have no choice but to support this resolution.

Here's the thing that concerns me greatly, and I'd be happy to yield to my friend if he would like to challenge me on this at all. Here's the thing that troubles me greatly, Madam Speaker.

As we stand here at this moment, we regularly have Members of the other side of the aisle accusing this administration of not coming forward with all the facts. And what is it that this resolution does? This resolution actually

ignores the facts, and I will go through again the quotes from Judge Radhi Hamza al-Radhi who, in fact, said time and time again that the issue of our support for the effort of rooting out corruption in Iraq is one that must continue, and unfortunately, all we're doing is pointing a finger of blame here.

I would say to my friend that, as we look at this issue, why not seize the opportunity that the State Department has offered to make sure that you can have a full classified briefing and then make the determination as to whether or not something should or should not be classified? That's the way it should be handled, rather than this broad brush, sweeping approach saying that if you, Madam Speaker, are somehow opposed to corruption you have no choice but to support this resolution.

Of course we support the effort to ensure that we don't have corruption, but to see this ploy trying to paint people in a corner with just a little bit of the facts is, I think, a great disservice to our quest to root out corruption. And I believe very strongly, Madam Speaker, that it is essential for us, on behalf of the American people and on behalf of the model that we are trying to provide that corruption is bad, to make sure that this resolution provides all of the facts as we move forward.

Mr. MCGOVERN. Madam Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Madam Speaker, I thank the former chairman of the Rules Committee for yielding.

I would just say for 4 years this Congress and this administration has been indifferent to the corruption in Iraq, and as a result, we bear some responsibility for the mess that's there now, and this resolution says we need to change course.

Mr. DREIER. Reclaiming my time, and I'd like my friend to continue because I'll yield to him in a moment, but for him to claim over the last 4 years that this administration has been indifferent to the problem of corruption is an outrage because the problem of corruption is something that has existed for years.

This administration and this Congress have been dedicated to rooting out corruption in Iraq. We've worked in a bipartisan way on it, and it's very tragic and I think a disservice to those who want to address the issue of corruption that we somehow are told that we only accept this resolution, that does not engage in providing all of the facts, that we somehow are tolerant of or supportive of a policy of corruption. I'm happy to further yield.

Mr. MCGOVERN. I would say to the gentleman, if during the last 4 years that this Congress and this administration did anything to fight corruption in Iraq in a meaningful way as a statement, maybe it's part of a classified briefing we need to have.

Mr. DREIER. He's making the exact same argument here. He's making the

exact same argument that nothing has been done.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would like to remind Members that they must maintain proper order in yielding and reclaiming time.

Mr. DREIER. Madam Speaker, I would inquire of the Chair, did I correctly reclaim my time? Did I make a mistake here, I would inquire of the Chair.

The SPEAKER pro tempore. The Chair's admonition was to all Members.

Mr. DREIER. Madam Speaker, what I would like to do is to share with our colleagues some of the things that have been done over the past 4 years.

My friend mentions the fact that this administration has turned their back on the issue of corruption in Iraq. Let me just state, there has been technical training to build capacity, judicial reform. The National Endowment for Democracy has provided grants. There are international programs involved. The Iraq Reconstruction Rehabilitation Fund has increased the capacity of the Commission on Public Integrity by training, mentoring and providing equipment for the Commission on Public Integrity investigators, and aiding in corruption prevention programs, implementing financial management systems that remove some of the opaqueness that enables misuse of public funds to occur.

The U.S. prosecutors who advise and mentor the CCCI judges in all manner of serious cases, including anticorruption cases, have received support over the past 4 years, Madam Speaker. Judicial reforms have taken place, funded with \$9 million through the Department of Justice in Iraq in fiscal 2006 on anticorruption activities, and this goes on and on.

I will include in the RECORD the items that have been done over the past 4 years by this administration to combat the issue of corruption in Iraq, including, as I said, grants from the National Endowment for Democracy, dealing with human rights issues, and a wide range of other entities and a litany of some of the items that have been done.

So it is a gross mischaracterization, Madam Speaker, to argue that the administration has turned their back on the issue of corruption in Iraq.

ANTI-CORRUPTION PROGRAMS IN IRAQ  
PROVIDED BY THE U.S. STATE DEPARTMENT  
STATE/EMBASSY BAGHDAD SUPPORT FOR ANTI-CORRUPTION EFFORTS

Technical training: build capacity.  
Judicial reform.  
NED Grantees.  
International Programs.

*Technical training: build capacity*

IRRF (Iraq Reconstruction and Rehabilitation Fund) has increased the capacity of the Commission on Public Integrity, CPI, by training, mentoring, and providing equipment for CPI investigators and aiding in corruption prevention programs (implementing financial management systems that remove

some of the opaqueness that enables misuse of public funds to occur).

INL funds DOJ Resident Legal Advisors—U.S. prosecutors who advise and mentor CCCI judges in all manner of serious cases, including anti-corruption cases.

#### *Judicial reforms*

IRRF funded \$9 million through DOJ in Iraq in FY06 on anti-corruption activities.

Six advisors work with the Embassy's Office of Accountability and Transparency, OAT, to provide support to the CPI and other Iraqi anti-corruption entities.

#### *NED Grantees working on anti-corruption and transparency*

Iraqi Human Rights Watch Society is working to build and train a core group of activists on combating corruption.

Badliyy Cultural Center is working to raise awareness among youth about anti-corruption and transparency in Sulaimaniya province and to encourage cooperation between Iraqi NGOs in the North and their counterparts in the South.

To expand its democracy training program in Al-Muthan, Dhiqar, and Alqadisiya, the Rafidain Civic Education Institute will train six trainers to conduct 36 workshops targeting students and NGO activists to provide them with the skills to raise awareness of the need to combat corruption.

#### *International Programs*

On September 26, 2007, the State Department signed a \$1,621,700 grant agreement with the Organization for Economic Cooperation and Development, OECD. The OECD has already started working with the Government of Iraq (GOI) to develop and implement a framework more conducive to investment and economic development.

#### WHAT HAS THE EMBASSY DONE RECENTLY?

Anti-corruption efforts are a part of everything we do in Iraq: a multiagency, multi-country approach, at the local, provincial, and national levels. From 2004 to 2006, we focused on building and heavily investing in anticorruption strategies and institutions. In 2007, we created OAT (the Office of Accountability and Transparency) to help coordinate those activities and identify gaps. We increased staff dedicated to anti-corruption activities (recruited qualified people and expanded our focus to include the BSA and IGs). We formed the Iraqi inter-agency anti-corruption team, a multi-agency, multi-country team.

PRTS: provincial success on budget/acquisition accountability processing.

Well over 50 USG employees work on some aspect of anti-corruption activities in Iraq.

#### EMBASSY RESPONSE TO CORRUPTION CONTROVERSY

The Embassy continues to work with the Iraqi Government to combat public corruption and improve transparency and accountability.

Support and training contracts are on hold pending clarity of succession at CPI.

The 11 Iraqi CPI investigators who went to the U.S. for training along with Radhi in mid-August have returned to Iraq and, according to Embassy reports, are eager and ready to investigate corruption, at great personal risk.

While corruption in Iraq is a serious problem and we are helping Iraqis combat it, this issue does not affect U.S. programs. There is a distinction between GOI activities and USG efforts in Iraq, and the USG has strict checks in place to help combat corruption.

Madam Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, I would inquire of the gen-

tleman from California if he has any remaining speakers. I'm the last speaker on this side. So I reserve my time until the gentleman has closed for his side and yielded back his time.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

It is very, very unfortunate that we are here trying to tackle the issue of corruption in Iraq and we are failing to look at the facts. The distinguished former chairman of the Committee on Oversight and Government Reform, our friend from Fairfax, Virginia (Mr. DAVIS) has worked long and hard in a bipartisan way on the constitutionally mandated responsibility of legislative oversight of the executive branch. It's an issue which he takes very seriously.

He represents northern Virginia. He represents a lot of people who work in the executive branch, a lot of people who work in the legislative branch as well. He's an expert on these issues and he's been proud to work in past Congresses and in this Congress in a bipartisan way.

He's done that with my good friend and California colleague with whom we share representing the Los Angeles area (Mr. WAXMAN), the distinguished Chair of the Committee on Oversight and Government Reform. And traditionally, we've seen these two, while they've obviously had a different perspective on issues, we've seen their arguments propounded very, very thoughtfully on a regular basis, but they have been able to join on a wide range of issues.

And here we have Mr. DAVIS, who did have his staff last Wednesday get a copy of this resolution, but Madam Speaker, as you recall we had the funeral of our colleague Mrs. Davis, and we were not in on Thursday and on Friday we were not in session. And the members of the staff on the minority side were told on Wednesday that they were not to share this information, to wait until it was introduced on Friday.

Madam Speaker, it was introduced on Friday. We had not been in session for 2 days then, Thursday or Friday, and then all of a sudden this is brought up in the Rules Committee, no markup held whatsoever, no attempt to even get the briefing from the State Department. We've been told by the State Department that the chairman of the committee turned down the offer to have this briefing.

And so what can we conclude, Madam Speaker, other than the fact that there is gross politicization of this issue? Who is opposed to tackling the issue of corruption? I mean, it's motherhood and apple pie, and yet we somehow, because we want to get all the facts on the table, because we want to have an opportunity for a free-flowing debate, because we want the very respected ranking minority member to have a chance to have his substitute voted on in this House, we are somehow being told we are pro-corruption, we want to be part of a coverup. It is absolutely outrageous, Madam Speaker. It's a dis-

service to Democrats and Republicans of this institution to have this kind of treatment.

Madam Speaker, I have some closing remarks that I'd like to make, but we've just been joined by our very thoughtful colleague from Bridgeport, Connecticut, who is a hardworking member of the Committee on Oversight and Government Reform.

Madam Speaker, may I inquire of the Chair how much time we have remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 6½ minutes remaining. The gentleman from Vermont has 12½ minutes remaining.

Mr. DREIER. And the gentleman from Vermont has no further speakers; is that correct, Madam Speaker?

Mr. WELCH of Vermont. That's correct.

Mr. DREIER. Madam Speaker, at this time, I'm happy to yield 5 minutes to my friend from Bridgeport (Mr. SHAYS).

Mr. SHAYS. Madam Speaker, I appreciate the gentleman yielding.

Today, we're here to consider a resolution about corruption in Iraq. Mr. DAVIS attempted to present an alternative to the resolution, but it was blocked by my Democratic colleagues. The Democratic version provides a one-sided view about corruption in Iraq and Department of State efforts to counter corruption. The other version by Mr. DAVIS accepted the Democratic points but also presented the rest of the story. Whatever happened to compromise and bipartisanship?

It never ceases to amaze me what my colleagues on the other side of the aisle will do to get votes and keep the support of their base. We all know the Democratic base wants the United States to get out of Iraq; however, the Democrats have not been able to prevent President Bush from carrying out his new and winning strategy in Iraq, so they continue to try to find other means to undermine our efforts to stabilize Iraq.

For example, they've held hearings on Blackwater, the contractor accused of shooting into crowds of civilians. Although this oversight is justified and needed, my colleagues are using the results of this hearing as a tool to drive a wedge between the American people and the administration's efforts to stabilize Iraq.

Another example is the resolution condemning the Armenian genocide. The Democrats know full well, if this resolution passes the House, Turkey will take retaliatory steps against the United States. These steps could undermine our efforts in Iraq and our troop presence throughout the Middle East. In fact, Turkey has already begun the process and called their U.S. ambassador back to Turkey for consultation.

And now we have a resolution about corruption in Iraq. What a revelation! Yes, there is corruption in Middle Eastern countries. Yes, there has been corruption in Iraq. And yes, there continues to be corruption in a

postauthoritarian regime. The United States did not bring corruption to this country, nor will it end when we leave. Saddam Hussein and his bureaucratic henchmen were major contributors to that continued corruption. Just read the reports about the Oil-for-Food Program our committee conducted.

Is the Department of State remiss in their efforts to fight corruption in Iraq? They may well be. But countering long-standing corruption is not easy and will take some time. I believe we in the United States face some of the same problems.

I'm not asking for my Democratic colleagues to stop oversight ferreting out waste, fraud and abuse. What I am asking is for Democrats and Republicans to come together and work through the issue of Iraq and not use it as a wedge preventing the United States from assisting the Iraqis to establish a stable democratic regime that will not export terrorism.

Yes, there are those who believe Iraq is a lost cause. Senator REID and NANCY PELOSI both believe we should withdraw our troops right away. But there are others who understand the international security consequences of leaving Iraq precipitously and believe we should withdraw our presence in a safe and responsible manner.

Therefore, I ask those who truly understand the consequences of undermining our efforts in Iraq to understand what my Democratic colleagues are doing. Sadly they are trying to drive a wedge between the American public and the administration efforts to be successful in Iraq. Please understand that attempts to undermine our efforts in Iraq undermine our troops and U.S. interests all over the globe.

□ 1115

Mr. DREIER. Madam Speaker, may I inquire of the Chair how much time is remaining.

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentleman from California has 3½ minutes.

Mr. DREIER. Madam Speaker, I yield myself the balance of my time.

I am happy to see the distinguished Chair of the Committee on Rules has joined us here on the floor, and I have to say, Madam Speaker, that I am going to encourage our colleagues to defeat the previous question on this rule. Why? Because this resolution is all about tackling the issue of corruption.

One of the things that we tragically learned is there has been corruption not only in Iraq, and we all, including the State Department, recognize there has been serious corruption in Iraq. But there has been corruption right in this body as well. It has been widely heralded; it is bipartisan. We have had problems on both sides of the aisle.

We want to take on this issue of corruption. And there was a promise made last fall that we would in fact see a great new day when it came to the issue of earmark reform. I was very

proud, Madam Speaker, that last October we were able to pass legislation that provided full transparency, disclosure, and accountability on all earmarks, appropriations, authorization, and tax bills.

Now, we were told that that measure that passed last year, Madam Speaker, was in fact a sham. And, Madam Speaker, I have to tell you that we have passed earmark reform in this Congress, but unfortunately it doesn't go nearly as far as the bill that we passed in the 109th did on the issue of transparency, accountability, and disclosure. Why? The disclosure we have today only deals with the issue of appropriations. It does not, as we did in the last Congress, have full transparency, disclosure, and accountability on authorization and tax bills. Meaning, Madam Speaker, that the structure that we have now, unfortunately, creates the potential for corruption right here in this body.

That is why, since we have in this resolution an attempt to take on the issue of corruption in Iraq, the vote on the previous question that we are going to be offering to defeat the previous question to make in order the resolution, that we have as a discharge petition that our Republican leader (Mr. BOEHNER) has offered in the well of the House. We hope colleagues will sign because that hasn't come forward. But what we are trying to do with the defeat of the previous question is to make in order that measure so that we can take on the issue of corruption in this institution.

So, Madam Speaker, I urge my colleagues to vote "no" on the previous question so that we are able to make in order that measure.

I ask unanimous consent to include in the RECORD just prior to the vote on the previous question the text of the amendment and extraneous material.

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

There was no objection.

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

Mr. WELCH of Vermont. Madam Speaker, our Chair has arrived and has requested 30 seconds. Notwithstanding my previous statement that I was the last speaker, I am inquiring if my friend from California has any objection.

Mr. DREIER. Madam Speaker, I am always very, very thrilled to have a chance to hear from the distinguished Chair of our Rules Committee, and I would like to reclaim the balance of my time if I might.

The SPEAKER pro tempore. Without objection, the gentleman from California reclaims his time.

There was no objection.

Ms. SLAUGHTER. Madam Speaker, I simply want to say that I did hear my colleague say how concerned we all were about corruption and how much we really wanted to do about it. Unfortunately, for the past 3 years nothing

on your side was done about it. It was never looked into, despite the fact that our side brought it up numerous times, trying to get bills to the floor and trying to discuss what was going on in Iraq in terms of the loss of taxpayer money. I regret that that has not been acknowledged. This is the first time that we have literally brought up the actual corruption in the Iraq Government.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume to respond to the very distinguished Chair of the Committee on Rules and say that the issue of corruption is one which we have taken on both in Iraq and in this Congress with great enthusiasm. And I would say to my friend that if she believes that somehow this nonbinding resolution, which does absolutely nothing, is going to somehow allow us to tackle the issue of corruption in Iraq with greater enthusiasm, that is preposterous, absolutely preposterous, Madam Speaker.

What we need to do is we need to have a fair, free-flowing debate that allows us to bring all of the facts forward. And that is what we have been attempting to do here; and, unfortunately, it just is not happening. Why? Because as my friend from Connecticut, a very thoughtful Member (Mr. SHAYS) has said, we are observing political posturing here, and I think it is a very sad day.

Let's take on the issue of corruption in this institution by defeating the previous question so we can bring forward real meaningful earmark reform, something that the new majority promised but not only has failed to deliver on but failed completely in getting us to even the standard we had in the last Congress. So vote "no" on the previous question and "no" on the rule.

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

Mr. WELCH of Vermont. The distinguished Chair has requested an additional 30 seconds, and I would yield 30 seconds to my colleague.

Ms. SLAUGHTER. I simply want to say that the purpose of this resolution is to call attention to the fact that the State Department of the United States of America has refused to respond to subpoenas from a congressional committee. And if we are going to have a free flow of discussion on Iraq and corruption, as my colleague suggested, then we need to have the State Department give us the documents that we need to be able to do so. That is the purpose for this resolution, and I urge a "yes" vote on all sides from everyone who really wants this full discussion.

Mr. DREIER. Madam Speaker, will the gentleman yield?

Mr. WELCH of Vermont. I yield 30 seconds to the gentleman from California.

Mr. DREIER. Madam Speaker, in this 30 seconds what I am going to say is we witnessed something that is virtually unprecedented here. The manager of the rule made it clear that he was the

last speaker and there was no one else. Now, I recognized the first time that I was enthused about hearing from the distinguished Chair of the Committee on Rules. And I exhausted the time allotted to us for our debate on the minority's side, and this is what we have gotten, a repetition of the same thing.

The issue of corruption, Madam Speaker, is something that we all want to take on; we want to take on with all of the facts before us. Our colleagues need to get the classified briefing and this information. I am going to continue to urge a "no" vote on the previous question and the rule.

Mr. WELCH of Vermont. Madam Speaker, I thank the distinguished Chair for joining us. I thank my friend from California for cooperating in this debate and giving his usual vigorous presentation of his side's point of view. I want to address a couple of things that came up.

One, my friend from California said basically that this is a resolution attempting to appease the Out of Iraq Caucus. And he used the word "appease."

It is not about that. But I will confess that I am a person who is strongly opposed to this war, believe it was the wrong decision, it was based on false information, and it is the single most terrible foreign policy blunder that our country has embarked upon. But this resolution has nothing to do with that profound question.

What this is about is not who favors corruption. Nobody favors corruption. But it is about who tolerates secrecy. If we tolerate secrecy while we criticize corruption, don't we, in fact, condone the corruption to which we avert our eyes?

How will we talk about the facts? How can we talk about the facts which my distinguished colleague from California says he wants to talk about when the State Department denies us the facts?

If we are going to root out corruption in Iraq, don't we have to destroy the wall of self-serving State Department secrecy here in our own government?

It has been said on the other side that corruption is everywhere. Human nature. No argument there. But if corruption exists elsewhere and it is their money and their future, that is one thing. If corruption exists in Iraq with our hundreds of billions of taxpayer dollars and our soldiers and their lives, then it is our problem. And we not only have a right, we have a responsibility, Madam Speaker, to do every single thing we can to get to the bottom of it and to stop it.

It was also said that in Iraq it is just another government with some corruption. We owe it not just to our own citizens, our own soldiers; we owe it to our allies and our friends in Iraq to do everything we can to help those good people who are there standing up to fight corruption back here. They need our help.

Let me just tell you some of the testimony that Judge Radhi presented to

us about the incredible peril that folks in Iraq are subjected to when they try to fight for an honest government. Judge Radhi held that position for 3 years, until he finally resigned amid repeated death threats to himself, his family, and his staff.

He testified in our committee that 31 of his employees had been killed, not injured, killed, as well as at least 12 of their family members. Judge Radhi's home was attacked by rockets, by a sniper's bullet barely missing him as he stood outside his office. He testified about how one staff member was gunned down with a 7-month pregnant wife. He testified about how the father of a security chief was kidnapped and then literally found hung on a meat hook. He testified about how another staff member's father was killed; and when his dead body was found, a power drill had been used to drill his body with holes.

These are officials who are fighting corruption in Iraq, and they are being gunned down, they are being assassinated, they are being tortured; and we are supposed to be standing idly by.

When we ask questions of the State Department what is going on and they take a document that yesterday was unclassified and today make it classified, that is not acceptable. The State Department anticorruption efforts have been a mess. And basically what the State Department is doing is just enough so that they can claim they are trying to do something about corruption; but basically it is status quo, as it has been since the day this war began.

We have to make a decision as Members of Congress that is very simple: we are real, we are serious, or we aren't. And it is about tolerating secrecy, depriving us and the American people of information that we are entitled to, that we must have in order to do our job; or it is turning a blind eye to those folks in Iraq who are standing up on our side and finding their bodies of loved ones drilled with holes and hung on meat hooks. It is not acceptable. The American people know it is not acceptable.

We may have an administration that disregarded the vote of the American people in November when they said they wanted a new direction in Iraq. We may have an administration that disregarded the recommendations of an eminent bipartisan group in the Iraq Study Commission. And we may have an administration that has dismissed and disregarded votes in this House and the Senate, making it clear that we want a new direction even as we struggle to find what that is. But we cannot, any of us on either side of the aisle, accept being an enfeebled Congress that isn't entitled to get the information that our Congress needs to do its job. It is that simple.

And that is what this resolution is about. That is what the Oversight and Government Reform Committee is about. That is what Chairman WAXMAN

is standing up to assert and defend, and that is our constitutional responsibility. Not just prerogative, but constitutional responsibility to do what is required to defend our Constitution, to protect our soldiers, to stand up for our taxpayers, and to restore democratic tradition in this country.

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

AMENDMENT TO H. RES. 741 OFFERED BY MR. DREIER OF CALIFORNIA

Strike all after the resolved clause and insert the following:

That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the resolution (H. Res. 479) to amend the Rules of the House of Representatives to provide for enforcement of clause 9 of rule XXI of the Rules of the House of Representatives. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit.

(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. WELCH of Vermont. Madam Speaker, 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.

Mr. WELCH of Vermont. 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 are postponed.

#### PROVIDING FOR CONSIDERATION OF H.R. 2102, FREE FLOW OF INFORMATION ACT OF 2007

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 742 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 742

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2102) to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the

chairman and ranking minority member of the Committee on the Judiciary; (2) the amendment printed in the report of the Committee on Rules, if offered by Representative Boucher of Virginia or his designee, which shall be in order without intervention of any point of order (except those arising under clause 9 or 10 of rule XXI) or demand for division of the question, shall be considered as read, and shall be separately debatable for ten minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 2102 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

□ 1130

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

##### GENERAL LEAVE

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

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

There was no objection.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H. Res. 742 provides for consideration of H.R. 2102, the Free Flow of Information Act, under a structured rule. The rule provides 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

I rise to speak today on one of the most critical issues that faces our democracy, the freedom of the press and the sacred historic protection afforded to journalists allowing them not to reveal their sources.

Understanding this, in 1799, one of our Founding Fathers, Thomas Jefferson, said, "Our citizens may be deceived for a while, and have been deceived; but as long as the presses can be protected, we may trust to them for light."

Madam Speaker, with the birth of this new Nation came a government that was designed to be open and transparent to its people and held accountable for its actions. America's Founding Fathers established and implemented a system of checks and balances to ensure that one branch of government could not unilaterally impose its will on the others, aggressively overstep its authority, or greedily infringe upon the rights of its citizens.

Beyond the checks and balances of government is an often overlooked, but

equally important, element of our system: the freedom of the press. Embodied in the first amendment, this right grants active citizens and vocal journalists the power to expose corruption and misbehavior committed by those elected and appointed to office. They serve as protectors of our democracy and work to make up for our system's failings where they exist.

Ensuring the free flow of information and providing protection for whistleblowers is vital to a free society. The Watergate scandal epitomized the value of the free press and, with it, the need to protect the relationship between journalists and their confidential sources.

For a moment, I would like my colleagues to consider a reality in which journalists could routinely be forced to reveal the names of their informants, and where sources could undoubtedly become reluctant to share important information that is unknown to the public.

Think of the scandals that journalists have revealed just in the last few years: The Central Intelligence Agency's clandestine prisons across Eastern Europe; Jack Abramoff's trading expensive troops for political favor from lawmakers; our veterans returning home from Iraq and Afghanistan to dilapidated, unsafe, unsanitary facilities at Walter Reed Medical Center. Make no mistake, confidential sources made these reports possible.

And I would be remiss if I did not ask my colleagues, would we rather be unaware of these incidents because shield laws don't exist and our reporters are too afraid of prosecution when doing their jobs?

The past 6 years have produced one disturbing reminder after another that the legitimacy of our government and the integrity of our democracy are dependent on the ability of journalists to protect their sources. From uncovering the horrifying incidents of detainee abuse at Abu Ghraib to revealing the administration's covert domestic spying program, the press managed to expose illegal actions by the executive branch when Congress refused to do so.

The public has long valued this relationship as critical to the functioning of an open and free media. Unfortunately, the court record has been more mixed.

In December of 1972, the Supreme Court ruled that the journalist-source relationship is not protected under the Constitution. That ruling has allowed journalists to be forced to testify before grand juries about their sources. In response, individual States across the country enacted their own journalist shield laws to guarantee that a member of the press can continue to maintain their anonymous sources without fear of prosecution.

In fact, 49 States and the District of Columbia all provide some form of shield law. But there is still no Federal statute providing uniformity. Now, recent Federal court cases are, again,