

week. Nobody has seen one yet. It hasn't been scheduled, but these rumors are out there. If we're going to have a vote on a little bit of the above or on some of the above that the majority might produce, why not give a large group of Members in this House who want to do all of the above just a chance to have a debate and to vote on our competing proposal?

That's what we're looking for. We want a fair and open debate. We want a chance to have a vote. Anything less than that, frankly, is unacceptable, and the Republicans in this House will continue to force the Democrat majority to allow a vote on doing all of the above because it is what the American people want. It is what they sent us here to do, and we are not going to leave until it gets done.

#### LOYAL OPPOSITION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE) for 5 minutes.

Ms. JACKSON-LEE of Texas. It's an important time in American history in the opportunities for Americans, and in re-stating the value of our Constitution, and our respect for democracy. Through the long history of America, we've come to know the terms "majority" and "minority" and the words that sometimes fall to our early history and to our relationship with Great Britain—England. We know the words "loyal opposition." This morning, I want to share with my friends in this House how sometimes the loyal opposition can be loyal to a fault.

There are always ways of saying what you would have and should have done, but as I watch the slow process and progress in Iraq, I want to remind my friends on the other side of the aisle, the Republicans, of the lockstep commitment that they made to the administration on a war that, of course, was misdirected. We're all united behind our soldiers, but 4,000 are dead, and of course, it was the important opposition of the Democrats who persisted and said that Afghanistan has to be the focus. That was the genesis of 9/11. That was where the terrorists were. That was where the Taliban was. We insisted day after day after day that to go into Iraq, to create the destabilization, to, in essence, create the havoc of death, to move the Baathists out of Iraq created the years of devastation and the loss of life—4,000-plus dead Americans and tens and tens of thousands of Iraqis.

Of course, I applaud the changes that have been made now. Of course, I recognize the great valor of our soldiers and of the Iraqi soldiers who have managed to overcome through great hardship, but isn't it interesting: As we have the soldiers announced to come home from Iraq, what happens? What the Democrats said should happen. More soldiers are going to Afghanistan. Bloody fights are taking place on the Pakistani and Afghan border. Again, Republicans, loyal to a fault.

Of course, now there is great discussion about drilling. I practice oil and gas law. I come from Texas. I'm not afraid of drilling, but I recognize the American people are smart enough to know that we must have a seamless energy policy. We are like a fruit basket. The fruit basket has a multiple of fruit—some you like, some you don't—but we enjoy it, the seamless energy policy, unlike the loyal opposition that is on one song and one refrain over and over again. There must be alternatives—biofuel. There must be the look-see at what we can do with clean coal. There must be, as T. Boone Pickens has indicated, wind and solar, and yes, you must find a way to organize a drilling program that, in essence, allows States to opt in. Floridians may have a different perspective, New Yorkers and Californians as opposed to Midwesterners. We know that we must become energy independent, but the loyal opposition has one song, one dance, and it won't work.

Then, of course, when you talk about how much affection we have for our veterans, it's the Democrats who fought and fought and fought to get the first GI bill of rights since World War II to give the opportunity to our returning Iraqi veterans more than the yellow ribbons. We want to give them an opportunity for education and home-buying. We want to give them a leg up. I have legislation to declare a national day of honor so that people don't come home when the lights are off, that we welcome our returning soldiers home with a day of honor and celebration in every Hamlet City and everywhere in America. That's what Democrats are thinking out of the box. That's why we want to make a difference, not just the loyal opposition to a fault.

Then, of course, we hear talk of Fannie Mae and Freddie Mac. It so happens that the collapse came under this administration, and my fear is that, as the government seizes it in the dark of night on the weekend when Members of Congress are not here, what special contractors will get the deal? Who is going to benefit from seizing it? Of course I want to stabilize the housing market. Of course I want the hard-working real estate persons across America to work, but let me say that the Democrats are standing up and are being counted on behalf of the American people on health care, education, energy, and otherwise, our loyalty is to them.

#### THE HIGHWAY TRUST FUND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. FLAKE) for 5 minutes.

Mr. FLAKE. This week, the Senate is expected to approve an \$8 billion bailout of the highway trust fund. We already passed that in the House here in July, and at that time, myself and 36 other Members opposed it. At the time, we were backed by both the adminis-

tration and by the Secretary of Transportation.

For years, Congress has known that the highway trust fund was losing its purchasing power. The Federal law gas tax of 18.4 cents has not been increased since 1993, and high fuel efficiency standards have meant fewer fill-ups. Then, of course, earlier this summer, fewer vacations were taken; fewer miles were driven. That means less money for the highway trust fund, but this concern has gone back for years. In fact, when we did the 2005 highway bill, there were many who stood up and who said we're authorizing more projects, more funding than we will have in the highway trust fund, but what did we do? We didn't take any action to solve the problem. Instead, we more than tripled the number of earmarks in SAFETEA-LU, which was the last highway authorization program that we did in 2005 for the 5-year period that we're now in.

So here we are 3½ years later, just a year before our next reauthorization, and we're out of money to cover the projects that we've authorized, but contrary to the example we've seen throughout this Congress, a bailout shouldn't be the answer to every shortfall. No effort, for example, has been made to rescind any of the 6,300 earmarks that were in the highway trust fund, of course, the most famous of which was the bridge to nowhere. That money was rescinded or at least the authorization to spend on that project was taken away by the Congress, but we've made no effort on any of the other 6,300 earmarks in the bill. We need to do so.

The Secretary of Transportation had indicated earlier this summer that, if we were to take funding from the earmarks that have not yet been funded in the bill, it could relieve the pressure that we now have on the highway trust fund, but we haven't done it. Instead, we're simply saying go ahead and fund all of those transportation museums and all of those projects that have very little or nothing to do with moving people. We're saying go ahead and fund them. We'll just take the money from the Treasury now instead of from the highway trust fund. That is a very, very dangerous precedent to set. Whenever you load up a bill with 6,300 earmarks, the process of logrolling takes effect. That's why you only had, I believe, eight votes against the highway bill back in 2005 and, I think, only three votes against it in the Senate. It's because, if you lard it up enough and if you have enough buy-in, very few people will vote against it or will oppose it.

If you start taking money from the general fund and if you don't have any kind of ceiling that was provided at least by the highway trust fund, then Katy Bar the door when it comes to spending. There's no ceiling. There's no discipline. We can not get in this position where we're robbing from the general fund to fund highway projects delineated by Members of Congress but