



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, WEDNESDAY, JULY 15, 2009

No. 106

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. ALTMIRE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 15, 2009.

I hereby appoint the Honorable JASON ALTMIRE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Reverend Gary Hashley, Calvary Memorial Church, Gering, Nebraska, offered the following prayer:

Almighty God, David, the beloved Psalmist and great King of Israel wrote, "Show me Your ways, O Lord; teach me Your paths. Lead me in Your truth and teach me, for You are the God of my salvation; on You I wait all the day."

Father, today I echo King David's thoughts for all Americans, but especially for these, our elected Representatives. Please show us what we need to see, teach us what we need to know, and lead us where we need to go as individuals and as a Nation. I acknowledge publicly that You are God and that all of us who are blessed to live in this great country need to wait on You, and to seek Your face today and every day.

Please, Father, guide the work done in this room and make Your presence known. I ask this in Jesus' name.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Louisiana (Mr. FLEMING) come forward and lead the House in the Pledge of Allegiance.

Mr. FLEMING led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING PASTOR GARY HASHLEY

The SPEAKER pro tempore. Without objection, the gentleman from Nebraska (Mr. SMITH) is recognized for 1 minute.

There was no objection.

Mr. SMITH of Nebraska. Mr. Speaker, I rise in honor of today's guest chaplain, Pastor Gary Hashley. He is joining us from my hometown of Gering, Nebraska, where he serves the congregation at the Calvary Memorial Church. Pastor Hashley's journey began in Michigan, where he graduated both from high school and the Grand Rapids School of the Bible and Music.

Over the years, he has served communities as diverse as Kalamazoo, Michigan, and LaGrange, Wyoming, before settling in Nebraska. It is an honor to be here with him today.

For 30 years, Pastor Hashley's service has had a profound impact on his community. He has led efforts to feed the poor, to spread his faith to those in need, and has even been active with local 4-H councils. I thank Pastor Hashley for his dedication, leadership, and service to our community and for his words of faith this morning.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

AFFORDABLE HEALTH CARE

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

Mr. KUCINICH. Americans want quality, affordable health care. Fifty million Americans are uninsured. H.R. 3200 will still leave 17 million Americans uninsured. Now, how is that possible? Because it keeps in place a for-profit insurance system which siphons off at least \$400 billion every year which could be used to make sure all Americans, not just most Americans, receive quality health care.

H.R. 3200 will not solve the problem of underinsurance. Sixty percent of all bankruptcies in America are due to people not being able to pay hospital bills. Of those, 80 percent are insured. People just can't afford the rising premiums, copays, and deductibles which are the basis of insurance company profits.

The only way to break the insurance companies' hold on our system is to guarantee affordable, quality health care to all Americans through a universal single-payer, not-for-profit health care system.

DEMOCRATS SHOULD STOP THE SPIN ON THE ECONOMY

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

Mr. WILSON of South Carolina. Mr. Speaker, Democrats should stop trying to spend the results of their economic borrowing program. Despite what the

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H8103

Obama administration has said, the 2,600,000 Americans who have lost jobs since January is a clear sign that their Recovery Act has not done its job. Instead of more rhetoric, Democrats should work with Republicans to put in place commonsense proposals that will rein in the wasteful spending and focus on job creation.

Our economy will grow strong again thanks to individuals and small businesses that create the majority of jobs in this country. It will not be due to the billions in Big Government borrowing perpetrated by this administration. We should focus our time on helping small businesses grow and provide relief to those who are suffering during these tough economic times.

Republicans have offered a plan to do just that, and we will do so without adding trillions in additional Big Government, liberal spending, and actions such as the new health care taxes that will destroy jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

ACCESS TO HEALTH CARE FOR EVERY AMERICAN

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

Mr. BACA. Mr. Speaker, we have a critical role in reviewing the specific details of health care reform. Access to health care is something we owe to every American family across this Nation. Everyone should have coverage. Everyone should have access.

There is no question that we must have comprehensive reform to our health system. Critics to reform are failing to get the message and only talk about rhetoric. Doing nothing for a broken system is not the answer. They do not understand the fear and devastation families face while on trips to the emergency room. They do not understand the severe ramifications faced by families when they receive the doctor's bill or hospital bill.

Families must have access to health care. Never again will you have coverage be denied. Never again will you have to make a decision between life or job decision based on coverage.

I urge my colleagues to support comprehensive health reform.

TAXPAYER DOLLARS SHOULD NOT FUND ABORTIONS

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

Mr. FLEMING. Mr. Speaker, as it stands now, the Democrat health plan equals taxpayer-funded abortions. Let me repeat that. As it stands now, the Democrat health plan equals taxpayer-funded abortions.

If unamended, the Obama health plan restructuring will be the most massive abortion expansion since *Roe v. Wade* and every insurance premium payer

and every taxpayer will be forced to pay for every abortion. The taking of innocent life is not health care. I know; I'm a physician. Yet, without an abortion exclusion, this reform bill will be the platform for thrusting abortion into every aspect of health care in this country.

The Secretary of HHS and the so-called Benefits Advisory Committee will determine the specific mandated services. Abortion will be included in the minimum benefits unless it is excluded, and the Democrats refuse to do that.

This bill does an end run on current abortion funding restrictions by containing language that both authorizes and appropriates.

IMPROVING HEALTH CARE FOR AMERICANS

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

Mrs. CAPPS. Mr. Speaker, we have an historic opportunity to finally improve health care in America, to finally bring access and quality of care to all Americans, not just the lucky few.

I'm so proud to support the bill introduced by the three committees of jurisdiction and to play my part in seeing us pass legislation in both the House and Senate before the August recess. What's great is that there is something for everyone here. There is affordable access to coverage for people who've never been insured before; there is help for seniors stuck in the dreadful part D doughnut hole; there are consumer protections against longstanding egregious practices by insurance companies; there is amazing investment into our health care workforce, including physicians, nurses, and allied health professionals; and there is finally an incentive to practice wellness-based health care instead of illness-based disease treatment.

I urge all of my colleagues to join me in passing America's Affordable Health Choices Act and enacting the health care reform our constituents so desperately need and Americans deserve.

AUTOMATIC ENROLLMENT IN GOVERNMENT-RUN HEALTH CARE

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, as we debate the best way to reform our health care system and ensure that all Americans have access to quality health care, some Members of Congress insist that a government-run option must be included. Yet, in one proposal, Members of Congress are curiously exempt from the public plan.

For those who are convinced that government-run health care won't sacrifice quality and won't lead to ration-

ing, I back a resolution saying that if a Member of Congress votes to support the public option, then that Member must be automatically enrolled in it. If Members are convinced that the government-run public option will deliver the same quality of care as their congressional health plans, then they ought to be the first in line to enroll.

Members of Congress should stop asking the American people to make sacrifices they are not willing to make themselves.

HEALTH CARE SYSTEM REFORM

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

Mr. SIREs. Mr. Speaker, today I rise to speak of the pressing need to fix our health care system. Every day, Americans not only worry about getting well, but whether they can afford to get well or stay healthy. They are not the only ones who worry. All too often small businesses are forced to choose between coverage or layoffs.

We have the most expensive health system care in the world, spending almost 50 percent more per person on health care than the next most costly nation; yet we're not healthier for it.

Mr. Speaker, I am glad that Congress and the President are working together on a plan to reform our health care system, a plan that will reduce costs, provide choices, and guarantee affordable quality health care for all. We must act now, for it is evident that the status quo is simply not working.

WHERE IS THE WEB SITE

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

Mr. PITTS. Mr. Speaker, when Congress passed the \$787 billion so-called stimulus bill, the White House promised to set up a Web site where people could go to learn how the money was being spent. Recovery.gov has since been criticized for how long it took to get going and how forthcoming it has been with the information people need; yet it seems doubtful that what critics had in mind was an \$18 million overhaul. That's exactly what this administration is planning.

The General Services Administration, the agency that manages Federal Government property, announced Wednesday that \$18 million in additional stimulus funds is being spent to redesign the recovery.gov Web site. A cost estimate from www.designquote.net makes the \$18 million figure even more outrageous. According to the site, the top-end estimate for a premium Web design from a professional firm flush with all of the bells and whistles comes out at \$192,740.

One has to wonder what the other \$17,807,260 in taxpayer money will be used for.

NO DISCRIMINATION IN HEALTH CARE

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

Mr. PERLMUTTER. Mr. Speaker, today, much of the conversation is about the health care system. It's a very personal matter to me, as it is to every man, woman and child in American. I have a daughter with epilepsy. She is not insurable. We have a system in place today that denies her coverage, that excludes her from coverage. That's wrong, and it's probably unconstitutional under the 14th Amendment to the United States Constitution.

There should not be discrimination in health care. There shouldn't be denial of coverage because of a pre-existing condition. We need to change the system that exists so that there is coverage for all Americans with chronic illness and the like.

The bill that we have in Congress will change that coverage, ladies and gentlemen, and I urge its passage.

□ 1015

SOCIAL SECURITY EXECS HAVE FUN AT THE BILTMORE HOTEL

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

Mr. POE of Texas. Mr. Speaker, Social Security Administration executives recently enjoyed a luxury retreat at the expense of the American taxpayer. They flew 700 of their managers to the picture perfect, swanky Arizona Biltmore Hotel for what they called "organizational training."

It cost the taxpayers \$750,000. These bureaucrats enjoyed golf, musical entertainment, dancing, skits, catered food, cocktails and even a casino night. Sounds like a vacation for the rich and famous.

Meanwhile, seniors are worried about even getting their monthly Social Security checks.

There was a near riot when taxpayers found out AIG spent half that amount for their luxury retreat by using taxpayer bailout money. But the Social Security spokesman, Peter Spencer dismissed the comparison with AIG by saying, Well, it's different taxpayer money. I'm glad he cleared that up for us.

The arrogance of the Social Security execs to be jet-setting around the country, going to a luxury spa, and then making people paying into Social Security pick up the \$750,000 tab is disgraceful. I guess the spendacrats never heard of teleconferencing or even the Motel 6.

And that's just the way it is.

THE PUBLIC HEALTH INSURANCE OPTION—CONTROLLING SKYROCKETING HEALTH CARE COSTS

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

Mr. MURPHY of Connecticut. Mr. Speaker, yesterday we had the historic introduction of our health reform act. This bill is going to fundamentally improve care for Americans, for people that have insurance but also for people that don't.

Importantly, this legislation includes a robust public health insurance option. The cost of health care insurance is just too high for people that have it and businesses that are paying for it, and the public health insurance option is going to be one of our most effective ways to bring the cost of insurance down.

Don't take my word for it. Take a study by the Commonwealth Fund that shows that premiums for individuals can be reduced by 25 percent by the pressure put on private insurers by a public health insurance option. That's why studies show that 70 percent to 80 percent of Americans want the option to purchase a public insurance option because it will lower their costs, both as individuals and as employees of businesses throughout this country who are paying far too much for health care.

Mr. Speaker, I encourage us to take a serious look at a very, very important health care bill that's been introduced before us.

DEMOCRAT HEALTH REFORM

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

Mr. GINGREY of Georgia. Mr. Speaker, yesterday House Democratic leadership held a press conference to introduce their health care reform legislation. As a physician who has practiced medicine for more than 30 years, I have major concerns that this plan will ultimately put a government bureaucrat in between patients and their doctors and eventually lead to a one-size-fits-all health care system where the government decide what treatments are necessary for patients. When money gets tight, this leads to rationing of care and long waiting lists for patients. We've already seen the pilot of this program. It's called TennCare. Just ask the Democratic governor of Tennessee what it's done to the budget in their State.

I want to read just a sentence of testimony from a Canadian doctor who has seen firsthand the consequences of a single-payer system on his patients.

"What we have in Canada is access to a government state-mandated wait list. And the wait lists are long, the patients are languishing and suffering on wait lists. Our own Supreme Court of Canada has stated that patients are actually dying as they wait for care in Canada."

Mr. Speaker, this is not the sort of health care reform that the American people want or need.

MENTAL HEALTH PARITY IN HEALTH CARE REFORM

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

Mr. KENNEDY. Mr. Speaker, anyone ever heard the expression, "the proof is in the pudding"? Well, when the private health insurance companies found out that there may not be a government option, you know what happened to the health insurance stocks on Wall Street? They went through the roof. Profits skyrocketed because, you know why? The health insurance companies make money off of the consumers when they don't have competition, when they're able to cut your health care and make profits out of denying you health insurance. That's how the private marketplace makes money, by denying you health care. They only want to cover the healthy and well.

We have the government option, the public option, to guarantee the American people that they get the health care that they paid for. * * *

We're on the side of the American people. We want to protect the people so that they can get their health care, irrespective of a preexisting health care condition.

I'm proud that this health care plan covers all preexisting conditions, including mental health parity as covered by the Mental Health Parity and Addiction Equity Act that was passed and signed by President Bush.

Mr. GOHMERT. Mr. Speaker, the words were just said that the Republicans, pointing over here, are bought and paid for. I would ask that those words be taken down.

The SPEAKER pro tempore. Members will suspend. The gentleman from Rhode Island has taken a seat.

The Clerk will report the words.

Mr. KENNEDY. Mr. Speaker, I did not mean to impugn the reputation of any individual Member. I was merely speaking about the party that was representing the insurance companies.

I ask unanimous consent to withdraw the words.

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

Mr. GOHMERT. Mr. Speaker, I withdraw my request that the words be taken down since they are withdrawn and I appreciate my friend doing so.

The SPEAKER pro tempore. Without objection, the words are withdrawn.

There was no objection.

DON'T HURT LOW-WAGE EARNERS

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

Mr. GOHMERT. I know we have disagreements on some of these issues and I know what the intent is of the Democratic-proposed health care bill. And I know the intent is not to hurt the lower-wage earner. But this bill that's

being proposed is going to hammer employers with an 8 percent penalty if they don't provide health care.

Well, so they're going to turn around and provide health care because the people I know are saying, We're just hanging on. We've got these good workers. We don't want to lose them. So if I'm going to be penalized 8 percent, I'll have to provide health care; but I'm going to have to reduce their wages by the amount the health care costs. It may be \$5,000 or \$6,000.

And I'm begging my friends on the other side—this is my plea, Mr. Speaker—don't take \$5,000 or \$6,000 of wages from the lowest-wage earners right now. Don't force small businesses—and I know there is an exemption at the low end—but smaller businesses are still going to have to either lay people off, pay an 8 percent penalty, or take wages away.

Don't hurt our lower-wage workers.

HEALTH CARE IN AMERICA

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

Mr. WEINER. You know, I would say to the American people who are watching the oncoming debate about health care that in many ways we already know what the two sides are—the Republican Party, the party that opposed the Medicare Act, opposed Social Security, opposed Medicaid. The Republican Party has made it very clear they're not only the Party of No; they're the party of ignoring the problems of the middle class and those struggling to make it.

The Democratic Party, the party that is producing this legislation, is the party that has again and again said, We're going to step up to the challenges facing this country.

Now, if you believe that we are spending just the right amount, that we're not spending too much money on health care, you're alone, because I think we're spending trillions upon trillions of dollars more than we need to. If you think that the hundreds of billions of dollars people are paying for out-of-pocket is just right, then you probably want the Republican Party's plan, which is to do nothing.

But the Democratic Party under the leadership of FRANK PALLONE and Barack Obama and others are saying, We're going to try to solve this problem. You know why? Because that's what we do. That's what Democrats do.

Now the Republican Party doesn't do that. They say, No, no, no. But we have a problem. If you want choice, if you want affordability, and if you want health care for your family, you're going to get it with the Democratic Party, not with the Republican Party.

SPEND, SPEND, SPEND

(Mr. WESTMORELAND asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. WESTMORELAND. The last speaker just talked about what the Republicans want to do. Well, what the Democrats want to do is spend, spend, spend. And I gave a little math lesson yesterday, and I'd like to revisit that today, Mr. Speaker.

You know, we talk about millions of dollars and we talk about billions of dollars and we talk about trillions of dollars. The more you hear those words, they just become words, and you don't realize how much money that is.

A million seconds equals a little over 11 days. A billion seconds is 31 years and 8 months. A trillion seconds is 31,710 years. If I gave you \$1,000 a second, it would take me 31.7 years to give you \$1 trillion at \$1,000 a second.

We're not the Party of No. We're the party of doing what we can afford. The Democrats are the party of throwing money at any problem that comes about, with no regard to what it's costing the American taxpayer.

TAKING CONTROL OF SKYROCKETING COSTS

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

Mrs. DAHLKEMPER. Mr. Speaker, any meaningful attempts to create long-term, sustainable health care reform must begin by taking control of our skyrocketing costs. That means we must get serious about combating obesity, a preventable disease that costs this country \$117 billion. To that end, I have introduced two pieces of legislation.

The first bill is called the Obesity Treatment and Wellness Act of 2009, which addresses the fact that half the costs associated with obesity are paid through Medicare and Medicaid. My legislation directs Medicaid to pay for nutrition counseling, which can effectively treat this disease.

My second bill, the Healthy Communities Act of 2009, sets up a 5-year public-private community grant program to encourage a community approach to promoting wellness and fighting obesity.

Mr. Speaker, only when we make wellness a major component of our reform efforts can we expect to get control of costs. I urge my colleagues to join me in this effort to ensure quality, affordable health care that works for all Americans.

HIGH-QUALITY, AFFORDABLE HEALTH CARE CHOICES

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

Mr. YARMUTH. Mr. Speaker, opponents of health care reform have tried for months to attack our efforts to bring high-quality, affordable care to all Americans. Their favorite scare tac-

tic has been to allege that a public option will somehow lead to a "government takeover" of health care. This could not be further from the truth.

Under the plan we introduced yesterday, the CBO projects that just 3 percent of Americans will be enrolled in the public plan once it is fully implemented, hardly a government takeover. In fact, the CBO estimates that employer-provided plans will have millions of new enrollees under the legislation and that most of those Americans using the health care exchange will choose private insurance for their coverage.

This is a uniquely American solution that combines the best of the public and private sectors to bring some much-needed competition to the health care marketplace, giving American families the peace of mind of knowing they will always have high-quality, affordable health care choices.

AMERICAN SOLUTIONS FOR AMERICAN HEALTH

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, we urgently need to fix the health care system for American families. Every day, Americans worry not simply about getting well, but whether they can afford to get the kind of health care they need. For American businesses, soaring health care costs put American companies at a competitive disadvantage in a global economy. For our fiscal future we have the most expensive health care system in the world.

We're emphasizing cost, choice, security, and quality. We want a policy that costs less, covers more, and is quality. Your choice. You have it. If you like it, you keep it. For security and peace of mind, for quality patient-centered care, we want American solutions for American health.

MOTION TO ADJOURN

Mr. GINGREY of Georgia. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

Mr. GINGREY of Georgia. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 23, nays 361, not voting 48, as follows:

[Roll No. 537]

YEAS—23

Bartlett	Gingrey (GA)	Shadegg
Barton (TX)	Gohmert	Souder
Blackburn	Hensarling	Spratt
Broun (GA)	Johnson (IL)	Thornberry
Campbell	King (IA)	Tiahrt
Chaffetz	Olson	Westmoreland
Flake	Pence	Young (AK)
Garrett (NJ)	Price (GA)	

NAYS—361

Abercrombie Driehaus
 Ackerman Duncan
 Aderholt Edwards (MD)
 Adler (NJ) Edwards (TX)
 Akin Ellison
 Alexander Ellsworth
 Altmire Emerson
 Arcuri Eshoo
 Austria Etheridge
 Baca Fallin
 Bachmann Farr
 Bachus Fattah
 Baird Filner
 Baldwin Fleming
 Barrett (SC) Forbes
 Barrow Fortenberry
 Bean Foster
 Becerra Foxx
 Berkley Frank (MA)
 Berman Franks (AZ)
 Berry Frelinghuysen
 Biggert Fudge
 Bilbray Gallegly
 Bilirakis Gerlach
 Bishop (NY) Giffords
 Bishop (UT) Gonzalez
 Blumenauer Goodlatte
 Blunt Granger
 Boccieri Graves
 Boehner Grayson
 Bonner Green, Al
 Boozman Green, Gene
 Boren Griffith
 Boswell Guthrie
 Boucher Hall (NY)
 Boustany Hall (TX)
 Boyd Halvorson
 Brady (PA) Hare
 Brady (TX) Harman
 Braley (IA) Harper
 Bright Hastings (FL)
 Brown (SC) Hastings (WA)
 Brown, Corrine Heinrich
 Brown-Waite, Heller
 Ginny Herger
 Buchanan Herseth Sandlin
 Burgess Hill
 Burton (IN) Himes
 Buyer Hinchey
 Calvert Hinojosa
 Camp Hirono
 Cantor Hodes
 Cao Hoekstra
 Capito Holden
 Capps Holt
 Capuano Honda
 Carnahan Hoyer
 Carney Hunter
 Carson (IN) Inglis
 Carter Issa
 Castle Jackson (IL)
 Castor (FL) Jenkins
 Chandler Johnson (GA)
 Clarke Johnson, E. B.
 Clay Johnson, Sam
 Cleaver Jones
 Clyburn Jordan (OH)
 Coble Kagen
 Coffman (CO) Kanjorski
 Cohen Kaptur
 Cole Kennedy
 Conaway Kildee
 Connolly (VA) Kilpatrick (MI)
 Cooper Kilroy
 Costa Kind
 Costello King (NY)
 Courtney Kingston
 Crenshaw Kirkpatrick (AZ)
 Crowley Kissell
 Cuellar Klein (FL)
 Culberson Klime (MN)
 Dahlkemper Kosmas
 Davis (AL) Kratovil
 Davis (CA) Kucinich
 Davis (IL) Lamborn
 Davis (KY) Lance
 Deal (GA) Langevin
 DeFazio Larson (CT)
 DeGette Latham
 Delahunt LaTourette
 DeLauro Latta
 Dent Lee (CA)
 Diaz-Balart, L. Lee (NY)
 Diaz-Balart, M. Levin
 Dingell Lewis (CA)
 Doggett Lewis (GA)
 Donnelly (IN) Linder
 Dreier Lipinski

Roybal-Allard
 Royce
 Ryan (WI)
 Salazar
 Sanchez, Loretta
 Scarbates
 Scalise
 Schakowsky
 Schauer
 Schiff
 Schmidt
 Schwartz
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Sessions
 Shea-Porter
 Sherman
 Massa
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McClintock
 McCollum
 McCotter
 McHenry
 McIntyre
 McKeon
 McMahon
 McMorris
 Rodgers
 McNeerney
 Meek (FL)
 Meeks (NY)
 Melancon
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Minnick
 Mitchell
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy (CT)
 Murphy (NY)
 Murphy, Patrick
 Hirono
 Murtha
 Myrick
 Nadler (NY)
 Napolitano
 Neal (MA)
 Neugebauer
 Nunes
 Nye
 Oberstar
 Obey
 Oliver
 Ortiz
 Pallone
 Pascarell
 Pastor (AZ)
 Paulsen
 Payne
 Perlmutter
 Perriello
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Poe (TX)
 Polis (CO)
 Pomeroy
 Posey
 Price (NC)
 Putnam
 Quigley
 Radanovich
 Rahall
 Rangel
 Rehberg
 Reichert
 Reyes
 Richardson
 Rodriguez
 Roe (TN)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rooney
 Ros-Lehtinen
 Roskam
 Rothman (NJ)

Slaughter
 Smith (NE)
 Smith (TX)
 Smith (WA)
 Snyder
 Space
 Speier
 Stearns
 Stupak
 Sullivan
 Tanner
 Taylor
 Teague
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Tiberi
 Tierney
 Titus
 Tonko
 Towns
 Tsongas
 Turner
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walden
 Walz
 Wamp
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Welch
 Wexler
 Whitfield
 Wilson (OH)
 Wilson (SC)
 Wittman
 Wolf
 Woolsey
 Wu
 Yarmuth

NOT VOTING—48

Andrews
 Bishop (GA)
 Bono Mack
 Butterfield
 Cardoza
 Cassidy
 Childers
 Conyers
 Cummings
 Davis (TN)
 Dicks
 Doyle
 Ehlers
 Engel
 Gordon (TN)
 Grijalva
 Gutierrez
 Higgins
 Inslee
 Israel
 Jackson-Lee
 (TX)
 Kirk
 Larsen (WA)
 Lowey
 Mack
 Marchant
 McCaul
 McDermott
 McGovern
 McHugh
 Molohan
 Paul
 Platts
 Rogers (AL)
 Ross
 Ruppertsberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Schock
 Schrader
 Serrano
 Sestak
 Smith (NJ)
 Stark
 Sutton
 Wasserman
 Schultz
 Young (FL)

□ 1054

Mrs. DAVIS of California and Mr. FRANK of Massachusetts changed their vote from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 3183, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 645 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 645

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. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 63, line 12. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule

XVIII, except as provided in section 2, no amendment shall be in order except: (1) the amendments printed in part A of the report of the Committee on Rules accompanying this resolution; (2) not to exceed one of the amendments printed in part B of the report of the Committee on Rules if offered by Representative Campbell of California or his designee; (3) not to exceed six of the amendments printed in part C of the report of the Committee on Rules if offered by Representative Flake of Arizona or his designee; and (4) not to exceed three of the amendments printed in part D of the report of the Committee on Rules if offered by Representative Hensarling of Texas or his designee. 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 to 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. 3183, 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.

SEC. 5. House Resolution 618 is laid on the table.

□ 1100

POINT OF ORDER

Mr. FLAKE. Mr. 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. Mr. Speaker, we are going through an appropriations process. We will do two bills this week. Traditionally, appropriations bills have been open rules. They come to the floor. Members are allowed to offer as many amendments as they wish—striking funding, moving funding around, making a policy point. That has been the tradition of this House.

It is sometimes pointed out that it hasn't always been this way, that the appropriations bills haven't always been open, and that there is no reason why they should be. Yet I would remind the House, Mr. Speaker, that, over the past 20 years, we've gotten into a practice of loading up and larding up these appropriations bills with all kinds of congressionally directed spending.

The chairman of the Appropriations Committee likes to say that, when he chaired the Appropriations Committee in 1992, when the Labor-HHS bill came through, there was not one congressional earmark, not one. That's less than 20 years ago. There was not one congressional earmark. I think, in the past couple of years, there have been upwards of 2,500 earmarks in that bill. In the bill that we'll address today, the energy and water bill, there are literally hundreds of earmarks.

Now, one would like to think that the Appropriations Committee would vet these earmarks, would actually check them out to see if they're meeting Federal purpose, if money is being wasted, if it, maybe, looks bad and looks like it's tied to campaign contributions or whatever, but they don't. They don't have the time or the resources or, perhaps, the inclination to do so, so all we have is this forum here on the floor. When you bring an appropriations bill to the floor under a closed rule or a restricted rule—a structured rule—and deny Members the ability to offer amendments, then you've shut down this place in a way that is simply not right.

For this bill, there were 103 amendments submitted. Now, because you have to pre-file your amendments, a lot of Members will submit more amendments than they intend to offer on the floor just to protect their place. So the majority party knows that we would never have offered 103 amendments on the floor. We won't have time to do it. We have done it in years past, but only

21 of these remained in order—78 Republican amendments were submitted, and only 14 were made in order.

The gentleman from Georgia, to whom I will yield 3 minutes, has been offering a number of amendments, and has not been able to have them made in order.

I yield 3 minutes to the gentleman from Georgia.

Mr. GINGREY of Georgia. I thank the gentleman for yielding.

Mr. Speaker, as my colleagues on both sides of the aisle know, I just called previously for a motion to adjourn this body. I don't typically do dilatory motions. I think my colleagues on both sides of the aisle know that. What, Mr. Speaker, I am trying to say to those who are now in charge of this body—Speaker PELOSI, Majority Leader HOYER, the chairman of the Rules Committee—is, look, as the gentleman from Arizona has pointed out, you have taken away so many opportunities—not, indeed, all of the opportunities—for the minority to represent their constituencies. Those constituencies are close to 700,000 people in all of our districts across this country, and we don't have this opportunity, particularly on these very important appropriations bills—on these 12 spending bills—which, after all, are probably one of the two most important things that we as Members of the legislative branch are charged constitutionally to do year after year after year.

I commend the majority for wanting to get the work done and for wanting to have all of that done by the end of the fiscal year. It's insanity not to do that, but we can do it in an open way, as the gentleman from Arizona has pointed out. Going back to the fairness that you all called for when you were campaigning so hard in the fall of 2006, you gained the majority, to a large extent, on that kind of a platform and on that kind of a pledge. So this is wrong, and this is why we're making these points.

Mr. FLAKE. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California on the point of order.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Technically, this point of order is about whether or not to consider this rule and, ultimately, the underlying bill. In reality, it is about trying to block this bill without any opportunity for debate and without any opportunity for an up-or-down vote on the legislation, itself.

I think that is wrong, and I hope my colleagues will vote to consider this important 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, and we must pass this legislation today.

I have the right to close, but in the end, I will urge my colleagues to vote "yes" so that we can consider the rule

and get down to doing the business of the American people.

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

Mr. FLAKE. May I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman has 6½ minutes remaining.

Mr. FLAKE. Mr. Speaker, I realize that this is an unfunded mandates point of order that has been raised. This is not unfunded mandates we're talking about here. Unfortunately, this is about the only way we can get time to actually talk about this rule at sufficient length.

As to the way that these appropriations bills are being shut down for Members and when the gentlelady said that this bill should be voted on according to its merits, the problem is there were dozens and dozens of meritorious amendments that were submitted to the Rules Committee. The fact that they actually had to be submitted tells us we've got some problems here because, as I mentioned, appropriations bills have traditionally been open, but meritorious amendments have been submitted, and only a few have been allowed.

Now, I happen to have six, I believe, allowed in this bill, and I know full well the game here. I offer limitation amendments on earmarks. The majority party knows full well that earmarking is a bipartisan addiction and that the process of logrolling takes effect and that my amendments are defeated routinely. So they can throw me a bone here and there, and that's fine. I understand that. Still, we need to raise these issues. Let me tell you why.

This was in the Washington Post today, and you can look yesterday in Roll Call or in The Hill from the day before. Virtually every day there is a news story about earmarks having gone awry. This one in particular talks about defense earmarks, that there are some individuals in the lobbying community and in the defense community who have pled guilty to taking earmarks from this body and to spreading them around to several contractors who didn't do the work that they promised to do. Some actually took kickbacks for the earmark money they distributed. These were earmarks that were supposedly vetted by the Appropriations Committee, but we know that the Appropriations Committee doesn't have the time or resources to vet these earmarks.

We're going to be doing a defense appropriations bill in just a couple of weeks. We've allowed one day for that bill to be on the floor, and if history holds, only a couple of amendments will be allowed, particularly amendments to strike earmarks. If on this floor we are not going challenge these earmarks, where are we going to do it?

They're not doing it in the Appropriations Committee. From sad experience, we know that. Over the past several years, the chairman of the Appropriations Committee has said they

don't have the time or the resources to adequately vet these earmarks, so we have two choices. We ought to have two choices. Either strike the earmarks and not bring the bill to the floor with congressional earmarks in there or have proper time to vet them on the floor. Or simply say that we're not going to allow them at all until we get this process fixed. Instead, what we've chosen to do is to cover up the process and to pretend that there is no problem here and to simply limit the number of amendments that can be offered on the floor and hope that nobody notices, that nobody sees.

What happens when nobody sees—last year, for example, we weren't allowed to offer any amendments on the floor. The defense appropriations bill was offered as part of a "minibus", and no amendments were offered at all. Then we get stories like this. Let me just quote one paragraph from this story:

It really puts a fine point on the murky unaccountable web that exists around earmarks, said Steve Ellis of the watchdog group Taxpayers for Common Sense. These earmarks, because there is very little accountability, provide a petri dish for corruption.

Certainly, that is what we've seen over the past several years, but we are not allowing adequate time on the floor to vet what will be likely over 1,000 earmarks or close to it—if there are not 1,000, there will be several hundred—in the defense bill that's going to be coming up.

What is worse is that hundreds of these earmarks that will be in the defense bill will be given to companies whose executives will turn around and will write large campaign contributions to the sponsor of the earmark in the bill. So, essentially, we are earmarking for our campaign contributors.

I think we should all agree that, if there are earmarks in this body, they certainly shouldn't be going to those who can turn around and can then make a campaign contribution directly back to them. To give a Federal appropriation a no-bid contract—and that's what earmarks are, particularly in the defense bill, no-bid contracts—to somebody who can turn around and write a campaign contribution right back to you is wrong.

What makes it doubly wrong is that now, in the House, we are going to tell Members you can't even challenge those earmarks on the floor because we're going to limit you to three or four amendments. Choose them. That's it. That, Mr. Speaker, is wrong. We can't continue to do that. People say that, outside of the Beltway, nobody cares about process. That may be true, but take it from somebody who was in the majority and who is now in the minority: Bad process yields bad results, and it will catch up to you sooner or later. What is worse is that what we're doing,

particularly with earmarks in the defense bill, reflects poorly on this House.

□ 1115

The cloud that hangs over this body rains on Republicans and Democrats alike; and we ought to stand up to the institution and say, We think more of this institution than that to have this cloud out there. So I would plead with everyone, Mr. Speaker, to not proceed with bills like this which don't allow Members to offer amendments on the floor, the amendments that are meritorious, that are not trying to slow down the process. They are simply trying to improve the bill.

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

Ms. MATSUI. Mr. Speaker, again I want to urge my colleagues to vote "yes" on this motion to consider so that we can debate and pass this important piece of legislation today.

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 California is recognized for 1 hour.

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, my friend Mr. DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

I yield myself as much time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on House Resolution 645.

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

There was no objection.

Ms. MATSUI. Mr. Speaker, House Resolution 645 provides a structured rule for consideration of H.R. 3183, the Energy and Water Development Appropriations Act for fiscal year 2010. The resolution provides for 1 hour of general debate controlled by the Committee on Appropriations.

Mr. Speaker, I first want to thank Chairman OBEY as well as Mr. PASTOR and Mr. VISCLOSKEY for their work on this bill. They have been tireless advocates for vital funding in this legislation which truly meets the needs of a number of important areas from our water infrastructure to our national energy policies. Specifically, the bill provides \$5.5 billion for the Corps of Engineers, which is \$139 million over 2009 levels. For my constituents, this funding is more than just numbers. It is a matter of survival. My district sits at the confluence of two great rivers, the Sacramento and the American. The Sacramento is considered to have the

highest flood risk of any major metropolitan city in the United States. Almost a half million people, 110,000 structures, the capital of the State of California and up to \$58 billion are at risk of flooding in my district alone. The Federal investments in this legislation for the Corps of Engineers directly benefits not only my constituents but the capital of the eighth largest economy in the world. Vital funding will strengthen levees along the American and Sacramento Rivers, levees which keep my constituents safe every single day.

The bill also makes it possible for the Corps of Engineers to complete a GRR to protect the Natomas community in my district. Additional funds will go toward levee construction in south Sacramento, which will give that community 100-year protection. These are projects I have worked on throughout my career in Congress, and I am eager to see it move forward. Finally, this important appropriations bill will also invest in modifications to the joint Federal project to provide greater efficiency in managing flood storage in the Folsom Reservoir.

From the joint Federal project in Sacramento to the levee work in the Mississippi Delta to the coastal restoration in the southeast, this bill works to protect our communities and commits to a strong investment in our aging infrastructure. The legislation before us today builds on the job-creating work of the American Recovery and Reinvestment Act, which has already started to stem the tide of bad economic news. In April, \$10 million was invested in flood protection infrastructure in Bucks County, Pennsylvania. This project alone will create up to 200 quality American jobs in manufacturing and construction. In my district alone, the Recovery Act has invested \$21 million already in keeping my constituents' homes safe from floods and in keeping people in their jobs. The legislation before us today builds upon this positive record of infrastructure investment as a job-creating strategy. It will employ scientists to perform hydraulic studies, engineers to design levees and construction workers to move the dirt. When we rebuild our infrastructure, we rebuild our economy. The same is true for energy. When we invest in energy independence, we invest in our economic health. I strongly support the significant energy policies that this bill supports. Thanks to the congressional leadership in this House, our country is finally on the right track toward a clean energy future that will create jobs here at home and enhance our competitiveness abroad. Between the American Recovery and Reinvestment Act and the American Clean Energy and Security Act, this Congress has created a new day for our national energy policy.

The legislation contains \$1 billion to reduce our dependence on foreign oil

and keep energy prices low. This funding will go toward research, development, demonstration and deployment of energy technologies which will help our country become more energy independent. When I look to the future of the world economy, other countries are already investing in the clean energy technologies that will power the future. China, for example, doubled its wind power investment in 2008 and has made its intentions clear to become the world's leader in wind energy development. The legislation before us today represents a strong step that this House can take to compete with the Chinese.

This bill also looks toward the future and provides robust funding for both the Department of Energy and the Office of Science. It makes a commitment to support the advancement of innovative technologies by providing \$2.25 billion for energy efficiency and renewable energy. It also recognizes the importance of an efficient, reliable, secure and flexible transmission and distribution grid by increasing funding for electricity delivery and energy reliability to \$208 million, 52 percent above last year's level. Every increase for clean energy in this bill is a bet on the ingenuity of the American people to compete in a global marketplace where clean energy will drive investment for decades into the future. Just as every dollar invested in levees and other infrastructure in this bill is a down payment on the safety and security of communities, like my hometown of Sacramento, safety and security is what the legislation before us today is all about.

I strongly support the rule and the underlying legislation, and I urge my colleagues to do the same. Mr. Speaker, again, I want to thank Mr. OBEY and the committee for their work on this robust bill.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my friend, the gentlewoman from California (Ms. MATSUI) for the time, and I yield myself as much time as I may consume.

The underlying legislation, the Energy-Water Appropriations Act, provides over \$33.2 billion in funding for critical water projects. It helps to develop a cleaner, more dependable energy sector that is less dependent on unreliable sources of foreign energy. It also supports our national defense system by funding critical weapons and nonproliferation programs. The Water Resources Development Act of 2007, known as WRDA, authorized the deepening of the Miami Harbor to a depth of 50 feet. The underlying legislation follows up on that authorization with \$600,000 for the planning of the dredging project. Reaching a depth of 50 feet by the time that the Panama Canal expansion is completed in 2014 is of both local and national importance. Once the Panama Canal expansion is complete, a new class of supercargo car-

riers will be able to traverse the canal and will be looking for new deepwater ports to unload their cargo. However, there are very few ports in the United States ready to handle those carriers. Once Miami reaches the 50-foot depth mark, it will be the closest U.S. port to the Panama Canal that can handle the carriers and will serve as a vital entry point for international trade in and out of the United States. The ability of the Port of Miami to accommodate those carriers will double the amount of cargo the port is able to handle and will serve to cement Miami's position as the trade capital of the Americas. It will also create numerous high-paying jobs; and it will have an extraordinary impact, obviously, on the local economy.

The Florida Everglades is a great national treasure. The Everglades' combination of abundant moisture, rich soils and subtropical temperatures traditionally supported a vast array of species. Flood control and reclamation efforts in the 1940s and the 1950s manipulated the Everglades' hydrology, redirecting fresh water destined for the Everglades out to sea. Its ecosystem was also harmed by degraded water quality. Pollutants from urban areas and agricultural run-off, including pesticides and excess nutrients, have harmed plant and animal populations. The Comprehensive Everglades Restoration Plan, which I strongly support, will capture fresh water destined for the sea, the lifeblood of the Everglades, and direct it back to the ecosystem to revitalize it. At the same time the project will also improve water supplies, provide flood control for South Florida and protect wildlife. My colleagues in the South Florida delegation and I have worked closely with appropriators to secure funding for this important project. I'm thankful to my colleagues, and I am pleased the Appropriations Committee agreed on the importance of this project by appropriating \$210 million. I would like to thank Chairman PASTOR and Ranking Member FRELINGHUYSEN for their bipartisan work on the important underlying legislation that we're bringing to the floor today.

While I support the underlying legislation, I must oppose the rule by which the majority is bringing this bill to the floor. Last month the majority set a dangerous precedent to limit debate on appropriations bills, debate that, historically, was almost always considered under an open rule, an open process of debate. Today, Mr. Speaker, we are set to consider the eighth of 12 appropriations bills, and every bill considered so far has been considered under a structured rule that severely limits the ability of Members from both sides of the aisle to bring amendments to the floor for debate and for a vote and is not in the usual open procedure which allows every Member to offer their amendments.

During last week's Rules Committee hearing on the State and Foreign Oper-

ations appropriations bill, the ranking member of the Appropriations Committee, Mr. LEWIS, testified that there was still time to undo the majority's new precedent, restricting the ability of Members to offer amendments to appropriation bills. Mr. LEWIS asked the majority to reconsider the use of structured rules on appropriations bills, to return to regular order, to historical order, to the tradition of an open debate process on appropriations bills. He even offered his services to persuade Members to not offer dilatory amendments, which would hamper the ability of Congress to complete its appropriations work on time, something that both the majority and the minority wish to accomplish. Ranking Member DREIER of the Rules Committee and I also offered to help Ranking Member LEWIS rein in any Members who wished to unnecessarily prolong the debate process. I really hoped that the majority on the Rules Committee would heed Mr. LEWIS' thoughtful suggestion and accept his offer to help move the process along if an open debate process was returned to. However, the majority, once again, blocked the overwhelming majority of Members from both sides of the aisle from having a full opportunity to debate the bill and represent the interests of their constituents.

□ 1130

So, Mr. Speaker, the majority has not understood the damage it is causing this House by closing debate unnecessarily on appropriations bills by breaking, in effect, two centuries of precedents. It is sad.

I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 5 minutes to my friend, the gentleman from New York, a member of the Committee on Rules, Mr. ARCURI.

Mr. ARCURI. Mr. Speaker, I would like to thank my colleague, the gentlewoman from California, for the courtesy of yielding to me and for her strong leadership on the Rules Committee.

Mr. Speaker, I rise today in strong support of the rule and H.R. 3183, the Fiscal Year 2010 Energy and Water Development Appropriations Act. The bill provides much-needed funding to continue our Federal commitment to meeting the infrastructure needs for our Nation. This bill will create jobs and invest in new technologies, scientific research, and conservation efforts.

I also would like to take a moment to lend my strong support to Mr. PASTOR's amendment to H.R. 3183, the manager's amendment. The amendment provides a critical increase in funding for the Northern Border Regional Commission. The 2008 farm bill first authorized the Northern Border Regional Commission as an independent agency to address the shared economic needs and harness the unique assets of the counties along the Nation's northern border from Maine and New England through New York. In

this region, 13.1 percent of the population lives in poverty. The median household income is \$6,500 below the national average. Unemployment is significantly higher than the national average; and the region actually lost population between 1990 and 2000, while the overall population of the United States rose by 13.2 percent.

The region shares many common economic challenges stemming from relative geographic isolation, aging infrastructure, and a loss of natural resource-based industry that has historically been an economic engine. However, at the same time, the region also has a common set of assets, not the least of which is expansive natural beauty and resources, as well as historic and geographic ties.

The commission utilizes the same model that has successfully enabled the Appalachian Regional Commission to facilitate a "bottom-up" approach where local development districts, not-for-profit organizations and others bring project ideas and priorities to the commission from the local level.

The regional commission model helps foster improved collaboration and coordination within the region and among Federal and State agencies, while also serving as a vehicle to leverage additional public and private sector investments. By taking a regional view, the commission can promote projects that confer a broader benefit without States having to compete among themselves for scarce funds for the region.

I thank the committee for their hard work to see that the Northern Border Regional Commission receives the funding necessary to make the commission a reality for this region. I thank my colleagues from the region, Representatives MICHAUD, PINGREE, HODES, SHEA-PORTER, WELCH and my New York colleague, JOHN MCHUGH, for their continued efforts to establish and secure funding for the Northern Border Regional Commission.

I urge my colleagues to support the manager's amendment and vote for the rule and for H.R. 3183.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I appreciate this opportunity to express my dissatisfaction with this rule. This is my 11th year here, my 11th appropriations season, and it is the first time where substantive, real discussions have been prevented. I am extremely disturbed at this rule, as all previous rules this year on appropriations.

In years past, if we had a substantive, meritorious amendment, we were allowed to bring it to the floor without having to go through a totalitarian regime where a small group of people get to place their beliefs at the forefront and prevent discussion. So in the charade of saying that they are just protecting us from dilatory amendments, they are using this power to silence us on substantive amendments.

Let me give you my example about why I stand here today expressing my frustration at the heavy-handedness of the majority. I believe that our country is in jeopardy of not having enough energy to power our economy in the future. If we look at the electricity that needs to be generated in the future, we have to build well over 230 gigabytes of new energy over the next 30 years.

Let me put that in perspective. Most power plants are 500 megawatts. So this is 450 to 460 new power plants. If we want clean, reliable and affordable energy for this country to power our economy, we have to open ourselves to nuclear power. We can't access Yucca Mountain. That has been shut down. But the rest of the world recycles their nuclear waste and power rods. We do not in this country.

I had an amendment that I felt very strongly about that increased for our national laboratories funding specifically to research recycling technologies that can be used at our nuclear power plants to continue to recycle their materials, as they are being recycled. Not only is this energy efficient, but wise and efficient use of these nuclear rods, which also means that we have solved our waste issue, not totally making Yucca Mountain irrelevant, but certainly making it—

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

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman 1 additional minute.

Mr. TERRY. Thank you. But certainly putting us on a path where we can use nuclear power as clean, affordable energy without the necessity of Yucca Mountain being opened today.

For some reason, in our Energy and Commerce Committee, every one of our nuclear amendments was shut down and voted against. And now we have a Rules Committee that is preventing nuclear power amendments.

I don't understand. I am at a complete loss why the majority wants to shut down nuclear power when it is the cleanest power we can have, the most reliable and the most affordable. That is where our future lies. We can replace old coal-fired plants with clean, new nuclear and produce twice the energy. But for some reason, the majority wants to shut this down.

This rule proves that they are shutting down nuclear power, or at least stepping up and making sure that we aren't going to have more nuclear power in the future. So I ask my colleagues who are pro-nuclear and pro-energy to vote "no" on this rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve my time.

Ms. MATSUI. Mr. Speaker, I want to make a point.

This bill makes an investment in nuclear power and makes it clear that nuclear energy is a component of the overall energy mix. The bill provides \$812 million for nuclear, \$20 million above the fiscal year 2009 level, and \$51

million above the President's request. Support is provided for existing activities funded in fiscal year 2009 and ensures this area is included in our funding priorities.

And with that, I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I thank the gentleman from Florida for yielding, Mr. Speaker.

I rise in opposition to this rule because 80 percent of the amendments that were brought forward on this bill were not allowed under this rule. And so clearly we are not operating under a transparent process. We are not operating under a process that is allowing the free debate that I think all Americans want us to have on appropriations bills that spend their money.

First, there were some amendments that were brought forward that would have actually directed the Corps of Engineers to base their flood protection decisions on the most safe options to protect our citizens and their property from future storms. That amendment was not allowed under this rule. There was actually an amendment to cut, and I know it is a word that some people don't like over in this building, to cut spending by \$7 billion based on the amount of money that was added in the stimulus bill.

I think many of us, on this side for sure, and I would hope some of my colleagues on the other side, would even acknowledge that the President's stimulus bill was a failed spending bill, \$800 billion of new government spending at a time when our economy is hurting. And now even the Vice President acknowledges they misread the economy.

Everybody I think that has looked at it objectively acknowledges the spending bill was a bad idea. Those of us who voted against it said it would be a bad idea and hurt the economy then. That is why we proposed an alternative. Yet this steamroller to just continue spending money out of control went on, and they passed the bill.

There was an amendment that was proposed that would have cut that \$7 billion in this Department that went through the stimulus bill that clearly isn't working. Instead of controlling the spending and allowing a vote on that, that was ruled out of order under this rule.

All of us that have looked and said, where are the jobs from the spending bill, that stimulus bill, no one can point to the jobs, because we have lost jobs. Since President Obama took office, 2 million more Americans have lost their job. And what is their answer? You would think their answer would be, Maybe some of those Republicans that had some alternative ideas might have been right; we will actually work in a bipartisan way and go talk to them and see what their ideas were because they were good ideas that would have helped small businesses and helped American families get back on

their feet. Instead, these ideas were discarded. Maybe they would go back and look at those ideas again.

Instead, some people in the White House are actually suggesting a second stimulus bill, yet another massive spending bill at a time when the spending is what is hurting our economy. And so we bring an amendment to cut spending, and they rule it out of order in this rule.

Maybe Speaker PELOSI and some of her liberal lieutenants think that the American people aren't watching, and maybe they are high-fiving because they are hoodwinking people into not knowing what is going on here in this House.

But I hate to tell them, the American people are watching, and they don't like what they see. They see massive runaway spending. They see more jobs being lost. They see this energy bill, this cap-and-trade energy tax that would run millions of jobs to countries like China, causing more Americans to be unemployed and raising utility rates on every American family.

The American people are watching this. And they are demanding action from Congress. That is why we are bringing these amendments to cut the spending.

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

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman 1 additional minute.

Mr. SCALISE. I want to thank my friend from Florida again. That is why we are bringing these amendments. We are bringing constructive ideas to solve the problems of our country and to propose different approaches, not massive spending, but actually ways to get Americans back employed, ways to help small businesses survive during these tough times, ways to help middle class families who are struggling to get back on their feet. And every time we bring these proposals, the liberal leadership on the other side says, no, we don't want to hear those alternative ideas; we want to just keep spending money like there is no end in sight.

Well, there is an end in sight. And if you look just earlier this week, we reached a hurdle that I don't think is a good hurdle, I don't think anyone should be proud of, but it is a historic hurdle. Earlier this week, our country exceeded \$1 trillion in deficits during the course of a fiscal year. It was already exceeded this week, and we still have months to go in the fiscal year.

So this is going to have a devastating effect on our economy, this massive runaway spending. And yet they bring a rule that closes debate on 80 percent of amendments.

I would urge rejection of this rule.

Ms. MATSUI. Mr. Speaker, I want to make a point.

Infrastructure spending on public safety projects in this bill will save jobs across America.

Infrastructure spending is also smart investment, exactly the kind of smart

investment the American people want this Congress to be making at this difficult point in our history.

The American Society of Civil Engineers estimates levee construction provides a 6-to-1 return on flood damages prevented when compared to initial investment cost. At the same time, our country's levees are crumbling and putting public health at risk.

Now is exactly the time to invest in this critical public good.

With that, I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia, Mr. NATHAN DEAL.

Mr. DEAL of Georgia. I thank the gentleman.

Mr. Speaker, I rise today in opposition to the rule.

The reason is that my colleagues and I from Georgia offered an amendment that was not accepted in the Rules Committee. The amendment would have prohibited funds in this act from being made available to be used to update the calculation of the critical yield of the Federal projects within the ACF and the ACT river basins before the development of updated water control plans for the Federal projects within these river basins.

□ 1145

The reason for the amendment was that language was included in the other body's version of this bill which requested that the critical yield updates be accomplished before the water control manuals themselves. The fact is that these control manuals need to be completed first by the Corps before the critical yield studies can be finished. This is an important study and therefore should be done properly.

Although the critical yield updates are a necessary part of the manual updates, they do not provide any understanding of how water is currently being allocated or how the Federal projects may best be managed. The Corps of Engineers must be allowed to determine the critical yield under appropriate conditions, and our amendment would have made sure that they were able to do that.

This language that is inserted in the bill by the other body is not mutual in regard to the ongoing water struggle between our States. It arbitrarily prioritizes this particular study and diverts resources away from the Corps of Engineers that are needed in order to complete the much-needed water control plans.

And for that reason, since the amendment was not allowed by the Rules Committee, I rise in objection to this rule before the body today.

Ms. MATSUI. Mr. Speaker, I reserve.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my good friend, Mrs. MATSUI, once again for her courtesy, and I want to thank all of my distinguished colleagues who have participated in this debate on the rule bringing forward to

the floor the appropriations bill, the Energy and Water appropriations bill.

I was particularly impressed by the arguments brought forth by LEE TERRY who explained—and I wasn't aware of it—how, in the authorizing committee, and, quite frankly, then the Appropriations Committee, there have been systematic attempts to limit, close down debate, really, on developing, encouraging in a serious, comprehensive way nuclear power for the Nation.

It reminded me of what I consider an unfortunate aspect of the dogma of the left of the United States. Curious is their opposition to nuclear power. Not necessarily is that the case with the left everywhere. In France, for example, where about 80 percent of electricity is generated from nuclear power, governments of the left and the right. President Mitterand was a strong supporter of nuclear power, as obviously was President Giscard, and then President Chirac, and now President Sarkozy. Left and right in France have seen the critical importance of developing nuclear power and the importance of reprocessing, which was what LEE TERRY was talking about, that ever since the Carter years here we have limited, we have excluded, in effect, that option.

So we're at a point now where we spend so much—we use so much imported oil in this country to generate electricity. That's insane when there is a clean option, nuclear power, which requires reprocessing in order to be really effective, as demonstrated in France. And yet the dogma of the American left on that issue curiously does not make that option possible.

Let me ask, how much time do I have remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 9½ minutes remaining.

Mr. LINCOLN DIAZ-BALART of Florida. I yield such time as he may consume to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I just want to add to the gentleman's comments on this important issue of nuclear and its absence, really, in any impactful way in the legislation that comes before the House today.

Our country built its first 100 nuclear reactors in less than 20 years. Today, we know so much more about this particular industry. We are so much more technologically advanced. Without question, we could build a hundred nuclear reactors in the next 20 years, and we would lead the world in this particular energy technology again.

And it's troubling because, like the gentleman, I've been all over the world and all of these other countries look back and say, Why wouldn't the United States, like Japan and like France, take a lead on nuclear again so that they can show leadership on the reduction of carbon and this issue of climate change? That's the logical big step that we could take as a Nation. Yet many of the people who oppose coal in this body also oppose nuclear, and you cannot

possibly achieve their own stated goals without it.

And we could do this. Talking about jobs and a stimulus, that should be step one, is a bold nuclear agenda where we reprocess the spent fuel, turn 80 percent of it back into energy, and lead the world in the energy technology opportunities and industry in the world. The best chance for success is nuclear, yet it's not advanced near enough in this legislation.

Mr. LINCOLN DIAZ-BALART of Florida. I yield myself the remainder of my time.

It is a pillar of thought of the American left's opposition to nuclear power. I think it's evident. And the American left controls the leadership of this Congress, and it's unfortunate, as Mr. WAMP pointed out, because, and as I tried to point out earlier, in other countries left and right agree on the importance of nuclear power. It's clean energy that is available, readily available, and safe to reduce dependence on oil immediately.

Alternative sources are being developed, and they're important. But in terms of the significant substitution of oil with new sources, clean and reliable sources of energy, there is nothing that's available that can be more impacted or more effective than nuclear power. So it's a curiosity.

As a student, I studied comparative politics, comparative law. As a student of the left and the right in many countries, I find it curious as to why it is, because it is evidently a pillar of thought of the American left—opposition to nuclear power—but it's a fact.

I will be asking for a "no" on the previous question, Mr. Speaker, so we can amend this rule so we can allow an open process. There is no question that the rules the majority bring forth today will help to cement the dangerous precedent that it set last month. It will further damage bipartisanship and comity in this body.

I urge my colleagues to vote "no" on the previous question so we can uphold our tradition of allowing free and open debate on appropriations bills. If we do not do so, I believe the majority will come to regret their decision to close down the deliberative process of the House on appropriations bills.

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

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield myself the remainder of my time.

The rule before us today is a fair rule that allows us to highlight a significant appropriations bill. After seven hearings, the Appropriations Subcommittee on Energy and Water craft-

ed an important bill that brings our spending priorities in line with America's vision for a brighter tomorrow.

The bill before us invests in new technologies, scientific research and conservation efforts. It increases funding for the Army Corps of Engineers and the Bureau of Reclamation allowing them to continue their mission to improve our water infrastructure.

The bill continues to invest in the development of a new smart grid to ensure electricity delivery and energy reliability, and it makes a commitment to renewable energy and scientific research. The bill also continues ongoing nuclear nonproliferation efforts and rejects funding for the development of a new nuclear weapon.

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

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 645 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

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. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto for 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) de-

scribes 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.

Ms. MATSUI. 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. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

adoption of H. Res. 645, if ordered; and

motions to suspend the rules on H.R. 1044, H.R. 934, and H.R. 762.

The vote was taken by electronic device, and there were—yeas 237, nays 177, not voting 18, as follows:

[Roll No. 538]

YEAS—237

Abercrombie Green, Gene
Ackerman Griffith
Adler (NJ) Grijalva
Altmire Gutierrez
Andrews Hall (NY)
Arcuri Halvorson
Baca Hare
Baird Harman
Baldwin Hastings (FL)
Barrow Heinrich
Bean Herseth Sandlin
Becerra Himes
Berkley Hinchey
Berman Hirono
Berry Hodes
Bishop (GA) Hoekstra
Bishop (NY) Holden
Blumenauer Holt
Bocieri Honda
Boren Hoyer
Boswell Insee
Boucher Israel
Boyd Jackson (IL)
Brady (PA) Jackson-Lee
Braley (IA) (TX)
Bright Johnson (GA)
Brown, Corrine Johnson, E. B.
Butterfield Kagen
Capps Kanjorski
Capuano Kaptur
Cardoza Kennedy
Carnahan Kildee
Carney Kilpatrick (MI)
Carson (IN) Kilroy
Castor (FL) Kind
Chandler Kirkpatrick (AZ)
Childers Kissell
Clarke Klein (FL)
Clay Kosmas
Cleaver Kratovil
Clyburn Kucinich
Cohen Langevin
Connolly (VA) Larsen (WA)
Cooper Larson (CT)
Costa Lee (CA)
Costello Lewis (GA)
Courtney Lipinski
Crowley Loeb sack
Cuellar Lofgren, Zoe
Cummings Lowey
Dahlkemper Lujan
Davis (AL) Maffei
Davis (CA) Maloney
Davis (IL) Markey (CO)
Davis (TN) Markey (MA)
DeFazio Marshall
DeGette Massa
Delahunt Matheson
DeLauro Matsui
Dicks McCarthy (NY)
Dingell McCollum
Doggett McDermott
Donnelly (IN) McMahon
Doyle McNerney
Driehaus Meek (FL)
Edwards (MD) Meeks (NY)
Edwards (TX) Michaud
Ellison Miller (NC)
Ellsworth Miller, George
Eshoo Mitchell
Etheridge Mollohan
Farr Moore (KS)
Fattah Moore (WI)
Filner Moran (VA)
Foster Murphy (CT)
Frank (MA) Murphy (NY)
Fudge Murphy, Patrick
Giffords Murtha
Gonzalez Nadler (NY)
Grayson Napolitano

NAYS—177

Aderholt Biggert
Akin Bilbray
Alexander Bilirakis
Austria Bishop (UT)
Bachmann Blackburn
Barrett (SC) Blunt
Bartlett Boehner
Barton (TX) Bonner

Neal (MA) Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watson
Watt
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Fox
Frank (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hunter
Inglis
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourrette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Shuler
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris
Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—18

Bachus Green, Al
Cassidy Higgins
Conyers Hinojosa
Engel Issa
Gerlach Levin
Gordon (TN) Lynch
McGovern
McIntyre
Schrader
Sestak
Waxman
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1220

Mr. COLE changed his vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. AL GREEN of Texas. Mr. Speaker, today I was unavoidably delayed and missed the vote on Motion on Ordering the Previous Question on the Rule for H.R. 3183—Energy and Water Development and Related Agencies Appropriations Act, 2010 (H. Res. 645).

Had I been present I would have voted “yea” on this vote.

Mr. MCINTYRE. Mr. Speaker, on rollcall No. 538, I was unavoidably detained. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 238, nays 185, not voting 9, as follows:

[Roll No. 539]

YEAS—238

Abercrombie Gutierrez
Ackerman Hall (NY)
Adler (NJ) Halvorson
Altmire Hare
Andrews Harman
Arcuri Hastings (FL)
Baca Heinrich
Baird Herseth Sandlin
Baldwin Higgins
Barrow Himes
Bean Hinchey
Becerra Hinojosa
Berkley Hirono
Berman Hodes
Berry Holden
Bishop (GA) Holt
Bishop (NY) Honda
Blumenauer Hoyer
Boyd Bocieri
Boren Insee
Boswell Israel
Boucher Jackson (IL)
Boyd Jackson-Lee (TX)
Brady (PA) Johnson (GA)
Braley (IA) Johnson, E. B.
Brown, Corrine Kagen
Butterfield Kanjorski
Capps Kaptur
Capuano Kennedy
Cardoza Kildee
Carnahan Kilpatrick (MI)
Carney Kilroy
Carson (IN) Kind
Castor (FL) Kirkpatrick (AZ)
Chandler Kissell
Childers Klein (FL)
Clarke Kosmas
Clay Kucinich
Cleaver Langevin
Clyburn Larsen (WA)
Cohen Larson (CT)
Connolly (VA) Lee (CA)
Cooper Lewis (GA)
Costa Lipinski
Costello Loeb sack
Courtney Lofgren, Zoe
Crowley Lowey
Cummings Lujan
Dahlkemper Lynch
Davis (AL) Maffei
Davis (CA) Maloney
Davis (IL) Markey (CO)
Davis (TN) Markey (MA)
DeFazio Marshall
DeGette Massa
Delahunt Matheson
DeLauro Matsui
Dicks McCarthy (NY)
Dingell McCollum
Doggett McDermott
Donnelly (IN) McMahon
Doyle McNerney
Driehaus Meek (FL)
Edwards (MD) Meeks (NY)
Edwards (TX) Michaud
Ellison Miller (NC)
Ellsworth Miller, George
Eshoo Mitchell
Etheridge Mollohan
Farr Moore (KS)
Fattah Moore (WI)
Filner Moran (VA)
Foster Murphy (CT)
Frank (MA) Murphy (NY)
Fudge Murphy, Patrick
Giffords Murtha
Gonzalez Nadler (NY)
Grayson Napolitano

NAYS—185

Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan

Burgess Inglis Pence
 Burton (IN) Issa Petri
 Buyer Jenkins Pitts
 Calvert Johnson (IL) Platts
 Camp Johnson, Sam Poe (TX)
 Campbell Jones Posey
 Cantor Jordan (OH) Price (GA)
 Cao King (IA) Putnam
 Capito King (NY) Radanovich
 Carter Kingston Rehberg
 Castle Kirk Reichert
 Chaffetz Kline (MN) Roe (TN)
 Coble Kratovil Rogers (AL)
 Coffman (CO) Lamborn Rogers (KY)
 Cole Lance Rogers (MI)
 Conaway Latham Rohrabacher
 Crenshaw LaTourette Rooney
 Culberson Latta Ros-Lehtinen
 Davis (KY) Lee (NY) Roskam
 Deal (GA) Lewis (CA) Royce
 Dent Linder Ryan (WI)
 Diaz-Balart, L. LoBiondo Scalise
 Diaz-Balart, M. Lucas Schmidt
 Dreier Luetkemeyer Schock
 Duncan Lummis Sensenbrenner
 Ehlers Lungren, Daniel Sessions
 Ellsworth E. Shadegg
 Emerson Mack Shimkus
 Fallin Manzullo Shuler
 Flake Marchant Shuster
 Fleming McCarthy (CA) Simpson
 Forbes McCaul Smith (NE)
 Fortenberry McClintock Smith (NJ)
 Fox McCotter Smith (TX)
 Franks (AZ) McHenry Snyder
 Frelinghuysen McHugh Souder
 Gallegly McKeon Stearns
 Garrett (NJ) McMorris Sullivan
 Gerlach Rodgers Terry
 Gingrey (GA) Melancon Thompson (PA)
 Gohmert Mica Thornberry
 Goodlatte Miller (FL) Tiahrt
 Granger Miller (MI) Tiberi
 Graves Miller, Gary Turner
 Guthrie Moran (KS) Upton
 Hall (TX) Murphy (NY) Walden
 Harper Murphy, Tim Wamp
 Hastings (WA) Myrick Westmoreland
 Heller Neugebauer Whitfield
 Hensarling Nunes Wilson (SC)
 Hergert Nye Wittman
 Hill Olson Wolf
 Hoekstra Paul Young (AK)
 Hunter Paulsen

NOT VOTING—9

Cassidy Engel Schrader
 Conyers Gordon (TN) Sestak
 Cuellar Levin Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1228

So the resolution was agreed to.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

PORT CHICAGO NAVAL MAGAZINE NATIONAL MEMORIAL ENHANCEMENT ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1044, 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. 1044, as amended.

This is a 5-minute vote.
 The vote was taken by electronic device, and there were—yeas 3, not voting 14, as follows:

[Roll No. 540]
 YEAS—415
 Abercrombie Davis (KY)
 Ackerman Davis (TN)
 Aderholt Deal (GA)
 Adler (NJ) DeFazio
 Akin DeGette
 Alexander Delahunt
 Altmire DeLauro
 Andrews Dent
 Arcuri Diaz-Balart, L.
 Austria Diaz-Balart, M.
 Baca Dicks
 Bachmann Dingell
 Bachus Doggett
 Baird Donnelly (IN)
 Baldwin Doyle
 Barrett (SC) Dreier
 Barrow Driehaus
 Bartlett Duncan
 Barton (TX) Edwards (MD)
 Bean Edwards (TX)
 Becerra Ehlers
 Berkley Ellison
 Berman Ellsworth
 Berry Emerson
 Biggert Eshoo
 Bilbray Etheridge
 Bilirakis Fallin
 Bishop (GA) Farr
 Bishop (NY) Fattah
 Bishop (UT) Filner
 Blackburn Fleming
 Blumenauer Forbes
 Blunt Fortenberry
 Boccieri Foster
 Boehner Foy
 Bonner Frank (MA)
 Bono Mack Franks (AZ)
 Boozman Frelinghuysen
 Boren Fudge
 Boswell Gallegly
 Boucher Garrett (NJ)
 Boustany Gerlach
 Boyd Giffords
 Brady (PA) Gingrey (GA)
 Brady (TX) Gohmert
 Braley (IA) Gonzalez
 Bright Goodlatte
 Brown (SC) Granger
 Brown, Corrine Graves
 Brown-Waite, Ginny Grayson
 Buchanan Green, Al
 Burgess Griffith
 Burton (IN) Grijalva
 Butterfield Guthrie
 Buyer Gutierrez
 Calvert Hall (NY)
 Camp Hall (TX)
 Campbell Halvorson
 Cantor Hare
 Cao Harman
 Capito Harper
 Capuano Hastings (FL)
 Cardoza Hastings (WA)
 Carnahan Heinrich
 Carney Heller
 Carson (IN) Hensarling
 Carter Hergert
 Castle Herseth Sandlin
 Castor (FL) Higgins
 Chaffetz Hill
 Chandler Himes
 Childers Hinchey
 Clarke Hinojosa
 Clay Hirono
 Cleaver Hodes
 Clyburn Hoekstra
 Coble Holden
 Coffman (CO) Holt
 Cohen Honda
 Cole Hoyer
 Conaway Hunter
 Connolly (VA) Inglis
 Cooper Israel
 Costa Issa
 Costello Jackson (IL)
 Courtney Jackson-Lee
 Crenshaw (TX)
 Crowley Jenkins
 Cuellar Johnson (GA)
 Culberson Johnson (IL)
 Cummings Johnson, Sam
 Dahlkemper Jones
 Davis (AL) Jordan (OH)
 Davis (CA) Kagen
 Davis (IL) Kanjorski

Oberstar Roybal-Allard Sullivan
 Obey Royce Sutton
 Olson Ruppersberger Tanner
 Oliver Rush Teague
 Ortiz Ryan (OH) Terry
 Pallone Ryan (WI) Thompson (CA)
 Pascrell Salazar Thompson (MS)
 Pastor (AZ) Sánchez, Linda Thompson (PA)
 Paulsen T. Thornberry
 Payne Sanchez, Loretta Tiahrt
 Pence Sarbanes Tiberi
 Perlmutter Scalise Titus
 Perriello Schakowsky Tierney
 Peters Schauer Titus
 Peterson Schiff Tonko
 Petri Schmidt Towns
 Pingree (ME) Schock Tsongas
 Pitts Schwartz Turner
 Platts Scott (GA) Upton
 Poe (TX) Scott (VA) Van Hollen
 Polis (CO) Sensenbrenner Velázquez
 Pomeroy Serrano Vislosky
 Posey Sessions Walden
 Price (GA) Shadegg Walz
 Price (NC) Shea-Porter Wamp
 Putnam Sherman Wasserman
 Quigley Shimkus Schultz
 Radanovich Shuler Waters
 Rahall Shuster Watson
 Rangel Simpson Watt
 Rehberg Sires Waxman
 Reichert Skelton Weiner
 Reyes Slaughter Welch
 Richardson Smith (NE) Westmoreland
 Rodriguez Smith (NJ) Wexler
 Roe (TN) Smith (TX) Whitfield
 Rogers (AL) Smith (WA) Wilson (OH)
 Rogers (KY) Snyder Wilson (SC)
 Rogers (MI) Souder Wittman
 Rohrabacher Space Wolf
 Rooney Speier Woolsey
 Ros-Lehtinen Spratt Wu
 Roskam Stark Yarmuth
 Ross Stearns Young (AK)
 Rothman (NJ) Stupak

NAYS—3

Broun (GA) Flake Paul

NOT VOTING—14

Capps Inslee Schrader
 Cassidy Johnson, E. B. Sestak
 Conyers Levin Taylor
 Engel McCarthy (NY) Young (FL)
 Gordon (TN) McCaul

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1235

Mr. FLAKE changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NORTHERN MARIANA ISLANDS SUBMERGED LAND CONVEYANCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 934, 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. 934, as amended.

This will be a 5-minute vote.
 The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 16, as follows:

Kaptur
 Kennedy
 Kildee
 Kilpatrick (MI)
 Kilroy
 Kind
 King (IA)
 King (NY)
 Kingston
 Kirk
 Kirkpatrick (AZ)
 Kissell
 Klein (FL)
 Kline (MN)
 Kosmas
 Kratochvil
 Kucinich
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Lee (NY)
 Lewis (CA)
 Lewis (GA)
 Linder
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lucas
 Luetkemeyer
 Lujan
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Mack
 Maffei
 Maloney
 Manzullo
 Marchant
 Markey (CO)
 Markey (MA)
 Marshall
 Massa
 Matheson
 Matsui
 McCarthy (CA)
 McClintock
 McCollum
 McCotter
 McDermott
 McGovern
 McHenry
 McHugh
 McIntyre
 McKeon
 McMahon
 McMorris
 Rodgers
 McNerney
 Meek (FL)
 Meeks (NY)
 Melancon
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Minnick
 Mitchell
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy (CT)
 Murphy (NY)
 Murphy, Patrick
 Murphy, Tim
 Murtha
 Myrick
 Nadler (NY)
 Napolitano
 Neal (MA)
 Neugebauer
 Nunes
 Nye

[Roll No. 541]

YEAS—416

Abercrombie Davis (KY) Kanjorski
 Ackerman Davis (TN) Kaptur
 Aderholt Deal (GA) Kennedy
 Adler (NJ) DeFazio Kildee
 Akin DeGette Kilpatrick (MI)
 Alexander Delahunt Kilroy
 DeLauro DeLauro Kind
 Andrews DeLauro King (IA)
 Arcuri Diaz-Balart, L. King (NY)
 Austria Diaz-Balart, M. Kingston
 Baca Dicks Kirk
 Bachmann Dingell Kirkpatrick (AZ)
 Bachus Doggett Kissell
 Baird Donnelly (IN) Klein (FL)
 Baldwin Doyle Kline (MN)
 Barrett (SC) Dreier Kosmas
 Barrow Driehaus Kratovil
 Bartlett Duncan Kucinich
 Barton (TX) Edwards (MD) Lamborn
 Bean Edwards (TX) Lance
 Becerra Ehlers Langevin
 Berry Ellison Larsen (WA)
 Biggert Ellsworth Larson (CT)
 Bilbray Emerson Latham
 Bilirakis Eshoo LaTourette
 Bishop (GA) Etheridge Latta
 Bishop (NY) Fallin Lee (CA)
 Bishop (UT) Farr Lee (NY)
 Blackburn Fattah Lewis (CA)
 Blumenauer Filner Lewis (GA)
 Blunt Flake Linder
 Bocchieri Fleming Lipinski
 Boehner Forbes LoBiondo
 Bonner Fortenberry Loebsack
 Bono Mack Foster Lofgren, Zoe
 Boozman Foxx Lowey
 Boren Frank (MA) Lucas
 Boswell Franks (AZ) Luetkemeyer
 Boucher Frelinghuysen Luján
 Boustany Fudge Lummis
 Boyd Gallegly Lungren, Daniel
 Brady (PA) Garrett (NJ) E.
 Brady (TX) Gerlach Lynch
 Braley (IA) Giffords Mack
 Bright Gingrey (GA) Maffei
 Broun (GA) Gohmert Maloney
 Brown (SC) Gonzalez Manzullo
 Brown, Corrine Goodlatte Marchant
 Brown-Waite, Granger Markey (CO)
 Ginny Graves Markey (MA)
 Buchanan Grayson Marshall
 Burgess Green, Al Massa
 Burton (IN) Green, Gene Matheson
 Butterfield Griffith Matsui
 Buyer Grijalva McCarthy (CA)
 Calvert Guthrie McClintock
 Camp Gutierrez McCollum
 Campbell Hall (NY) McCotter
 Cantor Hall (TX) McDermott
 Cao Halvorson McGovern
 Capito Hare McHenry
 Capuano Harman McHugh
 Cardoza Harper McIntyre
 Carnahan Hastings (FL) McKeon
 Carney Hastings (WA) McMahan
 Carson (IN) Heinrich McMorris
 Carter Heller Rodgers
 Cassidy Hensarling McNerney
 Castle Herger Meek (FL)
 Castor (FL) Herseth Sandlin Meeks (NY)
 Chaffetz Higgins Melancon
 Chandler Hill Mica
 Childers Himes Michaud
 Clarke Hincey Miller (FL)
 Clay Hinojosa Miller (MI)
 Cleaver Hirono Miller (NC)
 Clyburn Hodes Miller, Gary
 Coble Hoekstra Miller, George
 Coffman (CO) Holden Minnick
 Cohen Holt Mitchell
 Cole Hoyer Mollohan
 Conaway Hunter Moore (KS)
 Connolly (VA) Inglis Moore (WI)
 Cooper Inslee Moran (KS)
 Costa Israel Moran (VA)
 Costello Issa Murphy (CT)
 Courtney Jackson (IL) Murphy (NY)
 Crenshaw Jackson-Lee Murphy, Patrick
 Crowley (TX) Murphy, Tim
 Cuellar Jenkins Murtha
 Culberson Johnson (GA) Myrick
 Cummings Johnson (IL) Nadler (NY)
 Dahlkemper Johnson, Sam Napolitano
 Davis (AL) Jones Neal (MA)
 Davis (CA) Jordan (OH) Neugebauer
 Davis (IL) Kagen Nunes

Nye Oberstar
 Obey Olson
 Oliver Royce
 Ortiz Ruppersberger
 Pallone Ryan (WI)
 Pascrell Salazar
 Pastor (AZ) Sánchez, Linda
 Paul T.
 Paulsen Sanchez, Loretta
 Payne Sarbanes
 Pence Scalise
 Perlmutter Schakowsky
 Perriello Schauer
 Peters Schiff
 Peterson Schmidt
 Petri Schock
 Pingree (ME) Schwartz
 Pitts Scott (GA)
 Platts Scott (VA)
 Poe (TX) Sensenbrenner
 Polis (CO) Serrano
 Pomeroy Sessions
 Posey Shadegg
 Price (GA) Shea-Porter
 Price (NC) Sherman
 Putnam Shimkus
 Quigley Shuler
 Radanovich Shuster
 Rahall Simpson
 Rangel Sires
 Rehberg Skelton
 Reichert Slaughter
 Reyes Smith (NE)
 Richardson Smith (NJ)
 Rodriguez Smith (TX)
 Roe (TN) Smith (WA)
 Rogers (AL) Snyder
 Rogers (KY) Souder
 Rogers (MI) Space
 Rohrabacher Speier
 Rooney Spratt
 Ros-Lehtinen Stark
 Roskam Stearns

NOT VOTING—16

Berkley Honda
 Berman Johnson, E. B.
 Capps Levin
 Conyers McCarthy (NY)
 Engel McCaul
 Gordon (TN) Ryan (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1242

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VALIDATING NEVADA LANDS TRANSFER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 762, 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. 762.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 19, as follows:

[Roll No. 542]

YEAS—413

Deal (GA) Kennedy
 DeFazio Kildee
 DeGette Kilpatrick (MI)
 DeLauro Kilroy
 Dent Kind
 Diaz-Balart, L. King (IA)
 Diaz-Balart, M. King (NY)
 Dicks Kingston
 Dingell Kirk
 Doggett Kirkpatrick (AZ)
 Donnelly (IN) Kissell
 Doyle Klein (FL)
 Dreier Kline (MN)
 Driehaus Kosmas
 Duncan Kratovil
 Edwards (MD) Kucinich
 Edwards (TX) Lamborn
 Ehlers Lance
 Ellison Langevin
 Ellsworth Larsen (WA)
 Emerson Larson (CT)
 Eshoo Latham
 Etheridge LaTourette
 Fallin Latta
 Farr Lee (CA)
 Fattah Lee (NY)
 Flake Lewis (GA)
 Fleming Linder
 Forbes Lipinski
 Fortenberry LoBiondo
 Foster Loebsack
 Foxx Lofgren, Zoe
 Bocchieri Frank (MA)
 Boehner Franks (AZ)
 Bonner Frelinghuysen Lucas
 Bono Mack Fudge Luetkemeyer
 Boozman Gallegly Luján
 Boren Garret (NJ) Lummis
 Boswell Gerlach Lungren, Daniel
 Boucher Giffords E.
 Boustany Gingrey (GA) Lynch
 Boyd Gohmert Mack
 Brady (PA) Gonzalez Maffei
 Brady (TX) Goodlatte Maloney
 Braley (IA) Granger Manzullo
 Bright Graves Marchant
 Broun (GA) Grayson Markey (CO)
 Brown (SC) Green, Al Markey (MA)
 Brown, Corrine Green, Gene Marshall
 Brown-Waite, Buchanan Massa
 Ginny Burgess Griffith Matheson
 Buchanan Grijalva Matsui
 Burgess Burton (IN) Guthrie McCarthy (CA)
 Burton (IN) Griffith McClintock
 Butterfield Buyer Hall (NY)
 Buyer Hall (TX) McCollum
 Calvert Camp McCotter
 Campbell Hare McDermott
 Cantor Harman McGovern
 Cao Harper McHenry
 Capito Hastings (FL) McIntyre
 Capuano Hastings (WA) McKeon
 Cardoza Heinrich McMahan
 Carnahan Heller McMorris
 Carney Hensarling Rodgers
 Carson (IN) Herger McNerney
 Carter Herseht Sandlin Meek (FL)
 Cassidy Higgins Meeks (NY)
 Castle Hill Melancon
 Castor (FL) Himes Mica
 Chaffetz Hincey Michaud
 Chandler Hinojosa Miller (FL)
 Childers Hirono Miller (MI)
 Clarke Hodes Miller (NC)
 Clay Hoekstra Miller, Gary
 Cleaver Holden Minnick
 Clyburn Holt Mitchell
 Coble Honda Mollohan
 Coffman (CO) Hoyer Moore (KS)
 Cohen Hunter Moore (WI)
 Cole Inglis Moran (KS)
 Conaway Inslee Moran (VA)
 Connolly (VA) Israel Murphy (NY)
 Cooper Issa Murphy (CT)
 Costa Jackson (IL) Murphy, Patrick
 Costello Jackson-Lee Murphy, Tim
 Courtney (TX) Murtha
 Crowley Jenkins Myrick
 Cuellar Johnson (GA) Nadler (NY)
 Culberson Johnson (IL) Napolitano
 Cummings Johnson, Sam Neal (MA)
 Dahlkemper Jones Neugebauer
 Davis (AL) Jordan (OH) Nunes
 Davis (CA) Kagen Nye
 Davis (KY) Kanjorski Oberstar
 Davis (TN) Kaptur Obey

Olson	Ruppersberger	Sutton
Olver	Rush	Tanner
Ortiz	Ryan (OH)	Taylor
Pallone	Ryan (WI)	Teague
Pascarella	Salazar	Terry
Pastor (AZ)	Sánchez, Linda	Thompson (CA)
Paul	T. Sanchez, Loretta	Thompson (MS)
Paulsen	Sarbanes	Thompson (PA)
Payne	Scalise	Thornberry
Pence	Schakowsky	Tiahrt
Perlmutter	Schauer	Tiberi
Perriello	Schiff	Tierney
Peters	Schmidt	Titus
Peterson	Schock	Tonko
Petri	Schwartz	Towns
Pingree (ME)	Scott (GA)	Tsongas
Platts	Scott (VA)	Turner
Poe (TX)	Sensenbrenner	Upton
Polis (CO)	Serrano	Van Hollen
Pomeroy	Sessions	Velázquez
Posey	Shadegg	Vislousky
Price (GA)	Shea-Porter	Walden
Price (NC)	Sherman	Walz
Putnam	Shimkus	Wamp
Quigley	Shuler	Wasserman
Radanovich	Shuster	Schultz
Rahall	Simpson	Watson
Rangel	Sires	Watt
Rehberg	Skelton	Waxman
Reichert	Slaughter	Weiner
Reyes	Smith (NE)	Welch
Richardson	Smith (NJ)	Westmoreland
Rodriguez	Smith (TX)	Wexler
Roe (TN)	Smith (WA)	Whitfield
Rogers (AL)	Snyder	Wilson (OH)
Rogers (KY)	Souder	Wilson (SC)
Rogers (MI)	Space	Wittman
Rohrabacher	Speier	Wolf
Rooney	Spratt	Woolsey
Ros-Lehtinen	Stark	Wu
Roskam	Stearns	Yarmuth
Ross	Stupak	Young (AK)
Rothman (NJ)	Sullivan	
Royce		

NOT VOTING—19

Brown-Waite,	Engel	Pitts
Ginny	Gordon (TN)	Royal-Ballard
Capps	Johnson, E. B.	Schrader
Conyers	Levin	Sestak
Crenshaw	McCarthy (NY)	Waters
Davis (IL)	McCaul	Young (FL)
Delahunt	Miller, George	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1248

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following rollcall votes on July 15, 2009, and would like the RECORD to reflect that I would have voted as follows: Rollcall No. 540: “yea”; rollcall No. 541: “yea”; rollcall No. 542: “yea.”

PERSONAL EXPLANATION

Mr. LEVIN. Mr. Speaker, I was unavoidably absent earlier today attending a meeting at the White House and was therefore not present during rollcall votes 538 to 542. Had I been present, I would have voted “yea” on rollcall vote 538 to order the previous question on H. Res. 645, “yea” on rollcall vote 539 on agreeing to H. Res. 645, “yea” on rollcall vote 540 to approve H.R. 1044, “yea” on rollcall vote 541 to approve H.R. 934, and “yea” on rollcall vote 542 to pass H.R. 762.

GENERAL LEAVE

Mr. PASTOR of Arizona. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3183.

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

There was no objection.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 645 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3183.

□ 1248

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 consideration of the bill (H.R. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with Mr. TIERNEY in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time. The gentleman from Arizona (Mr. PASTOR) and the gentleman from New Jersey (Mr. FRELINGHUYSEN) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. PASTOR of Arizona. I yield myself such time as I may consume.

Mr. Chairman, it is, indeed, a privilege to submit to the House for its consideration H.R. 3183, the Energy and Water Development Appropriations bill for fiscal year 2010. The Appropriations Committee approved this bill unanimously by a voice vote on July 8. This is a good bill that merits the support of the entire House.

I thank all of the members of the Energy and Water Development Subcommittee for their help in bringing this bill to the floor today. This has been a challenging year with our extremely compressed schedule, and I appreciate our Members’ attention and participation in this accelerated process.

I particularly want to thank the ranking member—my dear friend, the gentleman from New Jersey (Mr. FRELINGHUYSEN)—for his extraordinary cooperation, insight and friendship.

Mr. Chairman, this is a bipartisan bill that represents the fair and balanced treatment of competing priorities. This is the way our constituents expect their Representatives to work together, and I am proud of this bipartisan process.

I also would like to thank the chairman of the Appropriations Committee,

Mr. OBEY, and the ranking member, Mr. LEWIS, for their support.

I was given this assignment 3 weeks ago, and without the great work of the subcommittee staff, we would not be here today. So, today, this afternoon, I want to thank the staff of the subcommittee: the Clerk, Taunja Berquam; Robert Sherman; Joseph Levin; James Windle; Casey Pearce; Rob Blair; and Kevin Jones. They worked many hours and through the weekends to get this bill today on the floor.

I would also like to thank Richard Patrick, from my office, and Ms. Nancy Fox and Ms. Katie Hazlett of Mr. FRELINGHUYSEN’s office.

I want to acknowledge our agency detailee, Lauren Minto from the Corps of Engineers, for her assistance, talent and knowledge in putting this bill and report together.

These people have formed a great team, and without their work, we would not be here today. I have to thank them again because their support has been invaluable.

Mr. Chairman, this bill provides funding to address critical issues that affect our Nation’s security and prosperity—from Addressing high gas prices, our energy crisis and climate change to advancing science and innovation, to preventing nuclear proliferation, to encouraging effective project management, and to investing in our Nation’s flood control and water infrastructure projects.

The total funding for energy and water development in fiscal year 2010 is \$33.3 billion. This funding amount is a decrease of \$1.1 billion from the budget request, and it is roughly equal to the current fiscal year. While the bill is below the budget request, the primary reason for this difference is a Congressional Budget Office score of \$1.5 billion for the Department of Energy’s budget request for the Innovative Loan Guarantee Program. The bill provides \$406 million above the budget request in program scope.

This bill made a concerted effort to cut lower priority programs and to apply the cuts to higher priority efforts. These spending cuts include 18 activities, totaling \$2.5 billion below the President’s request.

Given the wide-ranging scope of issues in this legislation that are critical to our Nation’s well-being, I set forth the following priorities to ensure that our tax dollars will be spent wisely and effectively. These priorities include:

addressing high gas prices, reducing our dependence on foreign oil, and confronting the energy crisis through increased investment in alternative, domestic transportation fuels and new vehicle technologies;

addressing climate change with sound investments in carbon sequestration, low-emission energy technologies, and science research;

modernizing the energy sector through the research and development

of renewable energy sources, efficient energy technologies, and novel electric grid technologies;

Confronting the terrorist nuclear threat by increasing the protection of nuclear materials and accelerating the deployment of systems to detect such materials at border crossing points and ports;

Improving the security of our weapons by upgrading the protection of our facilities as well as improving the training and equipment of the Protective Force;

Insisting that the President submit to Congress a nuclear weapons strategy and a nuclear complex transformation plan before Congress will consider funding a new nuclear warhead;

investing in dam safety, flood protection, hydropower modernization and infrastructure that is essential to waterborne commerce on our coasts, rivers and inland lakes, which is essential to the safety of our citizens and our economy; and

Saving taxpayer dollars by improving management of agency programs, especially at the Department of Energy.

This bill provides adequate funds to meet the priority needs of the House. It funds the most worthwhile projects and programs near requested levels, and it reduces some programs that are less valuable or less urgent. I urge my colleagues of the House to support it.

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

Mr. FRELINGHUYSEN. I yield myself as much time as I may consume.

Mr. Chairman, I rise in support of the Energy and Water Development Appropriations bill for fiscal year 2010. This is a good bill because it is a significant improvement over the administration's budget request, and it was put together in a very bipartisan manner.

Before I turn to the contents of the legislation before us, like Mr. PASTOR, I would like to thank the fantastic staff—Tanjia Berquam, the Clerk; Bob Sherman; Joe Levin; Jim Windle; Casey Pearce; and Lauren Minto. On the minority side, I would like to thank Rob Blair and Kevin Jones. In my personal office, I would like to thank Katie Hazlett and Nancy Fox. In Mr. PASTOR's personal office, I would like to thank Rick Patrick. All of these individuals have worked tirelessly to put together the product before us.

No one has worked harder than Mr. PASTOR, and I want to thank Mr. PASTOR for his friendship and for his leadership and guidance on this bill. The gentleman from Arizona is a pleasure to work with. I thank him for his leadership and for his assistance.

Mr. Chairman, the subcommittee's recommendation totals \$33.82 billion, which is \$1.1 billion below the President's request and \$200 million over the fiscal year 2000 enacted level. While the dollar amounts are significant, the issues contained in this bill are at the core of our Nation's economic prosperity and national security, especially

the energy portfolio, and our historic responsibility for the reliability and the protection of our nuclear stockpile. Thus, it is worthy of debate and amendment on the House floor.

□ 1300

The bill was preceded by the American Recovery and Reinvestment Act, which gave more than \$44 billion to the agencies under our jurisdiction. In fact, nearly \$39 billion alone went to the Department of Energy. The Department has nearly one-and-a-half times more money to manage even before we consider this annual appropriations bill, so our bill cannot be viewed simply through the traditional lens of annual appropriations. With the passage of the stimulus bill, Secretary Chu and his new team assumed new roles as major grant managers and accountants for billions of dollars for new Federal and State programs and hundreds of new employees.

Mr. Chairman, I am pleased that we were able to improve upon the administration's request in several ways. For example, the legislation before us increases the budget request by over \$400 million for the Army Corps of Engineers, enabling us to address more water needs across our country. The Army Corps projects touch virtually every congressional district; and I know Mr. PASTOR and I highly respect the interests of all Members who, knowing their district needs, have sought some assistance; and we've done our best to accommodate them. Our recommendation increases research and development for both renewable energy and nuclear power while supporting clean coal initiatives and other technologies, such as geothermal, solar, fusion and wind power. I am exceptionally pleased that our bill keeps the Department on track for the Next Generation Nuclear Plant program.

There are some areas that I would have done a bit differently, of course. Not surprisingly, I would have preferred to have done more to reverse the administration's decision to terminate the Yucca Mountain repository in Nevada, where we have spent over \$11 billion of taxpayer and rate payer moneys—in fact, \$7 billion of rate payer moneys—with little apparent return. We still have tons of waste to dispose of and to protect. The bill before us does contain the administration's significant cut to the program, and I am deeply concerned that this basically political decision will be followed by others trumping future scientific recommendations and judgments. However, our bill directs \$70 million to ensure that the questions raised during the Yucca license application process can be answered; and it requires that funding for the President's suggested Blue Ribbon Panel is only available for a review, which includes all alternatives, including Yucca Mountain. I think this is the only way future review could be credible.

I would also have preferred much more support for nuclear power here in

the United States and the greater availability of nuclear loan guarantees. Given what China and other nations are doing to build new nuclear power plants, we could produce much more electricity ourselves while adding American jobs, which we need if the administration as well as House and Senate majority leadership were more supportive. American companies are working abroad building nuclear power plants while we dither here. The President and congressional leadership appear to have a strong bias against nuclear power as well as oil and gas production, which will leave our Nation severely disadvantaged. Energy-intensive industries, like what is left of our American manufacturing base, will no longer be able to compete with nations who are making nuclear and other types of capital investments a priority, and they're not subjecting themselves to self-imposed cap-and-trade emissions reductions. Our lack of investing in nuclear power, so well illustrated in the recent passage of the so-called American Clean Energy and Security Act, is a gift that keeps on giving to our economic competitors China and India, whose economies are already sucking away U.S. jobs at an alarming rate.

We also improved that portion of the committee's jurisdiction that involves nuclear weapons activities, not to promote more nuclear weapons, but to provide more funds to reduce the weapons stockpile. The President's recent trip to Russia and his call for major changes in what is called our nuclear "posture" must be matched by the administration's funding requests that will pay for our country's nuclear dismantlements and for the science to certify the reliability of what's left. And we must provide adequate funding to retain our highly specialized nuclear scientists and technicians and to maintain the facilities and laboratories where they do their work. The only way to support our national security is by increasing this account, not by holding it flat. Talk about a delicate balance between nuclear and renewables is only talk, for investments in renewables received \$60 billion in the \$800 billion stimulus—all of that borrowed money, I should add—and nuclear received nothing. I do hope that we can address this disproportionality in conference.

One of my biggest disappointments, however, is not with the bill but the way it was brought to the floor. With all the debate about climate change, global warming, conservation, carbon footprints and green jobs, Members of Congress in both parties should have the right to propose amendments to address their concerns and support sources of power that they specifically favor and know about, whether that be nuclear, hydroelectric, solar, wind, oil or gas-based, fuel cell or fusion. That traditional right to amend our appropriations has been severely curtailed by the House leadership. Our appropriations bill affects virtually every

part of our economy, the household budgets of every American family and job prospects for thousands, and the thought that renewables alone are going to give us energy independence is, of course, on its face, absurd.

Before I close though, I'd like, on a positive note, to thank the Army Corps of Engineers, both military and civilian who, as we gather here today, continue to do their remarkable work in dangerous territory in Iraq and Afghanistan. We thank them for their courage, their work and their professionalism. Mr. Chairman, again I'd like to thank Vice Chairman PASTOR for his leadership. Despite my unhappiness about the energy policy issues I have discussed, I intend to support the bill.

I reserve the balance of my time.

Mr. PASTOR of Arizona. Mr. Chairman, I yield 2 minutes to the chairman of the Appropriations Committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I want to congratulate both Mr. PASTOR and Mr. FRELINGHUYSEN for an excellent bill. They are both first-rate legislators, and I think this bill is a very effective and reasonable response to the problems with which it deals. I think it's, most clearly, a bipartisan product as well, and I appreciate that.

I also appreciate the fact that this bill will continue providing significant assistance to Lake Superior communities who need help with sewer and water in order to be able to provide decent opportunities for economic growth in the future. Communities cannot grow without adequate infrastructure.

I also want to suggest that the non-proliferation efforts contained in this bill are important, indeed.

I would also note that when combined with the actions taken in the Recovery Act, this bill will begin the long process of trying to make up for the fact that for almost 30 years, this country has had no effective energy policy. That has to change, and this is part of the effort to change that.

I also appreciate the fact that, as is the case with previous bills approved by the committee, when this bill is finished on the floor, we will have accepted 24 Republican amendments to appropriation bills in the full committee. We will have accepted another 24 on the floor itself. I think that is testimony to the bipartisan approach taken by the subcommittees on bill after bill. I appreciate the cooperation of all of the Members and the hard work of the staff.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Chairman, I rise to enter into a colloquy with the distinguished chairman of the subcommittee, Mr. PASTOR.

Mr. Chairman, Hanford is the world's largest nuclear cleanup site. The wastes at Hanford are a result of our Nation's nuclear weapons production program that secured our victories in

World War II and the Cold War. Hanford cleanup cannot sustain continued reductions without jeopardizing progress, breaking existing legally binding commitments to the State and increasing long-term costs to taxpayers. Achieving cleanup progress requires steady, stable, adequate funding each year for all projects at Hanford, including the tank farms, the waste treatment plant, groundwater protection, and the River Corridor project, which is responsible for stopping contaminants from reaching the Columbia River, shrinking the site by 95 percent, and represents the highest priority work for Hanford's Richland Operations office. I appreciate Mr. PASTOR's attention to this issue and assistance in making adjustments as this bill went through the committee process. These adjustments are a step in the right direction and will have a meaningful impact at Hanford, with full funding provided for the Office of River Protection.

I would like to ask Mr. PASTOR for a commitment to continue to work with me as the final Energy and Water bill is developed.

Mr. PASTOR of Arizona. As we talked earlier this morning, we said that we understand the importance of Hanford as well as all the other sites, and I told you of the possibility that some of us would need to go see the site and look at it firsthand. So you well know that I recognize the importance of cleaning up Hanford and also all of the EM sites. I will work with you on this issue and review the needs of Hanford's Richland Operations office, including the River Corridor Closure project, as we make our way through conference and write a final bill.

Mr. HASTINGS of Washington. Thank you for your commitment on this and for your commitment to nuclear waste cleanup at all the sites. I look forward to continuing to work with you. Obviously the invitation is open for you. Mr. FRELINGHUYSEN has been at Hanford, but I certainly invite you. It is something to see firsthand. I thank you for your commitment.

Mr. PASTOR of Arizona. Mr. Chairman, I yield 2 minutes to another gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. I will join my colleague from the State of Washington's invitation to talk about Hanford issues at some point. I appreciate the Chair's interest in that.

I want to thank, specifically, the committee for including \$1.78 billion for energy efficiency and renewable energy research, development and deployment. But I do rise with some concern that the report proposes to decrease water power R&D from \$40 million in 2009 to just \$30 million. While I understand that the ocean and tidal-based marine renewable energy industry is certainly nascent at this time, estimates suggest that ocean resources in the U.S. could supply more than 6 percent of our electricity generation if

ocean renewable energy enjoyed the same Federal investment as other forms of renewable energy. Many countries already operate projects that generate power from both the waves and tidal and currents; and we should lead in this regard, not follow.

In Washington State these efforts are currently underway. The U.S. Navy and Verdant Power will install a demonstration project in Puget Sound in 2010, and Snohomish County PUD will install a project in Admiralty Inlet just north of Seattle in 2011. Federally backed research is underway at the Northwest National Marine Renewable Energy Center, a partnership between the University of Washington and Oregon State University. In Sequim the DOE's Marine Science Lab is researching ocean energy potential and environmental issues. Hawaii, Oregon, Maine, New York, California, Massachusetts and Alaska are also working to develop this industry. Our colleagues in the Senate have recommended \$60 million for water power R&D, and I hope to work with Mr. PASTOR through conference to work toward those Senate levels for this important, very promising program.

With that, I thank Mr. PASTOR for his efforts.

Mr. PASTOR of Arizona. I can assure the gentleman from Washington that the committee is aware of this sustainable domestic energy source and its potential. We will continue to work with the gentleman from Washington through conference to highlight renewable marine and hydrokinetic energy development as a priority for the agency.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman for yielding.

Mr. Chairman, I am pleased to rise today in support of the fiscal year 2010 Energy and Water Appropriations bill. I would like to thank Vice Chairman PASTOR and Ranking Member FRELINGHUYSEN for their work on this important bill. They have done a great job putting this bill together.

□ 1315

I also want to thank the staff on both sides of the aisle for their hard work and dedication on this piece of legislation.

I would like to focus my remarks today on the Department of Energy's loan guarantee program. The loan guarantee program is one of the few policy tools we have that delivers immediately available, market-ready, innovative, clean energy technologies that will have a positive impact on our economy.

Congress has authorized \$2 billion in loan guarantee authority for front-end nuclear facilities. DOE should be recognized for their work creating a loan guarantee program that has sound criteria to ensure the protection of taxpayers and award guarantees to the most creditworthy projects.

I support the efforts of my colleagues in the House to encourage DOE to administer the loan guarantee program, particularly for front-end facilities, efficiently and in the earliest possible time frame. I also support efforts to ensure that these decisions are based on merit and that all loan guarantees are issued to the most qualified and not necessarily the most politically connected applicants.

This program is not a bailout. It is designed to allow creditworthy companies to invest in large, multibillion dollar "investment grade" projects that will create thousands of jobs and inject several billion dollars in the local economy without jeopardizing taxpayers' interest.

For the loan guarantee program to succeed, it must demonstrate integrity and credibility through a fair, objective and timely process. It must also meet the reasonable business needs of the applicants and protect the Treasury and the U.S. taxpayer from undue exposure.

The Department of Energy has personally assured me that all decisions regarding loan guarantees will be made based on the merit of the recommended projects rather than on politics.

I look forward to working with my colleagues, the Department of Energy and Secretary Chu to issue loan guarantees in the earliest time frame possible by applying the program criteria in a fair and unbiased manner.

Mr. PASTOR of Arizona. Mr. Chairman, I would like to yield 2 minutes to the gentleman from Virginia, my good friend, BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Chairman, I, along with my colleague from Virginia (Mr. WITTMAN), would like to briefly discuss the importance of fully funding the Thomas Jefferson Lab's 12 GeV Upgrade.

This important project received accelerated funding in the Recovery Act. It is vital that this project receive the administration's full request of \$22 million in this bill. If full funding is not in place for the upcoming fiscal year due to stringent controls in how Recovery Act funds are spent, there is little flexibility for the lab to meet their construction project without costly scheduling delays or potential elimination of physics-related work.

I would hope that the gentleman from Arizona will work with me and Mr. WITTMAN to ensure that this project is funded at the administration's request for fiscal year 2010.

And I yield to the gentleman from Virginia, my colleague, Mr. WITTMAN.

Mr. WITTMAN. Thank you, Mr. SCOTT.

I rise in support and to echo the remarks of my colleague from Virginia (Mr. SCOTT). The Thomas Jefferson Lab is a world leader in nuclear physics research and education. The lab is currently in the midst of a major upgrade to their accelerator facility. Fully funding the accelerator upgrade will

significantly expand the facility's research potential and will lead to a greater understanding of atomic particles, the building blocks of all matter. Research at Jefferson Lab will continue to expand our knowledge of nuclear physics that lead to many exciting scientific advances.

I respectfully request that the gentleman from Arizona would work to fully fund this important project at Jefferson Lab.

Mr. SCOTT of Virginia. I yield to the gentleman from Arizona (Mr. PASTOR).

Mr. PASTOR of Arizona. I thank the gentleman for bringing this important issue to us.

You have made a case that the administration request for \$22 million for the continuous electron beam accelerator facility is merited.

You have my personal commitment to work with you and Mr. WITTMAN going forward to see that this project receives the funding it needs and deserves.

Mr. SCOTT of Virginia. I thank you for your commitment and thank you for your willingness to work on this important issue and thank my colleague from Virginia for his support and look forward to working with you in conference.

Mr. FRELINGHUYSEN. Mr. Chairman, I'm pleased to yield 3 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT) for purpose of a colloquy.

Mrs. SCHMIDT. I rise to bring attention to the lack of progress by the Department of Energy in processing loan guarantee applications, particularly with respect to USEC's long-pending loan guarantee application for its American Centrifuge Plant project.

USEC filed its application with the Department of Energy for the loan guarantee nearly 1 year ago, yet its application still languishes. USEC has informed the Department of Energy that it needs, at minimum, a conditional commitment from the Department of Energy for a request for a loan guarantee by early August of 2009 or else USEC will begin to demobilize its project.

I would like to now turn this over to my good colleague from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentlelady.

Mr. Chairman, as my colleague said, this loan application is critical for thousands of jobs in Ohio and throughout the country.

I would hope that the Secretary of Energy and other departmental leadership will provide the loan guarantee office staff with the necessary guidance and leadership to address this issue in the immediate future so that a conditional commitment can be issued on reasonable terms.

Mrs. SCHMIDT. I would like to now yield to Mr. WAMP from Tennessee.

Mr. WAMP. I thank the gentlelady. I'm proud that the United States Enrichment Corporation has been developing the highly advanced uranium en-

richment technology for the American Centrifuge Plant in my district, the Oak Ridge National Laboratory facility.

USEC's enrichment technology is very well established, the risks have been mitigated, and the technology is fundamentally sound. We should not allow a seemingly risk-averse loan staff at the Department to continually delay a decision on the loan application which will have the effect of terminating this incredible state-of-the-art facility.

Would the chairman work with us to ensure that the program is run efficiently and effectively?

Mr. PASTOR of Arizona. First of all, I thank the gentleman for yielding time and congratulate him on his amendments.

To you and Mrs. SCHMIDT, I appreciate the comments made by all my colleagues. I will be happy to work with everyone to ensure the program is run efficiently and effectively. The management and effectiveness of this program is a priority of the subcommittee. We must ensure that it is fair to all applicants. And, yes, I will work with my colleagues.

Mrs. SCHMIDT. I just want to add that USEC also plays a critical role in our national defense and energy security. USEC's ACP project uses U.S.-owned and developed technology. Under U.S. law and international agreements, only uranium fuel that is of U.S. origin and produced using U.S. technology can be used to meet our defense needs. Our Nation's national security alone is enough of a reason for the Department of Energy to issue USEC a loan guarantee at reasonable terms and conditions.

I just want to appreciate everyone's comments here. We are also talking about 8,000 good-paying jobs in Ohio, Tennessee, and other States. If we are serious about stimulating the economy, this is a great place, because these projects are truly "shovel ready."

The Department of Energy must finish its review and issue a conditional commitment with reasonable terms and conditions by the end of this month. If it doesn't, we can expect to see layoffs beginning in early August.

The CHAIR. The time of the gentlewoman has expired.

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

Mrs. SCHMIDT. I just wish to say that I would hope that we can get this resolved quickly, and ask if the gentleman from New Jersey has anything to add?

Mr. FRELINGHUYSEN. Yes. Mrs. SCHMIDT, I agree that 11 months is more than enough for the Department of Energy to act upon the loan guarantee submission for the front-end of the nuclear fuel cycle. It is a personal priority of mine to ensure that this program is run efficiently and in the best interest of U.S. taxpayers. While it needs to move quickly, the loan

guarantee application process should be open and fair to all applicants.

Mrs. SCHMIDT. I thank the gentleman for his comments.

Mr. PASTOR of Arizona. I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the gentleman and appreciate your yielding me the time and commend your leadership on the bill. I'm proud of the subcommittee's decision to double the International Renewable Energy Program from \$5 million to \$10 million this year.

Last year, the committee provided \$2 million to promote cooperation between the United States and the Government of Israel for renewable and alternative energy programs. The Government of Israel matched that funding, which is now being directed towards cooperation in the fields of advanced battery technology, solar, wind, biomass, geothermal and energy efficiency.

Moving forward, I urge the House to support continued cooperation between the United States and Israel in the field of alternative energy.

And with that, I yield to my distinguished colleague from New York, Chairwoman NITA LOWEY.

Mrs. LOWEY. I strongly believe that we must continue to show support to the United States-Israel Energy Cooperation. Last year, President Obama told the American people, "It is time for the U.S. to take real steps to end our addiction to oil, and we can join Israel building on last year's U.S.-Israel Energy Cooperation Act to deepen our partnership in developing alternative sources of energy." I agree with President Obama and believe we must work with our global partners and allies to diversify our energy portfolio.

Will the distinguished Mr. PASTOR work with us to ensure that U.S.-Israel Energy Cooperation receives substantial funding and support as you proceed to conference with the Senate?

Mr. PASTOR of Arizona. First of all, thank you for the compliment, and I will tell you that I have ELIOT ENGEL and BRAD SHERMAN, as well as you, Madam Chairman and Mr. ISRAEL, who have brought this matter to my attention, and I want to thank you for raising it on the floor.

I, too, am a supporter of the U.S.-Israel Energy Cooperation. This bill, as you have told us, doubles the account which funds such programs, and I look forward to working to ensure that the U.S.-Israel Energy Cooperation continues to receive strong support in order to accelerate the development of alternative energy programs.

Mr. ISRAEL. I thank the gentleman and the gentlewoman.

Mr. FRELINGHUYSEN. Mr. Chairman, I'm pleased to yield 2 minutes to my colleague from New Jersey, Congressman CHRIS SMITH.

Mr. SMITH of New Jersey. Mr. Chairman, I rise today in strong support of H.R. 3183. The bill includes funding to allow the U.S. Army Corps of Engi-

neers to take a greater role in ongoing efforts to fix significant recurring environmental hazards posed by Wreck Pond, located in my district.

On an average summer day, Wreck Pond is a picture-perfect postcard. However, just below the surface lie dangerous concentrations of high levels of fecal coliforms as well as other nasty contaminants. When it rains, this poison goes onto the beaches, and it has caused, on average, about 80 percent of all beach closings in New Jersey in the past few years.

When Wreck Pond floods, this poison pours into the basements and first floors of nearby homes, which I have seen myself on several occasions. Immediate action is necessary to improve the water quality conditions and mitigate the serious health and environmental hazards caused by its pollution to local residents.

The Corps' work at Wreck Pond will be greatly enhanced and proceed to construction earlier than normally anticipated because of extensive analysis already completed by other agencies at the Federal, State and local level, including work of a \$400,000 EPA study, surveillance work by the New Jersey Department of Environmental Protection, as well as the State's installation of provisional storm water outflow pipes and the upstream watershed management programs.

These actions have been effective. However, they are not the best long-term solution, and a permanent fix can be achieved only after the Corps begins its work.

I want to especially thank my good friend and colleague, Mr. FRELINGHUYSEN, for his work, and Chairman OBERSTAR, of the Transportation and Infrastructure Committee, who actually made a trip to Wreck Pond in 2007 to view this himself. I thank them both. RODNEY, thank you for your great work on this.

Mr. PASTOR of Arizona. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. SMITH) for the purpose of a colloquy.

Mr. SMITH of Washington. Mr. Chairman, I rise in support of the fiscal year 2010 Energy and Water Appropriations bill, and I am appreciative of the work done by the chairman and ranking member on this bill.

I would like to briefly engage the gentleman from Arizona (Mr. PASTOR) in a colloquy regarding an issue related to the Seattle District of the Army Corps of Engineers and the Howard Hanson Dam.

The Green and Puyallup Rivers located in part in the Ninth District of Washington were flooded by record levels of water in January 2009, causing cities along these rivers to sustain major damage. Levees along those rivers are now in need of repair and rehabilitation, and when added to the other levees that were already priorities for the Seattle district, the need for resources and action is imperative.

Following the record high level of water behind the Howard Hanson Dam

on the Green River, significant structural weaknesses were discovered. Because of this damage, water levels at the Howard Hanson Dam are being held at lower-than-normal levels, drastically increasing the possibility of flooding along the banks below.

This is extremely troubling as we are rapidly approaching the upcoming rain and flood season. If the dam were to fail, or if a strong storm brings a heavy level of rain, then the levees below are at serious risk of being breached, causing significant property damage and driving large numbers of people from their homes and businesses.

I respectfully ask to work with the gentleman to ensure that the Seattle district of the Army Corps of Engineers is responsive to the flood prevention needs of those along the lower Green and Puyallup Rivers and will make the repairs of their levees a top priority.

I also ask to work with the subcommittee to make the resources needed to fix the Howard Hanson Dam available in a timely manner as they are identified.

And with that I yield to the gentleman from Arizona (Mr. PASTOR).

Mr. PASTOR of Arizona. I would like to thank the gentleman from Washington for drawing the subcommittee's attention to this very serious issue. He has been a dedicated advocate for the people of the Ninth District of Washington and the surrounding areas. We will work with the gentleman to ensure that the Seattle district of the Corps is responsive to the needs of the cities and people along the lower Green and Puyallup Rivers and that adequate resources are available to repair the Howard Hanson Dam. So we look forward to working with you.

Mr. SMITH of Washington. Thank you. I appreciate that support.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

I rise today in support of the fiscal year 2010 Energy and Water Appropriations bill. I want to commend Chairman PASTOR and Ranking Member FRELINGHUYSEN and their subcommittee for putting together a balanced bill that clearly recognizes the importance of scientific research and energy security to our Nation's competitiveness.

□ 1330

There are several provisions of this bill I'm proud to support. Chief among those is the increase for the Department of Energy's Office of Science. I, along with 70 of my colleagues, asked appropriators for an increase consistent with the President's request to double the investment in the basic sciences within the next decade. The committee provided for \$170 million more than the fiscal year 2009. This funding is critical to our basic research infrastructure and national laboratory

work, like that of Argonne in my district.

The innovations and solutions that will enable us to overcome many of our greatest challenges from our economic crisis, environmental concerns, dependence on foreign energy, and escalating health care costs all start with basic research investments.

Economic experts have concluded that science-driven technology has accounted for more than 50 percent of the growth of the U.S. economy during the last half century.

In recent years, Congress has come to recognize that science will be the foundation to address those needs and keep America globally competitive. As evidenced by the American COMPETES Act in 2007, both Democrats and Republicans support efforts to increase basic research in the physical sciences to meet the needs of our growing population. I will insert a copy of our letter in the RECORD.

I support the underlying bill and appreciate the committee's efforts to carefully balance the needs of our energy future and scientific investments. However, I am particularly disappointed that the committee followed the President's budget request to slash Yucca Mountain funding and the failure to increase important loan guarantees to support a revitalized nuclear energy sector.

Illinois receives almost half of its electricity generation from nuclear power, followed by coal. If we are to work towards a low carbon economy, we cannot pick energy winners and losers to meet the growing energy needs of our population.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 3, 2009

Hon. PETER VISCSLOSKY

Chairman, Energy and Water Development, Appropriations Subcommittee, House Appropriations Committee, Washington, DC.

Hon. RODNEY FRELINGHUYSEN,

Ranking Member, Energy and Water Development, Appropriations Subcommittee, House Appropriations Committee, Washington, DC.

DEAR CHAIRMAN VISCSLOSKY AND RANKING MEMBER FRELINGHUYSEN: As you begin your work on the Fiscal Year 2010 Energy and Water Appropriations bill, we write to express our strong support for the Department of Energy's (DOE) Office of Science. In particular, we urge you to increase Fiscal Year 2010 funding for its research and facilities by 8 percent over Fiscal Year 2009 to \$5.2 billion, which is consistent with President Obama's plan to double the Federal investment in the basic sciences within the next decade.

In recent years, Congress has come to recognize that science will be the foundation for the innovation and solutions that will enable us to overcome many of our greatest challenges—from our economic crises and environmental concerns to our dependence on foreign energy and escalating health care costs—and to remain globally competitive as a nation. As evidenced by the overwhelming bipartisan vote for enactment of the America COMPETES Act in 2007 (P.L. 110-69), both Democrats and Republicans support efforts to double federal funding for basic research in the physical sciences within the next decade. Congress built on this commitment by funding the programs and activities authorized by the America COMPETES Act in the

American Recovery and Reinvestment Act and in the Fiscal Year 2009 Omnibus Appropriations bill.

Congress must build on and provide the resources to sustain this investment in Fiscal Year 2010. Report after report—from the National Academy of Sciences and the President's Council of Advisors on Science and Technology to the Task Force on the Future of American Innovation and the Council on Competitiveness—has called on Congress and the President to invest in U.S. research capabilities. The benefits of such an investment to the U.S. economy and U.S. competitiveness are well known. Economic experts have concluded that science-driven technology has accounted for more than 50 percent of the growth of the U.S. economy during the last half-century.

This kind of technology-based economic growth cannot be sustained without additional investment in the kind of basic research supported by the DOE Office of Science. We face a world in which our economic competitors in Asia and Europe are making significant new investments in their own research capabilities. These investments are beginning to pay off, as Asian and European countries challenge U.S. leadership in the sciences no matter how it is measured—by number of patents won, articles submitted to scientific journals, degrees awarded, Nobel prizes won, or the percentage of Gross Domestic Product (GDP) dedicated to research and development.

Even as we face greater international competition, these are exciting times for science in the United States. There are many great opportunities for scientific discovery, and with adequate funding, the DOE Office of Science will ensure the U.S. retains its dominance in such key scientific fields as nanotechnology, materials science, biotechnology, and supercomputing well into the next century. Through critical new investments in biofuels research and basic energy science, the DOE Office of Science will continue to play a vital role in developing the knowledge and the technologies essential to ensuring the nation's future energy security. Finally, increased funding for the DOE Office of Science will give the economy a boost in the near-term by creating good-paying, American jobs in construction, manufacturing, and research. And in the long-term, such an investment in the nation's scientific and research enterprise—both human and physical capital—will increase our capacity to innovate, reduce our dependence on foreign sources of energy, enhance our competitive edge in the global economy, and thus create the jobs of the future.

U.S. scientists are as bright as any in the world, but they traditionally have had better tools than everyone else. The DOE Office of Science has led the way in creating a unique system of large-scale, specialized user facilities for scientific discovery. This collection of cutting-edge—often one-of-a-kind—tools makes the DOE Office of Science an exceptional and critical component of the federal science portfolio. Other federal science agencies, such as the National Institutes of Health (NIH) and the National Science Foundation (NSF), greatly depend upon these DOE Office of Science facilities in carrying out their own research activities. In Fiscal Year 2009 alone, over 21,500 researchers have access to these special DOE facilities. Nearly half of those users will be university faculty and students—many whose research is being supported by other federal agencies—and a significant number will be from U.S. industry.

For these many reasons, we urge you to increase funding for the DOE Office of Science in Fiscal Year 2010 by 8 percent over Fiscal Year 2009, consistent with President Obama's

plan to double the Federal investment in the basic sciences within the next decade. Furthermore, we urge you to focus this funding on mission-related activities and facilities, and to avoid using core DOE research program budgets to fund extraneous projects. With this funding, the DOE Office of Science will attract the best minds, educate the next generation of scientists and engineers, support the construction and operation of modern facilities, and conduct even more of the quality scientific research that will create jobs and ensure the U.S. retains its competitive edge for many years to come.

Thanks for your consideration. We are cognizant of the difficult budget situation under which your subcommittee is working, and we urge you to contact us if we may be of assistance in any way.

Sincerely,

Judy Biggert, Rush Holt, Howard Berman, John Dingell, Barney Frank, Zoe Lofgren, Ron Kind, David Wu, Michael Capuano, Tammy Baldwin, Bill Pascrell, Joe Sestak, Jerry McNerney, Sheila Jackson-Lee, John Shimkus, Mike Rogers (MI), Adam Schiff, Ron Klein.

Jay Inslee, Daniel Lipinski, James Oberstar, Michael Michaud, Gary Peters, Bill Foster, Anna Eshoo, Zach Wamp, David Loebsack, Eddie Bernice Johnson, Brad Miller, Carolyn Maloney, Doris Matsui, Mary Jo Kilroy, Solomon Ortiz, Lynn Woolsey, Maurice Hinchey, Ellen Tauscher.

Neil Abercrombie, Rosa DeLauro, Bob Etheridge, Stephanie Herseth Sandlin, Henry Waxman, Paul Hodes, Jerrold Nadler, Vernon Ehlers, Earl Blumenauer, Dennis Moore, Chris Van Hollen, Lois Capps, Jan Schakowsky, John Duncan (TN), Tim Bishop, Adam Smith, Jim McGovern, Steve Kagen.

Peter Roskam, Christopher Carney, Carol Shea-Porter, Susan Davis, Raúl Grijalva, Russ Carnahan, Eliot Engel, Bob Inglis, Donna Edwards, Stephen Lynch, Allyson Schwartz, Marcia Fudge, Eleanor Holmes Norton, Jim Costa, Doc Hastings, Roscoe Bartlett.

Mr. PASTOR of Arizona. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ALTMIRE) for the purpose of a colloquy.

Mr. ALTMIRE. Mr. Chairman, I rise to commend Mr. PASTOR for his excellent work on this legislation and to thank him for his continued support of the Nuclear Power 2010 program, which is now in its final year.

This program is a success story. It has reestablished the U.S. leadership in standardized, state-of-the-art nuclear power plants and created a licensing process that allows electric utilities the business certainty to make capital investments while also preserving public participation.

I yield to the gentleman from Arizona.

Mr. PASTOR of Arizona. I thank the gentleman for yielding.

I agree, and the committee was pleased to recommend that the Nuclear Power 2010 program receives \$71 million in this legislation, an increase of \$51 million above the President's request.

Mr. ALTMIRE. I thank Mr. PASTOR. And as he may know, the Nuclear Power 2010 program is of particular importance to my district, home to the Westinghouse Electric Company headquarters and the thousands of my constituents who work for Westinghouse.

Westinghouse helped establish the civilian nuclear energy industry, building the first emission-free electricity generating plant in 1957. Today, more than 40 percent of the world's operating plants are Westinghouse designs, and 62 of the 104 plants in the U.S. are Westinghouse designs.

NP2010 has helped Westinghouse meet today's regulatory requirements for standardizing, siting and licensing the latest nuclear power plant designs.

Mr. PASTOR of Arizona. I want to thank the gentleman for pointing out the vital role this program plays in his district. I am glad that NP2010 funding is included in the bill for all participants who are moving forward with licensing and building to bring the next generation of nuclear plants to the market.

Mr. ALTMIRE. I appreciate Mr. PASTOR for his support of this project and am proud of my constituents who helped bring the AP1000 reactor design to market and make the NP2010 program the success that it is.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 1½ minutes to Mr. CALVERT of California, a member of our committee.

Mr. CALVERT. Mr. Chairman, I rise today to bring your attention to the ongoing water crisis in my home State which has exacerbated the economic downturn throughout California.

Statewide, the unemployment rate has risen to more than 11 percent. In the Central Valley, regional unemployment has reached 20 percent with some communities' unemployment now up to over 40 percent. California's water crisis is the result of severe drought conditions on top of the federally imposed pumping restrictions that have been placed on our State's critical water infrastructure.

The appropriations bill before us provides some funding for a number of California's mid- and long-term water resource management projects. Unfortunately, many of the projects that are receiving funding are years away from completion and will not provide any assistance to Californians suffering today.

Even the most promising short-term projects in the Delta, like the Two Gates project, will only provide relief if regulatory permitting and anticipated court challenges are resolved in quick fashion. Many of the most affected communities have made it clear that they aren't looking for a handout. They want their water and they want their jobs back.

During the markup of this bill in the committee, I offered an amendment to do just that by ending the federally imposed pumping restrictions. Sadly, most of my colleagues on the other side of the aisle rejected the amendment and voted to protect a 3-inch fish instead of protecting jobs and the people of my State of California. I'm disappointed the Rules Committee denied a similar amendment offered by my colleague, Mr. NUNES.

Mr. Chairman, the federally imposed pumping restrictions are harming California families up and down the State. If this Congress and this administration fail to take the bold steps necessary to address the crisis in the next 6–12 months, the people of California will know exactly who's responsible for the job losses.

Mr. PASTOR of Arizona. Mr. Chairman, I would yield 2 minutes to the gentleman from New Mexico (Mr. LUJÁN).

Mr. LUJÁN. Mr. Chairman, I would first like to commend my good friend from Arizona (Mr. PASTOR) for the strong commitment this bill shows toward shoring up both science and the national security of this country. The strong support for the Office of Science will be well received in my home State of New Mexico.

I'm seeking the commitment of the gentleman from Arizona to work with me on refurbishing LANSCE, the Los Alamos Neutron Science Center. This facility plays a crucial role in providing one-of-a-kind experimental capabilities to further the lab's science mission. In addition, it's a key draw for new scientific talent in Los Alamos National Laboratory and high-tech research into northern New Mexico. The capabilities resident within the LANSCE facility cannot be duplicated in a cost-effective manner anywhere else in the country. The investment in the capabilities the refurbishment will sustain will pay for itself many times over.

I yield to Mr. PASTOR.

Mr. PASTOR of Arizona. First of all, I want to thank you for raising this important issue, and you have my personal commitment to work with you as we go forward to find a solution that best serves the national security.

We're well aware of the capabilities and the value of Los Alamos National Laboratories.

Mr. LUJÁN. Mr. Chairman, again, I would like to commend my friend, the gentleman from Arizona for this legislation, and I thank him for his willingness to work with me on this important issue.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve the balance of my time and ask how much time is available on both sides.

The CHAIR. The gentleman from New Jersey has 8 minutes remaining. The gentleman from Arizona has 9½ minutes remaining.

Mr. PASTOR of Arizona. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado, my good friend, Mr. POLIS.

Mr. POLIS. Mr. Chairman, I, along with my colleague Mr. CARNAHAN, rise to enter into a colloquy.

Mr. PASTOR, several weeks ago the House Sustainable Energy and Environment Coalition met with the Secretary of Energy, Steven Chu. He shared his vision of eight energy innovation hubs that would deliver transformational energy technologies. This

bill only funds one of those important hubs.

When these hubs were first discussed with the committee, DOE's action plan was not fully developed. Since that time, they have made necessary revisions to develop the concept. While we support funding only proposals that are fully developed, we hope that you will work with the members of the Sustainable Energy and Environment Coalition and the Department of Energy to continue working to fund this initiative as this process continues.

Mr. Chairman, I would like to yield to my colleague and fellow SEEC member, Mr. CARNAHAN of Missouri.

Mr. CARNAHAN. As co-chair of the Congressional High Performance Building Caucus, I know firsthand that improvements to our built environment are some of the lowest hanging fruit in terms of energy efficiency gains.

In the long term, we would work with you, Mr. Chairman, to see that all eight energy innovation hubs are fully funded. In the short term, as we enter into conference with the Senate, we would like to work with you to ensure that the Fuels from Sunlight Hub and the Energy Efficient Building Systems Hub are fully funded.

I submit for the RECORD letters from Members and organizations who also support funding of the energy efficient building systems.

I thank you, Mr. PASTOR, for your willingness to address this issue, and I look forward to working with you.

CONGRESS OF THE UNITED STATES,
HIGH-PERFORMANCE BUILDINGS CAUCUS,
Washington, DC, July 15, 2009.

Hon. DAVID R. OBEY,
Chairman, Committee on Appropriations,
Washington, DC.

Hon. ED PASTOR,
Acting Chairman, Subcommittee on Energy and
Water Development, Washington, DC.

Hon. JERRY LEWIS,
Ranking Member, Committee on Appropriations,
Washington, DC.

Hon. RODNEY FRELINGHUYSEN,
Ranking Member, Subcommittee on Energy and
Water Development, Washington, DC.

DEAR CHAIRMEN AND RANKING MEMBERS: As members of the High-Performance Buildings Caucus, we commend your work on the Energy and Water Appropriations Act of 2010. This Act makes investments in all areas of energy and makes critical investments in our nation's infrastructure. Of those investments, we hope you will give priority consideration to the Energy Efficient Buildings Systems Hub.

As a Caucus, we have consistently advocated for investments in a particular element of our nation's infrastructure—our built environment. Each year our nation's homes, offices, schools, and other buildings consume 70 percent of the electricity in the U.S., emit 39 percent of the nation's carbon dioxide emissions, and our citizens spend approximately 90 percent of their time indoors. Investing in the research and development of high-performance building technologies can have a direct impact on decreasing our nation's carbon footprint, reducing costs and improving building energy efficiency.

In light of these facts, the Department of Energy fiscal year 2010 budget introduced a request for eight Energy Innovation Hubs, each focused on a specific national energy related topic. These Energy Innovation Hubs

would function in a new structure modeled after the research laboratories involved in the Manhattan Project Labs, Lincoln Labs at MIT that developed radar and AT&T Bell Laboratories that developed the transistor.

According to the Department of Energy, the proposed Energy Efficient Building Systems Hub would:

Develop systems-based approaches to designing commercial and residential buildings that integrate windows and lighting, natural ventilation and HVAC, thermal inertia, on-site energy generation and other factors. Develop building design software with imbedded energy analysis to assist architects and engineers in adopting new technologies for conserving energy. Develop automated operating platforms for real-time optimization of the building control systems, analogous to computer optimization of automobile engine performance.

We understand that during difficult economic and budgetary times, we must be especially careful with federal research investments. It is because of our strong belief in the benefits of energy efficiency gains that we believe that this Energy Innovation Hub will offer the best return for our investment.

While we understand the concerns of the Appropriations Committee regarding possible redundancies within existing initiatives, we hope to work with the Committee and the Department of Energy to address these specific concerns before moving forward. It is our hope that as this legislation moves forward, we will be able to work with you to address this important issue.

Sincerely,

RUSS CARNAHAN,
Co-Chair.
JUDY BIGGERT,
Co-Chair.

CONGRESS OF THE UNITED STATES,
SUSTAINABLE ENERGY AND ENVIRONMENT COALITION,

Washington, DC, July 15, 2009.

Hon. DAVID R. OBEY,
Chairman, Committee on Appropriations,
Washington, DC.

Hon. ED PASTOR,
Acting Chairman, Subcommittee on Energy and Water Development,
Washington, DC.

DEAR CHAIRMAN OBEY AND ACTING CHAIRMAN PASTOR: As members of the Sustainable Energy and Environment Coalition (SEEC), we thank and commend you for your continuing leadership in making the investments in clean energy and energy efficiency technologies that are essential for a transition to a cleaner, more prosperous and independent American energy future.

As a Coalition we believe firmly in the advancement of the technologies that will provide cleaner, more economically and environmentally sustainable energy to every segment of our economy. Further, as members of SEEC we have fought continuously for investments in research and development of renewable energy and energy efficiency technologies that will spawn a new American clean energy economy that will create jobs, reduce our dependence on foreign oil, and arrest the progression of global climate change.

In a meeting on June 16, 2009, Secretary of Energy Steven Chu expressed to our members his desire for a new American energy future. As a part of his visionary plan to bring this future to reality, the Secretary called for the creation of eight "Energy Innovation Hubs" for the advanced research and development of the energy technologies that will allow America to lead the world in a twenty-first century energy economy.

Under the Energy and Water Appropriations, Fiscal Year 2010 legislation, funding has been allocated for the Department of En-

ergy to establish one Energy Innovation Hub. According to the Department of Energy, this Hub would be chartered for the research and development of "Fuels from Sunlight" technologies. While we stand with the Secretary of Energy in supporting the research and development of game-changing, twenty-first century fuel technologies, we would like to express support for the establishment of a second Energy Innovation Hub—using existing funding appropriated to the Office of Energy Efficiency and Renewable Energy—for the research and development of "Energy Efficient Building Systems".

The creation of an Energy Innovation Hub to research and develop advancements in increasing the energy efficiency of buildings is a high priority for the Secretary and the Department of Energy. As a nation, our built environment accounts for 40 percent of our carbon dioxide emissions, and consumes 70 percent of the electricity from our electric grid. A lack of energy efficiency contributes to higher energy prices and greater greenhouse gas emissions for homes and for businesses in every state. Greater and more widespread energy efficiency in buildings would result in lower energy prices, less greenhouse gas emissions, and less wasted use of our energy resources. Therefore, we would like to work with the Committee on Appropriations, the Subcommittee on Energy and Water Development, and the Department of Energy to realize the creation of an Energy Innovation Hub to research and develop Energy Efficient Building Systems.

Sincerely,

RUSS CARNAHAN,
JAY INSLEE,
PAUL TONKO,
MARTIN HEINRICH,
DONNA CHRISTENSEN,
BRUCE BRALEY,
JARED POLIS,
PAUL HODES,
TAMMY BALDWIN,
BETSY MARKEY,
PETER WELCH.

The Members of the Sustainable Energy and Environment Coalition.

HIGH-PERFORMANCE BUILDING CONGRESSIONAL CAUCUS COALITION,

Washington, DC, July 15, 2009.

Chairman DAVID OBEY,
Committee on Appropriations,
Washington, DC.
Ranking Member JERRY LEWIS,
Committee on Appropriations,
Washington, DC.

Re DOE Energy Efficient Building Systems Hub.

DEAR CHAIRMAN OBEY AND RANKING MEMBER LEWIS: As you consider appropriations for the Department of Energy that will impact the energy use associated with buildings, the members of the High-Performance Building Congressional Caucus Coalition (HPBCCC) indicated below, strongly encourage providing funding for the implementation of an innovation hub for energy efficient building systems.

High-performance buildings, which address human, environmental, economic and total societal impact, are the result of the application of the highest level design, construction, operation and maintenance principles—a paradigm change for the built environment. The U.S. should continue to improve the features of new buildings, and adapt and maintain existing buildings, to changing balances in our needs and responsibilities for health, safety, energy efficiency and usability by all segments of society.

Within the private sector, we have made considerable gains toward the design and

construction of energy efficient buildings and equipment. In further pursuit of the nation's energy goals and to fully realize the results of private sector innovation, we look forward to working with you and the Department of Energy to establish public-private partnership programs (including the Energy Efficient Building Systems Hub) to effectively develop and implement energy savings technologies and practices.

The High-Performance Building Congressional Caucus Coalition (HPBCCC) is a private sector coalition of leading organizations from the building community formed to provide guidance and support to the High-Performance Building Caucus of the U.S. Congress. The High-Performance Building Caucus of the U.S. Congress was formed to heighten awareness and inform policymakers about the major impact buildings have on our health, safety and welfare and the opportunities to design, construct and operate high-performance buildings that reflect our concern for these impacts. Fundamental to these concerns include protecting life and property, developing novel building technologies, facilitating and enhancing U.S. economic competitiveness, increasing energy efficiency in the built-environment, assuring buildings have minimal climate change impacts and are able to respond to changes in the environment, and supporting the development of private sector standards, codes and guidelines that address these concerns.

Sincerely,

American Society of Heating, Refrigerating and Air-conditioning Engineers (ASHRAE); Glass Association of North America (GANA); AEC Science & Technology; National Electrical Manufacturers Association (NEMA); National Institute of Building Sciences (NIBS); The Carpet and Rug Institute; American Society of Civil Engineers (ASCE); International Association of Plumbing and Mechanical Officials (IAPMO); Plumbing-Heating-Cooling Contractors-National Association (PHCC); U.S. Green Building Council (USGBC); and International Council of Shopping Centers (ICSC).

National Fenestration Rating Council (NFRC); Green Building Initiative (GBI); American Institute of Architects (AIA); Environmental and Energy Study Institute (EESI); Portland Cement Association (PCA); International Code Council (ICC); Architecture 2030; Center for Environmental Innovation in Roofing; Mechanical Contractors Association of America (MCAA); Green Builder Media; International Association of Lighting Designers (IALD); and Air Conditioning Contractors of America (ACCT).

Mr. CARNAHAN. I yield to the gentleman from Arizona.

Mr. PASTOR of Arizona. First of all, you are both correct in that when the Secretary appeared before the subcommittee, this is and was presented as a work in progress. And knowing that we are going to proceed forward with the administration and with the Secretary, we thought that it was in the best interest to fund one hub. And as the Secretary and the administration goes forward in developing these hubs, we look forward to working with you, Mr. POLIS.

The CHAIR. The time of the gentleman has expired.

Mr. PASTOR of Arizona. I yield another minute to Mr. POLIS.

Mr. POLIS. I yield to Mr. PASTOR.

Mr. PASTOR of Arizona. So we look forward to working with you and Mr. CARNAHAN because it's an idea that obviously will expand, will grow, and we

want to make sure that the committee, the subcommittee has the opportunity to work with the Secretary to see its development. So we look forward to working with you.

Mr. POLIS. I would like to thank the gentleman from Arizona.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman and wanted to rise today for a colloquy. And what this has to do with is some poor language that's in the bill, some on the House side and some on the Senate side. But the gentleman from Florida (Mr. BOYD) had put language in the bill that directs the Corps to report back to Congress an outline of the study based on the findings of the National Research Council workshop on water issues in Apalachicola-Chattahoochee-Flint and Alabama-Coosa-Tallapoosa River basins, and we in the Georgia and Alabama and Florida delegations are in support of that language.

However, there was also some language that was put in by Mr. SHELBY on the Senate side that directs the Corps to report the critical yield of Federal reservoirs on the ACF-ACT, and the majority of Members from the Georgia delegation are opposed to that, and it's a bipartisan opposition. It's something that we are very concerned about. We feel strongly that the Corps of Engineers' water manuals need to be updated and that what the Senator from Alabama has put on the bill on the Senate side will hurt that.

So what I would like to do, if possible, is ask the ranking member and the chairman to keep an eye on this issue and hopefully, as this thing develops, oppose the language that's been put in the bill on the Senate side and support the language that Mr. BOYD put in on the House side. Those two bits of language are not in opposition of each other. You can support one without the other.

But the one that we have the most heartburn about in terms of the bipartisan Georgia delegation is the Shelby language on the Senate side.

I would like to yield to anybody who would like to speak.

Mr. FRELINGHUYSEN. Let me say I would be happy to work, like Mr. PASTOR would, to see what we could do to be helpful to all involved.

Mr. KINGSTON, as you know, we have yet to go to conference, but this is an interest that you and other Members have in terms of its effects on your particular States. You have my commitment, as well as the ranking member as you heard, to work with you and work it out.

Mr. PASTOR of Arizona. Mr. Chairman, I yield 4 minutes to the gentleman from New York, a member of the Energy and Water Appropriations Subcommittee, Mr. ISRAEL.

Mr. ISRAEL. I thank the distinguished gentleman from Arizona. I ap-

preciate his leadership on so many issues. In particular, I want to thank him for including my bipartisan amendment with our colleagues, Mr. LARSON from Connecticut, Mr. MASSA, Mr. DENT, Mr. DOYLE, and Mr. INGLIS to restore \$45 million to the hydrogen and fuel cell program at DOE. This bill brings the total to \$153 million, which I believe can be used to establish a public-private partnership with industry partners who have already displayed a significant investment in the United States.

Currently, Mr. Chairman, the United States is in a neck-and-neck competition with the global market on hydrogen fuel cells. We've got to support these technologies for commercialization within 5 years as a matter of national security, energy independence, and to remain competitive in the energy sector. This investment keeps us ahead.

And I want to again thank the gentleman from Arizona for his leadership and his cooperation, and my colleagues for their bipartisanship in drafting this legislation which the gentleman has accepted.

□ 1345

Mr. PASTOR of Arizona. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Chairman, I want to associate myself with the remarks of STEVE ISRAEL, as the aforementioned also members of the Hydrogen Caucus who have been so critical to promoting this legislation. But I especially want to thank Chairman PASTOR and especially his staff, Taunja Berquam, and also Joe Levin, who played an instrumental role in making sure that we got this important funding included in the bill.

Now, in Connecticut we pride ourselves as being the fuel-cell center. We have more than eight companies, three in my home district. But as STEVE ISRAEL pointed out—and I know Mr. PASTOR knows this—the importance of being energy independent cuts to the core of what we need to do.

This is a technology that has been around for some time. We use it very successfully in NASA. We're able to power our space vehicles. We're able to use the water and be able to heat and cool and power our spacecraft. With that, can we get people back and forth to work and heat and cool our buildings? I think so.

The whole goal here is to make sure that we're able to embrace the most abundant element in the universe, which is hydrogen. If we expect to wean ourselves off of foreign dependency then we have to go with cutting edge technology.

Another young President in 1960 said we could put a man on the moon in 10 years. We did it in nine. Part of the technology in getting us there was hydrogen fuel cells.

It's long overdue for us to make the kind of investments in the public-private

partnerships that Mr. ISRAEL alluded to that are so essential to us moving this economy forward and making sure that we're no longer dependent upon OPEC countries, on Libya, on Venezuela or Russia for our source of fuel, but we make it here in America with American innovation and technology.

And with that, again, I thank Mr. PASTOR for your leadership and your outstanding staff for providing us this opportunity, what I know is a bipartisan effort to move this Nation forward.

Mr. FRELINGHUYSEN. We reserve our time, Mr. Chairman.

Mr. PASTOR of Arizona. We don't have any other speakers. So I reserve my time.

Mr. FRELINGHUYSEN. I yield back my time.

Mr. PASTOR of Arizona. Mr. Chairman, as you heard, this is a bipartisan bill. We've tried to balance the different priorities and needs of this country.

Again, I want to thank my ranking member for his cooperation, his support, and his insight in preparing this bill. It is a good bill, and we would not have been able to do it without the staff that was involved in bringing this bill to us.

Mr. VAN HOLLEN. Mr. Chair, I rise in support of the FY 10 Energy and Water Appropriations bill. Under the leadership of President Obama, the United States is committing itself to a new national clean energy policy for the 21st century, and this legislation advances that critical objective. Additionally, I am pleased with the important investments this bill makes in our nation's water infrastructure.

The Department of Energy will receive \$26.9 billion to fund five primary mission areas: science, energy, the environment, nuclear non-proliferation and national security. Specifically, DoE's Office of Science will receive \$4.9 billion—an amount exceeding the goals of the America COMPETES Act—for its basic and applied research in support of our nation's future energy needs. The Office of Energy Efficiency and Renewable Energy will receive \$2.25 billion for research, grants and demonstration projects in areas ranging from solar power to industrial energy efficiency. This legislation also provides \$5.4 billion for environmental clean-up related to contamination from nuclear weapons manufacturing, and \$592 million is dedicated to safeguarding Russian nuclear materials and combating international nuclear trafficking.

To support our nation's water infrastructure, the Army Corps of Engineers receives \$5.5 billion for operations, maintenance and construction of vital water projects across the country, and the Department of the Interior is provided \$1.1 billion for the Bureau of Reclamation's important work on the nation's dams, canals, water conservation and rural water projects. Finally, I am heartened by the wide-ranging support for Chesapeake Bay restoration initiatives included in this legislation.

Mr. Chair, this bipartisan bill reflects the clean energy and water infrastructure priorities of the American people. I urge my colleagues' support.

Mr. PASTOR of Arizona. Mr. Chairman, I yield back my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule, and the bill shall be considered read through page 63, line 12.

The text of that portion of the bill is as follows:

H.R. 3183

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I—CORPS OF ENGINEERS—CIVIL
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary when authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations and, when authorized by law, surveys and detailed studies and plans and specifications of projects prior to construction, \$142,000,000, to remain available until expended: *Provided*, That, except as provided in section 101, the amounts made available under this paragraph shall be expended as authorized by law for the projects and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

CONSTRUCTION

(INCLUDING TRANSFERS OF FUNDS)

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies and plans and specifications of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies and plans and specifications shall not constitute a commitment of the Government to construction), \$2,122,679,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by the Water Resources Development Act of 1996 (Public Law 104-303); and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund: *Provided*, That \$1,500,000 of the funds appropriated under this heading in title I of division C of the Omnibus Appropria-

tions Act, 2009 (Pub. L. 111-8; 123 Stat. 601-609) is transferred to the Investigations account and, in addition to funds appropriated by this Act, applied toward the cost of carrying out the Seven Oaks Water Conservation Study, California: *Provided further*, That, except as provided in section 101, the amounts made available under this paragraph shall be expended as authorized by law for the projects and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$251,375,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund: *Provided*, That, except as provided in section 101, the amounts made available under this paragraph shall be expended as authorized by law for the projects and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, when authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$2,510,971,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps established by the Land and Water Conservation Act of 1965 (16 U.S.C. 4601-6a(i)) shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of the Water Resources Development Act of 1996 (Public Law 104-303) shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That, except as provided in section 101, the amounts made available under this paragraph shall be expended as authorized by law for the projects and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$190,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States

resulting from work performed as part of the Nation's early atomic energy program, \$134,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps and the offices of the Division Engineers; and for the management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the Engineer Research and Development Center, and the Corps Finance Center, \$184,000,000, to remain available until expended, of which not more than \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation in this title shall be available to fund the above activities: *Provided further*, That any unobligated balances from prior appropriation Acts for "Flood Control and Coastal Emergencies" may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster: *Provided further*, That upon submission to the Congress of the fiscal year 2011 President's budget, the Chief of Engineers shall transmit to Congress the annual congressional budget justifications for fiscal year 2011: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after initial submission of the President's budget that the report has not been submitted to the Congress.

OFFICE OF ASSISTANT SECRETARY OF THE ARMY
(CIVIL WORKS)

For the Office of Assistant Secretary of the Army (Civil Works) as authorized by 10 U.S.C. 3016(b)(3), \$6,000,000, to remain available until expended.

ADMINISTRATIVE PROVISION

The Revolving Fund, Corps of Engineers, shall be available during the current fiscal year for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles for the civil works program.

GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

SEC. 101. REPROGRAMMING RESTRICTION.—(a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act;
- (4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;
- (5) increases funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less; or
- (6) reduces funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948, section 14 of the Flood Control Act of 1946, section 208 of the Flood Control Act of 1954, section 107 of the River and Harbor Act of 1960, section 103 of the River and Harbor Act of 1962, section 111 of the River and Harbor Act of 1968, section 1135 of the Water Resources Development Act of 1986, section 206 of the Water Resources Act of 1996, or section 204 of the Water Resources Act of 1992.

(c) The Army Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. COMPETITIVE SOURCING.—None of the funds in this Act, or previous Acts making funds available for Energy and Water Development, shall be used to implement any pending or future competitive sourcing actions under OMB Circular A-76 or High Performing Organizations for the Army Corps of Engineers.

SEC. 103. CONTRACT MODIFICATION.—None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 104. INLAND WATERWAYS TRUST FUND.—None of the funds in this Act, or previous Acts making funds available for Energy and Water Development, shall be used to award any continuing contract that commits additional funding from the Inland Waterways Trust Fund unless or until such time that a long-term mechanism to enhance revenues in the Fund sufficient to meet the cost-sharing authorized in the Water Resources Development Act of 1986 (Public Law 99-662) is enacted.

SEC. 105. TWO HARBORS, MINNESOTA.—The project for navigation, Two Harbors, Minnesota, being carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), and modified by section 3101 of the Water Resources Development Act of 2007 (121 Stat. 1133), is further modified to direct the Secretary to credit, in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b), toward the non-Federal share of the project the cost of planning, design, and construction work carried out by the non-Federal interest for the project before the date of execution of a partnership agreement for the project.

SEC. 106. NORTHERN WISCONSIN.—Section 154(h) of title I of division B of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763A-254) (as enacted into law by Public Law 106-554) is amended by striking “\$40,000,000” and inserting “\$60,000,000”.

SEC. 107. MARTIN, KENTUCKY.—The Secretary is directed to use such funds as are necessary, from amounts made available in this Act under the heading “Construction”, to expedite acquisition of those properties located in the vicinity of Martin, Kentucky, that were damaged by the floodwaters in the May 2009 flood event and that fall within Phases 3 and 4 of the mandatory and voluntary acquisition elements identified in Plan A of the Chief of Engineers, Town of Martin Nonstructural Project Detailed Project Report, Appendix T, Section 202 General Plan, dated March 2000.

SEC. 108. WHITE RIVER MINIMUM FLOW, ARKANSAS.—Section 132 of the Energy and Water Development Appropriations Act of 2006 (119 Stat 2261) is amended—

(1) in subsection (a)(3), by striking “Corps of Engineers” and inserting “Southwestern Power Administration”;

(2) by adding at the end of subsection (a) the following new paragraph:

“(5) PAYMENT TO NON-FEDERAL LICENSEE.—Southwestern Power Administration shall compensate the licensee of Federal Energy Regulatory Commission Project No. 2221 pursuant to paragraph (3) using receipts collected from the sale of Federal power and en-

ergy related services. Pursuant to paragraph (6), Southwestern Power Administration will begin collecting receipts in the Special Receipts and Disbursement account upon the date of enactment of this paragraph. Payment to the licensee of Federal Energy Regulatory Commission Project No. 2221 shall be paid as soon as adequate receipts are collected in the Special Receipts and Disbursement Account to fully compensate the licensee, and in accordance with paragraph (2), such payment shall be considered non-reimbursable.”;

(3) by adding at the end of subsection (a) the following new paragraph:

“(6) The Southwestern Power Administration shall compensate the licensee of Federal Energy Regulatory Commission Project No. 2221 in annual payments of not less than \$5,000,000, until the licensee of Federal Energy Regulatory Commission Project No. 2221 is fully compensated pursuant to paragraph (3). At the end of each fiscal year subsequent to implementation, any remaining balance to be paid to the licensee of Project No. 2221 shall accrue interest at the 30-year U.S. Treasury bond rate in effect at the time of implementation of the White River Minimum Flows project.”;

(4) by adding at the end of subsection (a) the following new paragraph:

“(7) ESTABLISHMENT OF SPECIAL RECEIPT AND DISBURSEMENT ACCOUNTS.—There is established in the Treasury of the United States a special receipt account and corresponding disbursement account to be made available to the Administrator of the Southwestern Power Administration to disburse pre-collected receipts from the sale of federal power and energy and related services. The accounts are authorized for the following uses:

“(A) Collect and disburse receipts for purchase power and wheeling expenses incurred by Southwestern Power Administration to purchase replacement power and energy as a result of implementation of the White River Minimum Flows project.

“(B) Collect and disburse receipts related to compensation of the licensee of Federal Energy Regulatory Commission Project No. 2221.

“(C) Said special receipt and disbursement account shall remain available for not more than 12 months after the date of full compensation of the licensee of Federal Energy Regulatory Commission Project No. 2221.”;

(5) by adding at the end of subsection (a) the following new paragraph:

“(8) TIME OF IMPLEMENTATION.—For purposes of paragraphs (3) and (4), ‘time of implementation’ shall mean the authorization of the special receipt account and corresponding disbursement account described in paragraph (7).”.

TITLE II—DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$40,300,000, to remain available until expended, of which \$1,500,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, \$1,704,000, to remain available until expended. For fiscal year 2010, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES (INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$910,247,000, to remain available until expended, of which \$53,240,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$17,936,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which not more than \$500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by section 106 of Public Law 91-378 (16 U.S.C. 1706; popularly known as the Youth Conservation Corps Act of 1970): *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total amount appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by section 4(i) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6a(i)) shall be derived from that Fund or account: *Provided further*, That funds contributed under the Act of March 4, 1921 (43 U.S.C. 395) are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under the Act of January 12, 1927 (43 U.S.C. 397a) shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: *Provided further*, That \$4,000,000 of the funds appropriated under this heading shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of title I of appendix D of Public Law 106-554: *Provided further*, That, except as provided in section 201 of this Act, the amounts made available under this paragraph shall be expended as authorized by law for the projects and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$35,358,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION
(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$31,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That the use of any funds provided to the California Bay-Delta Authority for program-wide management and oversight activities shall be subject to the approval of the Secretary of the Interior: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, \$61,200,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in section 4(o) of the Act of December 5, 1924 (43 U.S.C. 377): *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for the purchase of not more than seven passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 201. REPROGRAMMING RESTRICTION.—(a) None of the funds provided in title II for Water and Related Resources shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;
- (4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;
- (5) transfers funds in excess of the following limits:
 - (A) 15 percent for any program, project, or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or
 - (B) \$300,000 for any program, project, or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;
- (6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or
- (7) transfers, when necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term “transfer” means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. SAN LUIS UNIT.—(a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the “Cleanup Program-Alternative Repayment Plan” and the “SJVDP-Alternative Repayment Plan” described in the report entitled “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995”, prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

TITLE III—DEPARTMENT OF ENERGY
ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$2,250,000,000, to remain available until expended: *Provided*, That, of the amount appropriated in this paragraph, \$500,000 shall be for research and development of novel hydrogen energy carriers that are liquid at standard temperature and pressure and store hydrogen in bound chemical states rather than as free molecules, to be awarded under full and open competition: *Provided further*, That, of the amount appropriated in this paragraph, \$500,000 shall be for development of a demonstration plant for the production of biodiesel fuels from crops that, to the greatest extent possible, are cultivated on existing cropland during off-season rotations and minimize land use per unit of fuel energy produced, to be awarded under full and open competition: *Provided further*, That, of the amount appropriated in this paragraph, \$3,000,000 shall be for development of a parking canopy facility with solar photovoltaic roof panels for electricity generation to measure the viability of using photovoltaic technologies in locations where environmental and space limitations render conventional power generation costly, to be awarded under full and open competition: *Provided further*, That, of the amount appropriated in this paragraph, \$153,560,000 shall be used for the projects specified in the table

that appears under the heading “Congressionally Directed Energy Efficiency and Renewable Energy Projects” in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

ELECTRICITY DELIVERY AND ENERGY
RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$208,008,000, to remain available until expended: *Provided*, That, of the amount appropriated in this paragraph, \$7,600,000 shall be used for the projects specified in the table that appears under the heading “Congressionally Directed Electricity Delivery and Energy Reliability Projects” in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 36 passenger motor vehicles, including one ambulance, all for replacement only, \$812,000,000, to remain available until expended: *Provided*, That, of the amount appropriated in this paragraph, \$500,000 shall be used for the projects specified in the table that appears under the heading “Congressionally Directed Nuclear Energy Projects” in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations, and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$617,565,000, to remain available until expended: *Provided*, That funds appropriated for prior solicitations under the Clean Coal Technology Program, Power Plant Improvement Initiative, Clean Coal Power Initiative, and FutureGen, but not required by the Department to meet its obligations on projects selected under such solicitations, may be utilized for the Clean Coal Power Initiative, pursuant to title IV of Public Law 109-58, in accordance with the requirements of this Act rather than the Acts under which the funds were appropriated: *Provided further*, That no Clean Coal Power Initiative project may be selected for which full funding is not available to provide for the total project: *Provided further*, That if a Clean Coal Power Initiative project, selected after enactment of this Act for negotiation under this or any other Act in any fiscal year, is not awarded within 2 years from the date the application was selected, negotiations shall cease and the Federal funds committed to the application shall be retained

by the Department for future coal-related research, development, and demonstration projects, except that the time limit may be extended at the Secretary's discretion for matters outside the control of the applicant, or if the Secretary determines that extension of the time limit is in the public interest: *Provided further*, That the Secretary may not delegate this responsibility for applications greater than \$10,000,000: *Provided further*, That financial assistance for costs in excess of those estimated as of the date of award of original Clean Coal Power Initiative financial assistance may not be provided in excess of the proportion of costs borne by the Government in the original agreement and shall be limited to 25 percent of the original financial assistance: *Provided further*, That funds shall be expended in accordance with the provisions governing the use of funds contained under the heading "Clean Coal Technology" in Public Law 99-190 (42 U.S.C. 5903d): *Provided further*, That any technology selected under these programs shall be considered a Clean Coal Technology, and any project selected under these programs shall be considered a Clean Coal Technology Project, for the purposes of 42 U.S.C. 7651n, and chapters 51, 52, and 60 of title 40 of the Code of Federal Regulations: *Provided further*, That funds available for the Clean Coal Power Initiative may be used to support any technology relating to carbon capture and storage or beneficial uses of carbon dioxide, without regard to the 70 and 30 percent funding allocations specified in section 402(b)(1)(A) and (2)(A) of the Energy Policy Act of 2005 (42 U.S.C. 15962(b)(1)(A) and (2)(A)): *Provided further*, That, of the amount appropriated in this paragraph, \$750,000 shall be for development of technologies for integration into gasification systems for the low-cost production of synthesis gas, to be awarded under full and open competition: *Provided further*, That, of the amount appropriated in this paragraph, \$500,000 shall be for development of fuel cell technologies for conversion of commercially available fuels and biofuels into electricity, to be awarded under full and open competition: *Provided further*, That, of the amount appropriated in this paragraph, \$300,000 shall be for development of control technologies for increased performance in synthesis gas combustion applications, to be awarded under full and open competition: *Provided further*, That, of the amount appropriated in this paragraph, \$8,000,000 shall be used for the projects specified in the table that appears under the heading "Congressionally Directed Fossil Energy Research and Development Projects" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, including the hire of passenger motor vehicles, \$23,627,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$228,573,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant

to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$11,300,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$121,858,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$237,517,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities under title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, \$559,377,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

SCIENCE

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 50 passenger motor vehicles for replacement only, including one law enforcement vehicle, two ambulances, and three buses, \$4,943,587,000, to remain available until expended: *Provided*, That \$15,000,000 appropriated under this heading under prior appropriation Acts for the Advanced Research Projects Agency—Energy is hereby transferred to the "Advanced Research Projects Agency—Energy" account: *Provided further*, That, of the amount appropriated in this paragraph, \$37,740,000 shall be used for the projects specified in the table that appears under the heading "Congressionally Directed Science Projects" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982 (Public Law 97-425) ("NWPAct"), including the acquisition of real property or facility construction or expansion, \$98,400,000, to remain available until expended, and to be derived from the Nuclear Waste Fund: *Provided*, That of the funds made available in this Act for Nuclear Waste Disposal, \$5,000,000 shall be provided to the Office of the Attorney General of the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the NWPAct: *Provided further*, That notwithstanding the lack of a written agreement with the State of Nevada under section 117(c) of the NWPAct, \$1,000,000 shall be provided to Nye County, Nevada, for on-site oversight activities under section 117(d) of

such Act: *Provided further*, That \$9,000,000 shall be provided to affected units of local government, as defined in the NWPAct, to conduct appropriate activities and participate in licensing activities: *Provided further*, That, of the \$9,000,000 provided, 7.5 percent of the funds shall be made available to affected units of local government in California with the balance made available to affected units of local government in Nevada for distribution as determined by the Nevada units of local government: *Provided further*, That this funding shall be provided to affected units of local government, as defined in the NWPAct: *Provided further*, That \$500,000 shall be provided to the Timbisha-Shoshone Tribe solely for expenditures, other than salaries and expenses of tribal employees, to conduct appropriate activities and participate in licensing activities under section 118(b) of the NWPAct: *Provided further*, That notwithstanding the provisions of chapters 65 and 75 of title 31, United States Code, the Department shall have no monitoring, auditing, or other oversight rights or responsibilities over amounts provided to affected units of local government: *Provided further*, That the funds for the State of Nevada shall be made available solely to the Office of the Attorney General by direct payment and to units of local government by direct payment: *Provided further*, That within 90 days of the completion of each Federal fiscal year, the Office of the Attorney General of the State of Nevada and each of the affected units of local government shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by the NWPAct and this Act: *Provided further*, That failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action, except for normal and recognized executive-legislative communications, on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: *Provided further*, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the NWPAct, including any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended: *Provided further*, That no funds provided in this Act or any previous Act may be used to pursue repayment or collection of funds provided in any fiscal year to affected units of local government for oversight activities that had been previously approved by the Department of Energy or to withhold payment of any such funds: *Provided further*, That of the funds made available in this Act for Nuclear Waste Disposal, \$5,000,000 shall be provided to create a Blue Ribbon Commission to consider all alternatives for nuclear waste disposal.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b)(2) of the Energy Policy Act of 2005 under this heading in prior Acts shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That for necessary administrative expenses to carry out this Loan Guarantee program, \$43,000,000 is appropriated, to remain available until expended: *Provided further*, That \$43,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of

2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2010 appropriations from the general fund estimated at not more than \$0: *Provided further*, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated.

**ADVANCED TECHNOLOGY VEHICLES
MANUFACTURING LOANS PROGRAM**

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loans Program, \$20,000,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, \$289,684,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total \$119,740,000 in fiscal year 2010 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during 2010, and any related appropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2010 appropriation from the general fund estimated at not more than \$169,944,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$51,927,000, to remain available until expended.

**ATOMIC ENERGY DEFENSE ACTIVITIES
NATIONAL NUCLEAR SECURITY
ADMINISTRATION
WEAPONS ACTIVITIES**

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than one ambulance; \$6,320,000, to remain available until expended: *Provided*, That, of the amount appropriated in this paragraph, \$3,000,000 shall be used for the projects specified under the heading "Congressionally Directed Weapons Activities Projects" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for de-

fense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than one passenger motor vehicle for replacement only, \$1,471,175,000, to remain available until expended: *Provided*, That, of the amount appropriated in this paragraph, \$250,000 shall be used for the projects specified under the heading "Congressionally Directed Defense Nuclear Nonproliferation Projects" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$1,003,133,000, to remain available until expended.

**OFFICE OF THE ADMINISTRATOR
(INCLUDING TRANSFER OF FUNDS)**

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed \$12,000, \$420,754,000, to remain available until expended: *Provided*, That \$10,000,000 previously appropriated for cleanup efforts at Argonne National Lab shall be transferred to "Non-Defense Environmental Cleanup": *Provided further*, That, of the amount appropriated in this paragraph, \$13,000,000 shall be used for the projects specified in the table that appears under the heading "Congressionally Directed Office of the Administrator (NNSA) Projects" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

**ENVIRONMENTAL AND OTHER DEFENSE
ACTIVITIES**

**DEFENSE ENVIRONMENTAL CLEANUP
(INCLUDING TRANSFER OF FUNDS)**

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than four ambulances and three passenger motor vehicles for replacement only, \$5,381,842,000, to remain available until expended, of which \$463,000,000 shall be transferred to the "Uranium Enrichment Decommissionation and Decommissioning Fund".

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 12 passenger motor vehicles for replacement only, \$1,518,002,000, to remain available until expended: *Provided*, That, of the funds provided herein, \$504,238,000 is for project 99-D-143 Mixed Oxide Fuel Fabrication Facility, Sa-

vannah River Site, South Carolina; \$70,000,000 is for project 99-D-141-02 Waste Solidification Building, Savannah River Site, South Carolina; \$84,296,000 for MOX operations; and \$7,000,000 for WSB operation: *Provided further*, That the Department of Energy shall adhere strictly to Department of Energy Order 413.3A for Project 99-D-143: *Provided further*, That, of the amount appropriated in this paragraph, \$2,000,000 shall be used for the projects specified in the table that appears under the heading "Congressionally Directed Other Defense Activities Projects" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982 (Public Law 97-425), including the acquisition of real property or facility construction or expansion, \$98,400,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to the Federal Columbia River Transmission System Act (Public Law 93-454), are approved for the Leaburg Fish Sorter, the Okanogan Basin Locally Adapted Steelhead Supplementation Program, and the Crystal Springs Hatchery Facilities, and, in addition, for official reception and representation expenses in an amount not to exceed \$1,500. During fiscal year 2010, no new direct loan obligations may be made from such Fund.

**OPERATION AND MAINTENANCE, SOUTHEASTERN
POWER ADMINISTRATION**

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$7,638,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$7,638,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than \$0: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to \$70,806,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That notwithstanding the provisions of 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), all funds collected by the Southeastern Power Administration that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the

same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE,

SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$44,944,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$31,868,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than \$13,076,000: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to \$38,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), all funds collected by the Southwestern Power Administration that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500; \$256,711,000, to remain available until expended, of which \$245,216,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$147,530,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than \$109,181,000, of which \$97,686,000 is

derived from the Reclamation Fund: *Provided further*, That of the amount herein appropriated, \$7,584,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to \$349,807,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.) to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That of the amount herein appropriated, up to \$18,612,000 is provided on a nonreimbursable basis for environmental remediation at the Basic Substation site in Henderson, Nevada: *Provided further*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), funds collected by the Western Area Power Administration from the sale of power and related services that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$2,568,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (43 U.S.C. 485g): *Provided*, That notwithstanding the provisions of such Act and of 31 U.S.C. 3302, up to \$2,348,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than \$220,000: *Provided further*, That notwithstanding the provisions of section 2 of the Act of June 18, 1954 (43 U.S.C. 485g) and 31 U.S.C. 3302, all funds collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams that are applicable to the repayment of the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed \$3,000, \$298,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed \$298,000,000 of revenues from fees and annual charges and other services and collections in fiscal year 2010 shall be retained and used for necessary expenses in this account and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2010 so as to result in a final fiscal year 2010 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS, DEPARTMENT OF ENERGY

SEC. 301. UNFUNDED REQUESTS FOR PROPOSALS.—None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

SEC. 302. DEPARTMENT OF ENERGY DEFENSE NUCLEAR FACILITIES WORKFORCE RESTRUCTURING.—None of the funds appropriated by this Act may be used—

(1) to augment the funds made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) unless the Department of Energy submits a reprogramming request to the appropriate congressional committees;

(2) to provide enhanced severance payments or other benefits for employees of the Department of Energy under such section; or

(3) to develop or implement a workforce restructuring plan that covers employees of the Department of Energy.

SEC. 303. UNEXPENDED BALANCES.—The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 304. BONNEVILLE POWER AUTHORITY SERVICE TERRITORY.—None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 305. USER FACILITIES.—(a) When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users.

(b) When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner.

(c) For purposes of this section, the term “user facility” includes—

(1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2));

(2) a National Nuclear Security Administration Defense Programs Technology Development Center/User Facility; and

(3) any other Departmental facility designated by the Department as a user facility.

SEC. 306. INTELLIGENCE ACTIVITIES.—Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for fiscal year 2010.

SEC. 307. LABORATORY DIRECTED RESEARCH AND DEVELOPMENT.—Of the funds made available by the Department of Energy for activities at government-owned, contractor-operated laboratories funded in this Act, the Secretary may authorize a specific amount, not to exceed 6 percent of such funds, to be used by such laboratories for laboratory directed research and development: *Provided*, That the Secretary may also authorize a specific amount, not to exceed 4 percent of such funds, to be used by the plant manager of a covered nuclear weapons production plant or the manager of the Nevada Site Office for plant or site directed research and development.

SEC. 308. LIMITED TRANSFER AUTHORITY TO ADDRESS PENSION REQUIREMENTS.—(a) If the Secretary of Energy determines that additional funds are needed to reimburse the costs of defined benefit pension plans for contractor employees, the Secretary may transfer not more than one percent from each appropriation made available in this Act to any other appropriation available to the Secretary in the same Act for such reimbursements.

(b) In carrying out a transfer under this section, the Secretary shall use each appropriation made available to the Department in that fiscal year as a source for the transfer and shall reduce each appropriation by an equal percentage, except that appropriations for which the Secretary determines there exists a need for additional funds for pension plan costs in that fiscal year, as well as appropriations made available for Naval Petroleum and Oil Shale Reserves, Strategic Petroleum Reserve, Northeast Home Heating Oil Reserve, the Power Marketing Administrations, the Energy Information Administration, Uranium Enrichment Decontamination and Decommissioning Fund, Nuclear Waste Disposal, Defense Nuclear Waste Disposal, and Office of the Inspector General, shall not be subject to this requirement.

(c) This transfer authority is in addition to any other transfer authority provided in this or any other Act.

(d) The Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate in writing not less than 30 days in advance of each transfer authorized by this section.

SEC. 309. CONGRESSIONAL NOTIFICATION REQUIREMENT.—None of the funds made available by this Act may be used to make a grant allocation, discretionary grant award, discretionary contract award, or other transaction agreement or to issue a letter of intent totaling in excess of \$1,000,000, or to announce publicly the intention to make such an allocation, award, or agreement or to issue such a letter, including a contract covered by the Federal Acquisition Regulation, unless the Secretary of Energy notifies the Committees on Appropriations of the House of Representatives and the Senate at least 3

full business days in advance of making such an allocation, award, or agreement or issuing such a letter: *Provided*, That if the Secretary of Energy determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without such notification, and the Committees on Appropriations of the House of Representatives and the Senate shall be notified not later than 5 full business days after such an allocation, award, or agreement is made or letter issued.

SEC. 310. WAGE RATE REQUIREMENTS.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by adding at the end the following new subsection:

“(k) WAGE RATE REQUIREMENTS.—All laborers and mechanics employed by contractors and subcontractors in the performance of construction work financed in whole or in part by a loan guaranteed under this title shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards in this subsection, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.”

SEC. 311. BONNEVILLE POWER ADMINISTRATION FUND.—(a) Subject to subsection (b), no funds appropriated or otherwise made available by this Act or any other Act may be used to record transactions relating to the increase in borrowing authority or bonds outstanding at any time under the Federal Columbia River Transmission System Act (16 U.S.C. 838 et seq.) referred to in section 401 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 140) under a funding account, sub-account, or fund symbol other than the Bonneville Power Administration Fund Treasury account fund symbol.

(b) Funds appropriated or otherwise made available by this Act or any other Act may be used to ensure, for purposes of meeting applicable reporting provisions of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115), that the Bonneville Power Administration uses a fund symbol other than the Bonneville Power Administration Fund Treasury account fund symbol solely to report accrued expenditures of projects attributed by the Administrator of the Bonneville Power Administration to the increased borrowing authority.

(c) This section is effective for fiscal year 2010 and subsequent fiscal years.

SEC. 312. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOANS PROGRAM.—(a) ULTRA EFFICIENT VEHICLES.—Section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “an ultra efficient vehicle or” after “means”; and

(B) by adding at the end the following new paragraph:

“(5) ULTRA EFFICIENT VEHICLE.—The term ‘ultra efficient vehicle’ means a fully closed compartment vehicle designed to carry at least 2 adult passengers that achieves—

“(A) at least 75 miles per gallon while operating on gasoline or diesel fuel;

“(B) at least 75 miles per gallon equivalent while operating as a hybrid electric-gasoline or electric-diesel vehicle; or

“(C) at least 75 miles per gallon equivalent while operating as a fully electric vehicle.”;

(2) in subsection (b)—

(A) by inserting “, ultra efficient vehicle manufacturers,” after “automobile manufacturers”;

(B) in paragraph (1)—

(i) by striking “or” at the end of subparagraph (A);

(ii) by striking “and” at the end of subparagraph (B) and inserting “or”; and

(iii) by adding at the end the following new subparagraph:

“(C) ultra efficient vehicles; and”; and

(C) in paragraph (2), by inserting “, ultra efficient vehicles,” after “qualifying vehicles”;

(3) in subsection (g), by inserting “or are utilized primarily for the manufacture of ultra efficient vehicles” after “20 years”; and

(4) in subsection (h)(1)(B), by striking “automobiles” the first place it appears and inserting “ultra efficient vehicles, automobiles.”

(b) RECONSIDERATION OF PRIOR APPLICATIONS.—The Secretary of Energy shall reconsider applications for assistance under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) that were—

(1) timely filed under that section before January 1, 2009;

(2) rejected on the basis that the vehicles to which the proposal related were not advanced technology vehicles; and

(3) related to ultra efficient vehicles.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$76,000,000, to remain available until expended: *Provided*, That any congressionally directed spending shall be taken from within that State’s allocation in the fiscal year in which it is provided.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by section 1441 of Public Law 100–456, \$26,086,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of such Act, \$13,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission, including the purchase, construction, and acquisition of plant and capital equipment, as necessary, and other expenses, \$11,965,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998.

NORTHERN BORDER REGIONAL COMMISSION

For necessary expenses of the Northern Border Regional Commission in carrying out activities authorized by 40 U.S.C. 15303(1), \$500,000, to remain available until expended.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For necessary expenses of the Southeast Crescent Regional Commission in carrying out activities authorized by 40 U.S.C. 15303(1), \$500,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy

Reorganization Act of 1974 and the Atomic Energy Act of 1954, including official representation expenses (not to exceed \$25,000), \$1,061,000,000, to remain available until expended: *Provided*, That of the amount appropriated herein, \$56,000,000 shall be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$878,102,000 in fiscal year 2010 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2010 so as to result in a final fiscal year 2010 appropriation estimated at not more than \$182,898,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$10,102,000, to remain available until September 30, 2011: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$9,092,000 in fiscal year 2010 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2010 so as to result in a final fiscal year 2010 appropriation estimated at not more than \$1,010,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by section 5051 of Public Law 100-203, \$3,891,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

For necessary expenses for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act of 2004, \$4,466,000: *Provided*, That any fees, charges, or commissions received pursuant to section 802 of Public Law 110-140 in fiscal year 2010 in excess of \$4,683,000 shall not be available for obligation until appropriated in a subsequent Act of Congress.

GENERAL PROVISIONS, INDEPENDENT AGENCIES

SEC. 401. NUCLEAR REGULATORY COMMISSION REPORTING REQUIREMENT.—The Nuclear Regulatory Commission shall, not later than 90 days after the date of enactment of this Act, provide a report to the Committees on Appropriations of the House of Representatives and the Senate identifying barriers to and its recommendations for streamlining the issuance of a Combined Construction and Operating License for qualified new nuclear reactors.

TITLE V—GENERAL PROVISIONS

SEC. 501. LOBBYING RESTRICTION.—None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. DELTA REGIONAL AUTHORITY.—Section 382B(c)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa-1) is amended to read as follows:

“(1) IN GENERAL.—A decision by the Authority shall require the affirmative vote of

the Federal co-chairperson and a majority of the State members (not including any member representing a State that is delinquent under subsection (g)(2)(C)) to be effective.”.

The CHAIR. No amendment shall be in order except the amendments printed in part A of House Report 111-209, not to exceed one of the amendments printed in part B of the report if offered by the gentleman from California (Mr. CAMPBELL) or his designee; not to exceed six of the amendments printed in part C of the report if offered by the gentleman from Arizona (Mr. FLAKE) or his designee; and not to exceed three of the amendments printed in part D of the report if offered by the gentleman from Texas (Mr. HENSARLING) or his designee. Each amendment may be offered only in the order printed 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.

After disposition of the amendments specified in the first section of House Resolution 645, 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.

PART A AMENDMENT NO. 1 OFFERED BY MR. PASTOR OF ARIZONA

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 111-209.

Mr. PASTOR of Arizona. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 1 offered by Mr. PASTOR of Arizona:

Page 6, line 25, after the dollar amount, insert “(increased by \$1,800,000)”.

Page 7, line 14, after the dollar amount, insert “(reduced by \$10,800,000)”.

Page 23, line 2, after the dollar amount, insert “(increased by \$45,000,000)”.

Page 24, line 13, after the dollar amount, insert “(reduced by \$15,000,000)”.

Page 35, line 15, after the dollar amount, insert “(reduced by \$30,000,000)”.

Page 36, line 9, after the dollar amount, insert “(reduced by \$30,000,000)”.

Page 40, line 7, after the dollar amount, insert “(reduced by \$2,500,000)”.

Page 60, line 4, after the dollar amount, insert “(increased by \$2,500,000)”.

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

SEC. 503. LIGHT BULB RESTRICTION.—None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs are “Energy Star” qualified or have the “Federal Energy Management Program” designation.

SEC. 504. PASSENGER MOTOR VEHICLES.—None of the funds made available in this Act may be used to purchase passenger motor vehicles other than those manufactured by Ford, General Motors, or Chrysler.

The CHAIR. Pursuant to House Resolution 645, the gentleman from Arizona (Mr. PASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. PASTOR of Arizona. Mr. Chairman, I yield myself such time as I may consume.

This amendment provides funding for several important programs within the bill. On behalf of Messrs. ARCURI, MICHAUD, HODES, WELCH and Ms. PINGREE, \$2.5 million for the Northern Border Regional Commission to address economic challenges in border counties from Maine to New York.

On behalf of Mr. KLEIN of Florida, \$1.8 million for the Corps of Engineers to help address the chronic backlog of regulatory permit applications.

And on behalf of Mr. ISRAEL, Mr. LARSON of Connecticut, Mr. DENT, Mr. MASSA, Mr. INGLIS, \$45 million for energy efficiency, renewable energy.

On behalf of Mr. CUELLAR of Texas, the amendment prohibits funds in this bill from being used to purchase lightbulbs unless they the energy star or Federal energy management program designation.

Also, this manager’s amendment has an amendment for Mr. KISSELL which does not create any new programs or it follows the current language, and the amendment prohibits funds in the bill from being used to purchase passenger vehicles unless they’re purchased from Ford, GM or Chrysler.

The amendment decreases funding for Corps of Engineers’ programs and expenses by \$10.8 million; the Department of Energy departmental administration by \$30 million; the office of electricity by \$15 million; and other defense activities by \$.25 million.

I reserve my time, Mr. Chairman.

Mr. FRELINGHUYSEN. Mr. Chairman, I respectfully rise in opposition to the amendment.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I don’t have any real problem with the content of my chairman’s amendment. I do, however, have a problem with carrying the idea of a manager’s amendment, which was once only for our full committee’s consideration, right on to the House floor.

In committee, this sort of amendment is used for noncontroversial items. Many of these are. They’re generally accepted by unanimous consent. But now it’s largely used, in many instances, for partisan purposes on the House floor.

None of the content of this chairman’s amendment was discussed with the minority, and none of the changes were made or suggested by the minority. If the changes are important, then I think we should be able to discuss them. Otherwise, I fear it is only a matter of time before the majority will include everything they can in this sort of en masse amendment. This will be bad for the institution and I think bad for the American people.

I reserve the balance of my time.

Mr. PASTOR of Arizona. First of all, I apologize to the ranking member in

that it was my understanding that the manager's amendment had been shown to him and had sought his approval, but if they had not, my deepest apologies because I think it's important that this bill, along with the manager's amendment, continue to be bipartisan.

I yield 30 seconds to Mr. MASSA.

Mr. MASSA. I would like to commend the efforts of my colleagues on the Energy and Water Subcommittee for recognizing the importance of hydrogen fuel-cell technologies and what those technologies will play in the future of the American energy portfolio.

Funding for this important research through this bill and through Mr. PASTOR's amendment will help America continue to lead in this critical field necessary for our Nation's energy security.

I believe that using these funds to support important breakthroughs in automotive fuel cells through a public-private partnership with an experienced industrial leader will put America on track to commercialize this revolutionary technology within 5 years.

Significant domestic investments have already been made in this technology, and I have personally experienced the successes of these efforts by riding from my hometown of Corning, NY to Washington, DC in a Hydrogen Fuel Cell vehicle.

We must ensure the continuation of this industry here in the US by partnering with those who have demonstrated the capacity to innovate and produce tangible results in efforts to commercialize Automotive Fuel Cells.

We must not fall behind our foreign competitors in this field. By making this a priority in Washington and providing the necessary funding for this technology, we can ensure America continues to be the leader in Hydrogen Fuel Cells.

Mr. FRELINGHUYSEN. I yield 2 minutes to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. I thank the gentleman for yielding.

I rise to comment about language that is in the report that is attached to this legislation. My good friend and colleague from Florida, Mr. BOYD, has asked that a study be done. The study relates to the ongoing dispute about water between the States of Alabama, Florida and Georgia, and I have no real problem with the study being done.

I simply would hope that we could get assurances from the subcommittee chairman that with regard to the scope of that study that it would be broad enough to include all of the issues that are involved and that it would also allow all three States who have an interest in this to have equal participation.

There has been a perception I think that is a wrong perception that my State of Georgia doesn't have a water conservation program in place. In fact, we have had one in place since 2003, and we believe that all of these issues should be encompassed within the study that is set forth in the report to this particular bill.

And we would hope that we could get assurances, not only from the sub-

committee chairman but also from Mr. BOYD, that in determining the scope of that study, that all three States would have equal opportunity to participate.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. PASTOR of Arizona. Mr. Chairman, this is a good amendment and I would ask the House Members to support it. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. PASTOR).

The question was taken; and the Chair announced that the ayes appeared to have it.

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

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

PART A AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 111-209.

Mr. CONNOLLY of Virginia. I have an amendment at the desk, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 2 offered by Mr. CONNOLLY of Virginia:

Page 3, line 24, after the dollar amount, insert "(increased by \$7,000,000)".

Page 7, line 14, after the dollar amount, insert "(reduced by \$7,000,000)".

The CHAIR. Pursuant to House Resolution 645, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. Mr. Chairman, I rise to address an amendment to augment the Army Corps of Engineers oyster restoration program by \$7 million. This is a critical investment in the health of America's largest estuary.

The Chesapeake Bay is a national treasure. It was the port of entry for Jamestown's European settlers. Many of America's founding fathers, from George Washington to George Mason, settled on the banks of the Bay and tidal reaches of her tributaries. When the colonists arrived, the Bay was extraordinarily fecund. John Smith wrote that one could walk across the backs of swimming rockfish and that a single turtle could feed 40 men. He also wrote that oysters "lay thick as stones" covering the Bay's floor. This productivity fueled economic growth in our region. In the early 20th century, H.L. Mencken wrote that oysters, as the most common fare in Baltimore, were the standard meal of every work-ingman.

Today, we are attempting to restore an ecosystem and oyster population that has been devastated by pollution, to the extent that some have proposed

replacing it with nonnative oysters. The Bay's economic productivity, whose fisheries are still worth over \$100 million a year, relies on the health of its oyster population, not only for their own value but also because they are a keystone species for the Bay and the major filtration for pollutants in the Bay.

This amendment is an important part of our broader efforts to restore the health of the Bay. I thank Mr. PASTOR and Mr. FRELINGHUYSEN for the committee's support for this amendment and the subcommittee's staff for their assistance.

Mr. Chairman, I yield to Mr. PASTOR.

Mr. PASTOR of Arizona. I just want to inform the gentleman that we support his amendment.

Mr. CONNOLLY of Virginia. I thank the gentleman, and I reserve my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to claim time in opposition, although I'm not in opposition to the gentleman's amendment.

The CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. FRELINGHUYSEN. The gentleman's amendment would transfer \$7 million to restore and protect a nationally and regionally important resource. These fisheries provide hundreds of jobs, if not thousands, to local oyster-men.

I would only say that this is a huge project and must be balanced against other national priorities and ask the gentleman to work closely, as I'm sure he will, with the Corps to ensure that their budget request reflects the needs for the program against the background of other demands the Corps is facing.

With that, I'd be pleased to accept the gentleman's amendment.

I yield such time as he may consume to the gentleman from Virginia (Mr. WITTMAN).

□ 1400

Mr. WITTMAN. I rise in support of the gentleman's amendment, and I want to commend the gentleman from Virginia for his efforts to restore oyster populations in the Chesapeake Bay. Just as he pointed out, they're extraordinarily important both economically and culturally to the State of Virginia.

Historically, the Chesapeake Bay has been one of the most productive fisheries in the world. However, native oyster populations are currently at less than 1 percent of historic levels. Pollution and diseases have taken a substantial toll on oyster populations.

Oysters play a critical role in the Bay. And we all know that oysters are a commercially important resource. The Virginia seafood industry is one of the largest in the Nation and provides a positive economic impact to Virginia of over a half a billion dollars a year.

Oysters also filter and clean the Bay's waters. The oyster is a natural filter. Oysters filter water by removing

algae and nutrients, thereby improving water clarity and quality. Oyster reefs provide habitat for fish, crabs, and many other forms of marine life.

We'll probably never be able to restore the Bay to how it was when Captain John Smith landed in Jamestown in 1607. However, by improving water quality and increasing oyster populations, we will go a long way to restoring the Bay's health. The challenges to oyster restoration are daunting and complex.

The Army Corps of Engineers, along with Federal, State, and private partners, have been working to restore oyster populations. And while relatively limited in scope, the Army Corps oyster restoration efforts have shown oyster restoration successes on several watersheds.

The Army Corps is nearing completion of a Programmatic Environmental Impact Statement to identify an oyster restoration strategy. This major undertaking will guide bay-wide oyster restoration for years to come.

It is clear that the oyster is a critical species to the Chesapeake Bay, and this amendment is an important step to support oyster restoration activities in the Bay.

I urge my colleagues' support.

Mr. CONNOLLY of Virginia. Mr. Chairman, I just want to thank the managers of this bill for their bipartisan support and for their respective staffs, particularly my colleague from Virginia for his support as well.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Chair announced that the ayes appeared to have it.

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

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

PART A AMENDMENT NO. 3 OFFERED BY MR. WAMP

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 111-209.

Mr. WAMP. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 3 offered by Mr. WAMP:

Page 3, line 24, after the dollar amount, insert "(increased by \$14,000,000)".

Page 7, line 14, after the dollar amount, insert "(reduced by \$14,000,000)".

The CHAIR. Pursuant to House Resolution 645, the gentleman from Tennessee (Mr. WAMP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

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

I thank the chairman and I thank the committee for an extraordinary prod-

uct. I think this bill is worthy of our support. The staff has done an excellent job supporting the Members.

I want to thank the Rules Committee for ruling this amendment in order because Mr. DAVIS of Tennessee and myself come to the floor today to offer the amendment to transfer \$14 million from the Corps of Engineers regular account, their operating account, over to the construction account. And the reason is that we have on the Tennessee River the Chickamauga Lock, an aging lock with a real problem of concrete growth.

We have known now for 15 years that this lock must be replaced. We are under construction. We're in the middle of construction. The cofferdam is virtually finished now, so the center of the river will be dried out in just the next few months.

The stimulus funding allowed the purchase of the equipment—the steel, the gates—to go ahead and do the construction; but, unfortunately, only \$1 million was requested for this project, which will not allow us to go forward. We must go forward.

There are many priorities within the Corps of Engineers Inland Waterway System and they should all be supported as much as possible, but this one can't go forward.

This amendment is really to transfer \$14 million from the Corps expense account to the Corps construction account to be used for the purpose of awarding a lock construction contract for the Chickamauga Lock on the Tennessee River.

The reason we have just taken the money from this expense account is to try to get this amendment adopted on the floor so when we go to conference—and I'm a longstanding member of this subcommittee, as is Mr. DAVIS of Tennessee, now a new member of this subcommittee—when we go to conference we can try to work this out, something that the chairman and the ranking member have expressed a desire to do at both the subcommittee level and the full committee level.

We don't want to hold up the trains or cause any problems, but the \$1 million would literally freeze us for a year with a lot of equipment, a lot of progress; and we're running out of time. This lock has to be completed and finished by 2014. We spent millions of dollars repairing the lock to keep the current lock open.

We can't allow the Tennessee River to close to navigation and commerce. It would be the largest lock closure in the history of our country if we allowed this to happen. So it's of critical importance to continue to work with us, and I can't thank the chairman and the ranking member enough for their willingness to work with us.

I want to yield the balance of my time to the gentleman from Tennessee (Mr. DAVIS).

Mr. DAVIS of Tennessee. My colleague from Tennessee, I appreciate his work that he's been doing to be sure

that the Chickamauga Lock is continuing in the process of being sure that we keep that river open.

I want to make further comments. And I deeply appreciate the ranking member and our vice chairman and chairman for at least allowing an opportunity to speak today on this amendment.

When you look at inland water systems and the impact they have on America's economy, if you go to the tributaries of the Ohio, Mississippi, the Cumberland, and the Tennessee Rivers and look at commerce and agriculture that travels those, that becomes the road, basically, for exports for America's production—at least much of it does.

So it's important that we keep our infrastructure along our inland waterways open. It is some of the least expensive methods of transportation. But one of the bright spots in America's economy as far as export is concerned is agriculture. That is the only area where we have a surplus in trade.

So my support of the legislation obviously is to keep all of our rivers open, all of our waterways open for our commerce. It is my hope—and I concur in everything that my friend Congressman WAMP from Tennessee has said—it is my hope that we will be able to pass the legislation, and recommend Members on both sides of the aisle to support this amendment.

Mr. WAMP. I yield back the balance of my time.

Mr. PASTOR of Arizona. Mr. Chairman, I claim the time in opposition, even though I do support the amendment.

The CHAIR. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. PASTOR of Arizona. As I told you, I support this amendment since it simply adds money to the Corps construction account. However, I wish to point out that additional funds for Chickamauga Lock cannot be made available until the solvency of the Inland Waterway Trust Fund is addressed.

The project requires 50 percent of its funding from the Inland Waterways Trust Fund, and that trust fund isn't solvent. Before any new multiyear obligations are initiated, the revenue stream or alternative funding solutions for these projects must be addressed.

We have been working with the Transportation and Infrastructure Committee for a comprehensive solution to the issue for some time. I have sympathy for the project. I think I know more about this project because of Mr. DAVIS and Mr. WAMP. I congratulate both of them for bringing the amendment.

Again, the issue at hand is a lot larger than the \$180 million project. I support the project.

Mr. FRELINGHUYSEN. Would the gentleman yield?

Mr. PASTOR of Arizona. I will yield to my ranking member.

Mr. FRELINGHUYSEN. Let me associate my remarks with your statement and commend both Mr. WAMP and Mr. DAVIS for being articulate, ardent supporters of this move forward.

I have been to the Chickamauga Lock. I can certainly attest to Mr. WAMP's boundless energy and determination to make this thing happen. He's made me aware of the dangers of what happens if we have inaction. I want to commend you. Obviously this issue is moving ahead, but there's some complex issues that need to be addressed that Mr. PASTOR has appropriately commented on.

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

The CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. WAMP).

The amendment was agreed to.

PART A AMENDMENT NO. 4 OFFERED BY MR. HASTINGS OF WASHINGTON

The CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 111-209.

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 4 offered by Mr. HASTINGS of Washington:

Page 17, line 17, strike the period and insert the following: “; *Provided further*, That \$5,000,000 of the funds appropriated under this heading shall be available for the ‘Power Program Services’ to implement the Bureau of Reclamation’s hydropower facilities installations identified under section 1834 of the Energy Policy Act of 2005.”.

The CHAIR. Pursuant to House Resolution 645, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I rise to offer an amendment that seeks to expand hydropower in the western United States. For almost a century, Western communities have benefited from this low-cost, renewable and emissions-free resource.

In today’s environment, where talk centers around the need to provide clean and environmentally friendly power, there is a clear need to promote the original renewable energy, which is moving water. This amendment is a clear opportunity and first step to do just that.

My amendment seeks to follow up on the progress made in the report authorized by the Energy Policy Act of 2005. This report will require the Bureau of Reclamation to determine where new hydropower projects can be added to the agency’s existing water supply facilities.

The Bureau of Reclamation is already the second leading hydropower producer in the Nation so it’s only nat-

ural to require that agency to reassess its hydropower potential.

While the agency failed to look at potential projects on small canals and laterals, it did find six larger opportunities to generate almost 300 megawatts from new hydropower facilities. To date, the Bureau of Reclamation has not implemented one aspect of this report.

If this amendment is adopted, there will no longer be bureaucratic excuses about the necessary resources to begin the installation of new emissions-free resources.

While I’m pleased this amendment was made in order, Mr. Chairman, it only covers part of the hydropower equation. Regrettably, the Democrat leadership did not make my other amendments in order.

One of my other amendments would have decreased carbon emissions by keeping more hydropower resources online. Currently, the Army Corps of Engineers and the Bureau of Reclamation are forced to divert water from hydropower production at some of their dams. This results in a loss of generation that has to be found from some other energy source.

The vast majority of this replacement power is carbon based in the form of coal and natural gas and is much more expensive than hydropower. My amendment, which the Democrat majority chose not to debate on, would have reduced these carbon emissions to help the environment and keep energy affordable by allowing for more hydropower production.

Another amendment would have prohibited the reduction of Federal hydropower if that hydropower backs up other renewable energies, like wind and solar. As almost everybody knows, the sun doesn’t shine 24 hours a day and the wind doesn’t blow all the time.

Because of these indisputable facts, wind and solar energy need a backup, or a firmed-up, in energy speak, as a base resource. In my home region of the Pacific Northwest, the Federal dams are the models of the backup electricity generation when it comes to wind generation.

In fact, in December of last year, some of the turbines didn’t produce electricity, wind turbines, for 11 straight days. Yet the only reason that the lights stayed on was because of the backup electricity provided by hydropower.

My amendment, which was also rejected by the Democrat majority, would have prohibited the loss of hydropower needed to back up these renewable energy sources.

So, in conclusion, the Democrat majority is sending a mixed message by not allowing amendments to protect our existing Federal hydropower, yet allowing an amendment to increase a limited amount of hydropower resources. I appreciate that. The American people deserve to see a full debate about hydropower, the original emissions-free and renewable energy. Never-

theless, I urge my colleagues to support this amendment.

With that, I reserve the balance of my time.

Mr. PASTOR of Arizona. Mr. Chairman, I claim the time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. PASTOR of Arizona. I’m very happy to tell the author of the amendment that this will be a bipartisan amendment, since we are accepting his amendment.

We understand how important hydropower is, and we need improvements at existing facilities so we can provide the reliable, efficient domestic emissions-free source of renewable energy. Investment in modern turbines has been a benefit of improving existing water quality and fish passage issues, in addition to increasing generation efficiency and capability.

As energy security and issues of global climate change are becoming increasingly important to the decision-making regarding infrastructure investment, improving existing hydropower facilities, we must add some priority.

I urge the Bureau of Reclamation to work with local groups and public power entities as it looks to use its water resources most efficiently. I also urge the Bureau of Reclamation to continue to focus on its core water and related resource projects and not sacrifice that valuable work while engaging in this effort. I support the amendment.

I will yield time to the ranking member, Mr. FRELINGHUYSEN.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding. Let me, Mr. Chairman, associate myself again with Chairman PASTOR’s remarks. I’ve been to Congressman HASTINGS’ district. When he talks about hydropower, he knows what he’s talking about. He’s obviously been a strong proponent of nuclear power.

So we’re pleased to accept the amendment. Thank you for recognizing me.

Mr. PASTOR of Arizona. We support the amendment, and yield back the balance of our time.

□ 1415

Mr. HASTINGS of Washington. I yield myself the balance of my time.

I thank the gentleman, the distinguished subcommittee chairman and the distinguished ranking member for accepting this amendment.

I just simply wanted to point out that had we been under regular order, we could have probably enhanced hydropower with the two other amendments that were not made in order.

But nevertheless, this is an important step. It is something that we need to recognize, because I firmly believe that an energy plan that includes all of

the above is what the American people understand and what they accept.

And with that, I appreciate the gentleman for accepting my amendment.

I yield back my time.

The CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The question was taken; and the Chair announced that the ayes appeared to have it.

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

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

PART A AMENDMENT NO. 5 OFFERED BY MR. COSTA

The CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 111-209.

Mr. COSTA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 5 offered by Mr. COSTA:

Page 18, line 14, after the dollar amount, insert "(increased by \$10,000,000)".

Page 19, line 9, after the dollar amount, insert "(reduced by \$10,000,000)".

The CHAIR. Pursuant to House Resolution 645, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COSTA. I yield to the gentleman from Arizona (Mr. PASTOR), the chairman of the subcommittee, to speak on behalf of the amendment.

Mr. PASTOR of Arizona. I would just like to inform the gentleman that we are supportive of his amendment.

Mr. COSTA. I want to thank the subcommittee chair and those Members who have worked very hard on our behalf. This amendment, along with the next amendment offered by my colleague and friend, Congressman CARDOZA, should be taken as two amendments because they are both part of an overall effort that many of us from the Valley delegation have been working on for over the last year on a bipartisan basis to deal with the third year of the drought in California, which, unfortunately, could last a fourth and a fifth year.

Water in California has traditionally not been a partisan issue. My colleagues, Congressmen RADANOVICH, NUNES, MCCARTHY, and CARDOZA and I have worked together on many of these issues. I hope that that tradition will continue.

The drought has been devastating. These two pictures reflect ground zero, which is in my district, in which we have farm communities that have 30 to 40 percent unemployment, food lines in Mendota that I have helped provide food for for those farmworkers, who are some of the hardest working people you will ever meet in your life.

The picture next to that shows fallow fields, over 300,000 acres this year, on which family farmers, in second and third generation, are in fear and frustration of losing their farms.

These two amendments, taken together, are important. Congressman CARDOZA deserves a great deal of credit and effort for working very hard. These two amendments are not a silver bullet, but they are part of an overall effort to provide incremental additional water to our valley.

Amendment 93 provides \$10 million for drought relief to the San Joaquin Valley to fund two important projects that we have identified on our list of things to do. The Two Gates project that we have strong support throughout the State on that, if implemented this November, we believe, could act as real relief to allow the Federal and State operating—Federal projects and the pumps to operate as they were intended to. The pumps have operated intermittently and sometimes have been shut down this year. Today, thank God, they are operating at near full capacity. But that will not continue on next year if a biological opinion is implemented that I think is flawed, as does my colleague.

The Two Gates project and the Delta-Mendota Canal Aqueduct Intertie funding will provide, in this amendment, money for the Secretary of the Interior, within the Central Valley Project, to be used to implement both a Two Gates and the Intertie project.

In addition to that, this amendment provides a resolution to the giant garter snake issue which has long been an impediment to water transfers. It gives the Bureau of Reclamation flexibility needed to facilitate water transfers throughout counties in the Central Valley Project area.

Lastly, I want to commend my colleague and thank Congressman CARDOZA, my colleague, for his hard work on this issue. As a result of our efforts beginning in January working with the Westlands Water Agency, with the San Luis unit and others, we have provided, together, with the State of California and the Bureau of Reclamation, over 560,000 acre-feet of water to the west side that otherwise would not be there in these drought conditions, on top of, sadly, what has been a 10 percent allocation of water. Together, that has provided nearly 700,000 acre-feet to the very dry west side.

I want to thank all of those who have been a part of it: Leadership, STENY HOYER; the Secretary of the Interior, who visited at our request last month to the Valley; Secretary Salazar and his Deputy Secretary Hayes and Commissioner Connor, all of whom have been designated as a part of a drought task force team with Secretary Vilsack, the Secretary of Agriculture, because God forbid this drought could last a fourth or a fifth year, in which all of California would be rationing water.

Today, my district is ground zero, along with Congressman CARDOZA's dis-

trict, but next year it could be far worse. So we will continue to work with Chairman OBEY and other members of the Appropriations Committee.

I want you to know that the San Luis-Delta Water Authority supports these amendments, along with the Friant Water Authority and most of the water agencies in California, because they understand that this amendment, along with the next amendment, is part of that incremental effort to bring water to a drought-stricken area in California that could be, next year, the rest of the State.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I claim time in opposition, though I am not in opposition to the gentleman's amendment.

The CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. FRELINGHUYSEN. Let me say that while I am supportive of this amendment, it is Congressman DEVIN NUNES who's been on this floor repeatedly calling Members' attention to the catastrophic situation in California, and I'm admiring of both Representatives COSTA and CARDOZA's effort. But it's been DEVIN NUNES who's been really carrying this issue in a very visible way. He went to try to get three amendments in order before the Rules Committee yesterday afternoon and evening, and he was denied that opportunity.

But I'm no expert on California water, but let's give credit all around to Members of Congress that have stood up on this issue to articulate their position, indeed, their passionate position.

I support the amendment, but I certainly want to recognize all members of the California delegation, and since Mr. NUNES' name was not mentioned in earlier comments, I would certainly like to highlight his role making this a priority for our attention.

I yield back.

Mr. COSTA. For the record, I indicated that, traditionally, water has been a bipartisan issue, and I said for over a year now, Congressmen RADANOVICH, NUNES, MCCARTHY, CARDOZA and myself, the five of us, have been working on a bipartisan basis. And I said I hope it continues to work on a bipartisan basis.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

PART A AMENDMENT NO. 6 OFFERED BY MR. CARDOZA.

The CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 111-209.

Mr. CARDOZA. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 6 offered by Mr. CARDOZA:

Page 22, after line 15, insert the following: SEC. 203. CENTRAL VALLEY PROJECT.— Section 3405(a)(1)(M) of Public Law 102-575 is amended—

(1) by striking “countries” and inserting “counties”; and

(2) by inserting “a transfer between a San Joaquin River Exchange Contractor and a Friant Division contractor, a transfer between a San Joaquin River Exchange Contractor and a south-of-Delta CVP agricultural water service contractor, and a transfer between a Friant Division contractor and a south-of-Delta CVP agricultural water service contractor,” after “under California law.”.

SEC. 204. DRAFT RECOVERY PLAN.— The Secretary of the Interior, acting through the Director of the Fish & Wildlife Service, is directed to expeditiously revise, finalize, and implement the Draft Recovery Plan for the Giant Garter Snake (*Thamnophis gigas*).

The CHAIR. Pursuant to House Resolution 645, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARDOZA. Mr. Chairman, I rise today in strong support of the amendment, an amendment that makes technical changes to allow water transfers in the Central Valley of California. This amendment takes a significant step towards addressing the impacts of the water supply crisis in the San Joaquin Valley.

This is a companion amendment to the one that Mr. COSTA and I just introduced. Mr. COSTA is my coauthor of this amendment. And together, these two amendments, in fact, do work to help us deal with the incredibly significant crisis that we have in the Central Valley. People are suffering greatly.

Currently, the Bureau of Reclamation restricts certain water transfers to intracounty transfers. The inability to transfer water beyond county lines has created incredible impediments to efficient and practical water use in our State. This amendment will allow those transfers to occur beyond these county lines so that water users who have enough supply in one county will be able to use it in another county to help their fellow farmers.

As Mr. COSTA indicated, the amendments also direct the Secretary to implement recovery plans for the giant garter snake, an endangered species. The recovery plan will remove the bureaucratic red tape that prevents water projects from moving forward, while also protecting this important species.

We could not be here today working on these problems if it wasn't for the work of the chairman, Mr. PASTOR, for Mr. OBEY, for the cooperation that the entire Valley delegation has shown on this issue. Mr. COSTA has indicated that because of the efforts that we have employed, we have provided our farmers with 500,000 acre-feet that they wouldn't have had otherwise under the current rules.

I want to specifically also indicate my sincere appreciation to Majority Leader HOYER, who has been steadfast in his support of Mr. COSTA and me trying to move this effort forward.

At this time, Mr. Chairman, I would like to yield 2 minutes to the gentleman from Colorado (Mr. SALAZAR), who has also been a diligent supporter of our efforts and has been concerned, has actually visited our district, and I greatly appreciate his help and support.

Mr. SALAZAR. First of all, I want to thank you for your diligence in trying to help the agricultural community in California.

On June 28 of 2009, Mr. Chairman, at the request of Congressman COSTA and Congressman CARDOZA, the Secretary of the Interior, Secretary Salazar and Deputy Secretary Hayes, Reclamation Commissioner Connor held a public meeting to address the issues of the drought in California.

But previous to that, I want to also thank the administration for previously working on issues, because they understood that the drought was of deep concern to this country.

In April of 2009, the Department announced the allocation of \$220 million of ARRA funding from the Bureau of Reclamation for water and environmental infrastructure projects in California. Of this amount, \$160 million was directed to projects to address needs of the Central Valley. Allocation of \$40 million will be made for drought relief actions, most of which will go to California, with final awards coming very, very soon.

Reclamation has released \$134 million in water recycling and water reuse grants, of which \$120 million was allocated to communities of California. Reclamation has also processed over 100 transfers, totaling 263,000 acre-feet of water to address shortages in the San Joaquin Valley.

Reclamation has also accommodated a rescheduling request by Westside and other Central Valley Water Project contractors to allow them to preserve and use prior year allocations in the sum of 250,000 acre-feet in San Luis Reservoir and 57,000 acre-feet in Millerton Lake. Secretary Salazar has also asked Deputy Secretary Hayes to coordinate Federal efforts related to California water issues.

So I just want to commend the administration for their diligence in trying to address the issues in California.

Mr. CARDOZA. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from California has 1 minute remaining.

Mr. CARDOZA. Mr. Chairman, I would like to yield 15 seconds to the chairman of the committee.

Mr. PASTOR of Arizona. I just want to indicate to my friend, DENNIS CARDOZA, that we will be supportive of his amendment.

Mr. CARDOZA. Mr. Chairman, I would like to thank the chairman. As I said before, without his help, we could

not have made these amendments in order and brought them to the floor. I think these amendments offer significant opportunities to the Central Valley. They are not a panacea. They are not going to cure every problem. We have more work to do.

But, in closing, I want to thank Secretary Salazar for taking time out, coming and visiting our valley, understanding the problem. We have a lot of work to do with the Department of the Interior, the Bureau of Reclamation, but with continued work and cooperation, I think we will make significant progress on the significant challenges that we face in the Central Valley.

With that, Mr. Chairman, I would ask for an “aye” vote of my colleagues.

□ 1430

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition, though I am not in opposition to the gentleman's amendment.

The CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. FRELINGHUYSEN. Mr. Chairman, I served on the Energy and Water Committee when I was first elected to Congress in 1994. I took a 2-year hiatus when I chaired the D.C. Committee, working with Mr. FATTAH as ranking member.

There is a water crisis out in your neck of the woods, and we are respectful that Republicans and Democrats didn't work together on these issues. I have to say I'm hugely disappointed at your lack of inclusiveness. You may be spitting mad at Congressman DEVIN NUNES. Yet, for many Members of Congress, he put a human face on the water crisis out there. I'm not going to get into the issues of biological studies and things of that nature, but you at least ought to give your congressional colleague from California credit for raising this issue.

He tried to raise the issue, but quite honestly, he was voted down on the floor a number of times. When he went to the Rules Committee, his amendments were not put in order. Yours were. Basic courtesy would have called for his name to at least be mentioned as he rose to the floor today.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The amendment was agreed to.

PART A AMENDMENT NO. 7 OFFERED BY MR. BOREN

The CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 111-209.

Mr. BOREN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 7 offered by Mr. BOREN:

Page 23, line 2, after the dollar amount insert “(increased by \$5,000,000)”.

Page 35, line 15, after the dollar amount insert "(reduced by \$5,000,000)".

Page 36, line 9, after the dollar amount insert "(reduced by \$5,000,000)".

The CHAIR. Pursuant to House Resolution 645, the gentleman from Oklahoma (Mr. BOREN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. BOREN. I yield myself as much time as I may consume.

Mr. Chairman, my colleagues may be familiar with an initiative I have been working on, the NAT GAS Act, to promote the use of natural gas fueled vehicles, particularly to replace traditionally fueled heavy- and light-duty trucks. I am a strong proponent of natural gas as an alternative fuel source because it is clean, abundant, cheap and readily available, and best of all, as T. Boone Pickens says, it's ours. According to a study by the Department of Energy, it is feasible to produce biomethane from landfills, sewage and animal waste, so one could even argue that it is renewable.

As we continue efforts to drive our country towards a cleaner transportation sector, natural gas vehicles are a natural fit. There is no single silver bullet solution to our transportation energy dilemma. All available alternatives to petroleum must be used in the marketplace and in an application where they make the most sense. For many of these applications, that means natural gas.

In 2008, NGVs displaced 250 million gallons of petroleum in the United States. With adequate support, by 2020, that could grow to 10 billion gallons, but the NGV industry is made up of mostly small companies. In order for the industry to achieve that growth potential in the time frame we need, more research is needed for vehicle integration, deployment, engine development, and cost reductions.

In 1992, Congress authorized a Vehicle Technologies Program to fund a wide range of research activities on passenger vehicles and heavy-duty trucks. The program's mission is to develop leapfrog technologies that will provide Americans with greater freedom of mobility and energy security while lowering costs and reducing impacts on the environment. Though natural gas vehicle research was funded through this program until fiscal year 2005, since then, there have been no DOE activities in this area.

My amendment would add \$5 million in funding to this account for natural gas vehicle research. This is a relatively small investment for something that could easily move America towards a cleaner and independent energy future. I hope my colleagues will join me in launching a new direction in transportation fuel by supporting this amendment.

I would like to yield to my friend from Arizona (Mr. PASTOR).

Mr. PASTOR of Arizona. First of all, I would like to thank the gentleman

for yielding, and I would also like to thank him for bringing this amendment.

This amendment funds research and development for one of the small handful of technologies that may reduce the Nation's dependence on foreign oil. This increase in funding is consistent with the committee's efforts in this bill to address rising gasoline prices.

So I tell my dear friend from Oklahoma that we rise in support of his amendment.

Mr. BOREN. Thank you so much. I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to claim time in opposition, but I am not in opposition to the gentleman's amendment.

The CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. FRELINGHUYSEN. I yield 1 minute to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, I rise in very strong support of the amendment.

We really need to move toward using natural gas. It is a clean-burning fuel, and we have a huge supply of it in this country. In fact, down in Louisiana just recently, they discovered probably one of the biggest finds of natural gas in the whole world.

As I said, it is a clean-burning fuel, and we need to transition from our dependency on foreign oil. If we continue at the pace we're heading right now, over the next 10 years, we will see a transfer of \$10 trillion of our money to countries like Saudi Arabia and Venezuela, and many of those are not friends of ours. So this is a great step in the right direction.

I want to congratulate Mr. BOREN on the amendment. You're doing good work.

Mr. BOREN. Mr. Chairman, I am going to reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Mr. Chairman, I am using this opportunity to speak for the amendment that was previous because I was not able to get out of committee to come down for the debate.

I want to rise in support of the Cardoza amendment. As you are well aware, California is in the midst of a devastating manmade drought. Any action to alleviate the drought faced by the San Joaquin Valley is needed. Facilitating transfers of water from areas of California that have water to spare and sending it to the wetlands in the San Joaquin Valley is a good start, but we must have increased pumping out of the Delta.

I would like to commend my colleagues Mr. CARDOZA, Mr. COSTA and Mr. NUNES for their hard work and for their efforts in offering solutions to the drought in California.

In the meantime, temporary solutions such as the Two Gates and the

Canal Intertie projects are necessary to keep farmers in the San Joaquin Valley farming. These projects must be constructed and online by this fall in order to provide any relief to this terrible drought.

The only way to keep the State of California strong is to change the water infrastructure. The California water system cannot continue as it is. If there are no changes, we will continue to see escalating unemployment rates of over 40 percent and the depletion of the agriculture industry.

Mr. BOREN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to recognize for 1 minute the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Chairman, I rise in support of the Boren amendment. This amendment would provide \$5 million to fund natural gas vehicle research and development at the Department of Energy.

Natural gas is the bridge fuel toward decreasing our dependence on foreign sources of oil and for putting our Nation on a path to energy independence. We have a proven reserve of natural gas right here in the United States. We have enough known natural gas reserves to last us more than a century. As a matter of fact, 98 percent of the natural gas we consume is produced right here in North America. In addition to our vast supply, we already have a way to get natural gas to the consumer with over 1.5 million miles of natural gas pipeline distribution across the country.

Natural gas vehicle technology is readily available in Europe, South America and Asia, with nearly 10 million natural gas vehicles in circulation worldwide. General Motors and Ford currently make 18 different models for purchase overseas, yet have fewer than 150,000 natural gas vehicles here in the United States. We must increase our research and development funding in this amendment, which it seeks to do.

Mr. BOREN. Mr. Chairman, I want to thank my colleague from Oklahoma (Mr. SULLIVAN), who has been a real leader in this effort for natural gas vehicles.

We have got one more speaker on our side, I think, so I am going to continue to reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to recognize for 1 minute the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, while I support the Boren amendment, I do rise in opposition to the manager's amendment and to some provisions that are there.

It strikes me that the manager's amendment results in an earmark for the Big Three automakers. What it does is to stipulate that the alternative fuel cars have to be bought from them. What it does is to ignore the many other American citizens and taxpayers

who produce American-made passenger vehicles in this Nation, but they are manufacturers that are not the Big Three.

I view this as being something that is bad policy. It is bad environmental policy. It is bad appropriations policy. It is bad economic policy. There are 209 vehicles, Alternative Fuel Vehicles, that are going to be purchased to go into these different agencies as stipulated in this bill. The way this manager's amendment is written, it is an earmark for the Big Three, which have already received billions of bailout money.

Mr. BOREN. Mr. Chairman, I firmly believe that these changes will greatly help the integration of cleaner natural gas vehicles in the marketplace. I think that we have a real opportunity today to invest in a cleaner independent energy future for America and to move away from our dependence on foreign oil.

I want to thank my colleagues on the other side, especially my friend JOHN SULLIVAN from Oklahoma. I want to thank the chairman for accepting our amendment.

Ms. MARKEY of Colorado. Mr. Chair, I rise today in support of Congressman BOREN's amendment for natural gas vehicle research. Natural gas has an important role to play in United States energy policy because it is more domestically abundant and cleaner-burning than traditional transportation fuel. We cannot afford to continue sending billions of dollars overseas while neglecting the vast energy resources right here in America. It is critical to our long-term economic prosperity that we invest in our own domestic sources of energy. By increasing research and development funding for natural gas vehicles we can ensure American innovation moves us toward greater energy security while decreasing our carbon emissions. I urge all my colleagues to support Congressman BOREN's amendment to increase funding for the DOE's Energy Efficiency and Renewable Energy Vehicle Technologies program for natural gas vehicle research.

Mr. BOREN. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. BOREN).

The question was taken; and the Chair announced that the ayes appeared to have it.

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

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

PART A AMENDMENT NO. 8 OFFERED BY MRS. MILLER OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 8 printed in Part A of House Report 111-209.

Mrs. MILLER of Michigan. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 8 offered by Mrs. MILLER of Michigan:

Page 23, line 2, after the dollar amount, insert "(increased by \$10,000,000)".

Page 35, line 15, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 36, line 9, after the dollar amount, insert "(reduced by \$10,000,000)".

The CHAIR. Pursuant to House Resolution 645, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, you know there has been a great deal of discussion for decades, really, about the issue of energy, specifically the need for our Nation to generate and to utilize renewable and clean energy.

I have lived my entire life on the shores of the magnificent Great Lakes, and I have spent an awful lot of time boating as well on those magnificent waterways. I have always been awed by the power of that water, flowing from Lake Superior all the way to the Atlantic Ocean, actually. I have watched the St. Clair River under the Blue Water Bridge in Port Huron, Michigan, and I have been amazed at the swiftness and the consistency with which that water moves.

I believe that the energy created by that water-flow is a source of energy that we must do more to harness for the use of our people and for industry. To that end, Mr. Chairman, my amendment would increase by \$10 million the Water Power Energy Program within the Department of Energy. Increasing this vitally important program by \$10 million will restore that program back to FY 2009 funding levels.

The Water Power Energy Program within the Department of Energy is such an important program to our overall goal of reducing our dependence on fossil fuels and of becoming a Nation more reliant on renewable and green sources of energy. The Water Power Energy Program is a program designed to develop, test and evaluate new water technologies and to address barriers to the development of hydrokinetics and hydropower. The program conducts important research and development, and it deploys new innovative water technologies in order to get those products out on the market in an expedient, cost-efficient and environmentally responsible manner.

Additionally, this program allows for the testing and modeling of existing technologies. Hydropower technology has literally been around for hundreds of years, beginning with the earliest waterwheels and then water mills, which helped produce flour from grains, sawing timber and powering textile plants, to today's more advanced technologies, from hydroelectricity to harnessing wave and tidal power.

□ 1445

Hydropower currently accounts for approximately 19 percent of the world's

electrical needs and produces no harmful emissions, but it accounts for less than 6 percent of the total United States' electricity needs. Compare that to our neighbor to the north, Canada, who uses hydropower to meet 61 percent of its energy needs. While hydropower only accounts for less than 6 percent, as I said, here in the United States, it makes up 71 percent of our total renewable electricity and produces enough electrical power to power 28 million households.

There are two examples from the great State of Michigan where this technology is being examined and needs to be looked at further, I think, Mr. Chairman. I already mentioned the St. Clair River, but I should also mention the Detroit River. These rivers are known for their very strong currents, moving along at approximately 6-plus knots. Water from Lake Huron funnels down into the St. Clair River through Lake St. Clair and then quickens again through the Detroit River before entering Lake Erie, where that energy is currently just dissipating. This technology can be put to work in rivers, harbors and other coastal areas to capture energy from currents and tides. The best part is that this can be achieved with minimal impact on our environment or the flow of the river. Harnessing this energy will create a truly renewable and green source of clean energy.

Mr. Chairman, again, there has been a lot of interest, a lot of talk about alternative energy sources in the past week. I have heard many express strong support for wind power, and I certainly share their enthusiasm for that energy source. But I will remind my colleagues that sometimes the wind doesn't blow, but the water always flows. With that, I would ask all of my colleagues to support this amendment.

I yield back the balance of my time.

Mr. PASTOR of Arizona. Mr. Chairman, I rise to claim the time in opposition, though I am not in opposition and staying with the flow.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. PASTOR of Arizona. First of all, to the manager's amendment and the issue about the purchasing of cars, I have been told that the current GSA policy that has jurisdiction in the purchasing of cars over the agencies in which this committee has jurisdiction thereof, that we have just restated that policy. It was not intended to be an earmark. It was not intended to do anything different. It is not authorizing on an appropriation bill. It's a restatement of GSA policy. If there is a reason to be against it, it would be because it was redundant. But we did not create any new legislation. We are just restating GSA policy as it concerns purchase of cars under the agencies.

I rise in support of this amendment from the gentlelady from Michigan. In this bill the committee supports strong

investment in renewable energy technologies, such as solar, wind and geothermal power. Water power is an important piece of this renewable portfolio. Refining conventional hydropower technologies can increase the efficiency of our Nation's hydropower dams and cost effectively increase clean power generation without the need for new dams. Research and development of technologies that use waves, tides and streams for power can deliver a new source of virtually untapped renewable energy. So we continue to be with the flow and support the young lady's amendment.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I want to commend Mrs. MILLER for being a strong and articulate advocate, and I support her amendment. I thank the gentleman for yielding.

Mr. PASTOR of Arizona. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mrs. MILLER).

The question was taken; and the Chair announced that the ayes appeared to have it.

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

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

PART A AMENDMENT NO. 9 OFFERED BY MR.
HEINRICH

The CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 111-209.

Mr. HEINRICH. Mr. Chair, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 9 offered by Mr. HEINRICH:

In section 307, strike "6 percent" and insert "7 percent".

The CHAIR. Pursuant to House Resolution 645, the gentleman from New Mexico (Mr. HEINRICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. HEINRICH. Mr. Chairman, I offer this amendment in strong support of research and development at our national laboratories. Specifically, my amendment provides a 1 percent increase in the Laboratory Directed Research and Development, which is commonly referred to as LDRD. LDRD increases the ability of laboratories to retain expertise and pursue innovative projects by providing additional discretion for Department of Energy laboratories to select research activities. These high-risk, high-reward projects yield cutting-edge advancements in science and technology and produce some of our most successful research and development initiatives. These are

projects with an immediate relevance and a direct impact on national security and our goal of energy independence. Many LDRD projects have formed the basis of some of the national labs' most successful research initiatives. For example, at Sandia National Laboratories in my district, an LDRD researcher developed the chemistry for a decontamination foam that is used by our military to protect us against chemical and biological attacks. In fact, this was the foam that was used to decontaminate the Senate Hart Office Building after the anthrax attacks of 2001. We know all too well that those who wish our country harm are constantly adapting their methods, making these LDRD projects vitally important to our national security.

LDRD is equally relevant to our goal of energy independence. An LDRD project developed a manufacturing process that will substantially reduce the cost of highly efficient LED lightbulbs. These LED lightbulbs have the potential to decrease electricity consumed in lighting by a full 50 percent by 2025. This will translate into meaningful cuts in utility bills for our working families and real savings for our small businesses. Energy independence is a critical element of our national security, and LED efficiency will significantly reduce our demand for energy. These advancements represent just two examples of the multiple innovative science and technology achievements made through LDRD initiatives.

Under the 2009 Omnibus Appropriations bill, our labs were granted authority to use up to 8 percent of their budgets for LDRD initiatives, yet the bill before us today would reduce that amount for 2010 to only 6 percent. My amendment would allow our labs to dedicate up to 7 percent of their budgets to LDRD. It is important to note that my amendment does not require any additional spending, as the LDRD funding percentage is derived from the labs' overall funding level, nor does my amendment cut any other program. Simply put, my amendment encourages innovative research and development that will promote our national security and help us to reach our goal of energy independence. I urge my colleagues to support this amendment.

I yield to the gentleman from Arizona.

Mr. PASTOR of Arizona. Mr. Chair, may I inquire how much time I have.

The CHAIR. The gentleman from New Mexico has 2½ minutes remaining on his time.

Mr. PASTOR of Arizona. Mr. Chairman, first of all, I'd like to thank the gentleman from New Mexico for yielding to me and to inform him that we will support the amendment as offered. However, I have some concerns about increasing the percentage of laboratory directed research at this time. I hope that this increase in lab directed research and development will, in this tight budget environment, produce a

net increase in the national security output of the laboratories. I look forward to working with you to ensure this increase is tightly mission-oriented and will be compatible with meeting other challenges of the laboratories. With that, I will inform you that we are supporting this amendment.

Mr. HEINRICH. I thank the gentleman from Arizona.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to claim time in opposition, though I am not in opposition to the amendment.

The CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to associate my comments with Chairman PASTOR. These are tight budget times, and I think we worked hard to provide the right balance for priorities on our Energy and Water bill. Many of us would have liked much more, shall we say, money spent on the safety and security of our nuclear weapons stockpile; but quite honestly, that was not to be. We all had to compromise, and this package is a fair, balanced one.

A few comments about the LDRD, the Lab Directed R&D programs. These programs often allow our laboratories to skirt congressional priorities laid out in our legislation. Historically these funds have been used by labs to perform research and development on issues that at times are not at all germane to the Department of Energy. I have seen it firsthand. At the same time, these programs can be most innovative and give our researchers creative opportunities for work. So I don't oppose the amendment. But I want to make it clear that all members of the committee, I am sure, will be watching very carefully to ensure that these funds are used to support the mission of the department.

I yield back the balance of my time.

Mr. HEINRICH. I want to add real quickly that the gentleman mentioned our nuclear stockpile. One of the other LDRD programs that I think was particularly important was the creation and assembly of safety devices for our stockpile, like the gel mylar capacitors that are used in the W76-1. I think the bottom line is that these programs represent some of the most cutting-edge research that we do. They are critical to our national security. They are critical to our energy independence, and I would urge the support of my colleagues.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. HEINRICH).

The question was taken; and the Chair announced that the ayes appeared to have it.

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

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from New Mexico will be postponed.

PART A AMENDMENT NO. 10 OFFERED BY MR. CAO

The CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 111–209.

Mr. CAO. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 10 offered by Mr. CAO:

Page 62, line 15, strike “90” and insert “60”.

The CHAIR. Pursuant to House Resolution 645, the gentleman from Louisiana (Mr. CAO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. CAO. Thank you.

Mr. Chair, I submitted an amendment to H.R. 3183, the Energy and Water Appropriations bill, to reduce the amount the time the Nuclear Regulatory Commission has to report to Congress. The purpose of this amendment is to encourage agencies to be good partners in the regulatory process by completing their requirements to report to Congress for oversight in a timely manner.

What is the motivation for this amendment? During the last administration the agency was charged with identifying ways to streamline its licensing and review process. Though the Commission stated in a *Legal Times* article that it would shorten its review time to 30 months, recently a number of companies have complained of the process taking anywhere from 36 to 42 months. Also in June of 2008 the agency was the subject of a *New York Times* article on lengthy delays in its processing at Yucca. It cited a lack of funds to complete the process.

In this appropriations bill, the NRC is to provide a report to Congress regarding streamlined issuance of construction for new nuclear reactors. As written, the agency was given 90 days to do so. My amendment would reduce it to 60. The reporting which must be done by the commission requires it to report to the Committee on Appropriations of the House of Representatives and the Senate, identifying barriers to and its recommendations for streamlining the issuance of a combined construction and operating license for qualified new nuclear reactors.

In order for Congress to conduct proper oversight of this agency and help it improve its function, the NRC must report its findings to Congress in an expeditious manner. As we go through the process of reviewing our energy needs in this country, it is important that we have the information needed to make decisions as quickly as possible. Therefore, I ask the Members of the House to support this amendment.

I yield back the balance of my time.

Mr. PASTOR of Arizona. Mr. Chairman, I rise to claim the time in opposi-

tion, even though I'm not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. PASTOR of Arizona. I support Mr. CAO's amendment because the provision the gentleman is amending requires the Nuclear Regulatory Commission to provide a report on improving its licensing procedure by reducing the time for submission of the report to Congress from 90 days to 60 days. This should improve the NRC's responsiveness to Congress and provide more timely information to the Congress on measures that can be taken to improve the regulatory process.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We support the gentleman from Louisiana's amendment and commend him. It's actually a perfecting amendment of what Mr. KINGSTON had in the full committee. So we commend you for your efforts and support it. Thank you for yielding.

Mr. PASTOR of Arizona. We are in support of the amendment.

□ 1500

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CAO).

The question was taken; and the Chair announced that the ayes appeared to have it.

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

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

PART A AMENDMENT NO. 11 OFFERED BY MRS. BLACKBURN

The CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 111–209.

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 11 offered by Mrs. BLACKBURN:

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

SEC. ____ . PERCENTAGE REDUCTION OF TOTAL FUNDS.—Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5 percent.

The CHAIR. Pursuant to House Resolution 645, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I rise today on behalf of the American taxpayer to continue my push to rein in Federal spending by just 5 percent.

As with the other appropriations bills that my colleagues and I have at-

tempted to amend this year, this proposal would enforce a 5 percent across-the-board cut to the Energy and Water appropriations bill. My amendment would save the taxpayer \$1.7 billion and reset Energy and Water spending levels for the next budget.

Spending on Energy and Water programs has increased by, get this, 183 percent over the past 3 years. Under the majority's control, spending has increased 183 percent. The very programs being funded on the House floor this afternoon have already received \$51 billion in stimulus funding and \$7 billion in supplemental funding this year, this one year.

This Congress has already spent more than \$1 trillion than we have taken in. This trillion-dollar deficit is the largest in American history. In my opinion, this deficit represents the height of fiscal irresponsibility and is absolutely unconscionable. On top of it, many of my colleagues are proposing another \$1 trillion in government-run health care spending.

Every day we are laying more and more debt on the backs of our children and grandchildren. I ask my colleagues: How do we expect these children and grandchildren, how do I expect my grandsons to pay for college or a first home or start a business when they already owe \$70,000 to the Federal Government?

Mr. Chairman, we have to realize debt incurred is opportunity denied. My constituents keep telling me, We are tired of the government spending money we have not made yet on programs we don't want.

Through this appropriations cycle, I have intended to rein in this deficit by cutting spending. And today, again, I will ask the bureaucrats in Washington and their patrons in Congress to trim a nickel from every dollar that they are going to spend.

As our deficit and our debt grow to historic and dangerous proportions, it is more urgent than ever that we take action and bring spending under control.

I reserve the balance of my time.

Mr. PASTOR of Arizona. I rise in opposition to the amendment of the gentlelady from Tennessee.

The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. PASTOR of Arizona. The amendment proposes a 5 percent reduction to every account in this bill. If you exclude the recovery money, as I mentioned in my opening statement, this bill that is before you is \$1 billion below the President's request and is slightly above last year's 2009 funding.

This Energy and Water appropriations bill is a key part of ongoing efforts to meet the infrastructure needs of the country; and after years of neglect, addressing the inadequacies of our national energy policies, we are trying to do it with this bill.

The Energy and Water bill is only slightly above last year's enacted level and is \$1.1 billion below the budget request, as I mentioned. Balancing priorities with this allocation require a concerted bipartisan effort. We ended up with a bill that meets the priorities and supports fiscal responsibility.

A reduction of 5 percent would cut \$1.7 billion from the bill and undercut a number of priorities at a time when we can ill afford to reduce them further.

I do not support the amendment and urge Members to vote "no."

I will yield to the ranking member.

Mr. FRELINGHUYSEN. I also rise in opposition to the amendment. Certainly, I commend the gentlewoman for her hard and repeated attempts to cut the Federal budget. But I agree with the chairman that we have a good bill. It is well balanced. It has been done in a bipartisan way.

I worry about indiscriminate cuts to a bill that affects the protection and reliability of our nuclear stockpile. That is important. We crafted some good things out of the energy portfolio which I think are worthy and defensible. This bill also includes funding that only begins to address a \$1 billion-plus retirement pension shortfall through the individual accounts. That is something which I commend the chairman for his and staff leadership on.

This across-the-board cut would take a \$1.6 billion bite across each of these initiatives. And I think that would be pretty devastating.

As a result, I rise with him to oppose this amendment.

Mr. PASTOR of Arizona. I would request that Members vote against this amendment, and I yield back my time.

Mrs. BLACKBURN. Mr. Chairman, I would remind my good colleagues that this is not Federal Government money. This is taxpayer money. And every year on April 15, the taxpayers send their portion to the Federal Government, and they charge us with looking out after that money. Many times they set aside hopes, dreams and college educations. They don't get to pursue their priorities because they have to send the money to Washington.

I find it absolutely incomprehensible that this body is not willing to turn to the bureaucrats that line all of these streets and these granite buildings and say, save a nickel out of the dollar. Allow our children and grandchildren to have opportunities. We have to realize, as I said, debt incurred today is opportunity denied for these children and grandchildren. I have heard all those arguments before.

When I was in the State senate in Tennessee, they had this grandiose health care plan called TennCare. Oh, it was going to save all this money. It was a public option. It was the test case for public option. It nearly bankrupted the State. When I offered an amendment to make across-the-board cuts, oh, those are draconian, those are indiscriminate. It is going to shut government down.

Well, guess what? They never took the cuts that we had. But when a Democrat Governor came in and he was faced with seemingly insurmountable odds on balancing a budget because we have an amendment, he made 9 percent across-the-board cuts.

We need to do this. We need to make the hard choices of where we are going to spend this money. You can't say, well, when you exclude this from the stimulus, and when you exclude this amount of money, when you exclude this \$51 billion from stimulus and this \$7 billion from supplemental, then it is only this. Well, guess what? That money is already spent. You spent the money. So unless they pay it all back, you can't exclude it. So your fuzzy math doesn't add up. It doesn't add up. You have already spent that money.

The person that is being undercut is the American taxpayer. And it is being done by the selfishness and by the greed of those who refuse to say "no" to a growing, out-of-control Federal bureaucracy.

I think it is time that we get some backbone on this spending issue. Stop the out-of-control deficit. Stop the out-of-control debt. Vote for the amendment and "no" on the debt.

The CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

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

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111-209 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. PASTOR of Arizona.

Amendment No. 2 by Mr. CONNOLLY of Virginia.

Amendment No. 4 by Mr. HASTINGS of Washington.

Amendment No. 7 by Mr. BOREN of Oklahoma.

Amendment No. 8 by Mrs. MILLER of Michigan.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

PART A AMENDMENT NO. 1 OFFERED BY MR.

PASTOR OF ARIZONA

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. PASTOR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 261, noes 172, not voting 5, as follows:

[Roll No. 543]

AYES—261

Abercrombie	Green, Al	Nadler (NY)
Ackerman	Green, Gene	Napolitano
Adler (NJ)	Grijalva	Neal (MA)
Altmire	Gutierrez	Norton
Andrews	Hall (NY)	Nye
Arcuri	Halvorson	Oberstar
Baca	Hare	Obey
Baird	Hastings (FL)	Oliver
Baldwin	Heinrich	Pallone
Barrow	Heller	Pascarell
Barton (TX)	Herseth Sandlin	Pastor (AZ)
Bean	Higgins	Payne
Becerra	Himes	Perlmutter
Berkley	Hinchee	Perriello
Berman	Hinojosa	Peters
Berry	Hirono	Peterson
Bilbray	Hodes	Pierluisi
Bishop (GA)	Holden	Pingree (ME)
Bishop (NY)	Holt	Platts
Bocchieri	Hoyer	Polis (CO)
Boren	Inglis	Pomeroy
Boswell	Inslee	Price (NC)
Boucher	Israel	Quigley
Boyd	Jackson (IL)	Rahall
Brady (PA)	Jackson-Lee	Rangel
Braley (IA)	(TX)	Reyes
Brown, Corrine	Johnson (GA)	Ros-Lehtinen
Butterfield	Johnson, E. B.	Ross
Camp	Kagen	Rothman (NJ)
Cao	Kanjorski	Roybal-Allard
Capps	Kaptur	Ruppersberger
Capuano	Kennedy	Rush
Cardoza	Kildee	Ryan (OH)
Carnahan	Kilpatrick (MI)	Sablan
Carney	Kilroy	Salazar
Carson (IN)	Kind	Sanchez, Linda
Castle	Kirkpatrick (AZ)	T.
Castor (FL)	Kissell	Sanchez, Loretta
Childers	Klein (FL)	Sarbanes
Christensen	Kosmas	Schakowsky
Clarke	Kucinich	Schauer
Clay	Langevin	Schiff
Cleaver	Larsen (WA)	Schwartz
Clyburn	Larson (CT)	Scott (GA)
Cohen	Lee (CA)	Scott (VA)
Connolly (VA)	Levin	Serrano
Conyers	Lewis (GA)	Shea-Porter
Cooper	Lipinski	Sherman
Costa	LoBiondo	Shuler
Costello	Loeb sack	Sires
Courtney	Lowey	Skelton
Crowley	Lucas	Slaughter
Cummings	Lujan	Smith (NJ)
Dahlkemper	Lynch	Smith (WA)
Davis (AL)	Maffei	Space
Davis (CA)	Maloney	Speier
Davis (IL)	Markey (CO)	Spratt
Davis (TN)	Markey (MA)	Stark
DeFazio	Marshall	Stupak
DeGette	Massa	Sutton
Delahunt	Matheson	Tanner
DeLauro	Matsui	Taylor
Dent	McCarthy (NY)	Teague
Diaz-Balart, L.	McCollum	Thompson (CA)
Diaz-Balart, M.	McCotter	Thompson (MS)
Dicks	McDermott	Tierney
Dingell	McGovern	Titus
Doggett	McHugh	Tonko
Donnelly (IN)	McIntyre	Towns
Doyle	McMahon	Tsongas
Driehaus	Meek (FL)	Turner
Duncan	Meeks (NY)	Upton
Edwards (MD)	Michaud	Van Hollen
Edwards (TX)	Miller (MI)	Velázquez
Ehlers	Miller (NC)	Visclosky
Ellison	Miller, George	Walz
Engel	Minnick	Wasserman
Etheridge	Mitchell	Schultz
Farr	Mollohan	Waters
Fattah	Moore (KS)	Watson
Filner	Moore (WI)	Watt
Foster	Moran (VA)	Waxman
Frank (MA)	Murphy (CT)	Weiner
Fudge	Murphy (NY)	Welch
Gerlach	Murphy, Patrick	
Giffords	Murphy, Tim	
Grayson	Murtha	

Wexler
Wilson (OH)

Woolsey
Wu

Yarmuth
Young (AK)

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 362, noes 69, not voting 7, as follows:

[Roll No. 544]

AYES—362

NOES—172
Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Campbell
Cantor
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Cuellar
Culberson
Davis (KY)
Deal (GA)
Dreier
Ellsworth
Emerson
Eshoo
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly

Miller, Gary
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Ortiz
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Snyder
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
McHenry
McKeon
McMorris
Rodgers
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf

Abercrombie
Ackerman
Aderholt
Baca
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Bocciari
Boehner
Bono Mack
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Hare
Carson (IN)
Carter
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)

Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Biggert
Bilbray
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Poster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Herger
Higgins
Hill
Himes
Hinchev
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen

Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lujan
Lummis
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McMahon
McMorris
Rodgers
McNerney
Meeks (NY)
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nunes
Nye
Oberstar
Obey
Olver

Ortiz
Pallone
Pascarell
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen

Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Speier
Spratt
Stark

NOES—69

Akin
Bachmann
Barrett (SC)
Bishop (UT)
Bonner
Boozman
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Campbell
Cassidy
Coffman (CO)
Conaway
Cooper
Deal (GA)
Duncan
Flake
Fleming
Franks (AZ)
Gangmert
Hastings (WA)
Heller
Hensarling

Inglis
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
Kline (MN)
Lamborn
Latta
Lee (NY)
Linder
Luetkemeyer
Lungren, Daniel
E.
McClintock
McKeon
Melancon
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Olson
Price (GA)

Stupak
Sutton
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NOT VOTING—5

Bordallo
Faleomavaega
Schrader
Sestak
Young (FL)

□ 1536

Mr. BRIGHT, Ms. HARMAN, Mr. CULBERSON, Ms. ESHOO, Messrs. WITTMAN, ORTIZ, and HONDA changed their vote from “aye” to “no.” Messrs. MITCHELL and TEAGUE changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART A AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY OF VIRGINIA

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

NOT VOTING—7
Faleomavaega
Herseh Sandlin
Meek (FL)
Pastor (AZ)
Schrader
Sestak
ANNOUNCEMENT BY THE CHAIR
The CHAIR (during the vote). There is 1 minute remaining.
□ 1541
So the amendment was agreed to.
The result of the vote was announced as above recorded.
PART A AMENDMENT NO. 4 OFFERED BY MR. HASTINGS OF WASHINGTON
The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. HASTINGS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.
The Clerk will redesignate the amendment.
The Clerk redesignated the amendment.
RECORDED VOTE
The CHAIR. A recorded vote has been demanded.

NOT VOTING—7
Faleomavaega
Herseh Sandlin
Meek (FL)
Pastor (AZ)
Schrader
Sestak
ANNOUNCEMENT BY THE CHAIR
The CHAIR (during the vote). There is 1 minute remaining.
□ 1541
So the amendment was agreed to.
The result of the vote was announced as above recorded.
PART A AMENDMENT NO. 4 OFFERED BY MR. HASTINGS OF WASHINGTON
The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. HASTINGS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.
The Clerk will redesignate the amendment.
The Clerk redesignated the amendment.
RECORDED VOTE
The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 432, noes 0, not voting 6, as follows:

[Roll No. 545]

AYES—432

Abercrombie	Conyers	Himes
Ackerman	Cooper	Hinchey
Aderholt	Costa	Hinojosa
Adler (NJ)	Costello	Hirono
Akin	Courtney	Hodes
Alexander	Crenshaw	Hoekstra
Altmire	Crowley	Holden
Andrews	Cuellar	Holt
Arcuri	Culberson	Honda
Austria	Cummings	Hoyer
Baca	Dahlkemper	Hunter
Bachmann	Davis (AL)	Inglis
Bachus	Davis (CA)	Inslee
Baird	Davis (IL)	Israel
Baldwin	Davis (KY)	Issa
Barrett (SC)	Davis (TN)	Jackson (IL)
Barrow	Deal (GA)	Jackson-Lee
Bartlett	DeFazio	(TX)
Barton (TX)	DeGette	Jenkins
Bean	Delahunt	Johnson (GA)
Becerra	DeLauro	Johnson (IL)
Berkley	Dent	Johnson, E. B.
Berman	Diaz-Balart, L.	Johnson, Sam
Berry	Diaz-Balart, M.	Jones
Biggert	Dicks	Jordan (OH)
Bilbray	Dingell	Kagen
Bilirakis	Doggett	Kanjorski
Bishop (GA)	Donnelly (IN)	Kaptur
Bishop (NY)	Doyle	Kennedy
Bishop (UT)	Dreier	Kildee
Blackburn	Driehaus	Kilpatrick (MI)
Blumenauer	Duncan	Kilroy
Blunt	Edwards (MD)	Kind
Boccheri	Edwards (TX)	King (IA)
Boehner	Ehlers	King (NY)
Bonner	Ellison	Kingston
Bono Mack	Ellsworth	Kirk
Boozman	Emerson	Kirkpatrick (AZ)
Bordallo	Engel	Kissell
Boren	Eshoo	Klein (FL)
Boswell	Etheridge	Kline (MN)
Boucher	Fallin	Kosmas
Boustany	Farr	Kratovil
Boyd	Fattah	Kucinich
Brady (PA)	Filner	Lamborn
Brady (TX)	Flake	Lance
Bralley (IA)	Fleming	Langevin
Bright	Forbes	Larsen (WA)
Broun (GA)	Fortenberry	Larson (CT)
Brown (SC)	Foster	Latham
Brown, Corrine	Fox	LaTourette
Brown-Waite,	Frank (MA)	Latta
Ginny	Franks (AZ)	Lee (CA)
Buchanan	Frelinghuysen	Lee (NY)
Burgess	Fudge	Levin
Burton (IN)	Gallely	Lewis (CA)
Butterfield	Garrett (NJ)	Lewis (GA)
Buyer	Gerlach	Linder
Calvert	Giffords	Lipinski
Camp	Gingrey (GA)	LoBiondo
Campbell	Gohmert	Loebsack
Cantor	Gonzalez	Lofgren, Zoe
Cao	Goodlatte	Lowe
Capito	Gordon (TN)	Lucas
Capps	Granger	Luetkemeyer
Capuano	Graves	Luján
Cardoza	Grayson	Lummis
Carnahan	Green, Al	Lungren, Daniel
Carney	Green, Gene	E.
Carson (IN)	Griffith	Lynch
Carter	Grijalva	Mack
Cassidy	Guthrie	Maffei
Castle	Gutierrez	Maloney
Castor (FL)	Hall (NY)	Manzullo
Chaffetz	Hall (TX)	Marchant
Chandler	Halvorson	Markey (CO)
Childers	Hare	Markey (MA)
Christensen	Harman	Marshall
Clarke	Harper	Massa
Clay	Hastings (FL)	Matheson
Cleaver	Hastings (WA)	Matsui
Clyburn	Heinrich	McCarthy (CA)
Coble	Heller	McCarthy (NY)
Coffman (CO)	Hensarling	McCaul
Cohen	Herger	McClintock
Cole	Herseth Sandlin	McCollum
Conaway	Higgins	McCotter
Connolly (VA)	Hill	McDermott

McGovern	Poe (TX)	Skelton
McHenry	Polis (CO)	Slaughter
McHugh	Pomeroy	Smith (NE)
McIntyre	Posey	Smith (NJ)
McKeon	Price (GA)	Smith (TX)
McMahon	Price (NC)	Smith (WA)
McMorris	Putnam	Snyder
Rodgers	Quigley	Souder
McNerney	Radanovich	Space
Meek (FL)	Rahall	Speier
Meeks (NY)	Rangel	Spratt
Melancon	Rehberg	Stark
Mica	Reichert	Stearns
Michaud	Reyes	Stupak
Miller (FL)	Richardson	Sullivan
Miller (MI)	Rodriguez	Sutton
Miller (NC)	Roe (TN)	Tanner
Miller, Gary	Rogers (AL)	Taylor
Miller, George	Rogers (KY)	Teague
Minnick	Rogers (MI)	Terry
Mitchell	Rohrabacher	Thompson (CA)
Mollohan	Rooney	Thompson (MS)
Moore (KS)	Ros-Lehtinen	Thompson (PA)
Moran (KS)	Roskauer	Thornberry
Moran (VA)	Ross	Tiaht
Murphy (CT)	Rothman (NJ)	Tiberi
Murphy (NY)	Roybal-Allard	Tierney
Murphy, Patrick	Royce	Titus
Murphy, Tim	Ruppersberger	Tonko
Murtha	Rush	Towns
Myrick	Ryan (OH)	Tsongas
Nadler (NY)	Ryan (WI)	Turner
Napolitano	Sablan	Upton
Neal (MA)	Salazar	Van Hollen
Neugebauer	Sánchez, Linda	Velázquez
Norton	T.	Visclosky
Nunes	Sanchez, Loretta	Walden
Nye	Sarbanes	Walz
Oberstar	Scalise	Wamp
Obey	Schakowsky	Wasserman
Doyle	Schauer	Schultz
Oliver	Schiff	Waters
Ortiz	Schmidt	Watson
Pallone	Schock	Watt
Pascarell	Schwartz	Waxman
Pastor (AZ)	Scott (GA)	Weiner
Paul	Scott (VA)	Welch
Paulsen	Sensenbrenner	Westmoreland
Payne	Serrano	Wexler
Pence	Sessions	Whitfield
Perlmutter	Shadegg	Wilson (OH)
Perriello	Shea-Porter	Wilson (SC)
Peters	Sherman	Wittman
Peterson	Shimkus	Wolf
Petri	Shuler	Woolsey
Pierluisi	Shuster	Wu
Pingree (ME)	Simpson	Yarmuth
Pitts	Sires	Young (AK)

NOT VOTING—6

Faleomavaega	Platts	Sestak
Moore (WI)	Schrader	Young (FL)

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1546

So the amendment was agreed to.

The result of the vote was announced as above recorded.

(By unanimous consent, Ms. RICHARDSON was allowed to speak out of order.)

CONGRATULATING THE HOUSE WOMEN'S SOFTBALL TEAM

Ms. RICHARDSON. Colleagues, it's with great pleasure that we come before you to announce the incredible success that we had last night at the First Annual Congressional—may I say—Bipartisan Women's Softball Game.

We want to recognize our two captains, Republican JOANN EMERSON and, of course, our fearless leader who did it all, DEBBIE WASSERMAN SCHULTZ. We want to thank all of you, our teammates.

Mrs. EMERSON. You all, thank you very, very much from the bottom of my heart.

Ms. RICHARDSON. And from mine. Ms. WASSERMAN SCHULTZ. From the bottom of my foot.

Mrs. EMERSON. We have been told that this was a triumph for women and a triumph of bipartisanship. And I think that says it all. We have proven, I think, that we will rise above any kind of partisanship, work together, come together as a team, and really work hard for something. And I think we're a good example for the whole House.

Ms. WASSERMAN SCHULTZ. In addition to that, we became even closer friends than we were when we started and raised awareness about the fact that young women can and do get breast cancer. We raised \$50,000 for the Young Survival Coalition.

So, thank you to all the Members who came out, and all the staff. We especially want to thank the ladies of the Republican National Committee, Democratic National Committee, DCCC, NRCC, and the DSCC for participating and doing a great job. We're going to get you next year.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

PART A AMENDMENT NO. 7 OFFERED BY MR.

BOREN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. BOREN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 429, noes 4, not voting 5, as follows:

[Roll No. 546]

AYES—429

Abercrombie	Bishop (GA)	Burgess
Ackerman	Bishop (NY)	Burton (IN)
Aderholt	Bishop (UT)	Butterfield
Adler (NJ)	Blackburn	Buyer
Akin	Blumenauer	Calvert
Alexander	Blunt	Camp
Altmire	Boccheri	Cantor
Andrews	Boehner	Cao
Arcuri	Bonner	Capito
Austria	Bono Mack	Capps
Baca	Boozman	Capuano
Bachmann	Bordallo	Cardoza
Bachus	Boren	Carnahan
Baird	Boswell	Carney
Baldwin	Boucher	Carson (IN)
Barrett (SC)	Boustany	Carter
Barrow	Boyd	Cassidy
Bartlett	Brady (PA)	Castle
Barton (TX)	Brady (TX)	Castor (FL)
Bean	Bralley (IA)	Chaffetz
Becerra	Bright	Chandler
Berkley	Broun (GA)	Childers
Berman	Brown (SC)	Christensen
Berry	Brown, Corrine	Clarke
Biggert	Brown-Waite,	Clay
Bilbray	Ginny	Cleaver
Bilirakis	Buchanan	Clyburn

Coble	Holt	Minnick	Slaughter	Thompson (CA)	Wasserman	Crowley	Jenkins	Murtha
Coffman (CO)	Honda	Mitchell	Smith (NE)	Thompson (MS)	Schultz	Cuellar	Johnson (IL)	Myrick
Cohen	Hoyer	Mollohan	Smith (NJ)	Thompson (PA)	Waters	Culberson	Johnson, E. B.	Nadler (NY)
Cole	Hunter	Moore (KS)	Smith (TX)	Thornberry	Watson	Cummings	Johnson, Sam	Napolitano
Conaway	Inglis	Moore (WI)	Smith (WA)	Tiahrt	Watt	Dahlkemper	Jones	Neal (MA)
Connolly (VA)	Inslee	Moran (KS)	Snyder	Tiberi	Waxman	Davis (AL)	Jordan (OH)	Neugebauer
Conyers	Israel	Moran (VA)	Souder	Tierney	Weiner	Davis (CA)	Kagen	Norton
Cooper	Issa	Murphy (CT)	Space	Titus	Welch	Davis (IL)	Kanjorski	Nunes
Costa	Jackson (IL)	Murphy (NY)	Speier	Tonko	Westmoreland	Davis (KY)	Kaptur	Nye
Costello	Jackson-Lee	Murphy, Patrick	Spratt	Towns	Wexler	Davis (TN)	Kennedy	Oberstar
Courtney	(TX)	Murphy, Tim	Stark	Tsongas	Whitfield	Deal (GA)	Kildee	Obey
Crenshaw	Jenkins	Murtha	Stearns	Turner	Wilson (OH)	DeFazio	Kilpatrick (MI)	Olson
Crowley	Johnson (GA)	Myrick	Stupak	Upton	Wilson (SC)	DeGette	Kilroy	Oliver
Cuellar	Johnson (IL)	Nadler (NY)	Sullivan	Van Hollen	Wittman	Delahunt	Kind	Ortiz
Culberson	Johnson, E. B.	Napolitano	Sutton	Velázquez	Wolf	DeLauro	King (IA)	Pallone
Cummings	Johnson, Sam	Neal (MA)	Tanner	Visclosky	Woolsey	Dent	King (NY)	Pascarell
Dahlkemper	Jones	Neugebauer	Taylor	Walden	Wu	Diaz-Balart, L.	Kingston	Pastor (AZ)
Davis (AL)	Jordan (OH)	Norton	Teague	Walz	Yarmuth	Diaz-Balart, M.	Kirk	Paul
Davis (CA)	Kagen	Nunes	Terry	Wamp	Young (AK)	Dicks	Kirkpatrick (AZ)	Paulsen
Davis (IL)	Kanjorski	Nye				Dingell	Kissell	Payne
Davis (KY)	Kaptur	Oberstar				Doggett	Klein (FL)	Pence
Davis (TN)	Kennedy	Obey	Campbell	Flake		Donnelly (IN)	Kline (MN)	Perlmutter
Deal (GA)	Kildee	Olson	Ehlers	McClintock		Doyle	Kosmas	Perriello
DeFazio	Kilpatrick (MI)	Oliver				Dreier	Kratovil	Peters
DeGette	Kilroy	Ortiz				Driehaus	Kucinich	Peterson
Delahunt	Kind	Pallone	Faleomavaega	Schrader	Young (FL)	Duncan	Lamborn	Petri
DeLauro	King (IA)	Pascarell	Sablan	Sestak		Edwards (MD)	Lance	Pierluisi
Dent	King (NY)	Pastor (AZ)				Edwards (TX)	Langevin	Pingree (ME)
Diaz-Balart, L.	Kingston	Paul				Ehlers	Larsen (WA)	Pitts
Diaz-Balart, M.	Kirk	Paulsen				Ellison	Larson (CT)	Platts
Dicks	Kirkpatrick (AZ)	Payne				Ellsworth	Latham	Poe (TX)
Dingell	Kissell	Pence				Emerson	LaTourette	Polis (CO)
Doggett	Klein (FL)	Perlmutter				Engel	Latta	Pomeroy
Donnelly (IN)	Kline (MN)	Perriello				Eshoo	Lee (CA)	Posey
Doyle	Kosmas	Peters				Etheridge	Lee (NY)	Price (GA)
Dreier	Kratovil	Peterson				Fallin	Levin	Price (NC)
Driehaus	Kucinich	Petri				Fattah	Lewis (CA)	Putnam
Duncan	Lamborn	Pierluisi				Filner	Lewis (GA)	Quigley
Edwards (MD)	Lance	Pingree (ME)				Flake	Linder	Radanovich
Edwards (TX)	Langevin	Pitts				Fleming	Lipinski	Rahall
Ellison	Larsen (WA)	Platts				Forbes	LoBiondo	Rangel
Ellsworth	Larson (CT)	Poe (TX)				Fortenberry	Loeb sack	Rehberg
Emerson	Latham	Polis (CO)				Foster	Lofgren, Zoe	Reichert
Engel	LaTourette	Pomeroy				Fox	Lowey	Reyes
Eshoo	Latta	Posey				Frank (MA)	Lucas	Richardson
Etheridge	Lee (CA)	Price (GA)				Franks (AZ)	Luetkemeyer	Rodriguez
Fallin	Lee (NY)	Price (NC)				Frelinghuysen	Lujan	Roe (TN)
Farr	Levin	Putnam				Fudge	Lummis	Rogers (AL)
Fattah	Lewis (CA)	Quigley				Gallegly	Lungren, Daniel	Rogers (KY)
Filner	Lewis (GA)	Radanovich				Garrett (NJ)	E.	Rogers (MI)
Fleming	Linder	Rahall				Gerlach	Lynch	Rohrabacher
Forbes	Lipinski	Rangel				Giffords	Mack	Rooney
Fortenberry	LoBiondo	Rehberg				Gingrey (GA)	Maffei	Ros-Lehtinen
Foster	Loeb sack	Reichert				Gohmert	Maloney	Roskam
Fox	Lofgren, Zoe	Reyes				Gonzalez	Manzullo	Ross
Frank (MA)	Lowey	Richardson				Goodlatte	Marchant	Rothman (NJ)
Franks (AZ)	Lucas	Rodriguez				Gordon (TN)	Markey (CO)	Roybal-Allard
Frelinghuysen	Luetkemeyer	Roe (TN)				Granger	Markey (MA)	Royce
Fudge	Lujan	Rogers (AL)				Graves	Marshall	Ruppersberger
Gallegly	Lummis	Rogers (KY)				Grayson	Massa	Rush
Garrett (NJ)	Lungren, Daniel	Rogers (MI)				Green, Al	Matheson	Ryan (OH)
Gerlach	E.	Rohrabacher				Green, Gene	Matsui	Ryan (WI)
Giffords	Lynch	Rooney				Griffith	McCarthy (CA)	Sablan
Gingrey (GA)	Mack	Ros-Lehtinen				Grijalva	McCarthy (NY)	Salazar
Gohmert	Maffei	Roskam				Guthrie	McCaul	Sanchez, Linda
Gonzalez	Maloney	Ross				Gutierrez	McClintock	T.
Goodlatte	Manzullo	Rothman (NJ)				Hall (NY)	McColum	Sanchez, Loretta
Gordon (TN)	Marchant	Roybal-Allard				Hall (TX)	McCotter	Sarbanes
Granger	Markey (CO)	Royce	Abercrombie	Blunt	Capito	Halvorson	McDermott	Scalise
Graves	Markey (MA)	Ruppersberger	Ackerman	Boocieri	Capps	Hare	McGovern	Schakowsky
Grayson	Marshall	Rush	Aderholt	Boehner	Capuano	Harman	McHenry	Schauer
Green, Al	Massa	Ryan (OH)	Adler (NJ)	Bonner	Cardoza	Harper	McHugh	Schiff
Green, Gene	Matheson	Ryan (WI)	Akin	Bono Mack	Carnahan	Hastings (FL)	McIntyre	Schmidt
Griffith	Matsui	Salazar	Alexander	Boozman	Carney	Hastings (WA)	McKeon	Schock
Grijalva	McCarthy (CA)	Sanchez, Linda	Altmire	Bordallo	Carson (IN)	Heinrich	McMahon	Schwartz
Guthrie	McCarthy (NY)	T.	Andrews	Boren	Carter	Heller	McMorris	Scott (GA)
Gutierrez	McCaul	Sanchez, Loretta	Arcuri	Boswell	Cassidy	Hensarling	Rodgers	Scott (VA)
Hall (NY)	McColum	Sarbanes	Austria	Boucher	Castle	Herger	McNerney	Sensenbrenner
Hall (TX)	McCotter	Scalise	Baca	Boustany	Castor (FL)	Herseth Sandlin	Meek (FL)	Serrano
Halvorson	McDermott	Schakowsky	Bachmann	Boyd	Chaffetz	Higgins	Meeks (NY)	Sessions
Hare	McGovern	Schauer	Bachus	Brady (PA)	Chandler	Hill	Melancon	Shadegg
Harman	McHenry	Schiff	Baldwin	Brady (TX)	Childers	Himes	Mica	Shea-Porter
Harper	McHugh	Schmidt	Barrett (SC)	Braley (IA)	Christensen	Hinchev	Michaud	Sherman
Hastings (FL)	McIntyre	Schock	Barrow	Bright	Clarke	Hinojosa	Miller (FL)	Shimkus
Hastings (WA)	McKeon	Schwartz	Bartlett	Brown (GA)	Hirono	Miller (MI)	Miller (MI)	Shuler
Heinrich	McMahon	Scott (GA)	Barton (TX)	Brown (SC)	Cleaver	Hodes	Miller (NC)	Shuster
Heller	McMorris	Scott (VA)	Bean	Brown, Corrine	Clyburn	Hoekstra	Miller, Gary	Simpson
Hensarling	Rodgers	Sensenbrenner	Becerra	Brown-Waite,	Coble	Holden	Miller, George	Sires
Herger	McNerney	Serrano	Berkley	Ginny	Coffman (CO)	Holt	Minnick	Skelton
Herseth Sandlin	Meek (FL)	Sessions	Berman	Buchanan	Cohen	Honda	Mitchell	Slaughter
Higgins	Meeks (NY)	Shadegg	Berry	Burgess	Cole	Hoyer	Mollohan	Smith (NE)
Hill	Melancon	Shea-Porter	Biggart	Burton (IN)	Conaway	Hunter	Moore (KS)	Smith (NJ)
Himes	Mica	Sherman	Bilbray	Butterfield	Connolly (VA)	Inglis	Moore (WI)	Smith (TX)
Hinchev	Michaud	Shimkus	Bilirakis	Buyer	Conyers	Inslee	Moran (KS)	Smith (WA)
Hinojosa	Miller (FL)	Shuler	Bishop (GA)	Calvert	Cooper	Issae	Moran (VA)	Snyder
Hirono	Miller (MI)	Shuster	Bishop (NY)	Camp	Costa	Issa	Murphy (CT)	Souder
Hodes	Miller (NC)	Simpson	Bishop (UT)	Campbell	Costello	Jackson (IL)	Murphy (NY)	Space
Hoekstra	Miller, Gary	Sires	Blackburn	Cantor	Courtney	Jackson-Lee	Murphy, Patrick	Speier
Holden	Miller, George	Skelton	Blumenauer	Cao	Crenshaw	(TX)	Murphy, Tim	Spratt

NOES—4

Campbell
EhlersFlake
McClintock

NOT VOTING—5

Faleomavaega
SablanSchrader
Young (FL)

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1553

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART A AMENDMENT NO. 8 OFFERED BY MRS.

MILLER OF MICHIGAN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote. The vote was taken by electronic device, and there were—ayes 431, noes 1, not voting 6, as follows:

[Roll No. 547]

AYES—431

Abercrombie	Blunt	Capito
Ackerman	Boocieri	Capps
Aderholt	Boehner	Capuano
Adler (NJ)	Bonner	Cardoza
Akin	Bono Mack	Carnahan
Alexander	Boozman	Carney
Altmire	Bordallo	Carson (IN)
Andrews	Boren	Carter
Arcuri	Boswell	Cassidy
Austria	Boucher	Castle
Baca	Boustany	Castor (FL)
Bachmann	Boyd	Chaffetz
Bachus	Brady (PA)	Chandler
Baldwin	Brady (TX)	Childers
Barrett (SC)	Braley (IA)	Christensen
Barrow	Bright	Clarke
Bartlett	Brown (GA)	Clay
Barton (TX)	Brown (SC)	Cleaver
Bean	Brown, Corrine	Clyburn
Becerra	Brown-Waite,	Coble
Berkley	Ginny	Coffman (CO)
Berman	Buchanan	Cohen
Berry	Burgess	Cole
Biggart	Burton (IN)	Conaway
Bilbray	Butterfield	Connolly (VA)
Bilirakis	Buyer	Conyers
Bishop (GA)	Calvert	Cooper
Bishop (NY)	Camp	Costa
Bishop (UT)	Campbell	Costello
Blackburn	Cantor	Courtney
Blumenauer	Cao	Crenshaw

Stark	Titus	Watt
Stearns	Tonko	Waxman
Stupak	Towns	Weiner
Sullivan	Tsongas	Welch
Sutton	Turner	Westmoreland
Tanner	Upton	Wexler
Taylor	Van Hollen	Whitfield
Teague	Velázquez	Wilson (OH)
Terry	Visclosky	Wilson (SC)
Thompson (CA)	Walden	Wittman
Thompson (MS)	Walz	Wolf
Thompson (PA)	Wamp	Woolsey
Thornberry	Wasserman	Wu
Tiaht	Schultz	Yarmuth
Tiberi	Waters	Young (AK)
Tierney	Watson	

NOES—1

Baird

NOT VOTING—6

Faleomavaega	Johnson (GA)	Sestak
Farr	Schrader	Young (FL)

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1558

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1600

The Acting CHAIR (Mr. CUELLAR). It is now in order to consider one of the amendments printed in part B of House Report 111–209.

PART B AMENDMENT NO. 2 OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 2 offered by Mr. CAMPBELL:

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

SEC. ____ CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading “Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy” shall be available for the Housatonic River Net-Zero Energy Building project, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Energy Efficiency and Renewable Energy Projects) are each hereby reduced by \$1,000,000.

The Acting CHAIR. Pursuant to House Resolution 645, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, this amendment would strike a \$1 million earmark that is for—and being from California, I will apologize in advance to the gentleman from Massachusetts if I butcher the name of the river, the pronunciation of the name of the river, but is it Housatonic? You can correct me when it’s your time, but the Housatonic River Museum in Pittsfield, Massachusetts, and it reduces funding in the overall bill by that amendment.

Mr. Chairman, it is not unusual lately to see amendments for funding of museums in local communities and

around the country, but this one’s particularly unusual, I believe, because, as far as I can determine from the Web site, this museum doesn’t currently exist. And if I am reading the Web site for this museum correctly, they’re still in the design and development phase of this building, and it would appear that this is a \$1 million earmark to go to a museum in Massachusetts which does not currently exist and which, according to their own Web site, would not even have construction completed until 2012. And of course, this is the appropriations funding for 2010, so this funding would be available for the museum 2 years before even their Web site indicates they might be completed. So this appears to be an amendment for a museum, \$1 million for the museum that doesn’t exist.

And I will reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I claim time in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I urge rejection of the amendment before us. In 2006, Congress created the Upper Housatonic National Heritage Area in southwestern Massachusetts and in northwestern Connecticut based on legislation that was cosponsored by our distinguished former colleague Representative Nancy Johnson of Connecticut and myself in the House and by all the Senators from Massachusetts and Connecticut in the other body.

The Housatonic River Museum is being created by a group of local citizens and environmentalists, all residents of that national heritage area, as a venue to highlight the rich cultural history and explore the hopes for the future of that area. The 13,000-square-foot museum is being designed to achieve two sustainable goals: zero carbon footprint and zero net energy usage.

Ninety percent of the money for this project is being raised privately, but the money provided in this bill will allow the museum to maximize energy conservation and efficiency using passive strategies such as natural lighting, natural ventilation, water conservation, high-performance building materials, and, in addition, to generate enough power for its own needs, all from renewable sources utilizing photovoltaic panels, recycled wood pellet boilers and a geothermal well system. The museum will return excess power to the public electricity grid when available and possible.

All of these techniques and processes for energy conservation and efficiency will be made available for explanation and demonstration to thousands of visitors of all ages, but especially to school-age children from near and far.

The museum itself will be lead certified, and will serve as a flagship demonstration project and an example of sustainable construction. It will be the

first public building on the East Coast to be listed by the Department of Energy as a zero energy, and will join only seven others of similar designation in the Nation.

This is a good project with high goals and deserves to be funded, and I urge a “no” vote on the gentleman’s amendment.

I reserve the balance of my time.

Mr. CAMPBELL. Mr. Chairman, I have no doubt that it sounds like the museum is going to be a very neat, cool, useful museum in the local area, but I guess I would ask the gentleman a question. Does this museum currently exist?

And I would yield to the gentleman. Does it currently exist?

Mr. OLVER. It is under design.

Mr. CAMPBELL. So it is under construction.

Mr. OLVER. It is under design, and the money is being raised as we speak.

Mr. CAMPBELL. Reclaiming my time, but I would ask the gentleman, have all the funds for this, the construction of this museum been raised?

And I would yield.

Mr. OLVER. I am not familiar with the day-to-day progress of the collection of those construction funds.

Mr. CAMPBELL. Mr. Chairman, reclaiming my time, this is \$1 million of the public’s money going to a museum that doesn’t currently exist, that is not currently under construction, and the gentleman from Massachusetts can’t tell me if it’s even fully funded. I mean, if you don’t have enough, if there isn’t enough money to build it, it may never be built. It may never be funded.

So where is this million dollars going to go and what is it going to go for?

The gentleman pointed out that most of this museum, or so far they’ve been doing this raised on private funds. That’s great. That’s very admirable. That’s outstanding. That’s the way local museums and stuff should be done. I support them. I’m sure he does as well, and that’s the way that funding should be.

And so, should the taxpayers from California and Texas and Louisiana and every place else put their tax money towards subsidizing a privately funded museum in Massachusetts no matter how admirable the message that that museum may be?

And I would reserve the balance of my time.

Mr. OLVER. I continue to reserve.

I think I have the right to close, do I not?

The Acting CHAIR. The gentleman is correct.

Mr. CAMPBELL. May I ask how much time I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from California has 1½ minutes.

Mr. CAMPBELL. Mr. Chairman, you know, the fiscal and financial status of this country is at an unprecedented low. We will have a deficit this year of probably over \$2 trillion. President

Obama's budget projects a deficit of \$1 trillion a year as far as the eye can see.

Of the million dollars that will go to this museum that doesn't exist and may never exist, \$460,000 of that will be borrowed. Much of that money will be borrowed from people in China and India and other places.

And I guess I would ask, Mr. Chairman, in this time of great fiscal strain, in this time when people are losing their jobs, in this time when we have a gigantic deficit, gigantic debt, borrowing money from all around the world, and a Congress and a President who seem to be unwilling or unable to stop spending and spending and spending, isn't at least this, can't we at least not spend \$1 million on something that doesn't even exist and hasn't been fully funded? Can't we at least stop here?

I tell you, Mr. Chairman, if this sort of spending, this sort of \$1 million on a local project subsidizing a privately funded museum that doesn't even exist, if this isn't a million dollars we can save, then the message I think, Mr. Chairman, to the American people is that this Congress is absolutely unwilling to save any of their money and to reduce these deficits in the future, which is not just a problem for our children and grandchildren; the problem's going to come on us much sooner than that. It's a problem for us.

I yield back the balance of my time.

Mr. OLVER. Mr. Chairman, I yield 30 seconds to the gentleman from Arizona (Mr. PASTOR).

Mr. PASTOR of Arizona. I thank the gentleman for yielding and to inform him and our Members that the committee supports the construction of this museum and is against the amendment, so we are urging Members to vote "no" on the amendment.

Mr. OLVER. I would just reiterate in this instance that all of this money goes to achieve those specific goals for providing zero carbon footprint and net zero energy usage in this to-be-constructed museum. All of the techniques, an array of techniques, I mentioned five or six, but the array of techniques, all of those will be available as demonstrations for all of the visitors all of the years of the future of this museum.

And he worries that it may never be constructed. Well, if they don't raise the money, which I expect them to do, and to be able to be in construction quite as fast as a good many of our recovery projects might get into construction, but certainly within this and the next fiscal year, that none of that money gets expended. So there is no harm at all in that. And otherwise, we have a very fine museum and a very fine demonstration project which hundreds of thousands of people will see over the next decade.

So I would hope that the amendment will be rejected. I urge a "no" vote on the amendment.

I yield back.

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from California (Mr. CAMPBELL).

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. It is now in order to consider the amendments printed in part C of House Report 111-209.

PART C AMENDMENT NO. 1 OFFERED BY MR.

FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 1 offered by Mr. FLAKE:

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

SEC. ____ . CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" shall be available for the Maret Center project, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Energy Efficiency and Renewable Energy Projects) are each hereby reduced by \$1,500,000.

The Acting CHAIR. Pursuant to House Resolution 645, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, before proceeding with the time constraints here, I would ask unanimous consent that my amendment be modified to the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to part C amendment No. 1 offered by Mr. FLAKE:

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

SEC. ____ . PROCUREMENT AND ACQUISITION OF ALTERNATIVE FUELS.—None of the funds appropriated or otherwise made available by this Act may be used to carry out, or pay the salaries and expenses of personnel who carry out, section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

□ 1615

The Acting CHAIR. Is there objection to the modification?

Mr. PASTOR of Arizona. Mr. Chairman, I object to the modification.

The Acting CHAIR. Objection is heard.

Mr. FLAKE. May I inquire of the gentleman from Arizona why he objects? We were told that this appropriations process, particularly today's bill, was under a modified structured rule

simply because of time constraints. I am simply offering to modify my amendment to reflect an amendment that was offered but not accepted by the committee so that no more time would be consumed. This is an amendment that is in order, and it is germane.

I would just ask the gentleman why the objection is being heard.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members' remarks will be directed to the Chair.

Mr. FLAKE. I would ask the Chair to ask the gentleman.

I would yield to the gentleman for a response if the gentleman from Arizona would respond to why he is objecting to this unanimous consent request.

Mr. PASTOR of Arizona. This amendment was taken up by the Rules Committee, and I don't have the authority to change or to modify it. So, rather than get into the debate, I thought it was in proper form to object.

Mr. FLAKE. I will have to go back to my original amendment. Let me just make a point, and I will be making it frequently coming up, so the gentleman or others may want to consult with the Rules Committee.

We were told at the beginning of this process that we were going to be restricted in terms of what we could offer simply because of time, that we could not have so many amendments that would take so much time. There were 108 amendments offered. We would never be able to get them done, we were told. So here we have a bill. The time constraints are set. We are told that some 20 amendments are going to be offered. We are simply asking to swap out amendments.

The Appropriations chairman said, We have an obligation to get our work done, so what Mr. HOYER and I did was offer the minority leader an opportunity from a compressed number of amendments to select their own amendments, any amendments they wanted, but they did not want to limit the number of time.

Here we are saying we will agree to the time, and we are simply asking for unanimous consent to allow us to offer the amendments we would like to offer, and they're objecting. So, Mr. Chairman, all you can conclude, again, is that the majority simply doesn't want to take votes on these amendments. For the first time in years, in decades, we are shutting down an appropriations process, and saying, You can't offer the amendments you want. You only offer the amendments we want. Now, that is simply wrong. I just want to make that point, and I'll be making it again and again.

So I don't blame the gentleman from Arizona. He is not authorized here, but his party has told us that we are only compressing and having, basically, martial law in terms of appropriations bills because of compressed time. We are agreeing to the compressed time. We are simply saying allow us to offer the amendments that are germane that

we want to offer. We are being told, no, you only offer the amendments we want to hear.

That's what we're being told here, and I just want to register an objection to that because we ought to have the freedom to offer the amendments that we have offered like we've been able to do for decades in this House.

With that, let me get to the substance of the amendment.

This amendment would simply strike \$1.5 million for the MARET Center at Crowder College in Missouri.

May I ask as to the time remaining?

The Acting CHAIR. The gentleman has 1 minute and 15 seconds remaining.

Mr. FLAKE. I thank the Chair.

According to the Web site, the MARET Center is also known as the Missouri Alternative Renewable Energy Technology Center. It has been around since 1992. It has been funded several times, I believe, with earmarks. It has received, I think, \$3 million in earmarks. When we have a deficit nearing \$2 trillion this year, I think it behooves us to find areas where we can save. This is an earmark that goes to a college to study renewable energy when we are doing that all over in the budget—in this bill and in others. I think it behooves us to save the money where we can. This amendment would strike that funding, and would save it in the bill.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I would yield such time as he may consume to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. I thank the gentleman for yielding.

Mr. Chairman, first, I want to thank Chairman PASTOR and Ranking Member FRELINGHUYSEN for recognizing the importance of this center, the Missouri Alternative Renewable Energy Technology Center, located at Crowder College in southwest Missouri. I am even glad that Congressman FLAKE created an opportunity to speak about this project.

I really don't object to this process at all. I think the more we determine how we are deciding how to spend money, the better off the country is. I also think that it's good to understand that not every decision on where to spend our research and development money should be made by the current administration or by the current Department of Energy. In fact, I am proud of the research that we are doing in southwest Missouri, and it has already had and will continue to have an impact regionally and nationally on renewable energy technology.

This center will serve as a living laboratory. It already serves as a living laboratory, modeling the best practices for solar and thermodynamic energy

systems and striving to go even beyond zero energy consumption. Through these efforts, it has served as a regional center.

The project we are talking about today integrates a variety of green construction practices, such as Earth shelter design, a green roof, rainwater harvesting, and low-volatile organic compounds, interiors and furnishings. This is designed to be one of the very first working examples of a net positive energy structure. In other words, this won't be a structure that just produces its own energy. It actually will be a structure that produces all of the energy it uses. It goes beyond the net zero building to put energy back into the grid, and it will provide distributed power to the electric utility company that serves the college.

Crowder College has long been a pioneer in renewable energy. In 1984, Crowder College, a junior college—a 2-year college—designed and built the first solar-powered vehicle to cross the United States. These are southwest Missouri kids out of high school and who are in their first or second year of post-high school training. They built the first solar car that did that.

This same group, this same school, finished second behind General Motors in the first world solar challenge in Australia in 1982. In 2001, they won the fuel-efficiency category of the second ethanol vehicle challenge. That's a vehicle, by the way, that is still used on the campus as a maintenance vehicle. This school won the People's Choice Awards in 2002 in Washington, D.C., for the solar house competition.

So they don't come to this, competing for Federal funds, without having had successes. They don't come without having done things that others have copied, shared and looked at. They come asking for this funding not only to help design, engineer and construct a center that is about to go out for bid but also to use that funding to help people learn how to use these building techniques. They are right there on the campus, learning how to create jobs. We talk a lot here about green energy jobs. This is a center that will actually be used as a laboratory in the building process to teach others how to do this green energy job creation and green energy building.

As we know, buildings consume 48 percent of the Nation's energy. The MARET Center will consume zero percent of the Nation's energy. In fact, it will put energy back into the system. Programs like this are crucial to the efforts we have for our economy and for our national security. Our Nation needs to have a new energy policy, an all-of-the-above strategy, and this is definitely part of that all-of-the-above strategy.

So I urge my colleagues to look at this issue and to look at it carefully, to look at a program that has already had national impact and to help this small 2-year college continue to do the things that they have been doing for over 20

years now to help establish green-collar jobs and green technology.

I would love to see our colleagues come to southwest Missouri and look at what is happening at the MARET Center, because people from all over America will be following their efforts and will benefit from this investment in the future.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield to the chairman, the gentleman from Arizona (Mr. PASTOR).

Mr. PASTOR of Arizona. Mr. Chairman, I will inform our colleagues that the committee is opposed to the amendment.

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

Mr. FLAKE. May I inquire as to the time remaining?

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. FLAKE. I thank the gentleman.

Mr. Chairman, this sounds like a great program. There are many great programs all over the country. Why do we need to earmark money for this one? There are a lot of other universities that would love to compete for these dollars and for this kind of funding.

That is the problem with the earmarking process that we have. Members of Congress are able to pick and choose. We typically take from those accounts where we have money set aside for competition, where people can, based on merit rather than on political designation, compete for these funds. So, with that, I would ask for support for the amendment.

I yield back the balance of my time.

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

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

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

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

Mr. FLAKE. Before proceeding with my amendment, Mr. Chairman, and so I won't gobble up my time, I would move that the Committee rise so that the whole House may entertain the unanimous consent request to modify my amendment.

The Acting CHAIR. The gentleman's motion is not in order according to the rule (House Resolution 645).

PART C AMENDMENT NO. 3 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 3 offered by Mr. FLAKE:

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

SEC. ____ . CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading “Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy” shall be available for the Consortium for Plant Biotechnology Research, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Energy Efficiency and Renewable Energy Projects) are each hereby reduced by \$3,000,000.

The Acting CHAIR. Pursuant to House Resolution 645, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I ask unanimous consent that my amendment be modified to the form I have placed at the desk.

Mr. PASTOR of Arizona. Mr. Chairman, I object.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to part C amendment No. 3 Offered by Mr. FLAKE:

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

SEC. ____ . PROCUREMENT AND ACQUISITION OF ALTERNATIVE FUELS.—None of the funds appropriated or otherwise made available by this Act may be used to carry out, or pay the salaries and expenses of personnel who carry out, section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

Mr. FLAKE (during the reading). Mr. Chairman, I withdraw my unanimous consent request. It has been rejected already.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. I want to make the point again here. I offered a unanimous consent request to stick within the time frames that we've been given by the majority party. The majority party said to us, Mr. OBEY, said, We have an obligation to get our work done, so what Mr. HOYER and I did was to offer the minority leader the opportunity, from a compressed number of amendments, to select their own amendments, any amendments they wanted, but they don't want to be limited by number of time. I don't fault them for that. I'm simply stating the facts.

Well, here we are with the facts. We're willing to be limited by time. We have the constraints. All we want to do is have the ability to offer our own amendments, and we're not being given that ability. The majority party has objected to a unanimous consent request, not to offer an amendment that is not germane or that would not be made in order. It's just an amendment that they don't want to vote on.

So this is the second time. It will probably happen again and again and again. I don't fault the gentleman from Arizona. He is carrying out the wishes of the leadership.

I want people to recognize what is happening here. We have what amounts

to martial law on appropriations bills this year for no reason other than the majority party wants to select the amendments that they want to vote on, not because of time constraints. We are living within the time constraints. We are okay with the time constraints. We are simply being objected to here, and are not allowed to offer the amendments that we want to offer.

□ 1630

With regard to this amendment, this amendment would remove \$3 million for the Consortium for Plant Biotechnology Research and would reduce the overall cost of the bill by a commensurate amount.

I reserve the balance of my time.

Mr. ROTHMAN of New Jersey. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROTHMAN of New Jersey. Mr. Chairman, I rise today in strong opposition to this amendment. First I would like to thank Chairman VISCLOSKEY, Chairman PASTOR, Ranking Member FRELINGHUYSEN and all the Energy and Water Subcommittee members for their leadership on this important legislation and their support for this project. This is a good bill, and this is a good project. It will protect America's waterways and reduce our dependence on foreign oil. I urge my colleagues to support the bill.

This amendment that the gentleman from Arizona offers would remove funding for a project that would speed the transition of biotechnology from the laboratory to the marketplace.

Since 1989, Mr. Chairman, the Consortium for Plant Biotechnology Research has steered more than \$122 million towards energy research projects that are chosen on the basis of scientific merit and their importance for building a renewable energy economy, especially from biomass. The consortium works with more than 50 research universities in the United States of America and matches those universities with private entities, which transform their lab work into technology that can be introduced into the economy, creating jobs in the rapidly growing alternative energy sector. This is a picture of a wonderful public-private partnership that so many on both sides of the aisle talk about.

Through the Consortium for Plant Biotechnology Research, the Federal dollars made available by this earmark are matched 130 percent with non-Federal funds so that for every \$1 the government puts in, the private sector puts in \$1.30, for a total of \$2.30 worth of research.

Recently, Mr. Chairman, Rutgers University in my home State of New Jersey partnered with the Consortium for Plant Biotechnology Research. Rutgers' work is focused on creating plants that require less fertilizer to grow, the result being less energy used in the manufacture of fertilizer, cheaper

crops and easily produced biomass that can be converted into clean energy. The result is tremendously efficient research that is cheaper, that will give us better crops and the next generation of clean, renewable biofuels.

Mr. Chairman, if we're going to combat global warming and break America's dependence on foreign oil, investing in research into the next generation of locally generated, renewable biofuels is crucial. The Consortium for Plant Biotechnology Research facilitates exactly that, and I am proud to support this earmark.

I urge my colleagues to vote “no” on the amendment.

I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, may I ask the time remaining?

The Acting CHAIR. The gentleman from Arizona has 3 minutes remaining.

Mr. FLAKE. I thank the Chair.

One of the 11 sponsors of this earmark describe this organization to receive it as a “nonprofit organization.” A quick glance at its membership roster shows that in addition to 45 well-endowed university members, 46 for-profit corporations also partner in this consortium. Among them are Procter & Gamble and MeadWestvaco. There is a lot of private money for this institution as well. Here again we have a deficit of nearly \$2 trillion, and yet we're spending \$3 million on an earmark for a Consortium for Plant Biotechnology Research that already receives funding from a lot of private sector organizations, and we're simply adding on with another earmark. Again, it's the case here that when you earmark dollars, in this case you are removing dollars from the account that universities and other organizations can compete for. Over at the Federal agencies, we have a mandate that they compete out these kinds of projects. People compete on the basis of merit, yet here when we skim money off the top and earmark it for certain organizations, there is less money for other colleges, organizations and universities to compete for; and that's simply not right. As we've said over and over again, it amounts to quite a spoils system because just a relatively few people in the House get the bulk of the dollars that actually go toward earmarks. So, Mr. Chairman, I would ask for a favorable vote on this amendment. We simply need to save money where we can when we're running nearly a \$2 trillion deficit by the time we get to the end of the fiscal year.

When I came to Congress just 8 years ago, I think our total Federal budget was just north of \$2 trillion. Our deficit this year will reach nearly that amount. And still we're earmarking dollars right and left to universities or other organizations that have big endowments already or have private sector partners who already contribute money, and still we're saying they need more. Where does it end? When do we say enough is enough? I would submit that we should say it right here on this

earmark, and I urge support for the amendment.

I yield back the balance of my time.

Mr. ROTHMAN of New Jersey. May I ask the Chair how much time is remaining.

The Acting CHAIR. The gentleman has 2 minutes.

Mr. ROTHMAN of New Jersey. I yield 2 minutes to our distinguished chairman, the gentleman from Arizona (Mr. PASTOR).

Mr. PASTOR of Arizona. I thank the gentleman for yielding. I will just inform Mr. ROTHMAN that we are against the amendment and support the gentleman's earmark.

Mr. ROTHMAN of New Jersey. I thank the chairman. There are good investments, and there are bad investments. I think one would find it difficult and unreasonable to say that in the present world economic climate, as well as energy climate, that the United States doesn't need to do more to become energy independent. We do need to do more. This is a public-private partnership involving 50 research universities in the United States, where for every dollar of Federal money, the private sector invests \$1.30 to come up with ways to provide renewable energy in a clean fashion and clean, green American jobs. I urge opposition to this amendment.

Mr. ABERCROMBIE. Mr. Chair, I rise today to oppose an amendment offered by Representative FLAKE to H.R. 3183, the Energy and Water Development Appropriations bill for fiscal year 2010. This amendment would strike \$3 million in funding from the Consortium for Plant Biotechnology Research located in Georgia.

I support this funding because of the amazing progress CPBR funded projects have been able to make. CPBR receives a small amount of funding annually and in turn has a competitive selection process to fund projects that further plant biotechnology that impacts the seed, agrochemical, forestry, food, energy, electric power, and other nonfood agriculture-based industries.

On average, federal funds to CPBR are matched 130 percent with non-federal funds. Industry must provide at least 50 percent cash matching, this requirement is not required by federal grants and goes to prove the worthiness of these CPBR projects and expedites their path to the marketplace. It is noteworthy that 372 CPBR-funded research projects have resulted in 129 patents, 67 patent applications pending, 274 licenses, and 5 start-up companies. In fact, CPBR-funded projects average 2.5 patents/\$1 million of federal funding. This is significantly higher than the university rate of 0.13 patents/one million federal dollars, that's 1900 percent higher.

In Hawaii, CPBR funded a professor at the University of Hawaii who developed a process called "flash carbonization" which is now patented and has been licensed to several companies including Kingsford. This process uses a large cylindrical reactor to pressurize and heat tires, green waste and municipal solid waste to make a "biochar" or charcoal that can be used to enhance soil or burn as a fuel. This technology has spawned two energy companies that are building new environ-

mentally friendly industries and creating high paying jobs in Hawaii. This progress started with a small research grant from CPBR.

CPBR supports higher-risk, longer-term environmental research that is essential to innovation, research that companies cannot afford to do on their own. With these federal funds, innovative advancements in environmental and energy research are hastened to the marketplace where they can be implemented. I urge my colleagues to oppose this amendment offered by Representative FLAKE and vote against its passage.

Mr. CONYERS. Mr. Chair, today, I rise in opposition to Representative FLAKE's amendment, which would reduce funding for the Consortium for Plant Biotechnology Research by \$1 million. This project, which provides grants to universities for plant-based biotechnology research to promote a cleaner environment, has bipartisan and multiregional support.

Funding for the Consortium for Plant Biotechnology Research helps promote goals set out by this Congress: higher education, job training and environmental protection. A non-profit corporation based in Georgia, CPBR has partnered with researchers and students in universities located in 32 states across the country to develop biotechnology and renewable energy, biofuels and "green" chemicals that can be used in place of ones that are harmful to the environment. CPBR has been a pioneer in using plants and plant-based materials as affordable and environmentally safer alternatives to fossil fuels.

CPBR is an example of what a public-private partnership should look like. Federal funding is matched, on average, with 130% of non-federal funds, allowing for \$2.30 worth of research to be done for every dollar appropriated by Congress. The vast majority of the project funding, 92%, will go to research projects.

In my own District, the University of Michigan at Dearborn received funding from CPBR and the Ford Motor Company which allowed Professor John Thomas and his students to research safer methods of cleaning up toxic waste. They were examining whether plants could be used to extract harmful contaminants from the soil.

Important research like this is being done in universities all across the country because of collaboration between CPBR, the federal government, and private companies. In addition to invaluable information gained from this research, a new generation of environmental students and engineers is being exposed to cutting edge technology. CPBR also has a history of working with predominately African American institutions like Tuskegee University and Albany State. These partnerships provide exciting opportunities for minority students who are traditionally underrepresented in the environmental science and research fields.

Innovation from these projects can lead to new, high-paying jobs. As of September, CPBR research had led to 129 patents granted and 5 start-up companies. Additionally, students that have participated in this research have gained experience that makes them more competitive applicants when they seek high tech jobs after they graduate.

I am pleased to support the Consortium for Plant Biotechnology Research and its vital mission of providing universities and private industry the tools to collaborate to allow for

vital environmental research. I encourage my colleagues to oppose Mr. FLAKE's amendment.

Mr. ROTHMAN of New Jersey. I yield back the balance of my time.

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

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

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

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

PART C AMENDMENT NO. 4 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 4, part C.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 4 offered by Mr. FLAKE:

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

SEC. ____ CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" shall be available for the Ethanol from Agriculture project, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Energy Efficiency and Renewable Energy Projects) are each hereby reduced by \$500,000.

The Acting CHAIR. Pursuant to House Resolution 645, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I ask unanimous consent that my amendment be modified in the form that I have placed at the desk.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

Mr. PASTOR of Arizona. Mr. Chairman, I object.

The Acting CHAIR. Objection is heard.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. You know, I thought the third time might be the charm, but apparently not. Let me just make the case again. The reason that we have martial law this year on appropriations bills is because we were told we needed to stay within the time structure. Now that excuse, I have to say, Mr. Chairman, was a bit suspect to start with. We are finished with voting today. We finished I think just before 4 o'clock. We'll be finished with these amendments and be out of here by 5 p.m. That's 2 o'clock on the west coast. Done for the night. And we don't have time to make in order a few other amendments? But here if that were the

case, okay. We're accepting the time constraints. We accept that the majority party believes we should be done at 3 o'clock or 4 o'clock today. So we'll just say, Let's just substitute one of the amendments that we would like to offer for one of the ones that we had made in order under the rule. Yet the majority party says, No, we only want to vote on the amendments that we want to vote on, not the ones you want to offer.

So let's get rid of, once and for all, the excuse that this is a matter of time, that the minority party simply won't agree to live within the time strictures. That is simply untrue. We are agreeing here to live within the time constraints, unreasonable though they may be, from the majority party as long as we can offer the amendments that we would like to offer, but we're not being allowed that. We've asked for three unanimous consent requests, each have been objected to.

Mr. Chairman, this amendment would strike \$500,000 in funding for ethanol from agriculture at Arkansas State University, and it would reduce the overall cost of the bill by a commensurate amount.

Mr. Chairman, again, we see what we know is probably best referred to as a spoils system. One appropriator approached me the other day and said, "I wish you wouldn't use that term. It's pejorative." I don't know if there's a less pejorative term that can be used. But here's the case: So far the earmark dollars that have flown out with the appropriations bills thus far, powerful Members of Congress—these are the appropriators and those who are chairmen or ranking minority members—they represent about 24 percent of this body. Yet when you look at the earmark dollars in CJS, 58 percent went to just 24 percent of the body; Homeland Security, 68 percent; Interior, 64 percent; Agriculture, 67 percent; MILCON-VA, 52 percent; Energy and Water—this bill that we're discussing today—58 percent of the earmark dollars go to just 24 percent of this body. It's a spoils system. I don't know of any less pejorative term to use. To the victors go the spoils, I guess. But that's another problem with earmarking. It's not just that dollars are wasted or that dollars in defense bills are basically given out as no-bid contracts. It's that just a small number of people in this body control too many of the dollars, and we're told that we shouldn't let some faceless bureaucrat over in some agency decide where to spend the money because it's our role under the Constitution here in Congress. But if you accept that, you have to accept the fact that every Member of Congress knows their district better than some faceless bureaucrat, as it's always said. But if that's the case, why do appropriators and other Members in leadership know their districts so much better than everybody else around here?

So it seems to be a bit of a spoils system, Mr. Chairman. I have to say, on

this earmark with ethanol, we're spending a lot of money on ethanol. When you take the farm bill into account, when you take just about everything else we are doing into account with the energy bills that have been passed, it's not as if we are starving this beast. There is a lot of money going in here. Again, we're sending \$500,000 more when we have a deficit nearing \$2 trillion.

With that, I reserve the balance of my time.

Mr. BERRY. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. BERRY. Thank you, Mr. Chairman. I thank our chairman Mr. VISCLOSKEY, Mr. PASTOR and ranking member Mr. FRELINGHUYSEN for putting together a really good bill, and the staff has done an outstanding job with all of this, and we certainly appreciate all the hard work that they've done and continue to do. It would be the most foolish thing we could possibly do in this country. We have economically succeeded and lived off of the great research—most of it that was begun during World War II, continued after World War II and made us the technology leaders of the world. It has tremendous economic benefits. For us to now pursue a course to say that we don't need to do research, that it doesn't serve a good purpose.

The research that is being done at Arkansas State University, by the Arkansas Biosciences Institute that was created and funded by the State of Arkansas, and tremendous investments have gone into that institute and great work is being done there, some of it, a very small part of it, is being funded by the Federal Government. That is most appropriate. What this does is to make it possible to take the straw that is left after you harvest an acre of rice, and convert it to 270 gallons of ethanol. That's after you take the grain off of it.

□ 1645

It makes all the sense in the world to do this, and this would also be applicable to other crops.

So we are talking about using something right now that just lays there and rots and turning it into fuel that is environmentally friendly. And it makes absolutely no sense not to continue this research, bring it to fruition and put it on the ground and make it work for the American people and reduce our need for foreign oil.

So I rise in strenuous opposition to this amendment. I would ask the House to join me in being opposed to this amendment.

I reserve the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining.

The Acting CHAIR. One minute remains.

Mr. FLAKE. We spend upwards, in cumulative subsidies, of about \$420 bil-

lion at an average of \$28 billion annually and climbing on ethanol. We keep hearing year after year after year, we just need to seed corn here, if you will, we just need it to prime the pump, and it will take care of itself later. And 30 years later, we are still subsidizing at about \$28 billion annually. And then we have to mandate use for it.

The truth is, we all know you can turn ethanol out of an old boot if you expend enough energy doing it. At some point, you have to question are we doing the right thing here with our dollars. When we are already spending \$28 billion annually, does it make sense to throw in another \$500,000 to Arkansas State University? Are they going to discover something that \$28 billion annually for about 30 years has not discovered?

At some point, we have to say we have a \$2 trillion deficit and we have priorities here. So, Mr. Chairman, I would suggest we have to start somewhere. Please, with this program, let's save some money.

I yield back the balance of my time.

Mr. BERRY. I continue to be opposed to this amendment.

I'm very proud of the work that has been done at the Arkansas Biosciences Institute. I think it is the kind of investment that this government needs to make in research and development to make sure that we continue to be the leader in the world in these areas.

With that, I ask my fellow Members to vote against this amendment.

I yield back the balance of my time.

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

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

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

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

PART C AMENDMENT NO. 5 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 5 in part C.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 5 offered by Mr. FLAKE:

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

SEC. ____ CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" shall be available for the Fort Mason Center Pier 2 project, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Energy Efficiency and Renewable Energy Projects) are each hereby reduced by \$2,000,000.

The Acting CHAIR. Pursuant to House Resolution 645, the gentleman

from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I ask unanimous consent that my amendment be modified in the form I placed at the desk.

Mr. PASTOR of Arizona. Mr. Chairman, I object.

The Acting CHAIR. An objection is heard.

The gentleman from Arizona is recognized.

Mr. FLAKE. Let the record state, four times now, four times asking unanimous consent to simply swap for an amendment that we would like to offer rather than one that the majority party would like to hear. But again, it has been rejected. So I will go on.

This amendment would prohibit \$2 million for funding for the Fort Mason Center Pier 2 earmark and reduce overall cost of the bill a commensurate amount.

According to the sponsor, and I don't see the sponsor here today, the Fort Mason Center operates the retired U.S. Army West Coast Port of Embarkation as a "national standard for historic preservation, urban planning, sustainable business practices, nonprofit support and incubation" and on and on.

According to a 2001 press release, this is not the first earmark for the Fort Mason Center by the same sponsor. That year, the sponsor directed a \$13 million earmark to the center for seismic upgrades. According to the sponsor, this year's earmark was requested for costs associated with "repairs related to sustainability and energy efficiency, as well as seismic safety and patron access."

According to its Web site, the center "embodies the essence of San Francisco, nearness to nature, combined with novel architecture, a nod to the past, and a dose of the different" and boasts 300,000 square feet of space for 17 venues and on and on. This center hosts a lot of events annually. I suspect that more than a few of the attendees made their way also to the center's Cowell Theater last year, which is on the same premises, I believe.

Now, I don't know why in the world we keep earmarking dollars for centers like this. They clearly are in areas, in this case, San Francisco, where there is other funding or other funding is already used. But in this case we have a particularly powerful individual who requested the earmark who is able to get it time and time again, and so we are seeing this earmark funded.

At what point do we say we have to make priorities here? When you have a deficit that may hit \$2 trillion this year, at what point do we say we can't spend another \$2 million for the Fort Mason Center Pier 2 earmark?

With that, I reserve the balance of my time.

Mr. PASTOR of Arizona. I claim the time in opposition.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. PASTOR of Arizona. Before I get into the substance of Fort Mason Center, what I would like to announce is there was concern expressed regarding the manager's amendment, especially as it related to the vehicle purchase as outlined in that manager's amendment. I am committing to work with all Members to address that their concerns will be addressed in conference.

The gentleman from Arizona is right: we have a congressionally directed mark in this bill that will assist the Fort Mason Center to continue its best practices in its development. He is correct: since this base was basically closed down, this area has been developing to assist the people of San Francisco and the surrounding areas as a center for culture, education and recreation. It is located on the northwest side of San Francisco and includes a number of buildings and piers, and it leases space to 24 nonprofit organizations.

The gentleman from Arizona is correct: this is an earmark that continues the development of the center. The attempt of this earmark is to specifically incorporate sustainable design and construction strategies consistent with LEED silver certification in the likelihood it will be better than that certification.

The continued development of the center will now include more and extensive use of solar and wind energy and will serve as a model for sustainable practices within a historically sensitive context.

And so with that, I would request a "no" to the amendment.

I reserve the balance of my time.

Mr. FLAKE. I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Arizona has 2½ minutes remaining.

Mr. FLAKE. I would yield to the gentleman from Arizona if he would indicate whose earmark this is.

Mr. PASTOR of Arizona. This earmark, its sponsor is the Congresswoman from San Francisco.

Mr. FLAKE. I believe that is the Speaker of the House.

Now, I mentioned before that the center contains a theater called the Cowell Theater. Last year the earmark sponsor went on a 12-city tour with her new book, "Know Your Power: A Message to America's Daughters." I think that the Member who requested this earmark certainly knows her power. That is part of the problem with this earmark process.

Again, let me point out, in this piece of legislation, the Energy and Water bill, 58 percent of the funding is going to just 24 percent of the body, people who know their power and know that they can get earmarks. And we hear a lot of high-minded rhetoric about earmarks, that we are doing it because we know our districts better than those

bureaucrats, and these bureaucrats shouldn't be able to choose because I know my district better. But apparently just a quarter of the Members of this body seem to know their district better than everybody else because they keep getting all of the earmark dollars.

So, when you strip it all away, we are earmarking dollars because we can here and sometimes to the same organizations or institutions that get it year after year after year. And when we are running a deficit that may hit \$2 trillion, I would think that we ought to say enough is enough. The sponsor of this earmark appears to be associated with, either is a lone sponsor or in collaboration with other Members, more than \$87 million worth of earmarks last year and more than \$94 million the year before. So knowing your power certainly helps around here.

At some point, this body has to stand up and say we can't continue to do this. We have to be stewards of the taxpayer money. And I would submit that when we are running a \$2 trillion deficit this year, we may hit that coming up, then now is the time to say we can't continue to fund earmarks like this.

I would ask for support of the amendment.

I yield back the balance of my time.

Mr. PASTOR of Arizona. Well, I would tell my dear friend from Arizona, and he is a dear friend, that this year we, our colleagues, at least those from Arizona, that requested congressional direct earmarks in this bill are part of that 24 percent and are very happy to belong to it. So, we will continue to work with Mr. FLAKE and other Members of Congress.

I yield back my time.

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

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

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

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

PART C AMENDMENT NO. 10 OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk, designated as No. 10 in part C.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 10 offered by Mr. FLAKE:

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

SEC. ____ CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" shall be available for the Whitworth University Stem Equipment project, and the aggregate

amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Energy Efficiency and Renewable Energy Projects) are each hereby reduced by \$300,000.

The Acting CHAIR. Pursuant to House Resolution 645, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I ask unanimous consent that my amendment be modified in the manner designated at desk.

Mr. PASTOR of Arizona. Mr. Chairman, for the fifth time I will object.

The Acting CHAIR. An objection is heard.

Mr. FLAKE. I can't say that I'm shocked by now. This is the fifth time, I guess, but be it noted it is the fifth time we have asked for unanimous consent to offer the amendments that we would like to offer on this side of the aisle. But, again, this request has been rejected, not because of time constraints. We are living within the time constraints. It is because the majority party seems to only want to entertain amendments that they know they can defeat. They don't want anything controversial on the floor, and so we are breaking with tradition that has held for decades and decades, if not a century in this House, that we have open appropriations bills. Instead, we have a sort of a martial law with appropriations bills where they come under a modified rule that only allows the amendment that the majority chooses to hear, not the ones that Members want to offer.

That simply disenfranchises most of the Members of this body, I should say on both sides of the aisle. Many amendments that were bipartisan amendments or amendments offered by Democrats were rejected as well, because the leadership of this body and the majority party simply didn't want to hear those amendments.

This amendment would prevent \$300,000 in funding for the Wentworth University for STEM equipment and to reduce the cost of the bill by a commensurate amount. STEM in this case stands for Science, Technology, Engineering and Math. Wentworth University is a private residential liberal arts institution. The STEM equipment provided by this earmark would be located in Wentworth's University Center for Applied Health Sciences.

Now I can't imagine that any university in the United States would not want Federal funding to increase student capacity at their institution. In fact, I doubt these universities would even be picky about the field to which the money was designated.

□ 1700

But simply wanting Federal money does not equate or merit getting the money. You simply ought to have—to the extent that we provide Federal dol-

lars for institutions of higher learning, they ought to be distributed on a competitive basis, not on a spoils system, not because one Member can designate here or there.

We tell the agencies you have to set up a program by which people can compete for grants like this, but then we tell them, All right, but not for this pot of money. We're just going to designate it, and for the rest of the money in the account, then let people compete for that. But I'm going to get mine for my university, or she's going to get hers for her university, or they're going to get theirs for their university. That's simply not right.

If we don't like the way the Federal agencies are distributing the money, then, by golly, we ought to change the way it is set up. And, by the way, they distribute that money, but we shouldn't run a parallel system where we say, We don't like the way you are distributing money so you simply will have to wait and watch while we distribute off the top.

With that, I reserve the balance of my time.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I am pleased to yield to the gentlewoman from Washington State, Mrs. MCMORRIS RODGERS.

Mrs. MCMORRIS RODGERS. Thank you for yielding, and I appreciate the time.

I am in opposition to this amendment. To the gentleman from Arizona's point, if there was a way for us to set up a system whereby universities and colleges could compete for this funding, I would like to look at it. Bottom line, I believe that we do need to be investing more in this type of education.

As a Member of Congress, I have become very concerned about America's competitiveness, and I look at what's happened in this country, and we talk a lot about our taxes and our tax code and the fact that we have the second highest corporate tax in the world and the impact that that has on our competitiveness and our ability for small businesses to compete.

We talk about our regulatory climate, our litigious system, but I also think we ought to be looking at our education system. And we know that around the world other countries are investing in the STEM areas especially, the science, technology, engineering, and mathematics, and it's important to our future. As you think about America's ability to continue to be a leader in innovation and technology, a leader in research, I do believe that we need to be investing more in these areas.

I'm one who is shocked to know that a third of our kids will drop out of high school. Fifty percent who go to college need some kind of remedial math or English. We need to be raising the bar

and we need to be giving them more opportunities.

As it relates to natural science and engineering majors, it's estimated by the National Science Foundation that we will acknowledge a shortage of 675,000 natural science and engineering majors in the next few years. We need to give our students the critical skills necessary to compete in the new global economy. Utilizing the advanced technology and state-of-the-art equipment in our colleges, such as what the funding allows in this bill, will help accomplish that goal.

Whitworth University has seen a 57 percent rise in the number of students majoring in science. The STEM Project, which is also matched by private funds, will give Whitworth the ability to install the necessary technology and equipment to allow an additional 2,500 students to pursue science majors. Moreover, inclusion of this advanced technology and state-of-the-art equipment in required research-intensive courses will enable students to be better prepared to contribute to our Nation's workforce immediately upon graduation. This project is supported by a bipartisan group of State legislators, the Greater Spokane Incorporated, and many others that are focused on this issue, Mr. Chairman.

There is no doubt that we must be concerned about out-of-control spending; yet I do believe there are worthy projects out there such as this one which will enable the United States to remain a global leader in the 21st century. And I urge opposition to this amendment.

Mr. FRELINGHUYSEN. I yield to the chairman of the subcommittee.

Mr. PASTOR of Arizona. I rise just to inform the gentlelady that the committee is opposed to the amendment and supports her congressional-directed earmark.

Mr. FRELINGHUYSEN. I yield back.

Mr. FLAKE. May I inquire as to the time remaining?

The Acting CHAIR. The gentleman has 2 minutes.

Mr. FLAKE. Let me just say again, here we have a private university. I'm sure that it's a great university. I'm sure this is a great program that it has, but we have private and public universities all over the country that are hurting badly and would like to receive funding like this and would like to be able to compete for funding like this under a program where they're on equal footing, where the money is not earmarked or cut off the top and just awarded to individual organizations or institutions. That's the problem with this process. It's one of the problems of this process. And so I would urge adoption of the resolution.

And, again, let me just go back to the request for unanimous consent to modify the amendment.

Again, going back to what the appropriations chairman said the other day to the majority leader or said with the majority leader, We did offer the minority leader the opportunity in the

compressed number of amendments to select their own amendment, any amendments they wanted, but they did not want to be limited in number or time.

Here we're saying we will be limited to number and time. We simply would like to select the amendments that we would like to offer, but we're being denied that opportunity. Five times. Five requests for unanimous consent. Five denials to simply offer the amendments that we would like to offer.

I yield back the balance of my time.

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

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

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

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

PART C AMENDMENT NO. 11 OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 11 offered by Mr. FLAKE:

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

SEC. ____ CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading "Department of Energy—Energy Projects—Energy Efficiency and Renewable Energy" shall be available for the Boston Architectural College's Urban Sustainability Initiative, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Energy Efficiency and Renewable Energy Projects) are each hereby reduced by \$1,600,000.

The Acting CHAIR. Pursuant to House Resolution 645, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The gentleman from Arizona is recognized.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit \$1.6 million from funding the Boston Architectural College Urban Sustainability Project.

I appreciate the fact that Boston Architectural College is interested in urban sustainability and green innovation. According to the college, they're hopeful that that project will serve as a model for densely built areas, such as Boston's Back Bay historic district. In fact, the Green Alley funding for this earmark would be constructed in one of Back Bay's public alleys. For those unfamiliar with Boston, Back Bay is a residential, retail, and commercial office district. It's considered to be one of Boston's most—in one of Boston's most high-rent neighborhoods.

While the construction of the project may be carried out by the Boston Ar-

chitectural College, it will benefit an apparently affluent neighborhood.

With that, I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I would like to claim time in opposition.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. The gentleman is right. It is an affluent neighborhood, but the school is not affluent. The neighborhood is not doing the work; the school is going to do it. The neighborhood will benefit from it in some indirect way because they all live near the Charles River. The storm water currently runs into the Charles River and pollutes it.

I want to make it clear. This is like many other things, my presumption is—I don't know yet—but it doesn't sound like this objection is with this particular earmark. It's with earmarks as a whole.

I want to make it clear. Based on things I have read in the papers, this college does not have a lobbyist, either a Federal or State lobbyist. No one from the school has ever donated to my campaign. Nothing at the school is named after me or is proposed to be named after me, and to my knowledge, the school has never received an earmark of any sort from the Federal Government prior to this. So unless there is an objection with this specific earmark, I don't know if it fits into all of the categories that I've heard in the past.

Just for the record, I would like to point out that not every Member of the majority wanted this amendment to be offered today, but I don't mind.

With that, I reserve the balance of my time.

Mr. FLAKE. The gentleman is correct. This goes to the Boston Architectural College. The Sustainable Design Program is an online program. It allows students from all over the country to enroll in classes and complete a certificate without even stepping onto the campus. Who then will be carrying out the project?

I just wonder how the residents of Chicago, for example, whose alleyways have to outnumber just about every city in the world, feel about this earmark. In 2006, Chicago created its own Green Alley Initiative, one of the most ambitious public street makeover plans in the U.S. However, instead of relying on Federal funds, Chicago used its own resources and relied on the Chicago Department of Transportation to implement the program.

If the Boston Architectural College is trying to be an example in urban sustainability, maybe they should be, and we all should be, looking to Chicago for that. Not only has Chicago implemented several green initiatives on a much wider scale, but it does not appear to rely on an earmark to do it.

We simply can't afford to continue to earmark dollars for this program or others when we're running a deficit

that could approach \$2 trillion this year. I don't know how many times we have to say it or how many times we have to be voted down on the floor on these before we recognize we have to change things here.

We are on a path, fiscally, that is unsustainable. And when we continue to have bills like this that earmark hundreds of millions of dollars not on a competitive basis—remember, earmarks aren't competitive. Earmarks mean that you forego the competitive process. You circumvent it. You tell those that are competing for moneys like this, You will have to take a backseat because we're going to take that money that you could have competed for and we are going to give it to somebody else.

So perhaps this program is worthy of Federal money. Perhaps it isn't. It should have to compete for it. If we don't like the way the Federal agencies have set up the programs for competition, we should change them. We should instruct them to change it. That's part of the process of authorizing, appropriating, and then exercising appropriate oversight.

But instead, here we're saying we don't like the way you do it over there so we're going to create a parallel system and we are going to do it ourselves, and that's simply not right. It's done. It amounts to a spoils system, as I mentioned here in Congress, where few powerful Members tend to get the bulk of the dollars and amounts to something, in the Defense bill, where you are giving a no-bid contract to private companies. And that's simply not right.

We tell the Federal agencies you have to set up a program for competition, but then we do something else, and it's not right, Mr. Chairman.

And I would urge support for the amendment and yield back the balance of my time.

Mr. CAPUANO. I will make the offer right here, right now. I will trade every earmark that will be designated for Boston for all of those designated for Chicago any day of the week. And if this gentleman can make it happen, count me in.

As far as where the money comes from, let me point out that the Commonwealth of Massachusetts is a donor State across the board. We pay more in taxes than we get back. I dare say that the gentleman's State is not in that category, and I don't mind that. I don't mind that because I see myself as an American, not just a citizen of Boston or a citizen of Massachusetts. I think that's the way we built this great country. So I don't have a problem with that. On occasion, do I think we have some good ideas in Boston? Yes, I do.

As far as the gentleman is concerned about our deficit, I think he's 1 million percent right; actually, 1 trillion percent right. And I would join him in anything he would like to do to actually deal with the deficit. One earmark at a time doesn't do it. It makes good

PR. It gets the gentleman up and talking, and it gets other Members—I would really rather be reading the health bill right now, but that's okay.

But I ask the gentleman where was he on November 14, 2002, when this House was voting on roll call No. 482, which was the roll call to maintain the PAYGO rules that were the only things that kept the entire Federal Government constrained?

□ 1715

Only 19 of us voted to keep the PAYGO rules. I was one of them because I share the gentleman's concern about deficits. You don't deal with deficits one nickel or one dime or \$1 million at a time. You deal with them across the board, if that's the concern.

If the concern is this particular earmark, I didn't hear too many things that designated this. If the concern is the concept of earmarks, well, I didn't run for office to do nothing. I did not run for office to allow the President or the Governor of the State—and I was a mayor. I don't believe in imperial executives. So we disagree on that issue.

If it is deficit, I will join the gentleman anytime to truly address the deficit problem we have in this country because I think he has a good point on that issue, not on this earmark, which is exactly why I hope this particular amendment is defeated.

And with that, I yield back the balance of my time.

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. It is now in order to consider amendments printed in part D of House Report 111-209.

PART D AMENDMENT NO. 1 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I have an amendment at the desk designated No. 1.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part D amendment No. 1 offered by Mr. HENSARLING:

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

SEC. ____ CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" shall be available for the Energy Conservation and Efficiency Upgrade of HVAC Controls project, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Energy Efficiency and Renewable

Energy Projects) are each hereby reduced by \$500,000.

The Acting CHAIR. Pursuant to House Resolution 645, 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 is an amendment which would strike an earmark for a half a million dollars to the New York Metropolitan Museum of Art. According to the sponsor's Web site, the money would be used, for needed conversion of various HVAC systems for obsolete and high energy consuming systems to direct digital control systems which will vastly reduce energy costs while allowing for greater conservation and use of existing energy within the building.

Mr. Chairman, I want to stipulate that I have no doubt that this would be a very valuable improvement for the Met. I have no doubt this is a good use of somebody's money, but Mr. Chairman, I have several questions about this.

And listen, let me also stipulate that the Metropolitan Museum of Art is one of the great art museums in the world. When I have the occasion to go to New York City, I love to go to the Met. I particularly love to go to the galleries that have the art of the various impressionists. I can spend hours, if not days, there.

So let me stipulate again, I have no doubt that this is a good use of somebody's money, but let me give you a little background, Mr. Chairman.

The spending that has been taking place in Washington, D.C., is at an unsustainable pace. Already this body has passed a \$1.1 trillion government stimulus plan costing every American family \$9,810, including \$100 million for an after-school snack program, \$1 billion for the census; an omnibus costing \$400 billion, costing every American family \$3,534, including \$150,000 for lobster research in Maine, \$1.9 million for a pleasure beach water taxi service in Connecticut; a \$700 billion bailout program so that folks like Chrysler, GM, AIG and a host of others can get taxpayer dollars costing every American family \$6,034.

Only 2 weeks ago, a new national energy tax passed by the House, where every American family that will deign to turn on a light switch, it will cost them between \$1,500 and 3,000, and just yesterday, a new proposal by House Democrats for a government-controlled health care plan that will cost a minimum of \$1 trillion, and the spending goes on and on and on.

And so given that backdrop, I ask several questions. Number one, is the money for the Met, is this really a Federal responsibility? I mean, according to the chief financial officer of the Met, 31 percent of their money comes from endowment, 28 percent from gifts, 14 percent from admissions. Is it really the responsibility of the Federal tax-

payer to pay for this improvement in a heating, ventilation and air conditioning system?

And if it's a Federal responsibility, Mr. Chairman, is it really a Federal priority? Given that we just had reports that the national deficit exceeded \$1 trillion for the first time in our Nation's history, I just ask the question, if it is a Federal responsibility, is it a Federal priority?

And if it's a Federal priority, is it equal to other Federal priorities? Is it as important for spending money for the National Institutes of Health to find the cure for cancer? Is it as important as spending money on our veterans health care system? And particularly in this economy, Mr. Chairman, is it as important as giving tax relief to small business, the job engine in America?

And if it raises to that level of importance, I ask one more question, and that is, is it worth borrowing money from the Chinese to send a bill to our children and grandchildren in order to give this improvement for the HVAC at the New York Met? And as great as the museum is, as great as this HVAC system is, Mr. Chairman, I do not think it rises to that level.

I reserve the balance of my time.

Mrs. MALONEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. MALONEY. Thank you for offering me the opportunity to talk about the merits of the energy conservation and efficiency upgrade of the HVAC controls project.

This has been vetted by my office, the Energy and Water Appropriations Subcommittee, and the Department of Energy, and they have decided that it will not only directly and positively impact my district but the Nation at large.

Included in the energy efficiency and energy renewable account, this project will use solid-state sensors and controllers in direct digital control systems which have considerable energy-efficiency advantages over conventional systems. These features will yield energy savings of up to 15 percent when compared to conventional systems, thus a significant savings to the environment and a substantial reduction in energy use by a major museum.

One of the goals of the Metropolitan Museum of Art is to reduce the energy consumption of its buildings while improving cost-effectiveness. To achieve these goals, the museum is seeking to use energy efficiency and renewable energy technologies, recycled and sustainable materials, and site-sensitive design to minimize the burden on the environment. And one major piece of this energy-efficiency effort is the upgrade of the various systems to boost energy output, while allowing greater control per building in the complex.

And this will reduce energy waste. This conversion project will also help generate 20 employment positions, which is needed in this time of job loss.

Finally, I would say that the Metropolitan Museum of Art is a national treasure. It is a cultural and artistic center in our country, and even if the gentleman or others do not recognize the value of funding art in our society, which I certainly support, it is part of the economic lifeblood of New York and this country. It pays considerable taxes, and it also generates revenues in our city from the over 5 million annual visitors to the museum. It is one of the top tourist attractions in the country, and by supporting this funding request, you support the thousands of small businesses in the community that will benefit from the many who visit it.

I might also say that the museum is considered one of the finest in the world, and it includes not only the art history of America but the historical art from around the world, and it is also a center that helps other museums, including Texas.

The museum recently volunteered its help to the Kimbell Art Museum in Fort Worth, which draws attendees from Congressman HENSARLING's district, and exhibited the first known painting by Michelangelo. This painting was cleaned, transported, restored and hung by the Metropolitan Museum of Art. Without the contribution of the Met, the Kimbell museum in Texas would not have been able to support the exhibition of this invaluable work.

I am confident this project is a valuable use of taxpayers dollars, investing in creating jobs and helping other museums, and helping the economic development of the district that I am proud to represent.

In response to the gentleman's other points, our economic problems were not created in the 5 months that President Obama has been in office, and they're not going to be resolved in 5 months either. We are facing the most severe recession since the Great Depression, and it will take time for the Recovery Act to take hold.

Likewise, the Recovery Act was not designed to work in 5 months. It was designed to work over 2 years, and the Recovery Act was designed to provide a boost necessary to stop the free-fall and lay the foundation for recovery.

We are working as quickly as possible in my district and across New York State to move the stimulus money into the economy as quickly as possible. Economist Zandi estimates that in the last 3 months alone over 500,000 jobs were saved as a result of the stimulus spending. So far, \$43 billion of the recovery spending has come in the form of tax relief to America's working families and businesses. Let's imagine the situation we would have been in if we had not had the TARP money to stabilize our financial institutions and let them fail. The failure of our financial and credit systems would have followed the failure of institu-

tions, crippling our economy with millions of losses of jobs in so many directions and unemployment to millions of Americans.

So I strongly support this. I believe it's a good investment in energy efficiency and job creation and the economic development of our country.

The Acting CHAIR. The gentleman's time has expired.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time I have left?

The Acting CHAIR. Thirty seconds.

Mr. HENSARLING. Mr. Chairman, I would say to my friend, the gentlelady, I don't have the honor of representing Fort Worth in the Congress. My constituents appreciate the Kimbell museum. They appreciate the Met. More importantly, they appreciate the fact that they don't want to borrow a half a million dollars from the Chinese and send the bill to their children and grandchildren and future generations. Those are the taxpayers and the citizens of the Fifth District of Texas that I have the honor of representing.

Spending is out of control. Let's start somewhere. Let's say "no" to somebody today so we can say "yes" to our children's future tomorrow. I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

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

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

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

PART D AMENDMENT NO. 2 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I have an amendment at the desk designated No. 2.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part D amendment No. 2 offered by Mr. HENSARLING:

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

SEC. . CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading "Corps of Engineers-Civil-Construction" shall be available for the Pier 36 Removal project in California, and the aggregate amount otherwise provided under such heading is hereby reduced by \$6,220,000.

The Acting CHAIR. Pursuant to House Resolution 645, 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 is an amendment that would strike an earmark, also known as pork barrel spending, for Pier 36 removal in

San Francisco California, reduce the overall account by \$6.22 million. Apparently, Pier 36 is located along the Embarcadero in San Francisco Bay. Apparently, according to San Francisco's Port Authority, which owns the pier, removal of the pier is necessary to begin a new wharf project.

□ 1730

Again, Mr. Chairman, I would just ask several different questions about this particular earmark. Although I have no doubt that removal of this pier must be a good thing, I'm kind of curious why the San Francisco Port Authority doesn't pay for it itself. I don't think the Federal Government owns this particular pier.

Again, I'm not going to debate that it's not a good use of money. I, again, question whether or not it is a good use of the Federal taxpayer money at this time.

Again, Mr. Chairman, this amendment has to be put in context of the spending that goes on around here. Mr. Chairman, sometimes I just think: When will we stop the madness? When will it stop?

My Democratic colleagues from across the aisle have now brought us a budget which will triple—triple—the national debt in 10 years. Triple it, Mr. Chairman. We will run up under their budget more debt—more debt in the next 10 years than in the previous 220 years of our Republic combined. This is shocking, absolutely shocking.

Mr. Chairman, as you well know, for the first time in our Nation's history the Federal deficit has exceeded \$1 trillion, and in just 2 years the Federal deficit has increased tenfold. We are borrowing forty-six cents on every dollar—borrowing it from the Chinese, from the Japanese, from the Russians—tin cup in hand, running around the world saying, Please, please, lend me money, because I can't stop spending.

I heard one of my colleagues earlier say, Well, you know, this is just nickel and dime kind of stuff. Number one, Mr. Chairman, I hope I'm never in Washington so long that I conclude that \$6.22 million of the taxpayer money is not a lot.

Now, I know relative to the entirety of the spending explosion that's going on around this place, maybe it's not a huge amount. But, Mr. Chairman, you know, if you don't start saving the pennies and nickels, how will you ever save the dollars?

I have seen no attempt around this place to reform Medicare, reform Medicaid, reform Social Security. I mean, I'm told that somehow if we nationalize, federalize health care, that if we have a Federal bureaucrat somehow stand between people's families and their doctors, that somehow that's going to save money, when the Congressional Budget Office says it will cost at least a trillion dollars. And that's just a down payment.

I have never known the Federal Government to take something over and somehow it's going to cost less money.

Mr. Chairman, this goes to the culture of spending. Unless you change the culture of spending, you're never going to change spending.

And so, according to the Web site, this is a request of the Speaker of the House. She can lead by example. More so than any individual in this institution, she can lead by example. In November of 2006, she said, "You can't have bridges to nowhere for America's children to pay for." Well, Mr. Chairman, apparently you can't have piers to nowhere for America's children to pay for.

The Speaker of the House once said, "It's just absolutely immoral—immoral for us to heap those deficits on our children," yet the Speaker of the House will heap an additional \$6.22 million of deficit on our children. She, more than anybody else, can lead by example. And I'm disappointed this earmark was brought to us today.

I reserve the balance of my time.

Mr. PASTOR of Arizona. I rise in opposition to the amendment and claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PASTOR of Arizona. Actually, this pier is somewhere. It's in San Francisco. Pier 36.

I bring to the gentleman that this removal—in the 2007 WRDA bill, the funds were authorized so that the Corps would begin removing the deteriorated Pier 36, which is located in the San Francisco waterfront.

This pier was built in 1908–1909, and it was built of reinforced concrete for the use as a freight ferry facility. The pier was originally 721 feet long and 201 feet wide. The outer wood portions of the pier, after 70 years of being in the elements, have deteriorated.

Recently, further deterioration has caused the pier to be closed and it has been secured with fencing to prevent entry. The deteriorating sections of decking and wooden support pieces continue to rot, break, and float into the bay, which represents a potential hazard to navigation in the adjacent Federal Channel.

In addition, Pier 36 was constructed using creosote-soaked pilings, which contain a class of chemical compounds known to affect the viability of fish spawning. Use of creosote-treated wood is now prohibited in new construction in the San Francisco Bay.

So, the removal of Pier 36, which was authorized in the WRDA bill 2007, is needed to ensure that the continued deterioration, the piles that would fall into the water, would not cause a threat to navigation and the chemicals that they were treated with would be eliminated as an environmental hazard.

With that, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman. May I inquire how much time I have remaining.

The Acting CHAIR. The gentleman has 30 seconds.

Mr. HENSARLING. Mr. Chairman, again, the Speaker of the House has said previously, in November of 2006, "I'd just soon do away with all earmarks," which begs the question: Why is she bringing at least two of them today?

She has also said, "It is absolutely immoral—immoral for us to heap those deficits on our children." Why is she asking us to heap another immoral \$6.22 million of debt on our children?

It is time to lead by example. I urge adoption of the amendment.

I yield back the balance of my time.

Mr. PASTOR of Arizona. Mr. Chairman, the committee finds merit in this authorized Pier 36 removal and we ask our colleagues to object to and refuse the amendment as offered.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

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

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

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

PART D AMENDMENT NO. 4 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I have an amendment designated No. 4.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part D amendment No. 4 offered by Mr. HENSARLING:

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

SEC. ____ CONGRESSIONALLY DIRECTED PROJECT ELIMINATED.—None of the funds provided in this Act under the heading "Department of Energy—Energy Programs—Electricity Delivery and Energy Reliability" shall be available for the Automated Remote Electric and Water Meters in South River project, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Congressionally Directed Electricity Delivery and Energy Reliability Projects) are each hereby reduced by \$500,000.

The Acting CHAIR. Pursuant to House Resolution 645, 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 is an amendment that would strike another earmark. This one is for \$500,000. According to the sponsor's Web site, funding would be used by the Borough of South River, New Jersey, to purchase and install automated remote electric and water meters for both of the utilities owned by the borough. These meters would provide bi-directional real-time information to both the utilities and the consumer.

Again, not unlike my previous amendments, Mr. Chairman, I will stipulate I assume this is very interesting, useful, cutting-edge kind of stuff for the Borough of South River, New Jersey. I'm sure that this would help the gentleman's constituents. Maybe it will help make them more energy efficient. I will just assume that this is good technology. Again, I assume it's a good use of somebody's money.

But I again question, is it a Federal responsibility, number one. Why the citizens of the Borough of South River, New Jersey? Why not the citizens of Provo, Utah; Missoula, Montana, Bangor, Maine; not to mention Mineola, Texas, which happens to be in my district. Should we buy these for every single borough, city, town, village in the Nation?

Again, Mr. Chairman, this has to be put in a backdrop of what is going on in our economy today. Since the President took office, what we know, Mr. Chairman, is that unemployment has gone up to 9.5 percent, an increase of just 25 percent since the President has been in office.

Since he's been in office, the economy has shed 2.6 million jobs. The public debt has increased 13.66 percent. The Federal deficit now exceeds \$1 trillion, \$1 trillion for the first time in our entire Nation's history.

And so I would again ask my colleagues: Where do you draw the line? Where do you finally say "no" to someone's project today so you can say "yes" to our children and grandchildren's future tomorrow? I would hope it would be here. I would hope it would be now.

Again, like another of my colleagues said, I wish we were talking about savings trillions of dollars today. Frankly, I, as other Members of the Republican side, have offered amendments that would save substantial amounts of money, but a funny thing happened on the way to the Rules Committee. Somehow those—those weren't found in order. And so we don't have the opportunity to debate those amendments on the House floor.

So I guess we're left to debate half a million dollar amendments instead of half a trillion dollar amendments like we would like.

You know, we've got to remember that dollars have alternative uses, Mr. Chairman. Every dollar that is spent on an automated remote electric water meter for the Borough of South River by the Federal taxpayer is \$1—\$1 that cannot be spent on cancer research at the National Institutes of Health; cannot be spent for a rural veterans health care clinic; cannot be spent for tax relief for small businesses—the job engine of America. That's the national priority now, is to get the economy moving again.

And I just ask, number one, is that a Federal priority? Is it a Federal responsibility? Why not other cities? Again, the critical question at a time where we're tripling the national debt

over the next 10 years, is it worth borrowing money from the Chinese and sending the bill to our children and grandchildren?

Mr. Chairman, I say “no.” I say “no” so that I can say “yes” to my 5-year-old son’s future, my 7-year-old daughter’s future, and the future of all the children and great grandchildren of our country.

I reserve the balance of my time.

Mr. HOLT. I rise in opposition to the amendment, Mr. Chair.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HOLT. I understand the hope of my colleague from Texas to rein in excessive government spending, but he is really misguided on this one.

This is a project that would provide real benefit to the residents of the Borough of South River, and as a demonstration project it would serve as an example for the rest of New Jersey and the Northeast and indeed the whole Nation of how to use technology to conserve energy, to use it more wisely. In fact, every dollar spent, to paraphrase my friend here, on smart metering, is indeed a dollar well spent.

My constituents in New Jersey pay some of the highest utility rates in the Nation. In the Borough of South River, they are seeking assistance to help decrease the electric bills of the borough residents, and they’re seeking to demonstrate that this works. Funding for the automated remote electric project will provide relief to the constituents in this municipal energy system, and it will serve as a wonderful example.

South River owns and operates its own utilities. It’s moving toward implementing a borough-wide smart grid. This metering that the borough intends to purchase is the first step toward this eventual goal. They would provide real-time consumption information. It would allow the users to make wise decisions based on the real cost of service in real time.

It’s just exactly what we have been discussing here in the House of Representatives in recent weeks. It’s well established in the scientific community that climate change of recent decades can be attributed to the way we produce and use energy and that climate change is altering our planet in ways that are expensive and deadly.

I spoke to the mayor of South River yesterday, who assured me that he is ready to go ahead with the project. It’s one of their top priorities. They have been working on it for years, one in which they have already made considerable investment in preparing an efficient municipal utility.

□ 1745

This will serve, as I say, as an example.

I might add that the gentleman’s home State of Texas ranks 32nd in the Nation in tax dollars returned from Washington. My home State of New Jersey ranks considerably lower than that. As a so-called donor State, I don’t

apologize to my constituents for working to return their tax dollars. I really only regret that all municipal utilities in the country are not funded to convert to smart metering. This is certainly a good investment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I saw that the gentleman from New Jersey was lamenting the high energy rates of his constituents. And although I don’t have the House RECORD in front of me, I’m under the impression he recently voted for the national energy tax, which would cost his constituents anywhere from \$1,500 to \$3,000 a year.

Second of all, I believe in the value of demonstration projects as well. My constituents would like a demonstration project of fiscal sanity in the United States Congress. They have yet to see one. Here is a small demonstration project of fiscal sanity on behalf of our children and grandchildren by adopting this amendment.

I yield back the balance of my time.

Mr. HOLT. May I ask the Chair the remaining time?

The Acting CHAIR. The gentleman has 2 minutes.

Mr. HOLT. Let me try to figure out why it is that the gentleman from Texas (Mr. HENSARLING) is proposing to do this. I can assure, I think it is unlikely that he knows as much about this project as I do, but I must say energy has been my professional field for most of my life.

This is, I would argue, a good investment. To refer to the comments of my colleague from Massachusetts a while ago, this approach of trying to deal with the deficit and excess spending one project at a time is sort of a waste. If the gentleman is really concerned about this, I presume that we will find his vote in the “aye” column next week when we consider pay-as-you-go legislation.

If he’s concerned about earmarks, as a concept, then I would say, yes, the OMB, the Office of Management and Budget, speaking on behalf of the White House, should have included this project in their request to Congress and many more like it. But they didn’t.

And so, is the gentleman saying that the House of Representatives should just be an up-or-down vote on what the President sends to us? The President will decide what the budget should be. We take it or leave it.

Well, no, that’s not the way it should work. This is something that I offer. It provides no partisan political advantage. In fact, the mayor of this town is from the other party. No one from the borough, to my knowledge, has made any campaign contribution to any Member of Congress, any member of the borough government. No lobbyist is involved in this.

This is just good policy. It should have been in the budget sent over by the President, but it wasn’t. Lots of things should be in the budget sent over by the President, but they’re not. That’s why we scrub the budget and de-

cide what should be added and what should be subtracted. Call it earmarking if you want, but I don’t. I would hope that the gentleman would not think that we should abdicate our responsibilities here as Members.

I yield back my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

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

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

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

Mr. PASTOR of Arizona. 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. NYE) having assumed the chair, Mr. CUELLAR, Acting Chair 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. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes, had come to no resolution thereon.

JUMP-STARTING OUR ECONOMY

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

Ms. JENKINS. Mr. Speaker, the number of empty storefronts across Kansas is growing, and the folks who call our towns home continue to ask, Where are the jobs?

They hear about bailouts and the \$1 trillion so-called economic stimulus, but Kansans are still struggling.

The Nation’s deficit has topped \$1 trillion for the first time, and some say it could grow to \$2 trillion by this fall. We should be ashamed. But rather than putting the brakes on this out of control spending spree, some think Washington needs to spend more.

Mr. Speaker, when does it stop?

Instead of taxing small businesses out of existence, we should provide tax relief so they can hire more employees and create jobs. Instead of throwing money at programs that aren’t working, we should find responsible ways to cut spending.

Small businesses and innovative Americans hold the key to jump-starting our economy. It’s their job for Washington to let them do their job.

MEDICAL RIGHTS ACT

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

Mr. KIRK. Mr. Speaker, this is what the House government health care bill creates: \$1 trillion, 1,000 pages, \$1 billion per page. Here is the patient, and over here is the doctor.

Now, moderate Republicans have a much better plan we will put forward. Our Medical Rights Act says Congress cannot restrict the decisions of you and your doctor and eliminates the need for all of this, and puts you right next to your physician, without the need for \$1 trillion in spending.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 648

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that my name be removed from House Resolution 648.

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

There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO UNITED STATES AIR FORCE ACADEMY

The SPEAKER pro tempore. Pursuant to 10 U.S.C. 9355(a), amended by Public Law 108-375, and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Air Force Academy:

Mr. POLIS, Colorado

Ms. LORETTA SANCHEZ, California

Mr. LAMBORN, Colorado

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AMERICAN COMMUNITY SURVEY— TOO MUCH GOVERNMENT INTRU- SION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Mr. Speaker, under the United States Constitution, article I, section 2, it states that every 10 years there will be a counting of the people. The purposes are twofold: One, to levy direct taxes, and second, to find out how many people live in the United States so that Members of Congress can be apportioned percentage-wise based on population. That is the purpose of the census, and it's a good purpose. Next year we will have another undertaking of the census, of the counting of the people in the United States.

But also, independent of the census, there is a survey that is being taken, given, rather, to American citizens, 3 million next year and 3 million every year. Now, I want to make it clear that

this is not the census, but this is a system of surveying the American people, and it just so happens that today I got one of these surveys. It's labeled from the United States Department of Commerce, the Census Bureau, and it's the American Community Survey, and it says, Your response is required by law.

You open this document, you get a lot of paperwork. You get several documents that say you have to fill this out or by penalty of law if you don't, but you get the survey. Mr. Speaker, the American Community Survey is 28 pages. If a person receives one of these and doesn't fill it out, you've violated Federal law.

Now, the survey contains a lot of information that makes me wonder, Why does the Federal Government even want this information? Why should the Federal Government even have this information?

And here's some of the questions that it asks: the value of your residence, how much you pay monthly for your residence on your mortgage, how many rooms in your house, how many toilets are in your house, what kind of vehicles do you drive. I guess they want to know how many pickups are in Texas.

Do you have a stove? a refrigerator? What type of fuel do you use? How much does it cost you each month to use that fuel? How much does each person in the household or in the residence, rather, make? What is their income? Where do they work? What do they do? How long have they done that? What is the cost of the mortgage? What is the cost of health insurance for each person, and what is the cost of taxes in the house? And it goes on and on and on, 28 pages, required by Federal law under the American Community Survey Act.

I won't go into all the questions because I don't have time, but I'd like to mention one more. One question is, each person has to answer this question, because of a physical, mental or emotional condition, does the person have trouble concentrating, remembering, or making decisions?

Now, should the Federal Government have that information? And why should a person in the residence make that determination about themselves and then have to answer that question for everybody else in the residence?

I certainly hope they're all getting along well.

It also asks, because of a physical, mental, or emotional condition, does the person have difficulty dressing, doing errands, difficulty shopping? And it goes on and on and on, Mr. Speaker.

Back in 2007, two historians found some old documents from the Department of Commerce archives and the Franklin Delano Roosevelt Presidential Library. These documents confirmed for the first time that the Census Bureau turned over information to incarcerate over 100,000 individual Japanese Americans after the Pearl Harbor attack. This information was reported by USA Today. The Census Bu-

reau information made it all possible. Of course, the Census Bureau has denied that it gave that information. But be it as it may, it was legal in 1940.

In 1942, documents proved the Census Bureau turned over these addresses of the Japanese Americans to the War Department. In 1943, they turned over their financial information to the Department of the Treasury.

□ 1800

This was all nice and legal in the War Powers Act of 1940. It was legal, but it wasn't ethical, and we know what happened to 100,000 Japanese Americans. They were interned. The point is this, Mr. Speaker. This should be voluntary. If United States citizens want to give all of this information to the Federal Government so the Federal Government can have a file on everybody, then they should be allowed to do that, I guess, but it shouldn't be required by law. That is why I've introduced legislation to allow citizens not to fill this document out if they don't want to, because it invades, in my opinion, their personal privacy rights.

Once again, I'm not talking about the census. I am talking about the survey that is being required by law to be sent out. People down in southeast Texas, people who live in Cut and Shoot, Texas, for example, shouldn't be required to fill this information out. It violates their privacy. It's too much government. It may be well-intended, but the Federal Government should not have this information, and we as Members of Congress should allow this information to be, not required, but voluntarily given by the people of the United States.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

H.R. 3183: ENERGY AND WATER DE- VELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. KLEIN) is recognized for 5 minutes.

Mr. KLEIN of Florida. Mr. Speaker, I rise today to express my strong support for H.R. 3183, the Energy and Water Development and Related Agencies Appropriations Act of 2010.

I applaud the subcommittee chairman and the ranking member for moving this important bill through the Appropriations Committee and to the House floor.

This bill funds some of the most critical programs in south Florida, where I live, and my constituents are very much in tune with this particular bill.

I would like to spend a few moments today focusing on how this bill affects our area of south Florida.

Since coming to Congress, I have been committed, along with my Democrat and Republican colleagues, to working to make sure with the Florida delegation and with Members throughout the country that they support Federal Government obligations to restore the incomparable River of Grass, which is known as the Everglades.

I was very pleased that President Obama, in his budget request, met his promise and followed up on that to make Everglades restoration a priority. Although the \$210 million in this bill doesn't quite match the President's request, the fact remains that this bill makes Everglades restoration its biggest construction project.

I commend the chairman and ranking member for keeping Everglades restoration as a national priority. It is historical.

Mr. Speaker, H.R. 3183's commitment to Florida's priorities are also something to be mentioned. The beaches of south Florida are some of the most beautiful in the Nation, but our coasts are facing a real crisis. They have become seriously eroded, endangering both the personal property and the personal safety of residents and guests. My district in south Florida encompasses over 75 miles of beautiful coastline on the Atlantic, and it has numerous shore protection projects, but many are mired in the Army Corps of Engineers' permitting process.

There are many reasons why the permitting process is not as efficient as it could be, but one problem we can address right here is the understaffing at the Army Corps of Engineers. For example, Palm Beach County, which is one of the counties I represent in south Florida, was forced to pay out of its taxpayer dollars the salary of an additional Army Corps of Engineers staffer to deal with the county's many projects awaiting some Army Corps action. In essence, Palm Beach County became fed up with waiting year after year for the Corps to act on their permit applications, so they are now paying for the extra Army Corps employee to do his job.

Mr. Speaker, this is a ridiculous situation that is unfair to the taxpayers of south Florida, who are paying their fair share here up in Washington. That is why I filed an amendment that was accepted as part of Chairman PASTOR's manager's amendment. This language, combined with increases in the underlying bill, will add \$11.8 million on top of last year's funding level to fund more staff and to support more personnel to help act on a more efficient basis with regard to these permits. This sizable investment will unclog the permitting pipeline that is hurting so many of our coastal communities. They deserve a timely decision so they can determine the best ways to protect their residents and the natural resources.

Mr. Speaker, south Florida and the entire country need greater strategic investment in our Nation's priorities. This particular bill, H.R. 3183, will put us on a path towards energy independence in addition to a number of other bills we've already put on the table and have sent to the President. The only way we can reduce our dependence on foreign oil is to invest in a multitude of technologies and to make these technologies right here in the United States, creating the jobs right here. This bill invests in solar and wind energy in order to make our electricity cleaner. At the same time, it also invests in weatherization and in energy efficiency to bring down costs for consumers and businesses. The bill includes investments in clean coal technology and nuclear energy research so that we can unleash these innovations and create high-quality American jobs.

The bill also makes critical investments in vehicle technology so that our gas tanks get more miles per gallon, which will save us money at the pump. Of course, using less gasoline means we will import less gasoline, and that is an essential national security item because, currently, we are importing 60 percent of our oil from unstable countries around the world that, in many cases, are financing terrorism and drug trafficking with our petrodollars. I believe that a transition to new energy sources will ensure that we do not continue to send billions of dollars to countries that are, at best, not our friends and, at worst, are our enemies. My strongest belief is that we should never again have to make a foreign policy decision based on where the next drop of oil is coming from.

Lastly, H.R. 3183 builds on the recently passed American Clean Energy Security Act and Recovery Act, which has jump-started American investment in this new energy economy I've been talking about. I truly believe this is an historic moment and an extraordinary opportunity to create jobs in south Florida and throughout the Nation and to unleash a new generation of energy technology built right here in America.

I am proud to support H.R. 3183, and I am looking forward to seeing the results on the ground in south Florida.

H.R. 3036: BRINGING SUNSHINE TO COSTS OF CONGRESSIONAL TRAVEL OVERSEAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, many Members of the House may have seen a recent Wall Street Journal article that documented how existing disclosure requirements allow many of the costs associated with congressional delegation trips overseas, known as CODELS, to go unreported.

Right now, when Members of Congress take foreign trips using commercial airlines, the costs are publicly dis-

closed in reports published in the CONGRESSIONAL RECORD. However, the costs of Members' foreign trips using military aircraft are not. In the past, Members of Congress have used military aircraft even when traveling to exotic locations that are readily served by commercial airlines. Press reports have indicated that the military even maintains a specially outfitted VIP fleet, operated out of Andrews Air Force Base, where aircraft can carry costs estimated at \$10,000 per hour.

When a Member of Congress takes a taxpayer-funded trip overseas, taxpayers have a right to know how much of their hard-earned money is being spent on that travel. For this reason, I recently introduced H.R. 3036.

This legislation would direct the Department of Defense to provide a report on the costs incurred in taking a Member of Congress, an officer or an employee of Congress on a trip outside the United States. It would then require the Member of Congress to disclose those costs, and these costs would be publicly reported online.

Mr. Speaker, it is important to note that this bill would not apply to any trip for which the sole purpose would be to visit one or more U.S. military installations or to visit U.S. military personnel in a war zone, since there may be varied security reasons for not disclosing the costs of these trips.

With an ever-growing national debt and with our military budget stretched thin, it is more important than ever that Congress acts as a responsible steward of taxpayer dollars. Bringing sunshine to the costs of Members' foreign travel will help ensure taxpayer dollars are efficiently used.

I am pleased that this legislation has received the support of the National Taxpayers Union, of Eagle Forum and of Public Citizens Congress Watch. It has also been endorsed by the Council for Citizens Against Government Waste. Their letter of support for this bill states:

"Military aircraft is necessary when flying into war zones or U.S. military installations overseas; however, the military fleet is too often used to shuttle Members back and forth to locations served by commercial airliners. Members of Congress should be held accountable for every bill footed by taxpayers."

Again, that statement that I just read is from a letter that the Council for Citizens Against Government Waste wrote to support this legislation. In fact, Mr. Speaker, I submit the text of this letter for the RECORD.

In closing, I hope my colleagues will become cosponsors of H.R. 3036, and will join in bringing transparency to the cost of foreign travel by Members of Congress.

COUNCIL FOR CITIZENS AGAINST
GOVERNMENT WASTE,

Washington, DC., June 29, 2009.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: Congressman Walter Jones (R-N.C.) recently introduced H.R.

3036, a bill that would bring transparency to taxpayer-funded overseas trips taken by members of Congress. On behalf of the more than 1.2 million members and supporters of the Council for Citizens Against Government Waste (CCAGW), I urge you to support this legislation.

The military maintains a specially outfitted VIP fleet out of Andrews Air Force Base that can cost up to \$10,000 per hour to operate. Members of Congress often take advantage of these military aircraft for overseas travel, even in instances where commercial flights are readily available and more cost-effective. The cost of commercial airline travel is publicly disclosed, but the cost of travel on military-owned jets is not provided.

H.R. 3036 would require the Secretary of Defense to determine and disclose the cost of foreign trips for members of Congress using military aircraft. These costs would then be publicly reported online through the House Clerk's website.

Military aircraft is necessary when flying into war zones or U.S. military installations overseas; however, the military fleet is too often used to shuttle members to back and forth to locations served by commercial airliners.

Members of Congress should be held accountable for every bill footed by taxpayers. All votes on H.R. 3036 will be among those considered in CCAGW's 2009 Congressional Ratings.

Sincerely,

THOMAS A. SCHATZ,
President.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MASSA) is recognized for 5 minutes.

(Mr. MASSA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE TRAGEDY OF A SOCIALIST AMERICA AND ITS DESTRUCTION OF HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, this is not a roadmap. This is the Democrats' new health care plan, all of these white things. Can you believe that? I was just talking to my colleague over there, Mr. POE from Texas.

All of these white things are new agencies of government, new agencies of government that we're going to have to pay for in order to take care of the health of the Nation. Now, this thing is going to cost between \$1 and \$3 trillion over the next 10 years, and I doubt seriously if anybody who is writing this 1,200-page bill, or whatever it is, knows what this stuff does. It's just crazy. Look at all of these agencies. Look at the minefields that people have to go through to get to their doctors down there at the end to take care of their health care needs.

Other countries that have used this kind of an approach ration health care for senior citizens. They ration health care for people who have certain kinds of diseases. They have to wait months and months and months for MRIs and

for other things that we would get very rapidly here in the United States because we have the highest quality of health care in the world, and so we are going to create a government bureaucracy.

I hope my colleagues back in their offices are looking at this, because most of them haven't seen this.

We are creating a government bureaucracy that looks worse than any Federal highway system like in California. I mean you can't even find your way around this thing, but that's not the worst of it.

Since last October, this is how much money we've spent: \$700 billion on the TARP program, which includes \$54 billion for the auto bailout, which we really didn't need to do because they filed for bankruptcy anyhow, so that \$54 billion was wasted. Who cares. That's just taxpayers' money. Then we had \$1.1 trillion, including interest, for the stimulus package, which is not working, because they said that was going to keep unemployment below 8 percent. Now it is 9.5 and is going up like a rocket, so that didn't work. That's \$1.1 trillion. On the omnibus spending bill, we had \$410 billion. The defense supplemental was \$106 billion. Now, there may have been some necessity for that. The SCHIP bill was \$73 billion. The cap-and-trade is going to cost every family in this country between \$1,000 and \$3,000 a year in additional expenses for turning on their lights or for putting gasoline in their cars or for getting gas to heat their homes. Then there's this health care bill, which will be \$1 trillion to \$3 trillion, and I'll tell you: It is going to be a lot more than that.

Let me tell you a little story, my colleagues who may be paying attention. When I was a state senator, the Federal Government came into Indiana and said, If you don't take the Medicaid bill, we're going to withdraw \$2.5 million in Federal highway funds. They were blackmailing the State of Indiana into taking the Medicaid program by saying that we were going to lose \$2.5 million if we didn't take it.

I went up to the Senate floor, and I said, Hey, it's going to cost us 10 times this amount of money if we do take Medicaid. I said it would cost about \$25 million. Do you know how much that costs now? Between \$1 billion and \$2 billion a year. I was so far off it isn't funny.

This thing right here is not going to cost \$1 trillion to \$3 trillion. It's going to cost trillions more than that. It's going to reduce the quality of health care. It's going to cause the rationing of health care, and it's going to ruin the system of health care we have in this country. It's just a tragedy that this is happening.

This administration is moving as rapidly as they can toward a socialistic form of government, and everybody in this country ought to know it. They are trying to control and are controlling the investment business, the bank-

ing business, the automobile business; with cap-and-trade, they're controlling the energy business; and now the health care business. This is really a tragic time for America, and I hope everybody in this country who may be paying attention will really take a close look at this and will call their Congressman if they are paying attention.

I know I can't address them, Mr. Speaker, but if I were addressing the American people, I would say, Contact your Congressman and tell him you don't want this mess passed into law. It is going to jeopardize the quality of your health care here in America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

□ 1815

CALLING FOR BOYCOTT OF STELLA D'ORO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

Mr. ENGEL. Thank you, Mr. Speaker and my colleagues. I want to call everyone's attention to something that is happening in my district. It is actually very disgraceful. There is a plant called Stella D'oro. Everyone knows about Stella D'oro, the cookies and the cakes that they make. In fact, for many years I spoke about Stella D'oro with a sense of pride. When I appeared on the Colbert show, I took out a package of cookies, of bread sticks of Stella D'oro's and talked with pride about some of the things that were being made in my district.

The Stella D'oro company was founded in 1932 and was family run until they sold to RJR Nabisco in 1992. RJR Nabisco became a part of Kraft Foods. It was taken over by Kraft. And what happened was, Kraft Foods then sold Stella D'oro to a company called Brynwood Partners. Brynwood Partners really doesn't care about running this place or being fair to its workers. It really only cares about the bottom line. So what they did was they pushed the workers, and they told them that in order to keep their jobs, in order to finance their purchase of Stella D'oro, the workers would have to take a 25 percent pay cut for its 135 workers, many of whom had worked there for decades, were proud of the product

they created. And besides that, they didn't stop there. They told the workers that they would have to make health insurance unaffordable by imposing crushing premiums on these people, eliminating their holidays, eliminating their vacation and sick pay and other crippling costs. So the workers, who are not making a lot of money to begin with, there is no way that they could suddenly accept this. So they went on strike. And Stella D'oro—again, Brynwood Partners—responded by hiring a bunch of scabs to replace the strikers and, in essence, dismiss the strikers. Well, the strikers appealed to the National Labor Relations Board, the NLRB; and the NLRB ruled in favor of the strikers. It told Brynwood, who now runs Stella D'oro, that they must take the striking workers back with some back pay.

And now what is Brynwood Partners threatening to do? They are saying that they're going to close down, shut down the company entirely; and in essence, these workers would totally lose their jobs. How vindictive that is. They win a ruling from the National Labor Relations Board only to have Brynwood Partners say they're going to shut down this company, which has been run since 1932. It's really disgraceful when a company like Brynwood Partners—which obviously doesn't care about making cookies, doesn't care about the neighborhood community-type of business that it was—only uses this company as the bottom line.

Just the other day we had a rally in front of the Stella D'oro company in the Bronx, in my district, to show the workers that we stand by them and support them. I want to let Brynwood Partners know that I am not going to be quiet about this or take this lying down. There are other things that Brynwood Partners own, and we really ought to scrutinize and watch everything they do because if they are allowed to get away with this, they can get away with anything, if nothing more than the bottom line, as far as I am concerned, corporate greed. Something ought to be done for these workers. Again, the National Labor Relations Board ruled in favor of the workers, and so the reaction of the company is to just close it down. That is a disgrace. It should not be happening in 2009. This Congress needs to take note of it and needs to stand behind these workers.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

GLOBAL TRADE AND JOB CREATION

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 6, 2009, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the minority leader.

Mr. DREIER. Mr. Speaker, this evening I have taken out this Special Order to talk about an issue that is of grave importance to the American people. There is no doubt about the fact that the American people are hurting. We are seeing tremendous losses across this country. People are losing their homes. In California, the State that I am privileged to represent, we have an unemployment rate statewide of 11.5 percent. People are losing their jobs; people are losing their businesses; and people are hurting. It's something that has been recognized by Democrats and Republicans alike. We right now are witnessing the implementation of policies that I believe, very sincerely, will exacerbate the problem.

We were promised when we were provided with the so-called economic stimulus bill—\$787 billion, but if you include interest a \$1 trillion stimulus bill—we were promised by the President of the United States that if we implemented that measure, we would not see the unemployment rate exceed 8 percent. And we all know today, unfortunately, as I said, in California the unemployment rate statewide is 11.5 percent. Nationwide it is 9.5 percent. Economists across the board and the President of the United States, even in an interview yesterday, have indicated that we are going to see a continued increase in the unemployment rate. Now that was, again, after we were promised that implementation of the so-called economic stimulus bill which would prevent unemployment from exceeding the 8 percent level.

Since that period of time, we have seen this House pass a massive tax, which is going to be inflicted on families across this country as it relates to energy. Now you will recall one of the hallmarks of the President's platform and the statements made repeatedly by our colleagues on the other side of the aisle have been that we would not see any kind of tax increase imposed on Americans earning under \$250,000 a year; and yet we know, based on the very modest report that came from the Congressional Budget Office, that we will see at least a \$175 increase in the energy tax imposed on Americans as it relates to this so-called cap-and-trade measure.

The debate that's going on right now relates to health care. We all want to do everything that we can to ensure that those 40-plus million Americans who are uninsured have access to quality, affordable health care. But the measure that is before us, I clearly believe, undermines the quality of care and the assurance that people will have access to quality health care. We also know that the cost imposed on small businesses and big businesses across this country will be very great. And those numbers, as have been shown in a wide range of reports that have been

brought before us, have led many to indicate that there will be a tremendous job loss because of this. Because the increased costs, as it relates to health care, inflicted on small businesses will lead many of them to reduce the number of jobs.

So I am very concerned, obviously, as are the people who I am privileged to represent from the Los Angeles area and the people across this country and, frankly, I think many Democrats as well as Republicans here in the House of Representatives, they are very, very concerned about this issue of dramatically increasing the size, the scope and the reach of the Federal Government. It is very well intentioned, of course, Mr. Speaker. It is very well intentioned because we all want to make sure that we focus on improving our environment and decrease our dependence on fossil fuels. We all want to ensure that every American does have access to quality affordable health care, and we want to make sure that we get the economy back on track. But I believe that the trillion-dollar economic stimulus bill, the so-called economic stimulus bill, the so-called cap-and-trade bill that has been put forward and the measure that would dramatically increase the cost of health care and diminish the quality of care are troubling signs. The reason I have taken out this Special Order—and I know I am going to be joined by colleagues of mine, Mr. Speaker—is that we are in a position where we still have a chance to actually focus on job creation.

I'm going to talk this evening about something that has been very near and dear to me for many, many years. It goes back to my education in college; and that is, the notion of the United States of America playing a leading role in global economic growth so that we can increase the number of good American jobs. That means good jobs right here in the United States of America. I believe that trade is key to that. Trade, global trade is going to play a big role in creating jobs, jobs, jobs. Because the natural question that has continued to come forward from this promise that we would not see the unemployment rate exceed 8 percent is, Where are the jobs? We have a chance. Mr. Speaker, we still have an opportunity to turn the corner on that. With a shrinking economy and mounting job losses and anxiety for what the future holds, we need the job-creating power of open trade more now than we have ever needed it. It's one of the very sad ironies of the trade debate. Tough economic times often lead people to say that we should pull up the drawbridge and lead to a term that I know no one likes to have hanging around their necks, but that term is protectionism. Protectionism is a bad thing. But frankly, during tough economic times, there are many people who happen to respond by being proponents of protectionist measures, in fact, avoiding the notion of more open trade. There is a fundamental and very dangerous misconception held by many, including,

frankly, many here in the Congress—I'm happy to say very few on the Republican side, but many on the Democratic side.

As I talk about this, Mr. Speaker, I also want to add that I hope very much we'll be able to get back to the bipartisan consensus that once existed in our quest for open trade. The fundamental and very dangerous misconception that is held by many is that engaging with 95 percent of the world's consumers who live outside of the United States somehow hurts job creation right here in the United States. Let me repeat that, Mr. Speaker. We need to remember that 95 percent of the world's consumers don't live here in the United States. They live outside of our borders. So the notion that engaging with those 95 percent somehow hurts job creation here is preposterous. In fact, nothing could be further from the truth. Even during these difficult economic times, even during this economic recession, even during this time when people are looking for jobs, they've lost their homes, they've lost their businesses, we continue to be the world's largest exporter of both goods and services. There are 57 million jobs directly supported by this engagement in the worldwide marketplace today. Now that is more than one-third of our entire workforce who have trade actually responsible for the fact that they have jobs today. A million Americans have their jobs today because of our engagement in the global marketplace. It also means that more than one-third of our workforce would be threatened if trade were to be diminished. But the impact of trade engagement is even more far reaching than these 57 million jobs with a direct connection to global trade. There are tens of millions of additional jobs that are indirectly related to trade as well. Manufacturers that lower costs and become more competitive by importing parts of their supply chain actually benefit from trade. That means raw materials coming into the United States for manufacturers so that they can engage in the export of finished products, there are a tremendous number of jobs that are related to that. Manufacturers that lower costs and become more competitive by importing those parts for their supply chain actually benefit from trade.

□ 1830

So do the retailers and wholesalers who sell the goods these manufacturers produce. There are thousands of small businesses who provide services for exporters, whether it is information technology, the IT sector support, printing services, logistics or any of the countless business services that help facilitate companies that are globally engaged. All of these companies, all of these companies are indirectly tied beyond the 57 million jobs here in the United States that are directly tied to global trade. All of these support efforts create, again, tens of millions of jobs right here in the United States.

And so we as Americans benefit from both imports and exports as well.

Unfortunately, that message gets lost amid the constant barrage of anti-trade rhetoric which we regularly hear. The protectionists and the isolationists who want to disengage from the worldwide marketplace have been adept and relentless in making their case against trade.

That is why we are here tonight, to take a look at the actual facts and to try to set the record straight on the tremendous benefits of open trade and the opportunity it presents to help to begin restoring job creation in this country.

Again, Mr. Speaker, as we talk about these items that I mentioned, the economic stimulus bill, which hasn't kept the unemployment rate at the 8 percent level that was promised by the President, it has gotten instead to 9.5 percent, the health care measure and the so-called cap-and-trade bills which many studies have shown will cost jobs, we can help reduce the numbers of job loss if we were to focus on creating jobs through greater trade. It is instructive to look at past trade agreements and see what the impact has been on our economy and on our workforce right here in the United States.

Let's look at the U.S.-Chile free-trade agreement as an example. It passed with bipartisan support. But it also drew the usual criticism from protectionists who oppose open trade at every opportunity. This agreement was passed in 2003; so we now, Mr. Speaker, have 6 years of experience and data to draw from in analyzing what the impact of the U.S.-Chile free-trade agreement has been.

Since implementation of this agreement 5 years ago, our exports to Chile have increased by 345 percent. Now, when Congress considered this agreement, the International Trade Commission had estimated that there would be a 12 to 52 percent growth in the first 12 years. So far, we have seen growth that is nearly seven times higher than even the highest estimates that we had back in 2003.

More than 10,000 U.S. companies are sharing in the success by exporting to Chile. This includes large manufacturing companies like Caterpillar which relies on export markets for half of all of its sales, to small, family-run companies like Lion Apparel in Dayton, Ohio. These companies and their workers have been boosted by the explosion of new trade that was made possible by this U.S.-Chile free-trade agreement.

Mr. Speaker, this is a success story that has been repeated throughout every agreement that we have implemented. Again, I underscore that, throughout every agreement that we have implemented, we have success stories to which we can point, which is why we actually have a manufacturing goods trade surplus with our free-trade agreement partners. Let me repeat that, Mr. Speaker: we have a manufac-

turing—we are constantly hearing regularly from critics of trade that we have a tremendous loss of manufacturing jobs because of trade agreements, but we actually have a manufacturing goods trade surplus with our FTA partners. The key to increasing manufacturing jobs in this country is more, not fewer, free-trade agreements.

The same holds true throughout all sectors of our economy. Now, I spoke today with the CEO of UPS, one of the great companies, Scott Davis, who in yesterday's Wall Street Journal penned a fascinating piece talking about the new jobs that trade enables his company, UPS, to create. And these are the words from Mr. Davis. He said, for every 40 internationally shipped packages, UPS, United Parcel Service, can create one new job. This is only common sense.

He explained to me today when we were talking about this that if you look at those who were moving the packages, not just the drivers, but those who had responsibility for handling packages and all, it creates the equivalent for every 40 packages the United Parcel Service exports.

Greater engagement around the world means more economic growth, greater competitiveness and more job creation. It is just that simple. Now that is the good news, Mr. Speaker.

The bad news is that failure to expand our trading relationships were even worse, withdrawing into isolationism, which tragically is what has happened in the past couple of years, will have very, and already has had and will continue to have, very negative consequences at a time when we, as Americans, cannot afford to lose a single job here in the United States of America.

Because jobs, jobs, jobs, here at home, in the United States, is what this is about. It is what the American people are talking about. It is what they are asking for. It is what they were promised in last fall's campaign and what they had been promised throughout this year. And so we have before us a great opportunity that will, in fact, help us create more jobs.

On Monday, U.S. wheat growers announced that they are on the verge of losing half of their exports to Colombia if we do not quickly act on that agreement.

While the U.S. has stalled this agreement, Colombia has moved forward with other negotiations. It has just signed an agreement with the trading group known as Mercosur, the South American trade bloc led by Brazil which includes Argentina, Paraguay and Uruguay.

Colombia also intends, along with linking up with Mercosur, to conclude an agreement with Canada, our northern neighbor this fall, our NAFTA trading partner is engaging with Colombia now, in large part because we have failed to comply with the agreement that we made to have an up-or-

down vote here in the House of Representatives and in the Senate on the U.S.-Colombia free-trade agreement.

Without the U.S.-Colombia FTA, our wheat producers, who already face tariffs that can range as high as 124 percent, will not be able to compete with our Argentinean and Canadian counterparts who will enjoy duty-free access into the Colombian consumer market.

This is just one example, Mr. Speaker, of the competitive disadvantage our farmers, manufacturers and service providers face and will continue to face if the United States refuses to move forward or takes a step back.

Now we have three pending agreements. I mentioned the Colombia agreement. We also have pending agreements with Panama and South Korea that were negotiated in good faith. The first two, Panama and Colombia, are two very, very important key allies as we all know right here in the hemisphere. Their goods and services already enjoy duty-free access to the U.S. consumer market. That is a good thing. We are able to get cut flowers, coffee and things like that that come from South America, from Colombia especially, duty-free here in the United States. These agreements would simply level that playing field, providing us access to their consumer market.

The latter, South Korea, is a very important strategic ally as we know. And it is the world's 13th largest economy. The potential for economic growth and job creation by entering into what would be the world's largest bilateral trade agreement ever is staggering. With our unemployment rate at 9.5 percent and job losses, as we all know, mounting every month, we cannot afford to delay another moment.

These agreements, Mr. Speaker, are job creation agreements and American job creation agreements, which is something that Democrats and Republicans alike want to see happen. Job creation is at the forefront of Americans' minds right now. We know that.

Well, I believe comparisons of our economic situation and the Great Depression may be misguided. There is a very significant lesson to be learned from that time in our Nation's history. Conservatives and liberals alike agree that the economic decline that began with the stock market crash in 1929 was dramatically exacerbated and prolonged by the Republican-initiated, I'm embarrassed to say, the Republican-initiated Smoot-Hawley Tariff Act, which instituted dramatic, drastic protectionist measures. It began as an agriculture measure to impose tariffs on agriculture items and products, but it expanded. And it was very, very far reaching. This was precisely the wrong approach to take, plunging us as a Nation further into an economic depression.

I would hope that we have learned the basic lesson from our history: isolationism is always bad for an economy. But it is especially, especially

dangerous when we are already facing hardship.

Mr. Speaker, this Congress has tried nearly every possible kind of bailout in order to stimulate our economy. And as we have seen in the past several months, not one has worked, certainly not as has been promised. It is time for us to turn to a proven policy that again will create good jobs right here in the United States of America, well-paying jobs. We know that jobs that relate to trade pay significantly higher than those that do not.

So it is time to move with this trade agenda. We can move it forward. We have an opportunity to do that.

I'm very pleased, Mr. Speaker, to be joined by a number of my colleagues who have been very active in our trade working group and, well, no one is on their feet at this moment. I will be happy to yield to my good friend from San Diego who immediately lurched to his feet and understands full well how important the issue of trade is, as he represents the very, very important gateway city into Latin America of San Diego.

I'm happy to yield to my good friend, Mr. BILBRAY.

Mr. BILBRAY. Thank you. I appreciate the gentleman from California for bringing this item up.

Mr. Speaker, one item I would like to discuss is the issue of our neighbors to the south. Every country in Central America has taken on the issue of free trade with the United States. And at great political risk, their political leaders have been willing to step forward and say, for the prosperity of the hemisphere, we must cooperate and work together, not just militarily, not just through aid, but through that long-term relationship of trade.

And it is sad to see that while they have the political bravery to do the right thing for their economies and for their citizens, our political system stands frozen in our tracks. Speaker PELOSI refuses to bring forward the agreements that their leaders have been brave enough to step forward and support.

Mr. DREIER. If I can reclaim my time just to add a comment to that, not only has there been a refusal to bring it up, but for the first time since implementation of the 1974 Trade Act, when a commitment is made to a country in good faith, with which we embarked on these negotiations, for the first time ever, after that vote was promised, we here under the leadership of Speaker PELOSI, utilized the Rules Committee, where I sit, and it was over my protest, of course, to actually subvert and prevent the up-or-down vote that was promised to our very, very important allies in Colombia.

I'm happy to further yield to my friend from San Diego.

Mr. BILBRAY. I appreciate that.

You can imagine the frustration of somebody that sits down with you, negotiates in good faith, give and take, comes down to an agreement, and you

tell them, go over and get your country to support it, and then we will go over and get ours, and you go ahead and do your part, you expend the political capital, you're brave enough politically to ask your people to support a proposal, and then you turn around with your partner, who asked you to agree and to move this agenda, to sit there and stonewall and refuse to even allow a vote, that kind of stab in the back with our partners.

And these are not partners, Mr. Speaker, that are far away. These are our neighbors to the south. These are people that not only we, but our grandchildren and our great grandchildren are going to be living with for centuries to come.

Mr. DREIER. If I can reclaim my time, let me just add that not only are they our neighbors to the south, but they are, without a doubt, our strongest allies on the South American continent playing a big role in dealing with the interdiction of illicit drugs coming into the United States.

And I regularly point to the fact that there is no country in modern history that has gone through a greater transformation for good in a 5-year period of time than Colombia. And the reason is that under the leadership of President Uribe, he has not only taken steps to demobilize the FARC and the paramilitaries in his country, but he also has made great steps towards dealing with the labor issues. And tragically there have been, in the past, labor killings, and there have been problems that continue to exist in Colombia. But he has been so helpful with us.

We do know that on the South American continent today there are leaders who are not only not friendly to the United States, but are subverting the cause of freedom; and we know those leaders, Rafael Correa in Ecuador, Abel Morales in Bolivia and, of course, Hugo Chavez in Venezuela, and Daniel Ortega in Nicaragua. We are seeing very serious problems here. And yet we have this important, strong ally dealing with these issues.

We promised them that we would have a vote so that we can create good, American jobs for Caterpillar's workers, for Whirlpool's workers, and for the other small businesses that exist.

That is why I think it is very, very important that we continue to hold up our tradition of supporting our global leadership and trade, continue to do that.

And I'm happy to further yield to my friend.

□ 1845

Mr. BILBRAY. Colombia is a good example of somebody who is brave enough to take on the drug cartels, was brave enough to take on the extreme leftists in their continent and be able to be brave enough to be an American ally. And for us to stiff-arm them and to basically punish them, it appears, for being a friend, who in the world will

want to risk themselves of being an ally of the United States? This is the example we're setting.

Moving on from Colombia, Panama is really a time-sensitive issue. Mr. Speaker, while we sit here today, Panama is moving forward with an aggressive program to rebuild the Panama Canal, one of the greatest, if not the largest, expenditures that Latin America has seen in our age. We are sitting on the sidelines while Panama is moving and looking to build this new project.

And can you imagine at the turn of the last century if America had sat back and allowed other countries to be able to take advantage of the economic opportunities, if Teddy Roosevelt had ignored the challenge of Panama and Central America, where we would be today and how history would be different.

Today, the Panamanians are building the canal. They want to buy Caterpillar equipment. They want to buy John Deere tractors. They want to see Bechtel and American companies come down there. They want to create American jobs because they want to have a full prosperity zone down there working with us to build the new canals.

While they're waiting to move forward, our political system in this city is stiff-arming them again, freezing them, and doesn't have the political bravery to do the right thing and allow a vote on a proposal that they were brave enough to move forward to.

So anyone who's listening to us and is looking at those factories that could be buying tractors, bulldozers, equipment, could be getting the contracts for the canal, just remember, it's your political process here in Washington that's freezing it out giving China and giving people from Iran, giving the rest of the world the leg up to get jobs out of the Panama Canal while Americans are being obstructed.

Mr. DREIER. I thank my friend for his contribution. And just to take his great example on Panama and to further build on Colombia, it's very interesting.

It has been, as I look at my colleagues here, Mr. HERGER, Mrs. BIGGERT, Mr. CONAWAY, who've been very involved in this issue for so many years, it's hard to believe when I was given this number today, it has been 967 days—967 days—since we signed the agreement with Colombia. And people from the State of the great gentlewoman from Hinsdale, Illinois, who work for Caterpillar and others have actually been forced in that 967 days to pay \$2.1 billion in tariffs that otherwise would not have been there. And if one could think of the tremendous number of jobs that could have been created right here at home—because that's what this special order is about, Mr. Speaker. It's about creating good jobs here in the United States of America.

This Special Order is actually the brainchild of my friend from Hinsdale. We were having a meeting of our Trade

Working Group, and she proposed that we come to the floor and talk about how we can create more good U.S. jobs by expanding open trade.

And with that, I'm happy to yield to the author of this Special Order, my friend from Hinsdale (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding, and I thank you for heading up this Special Order, and I thought I better get down here since I had proposed it. And I think it's a great idea because we—trade is so important right now during this recession. It is more important than ever that we continue to advance freer, fairer global commerce and not regress towards more harmful protectionist trade policies. And free trade agreements are one of the many ways to improve all of the Americans' standard of living and to get our economy back on track.

And you mentioned Caterpillar. Let me just say that there are two plants that are very close to my district, and I have had the opportunity to drive a top loader 10 times.

Mr. DREIER. Reclaiming my time, Mr. Speaker, I find it very hard to believe the gentlewoman from Hinsdale drove a high loader. A Caterpillar high loader?

Mrs. BIGGERT. A 10-ton loader that has a basket.

Mr. DREIER. If I were to witness that, Mr. Speaker, I would get out of the way, but I'm sure you did very well.

Mrs. BIGGERT. I can drive it forward and backward, and it is a huge vehicle. I think it holds a million golf balls in its basket, so you can imagine how big this is.

But this is such an important piece of equipment. And Colombia has had so many of these vehicles to go—for trade. And here, as you said, we have the tariff that has to be paid by Colombia at \$200,000 per vehicle for an off-road tractor going into Colombia while Colombian exports come into the United States nearly duty free.

So this trade agreement is so right because that \$200,000 per vehicle could be used and stay in America with a free trade agreement and supply many more jobs in my district and nationwide. And, in fact, in days since the Colombia Free Trade Agreement was signed here and has not been put into place, U.S. companies have paid over \$2 billion in tariffs on goods and services that are exported to Colombia. And the money, you know, could do so much more.

Let's go back for a minute to the Chile Trade Agreement, because I was the Republican whip on that. You put me in that position, and it was really an eye-opener, I think, for so many Members on this floor.

So many of them were skeptical. So many of them thought this was—that we shouldn't be entering into this, all of these global trade agreements. And the benefits that have been provided by that where American exports to Chile

grew from \$2.7 billion in 2003 to \$12.1 billion in 2008. That's outstanding.

Mr. DREIER. Reclaiming my time, I would like the gentlewoman to repeat that number. So, again, the actual raw number in dollar value of the increase in our exports from the United States is what number?

Mrs. BIGGERT. Our exports to Chile grew from \$2.7 billion in 2003 to \$12.1 billion in 2008, and U.S. imports from Chile grew from \$3.7 billion in 2003 to \$8.1 billion in 2008.

Now, I love those green grapes that come in from Chile. And, you know, this is a thing where food products and everything that's coming from there is that we send over our products when they're having their winter; they send over their food products when we're having our winter. So it works out.

And then another statistic is that in 2008, the U.S. was Chile's top source of imports and the second largest destination for Chilean exports while Chile was the 25th largest export market for U.S. goods.

So we are doing really well to have that partnership, and that's why we need to move ahead with these other trade agreements.

Let me just say one more thing about the Peru Trade Agreement also that was passed. My home State of Illinois, we exported \$198 million in goods to Peru in 2006. So, as seen with Chile and other countries, we have a fair trade agreement with the amount of exports to Peru that will only increase. So we should do everything to encourage the trade agreements that are now on the table.

And the cost, the cost of stalling these free trade agreements, for example, it's not fair that an Illinois company like Caterpillar should have to pay the \$200,000 tariff and so many other companies that face the same thing; plus, the national security issue, the fact that we're dealing with countries so that we're not allowing some of the countries that are hostile to us to just have such a foothold there.

With the Colombia agreement, I think a couple of things. And so many of these agreements have gotten into human rights or labor protections, and I think Colombia, in particular, has worked so hard to further reduce the violence and increase labor protections there by improving the labor and human rights in their nation. And we actually used to meet with President Uribe for so long, and it really was a shame then that we could not get this agreement through. And it really was unfair to change the law—I don't think you can change the law, but to have the Speaker not allow this agreement to come up within 45 days.

Mr. DREIER. Mr. Speaker, I would say to my friend it was not just—it was not just a change. It was, from my perspective, a complete abrogation of the responsibility that we had. And my concern is that we embark not only on other free trade agreements, but any other international negotiation with

any other partner in the world to deal with national security issues and other challenges out there. What good is our word after a commitment was made that there would be an up-or-down vote because of trade promotion authority that was granted by the Congress to the executive branch and negotiate this agreement saying we would have an up-or-down vote and then all of a sudden renege on that commitment that was made?

I would be happy to further yield to my friend.

Mrs. BIGGERT. I thank the gentleman for yielding.

I think you are absolutely right. That is a much stronger statement, and that is the statement that should be made to abrogate our agreement. And I think that after all that Colombia had done with the labor protections—for example, in 2005 and 2006, Colombia issued new Presidential decrees and regulations that addressed the concerns about the applications of labor laws, cooperatives, and temporary workers.

In 2006, they agreed to the establishment of a permanent representative of the International Labor Organization to be stationed in Colombia to promote the fundamental rights of workers.

In 2007, the Colombian legislature passed laws that significantly expedite proceedings and enhanced Colombia's existing labor courts. All of these changes, and yet we could not get this labor agreement and the trade agreement through after so much negotiation that it really is a shame.

So these significant efforts to improve labor relations in Colombia have led to the Colombian labor unions representing 79,000 Colombian workers to fully support the U.S.-Colombia Free Trade Agreement. All of these things. It's an embarrassment.

Mr. DREIER. So the gentlewoman is saying that the unions in Colombia are supportive of this agreement?

I'd be happy to further yield.

Mrs. BIGGERT. Correct; 79,000 workers in the union support this agreement.

Mr. DREIER. We're constantly hearing, Mr. Speaker, that unions are all opposed to this agreement. It seems to me that the unions here in the United States of America are opposed to it, and I've never quite understood that. How can creating more jobs for the union members and workers at Caterpillar and Whirlpool and a wide range of other companies across this country be the wrong thing to do, opening up markets so that their products can be sold into those countries? To me, I can't understand it.

And when we've got the unions—except one union, I'm told, and it's actually basically the public services union, which has nothing to do with the issue of global trade is the only union in Colombia that has opposed this. But I have had the chance in Bogota to meet with a wide range—and I know my colleagues have—of union

leaders who are passionately supportive of this measure because they know it will end up being beneficial to their country and their workers.

I'm happy to further yield.

Mrs. BIGGERT. I think there is a disconnect with some of the unions that they don't understand that this is what creates jobs in the United States when we have the products that we're going to export, and the more that we export, the more jobs that we have created, and this is what moves our economy along.

Let me talk about one more issue, and that is that the U.S. trade deficit is shrinking. In May this year, there was a 9.8 decline in the U.S. trade deficit. That means that we are exporting more and more. We have been at a deficit where we have imported more, so we are running a trade surplus.

Mr. DREIER. If I could reclaim my time, I will say to my colleagues something that I mentioned in my opening remarks, and I know that you'll agree with this, and people are always saying that these trade agreements cost manufacturing jobs here in the United States, people are thrown out of work because of these trade agreements, when, in fact, the opposite has been the case. We actually run a manufacturing job surplus with our partner countries with these FTAs.

And I'm happy to further yield.

Mrs. BIGGERT. I think that the surplus has been running \$9.3 billion for January through May of 2009.

Mr. DREIER. It's a very, very impressive measure.

Mrs. BIGGERT. So I thank the gentleman so much.

Mr. DREIER. I thank the gentlewoman for recommending that we take time to talk to our colleagues about this important issue.

And, again, I will say I know that she and Mr. CONAWAY, Mr. HERGER and others join me in hoping that this will be a bipartisan agreement.

□ 1900

Let me just take one moment as I prepare to yield to my other colleagues, and I'm happy to yield again to my friend from Hinsdale, to talk about the much-maligned North American Free Trade Agreement.

Now, my friend comes from Texas. My California colleague is here. We represent States that border on Mexico, and we so often hear people describe virtually every ailment in society as being tied to the North American Free Trade Agreement when, in fact, more than one-third of all U.S. exports, more than one-third of all the exports leaving the United States of America, go to our NAFTA partners, and for some States, that percentage is significantly higher.

Michigan, we know what a devastating economy Michigan has. The number actually in Michigan is 68 percent of the exports from that State go to our NAFTA partners, obviously a great percentage to Canada but also much to Mexico.

In Ohio, we so often hear our colleagues from Ohio maligning any kind of trade agreement. Yet, 54 percent of the exports from Ohio, where do they go? To our NAFTA trading partners. Those jobs created in Ohio, 54 percent of them go to our NAFTA partners.

In Indiana, it's 52 percent. In fact, without the North American Free Trade Agreement the manufacturing workforce of these States would be devastated, and let's say that again, Mr. Speaker. While we hear that NAFTA is responsible for any job loss that takes place in Ohio, in Michigan, and in Indiana and other States, in fact, were it not for the North American Free Trade Agreement the manufacturing job loss would be tremendously higher than it is today.

Since implementation of the North American Free Trade Agreement between Canada and the United States and Mexico, we have actually seen our trade triple to nearly \$1 trillion. Between 1993 and 2007, 28 million American jobs have been created, or a 25 percent expansion in our workforce. Between 1993 and 2007, U.S. industrial production, three-quarters of which is manufacturing, rose by 57 percent, almost double the productivity increase in the 12-year period before implementation of the North American Free Trade Agreement.

And more than 110,000, small- and medium-size businesses export to Canada and Mexico, 110,000. I know many of them are in Texas, many in California, many in Illinois and other States. These companies are spread all across the country, but the top exporters to Canada and Mexico are, in fact, Texas, California, Michigan, Ohio, Illinois, New York, Indiana, and Pennsylvania.

And so while we regularly hear the North American Free Trade Agreement as being maligned and responsible for any economic challenge we face in this country, the opposite is the case.

Have there been any people displaced? Well, of course there have been, and that's one of the reasons I've supported trade adjustment assistance, as I know my colleagues have, so that any people who do, in fact, face job loss that they will be in a position where they are able to be retrained, put into positions that will end up being very beneficial for them.

So I'm very pleased now to be joined by one of the great champions of the trade agenda who's a member of the Agriculture and Intelligence and the Armed Services Committees, and he's the gentleman from Midland, Texas (Mr. CONAWAY). I'm happy to yield to him.

Mr. CONAWAY. Well, I thank the gentleman for yielding to me, and those are some pretty startling facts. I'm a CPA and I tend to work better with facts than I do with hyperbole and make things up and guesses and wishes. Those facts are pretty startling when it comes to the—

Mr. DREIER. I must say, it's unusual for me to use facts.

Mr. CONAWAY. For the much-maligned North American Free Trade Agreement, most of the time you hear people criticize it, but they do it based on old data based off of misconceptions, and when you begin to lay out the facts to them, particularly from the States who—some of the most inflammatory comments that I heard on this floor about NAFTA come from Members from Ohio. And that's a pretty startling fact that we will have to confront them with perhaps the next time that they bring that up.

I would like to move back to Colombia because I think, given free trade agreements that are the most ripe for execution and for completion, Colombia would certainly be in that category.

My colleague mentioned it had been 967 days that that bill has languished in our system. Let me point out that, over 925 of those days, we're under the leadership of Speaker PELOSI. So it has been the Speaker who has stood in the way of reducing tariffs by \$2.1 billion, that my colleague mentioned earlier; insisting that the 35 percent tariff on automobiles remain in place; the 10 percent tariff on cotton remain in place; and the 10 percent on computers and other things made in the United States remain in place.

Mr. DREIER. Mr. Speaker, would my friend repeat those numbers? I think that's very, very telling, and that is a tariff level in place basically undermining the ability of sending the products of U.S. workers here in the United States into Colombia.

Mr. CONAWAY. Well, it's interesting that between the unions and the Federal taxpayers, we own General Motors, and so a General Motors car made in the United States bears a 35 percent tariff if you try to sell it in Colombia. So you add 35 percent to the cost of that car, and it competes with a car say made in Korea or other places that don't have that tariff, and then we don't compete well on a cost basis. So those are American manufacturing jobs. They speak to you on behalf of the American taxpayers and the unions for a change, which I don't normally speak to, if we're going to prosper General Motors, why not do something that drops the tariff, makes us more competitive for the taxpayer-made automobiles to be sold in Colombia?

As you mentioned earlier, Colombia's continued with the unilateral trade agreements that they're doing that continue to disadvantage American businesses that compete with businesses from those countries that Colombia—

Mr. DREIER. Reclaiming my time, let's state for the record, I would say to my colleague, why it is that Colombia has resorted to these agreements with Mercosur, with Canada. The reason is very simply, 967 days ago when this agreement was signed, President Uribe and our friends from Colombia assumed that within a relatively short period of time, that we in both Houses

of Congress would do our due diligence of looking at the agreement, and then we would have had an up-or-down vote. So it's hard to blame our friends and allies in Colombia for having embarked on negotiations with Canada and with Mercosur as we have, again, reneged on our commitment to have an up-or-down vote here.

And I'm happy to further yield to my friend.

Mr. CONAWAY. Well, I thank my friend for yielding.

I was startled last week when I saw a headline attributed to a comment that our United States Trade Representative Ron Kirk made that trade still or was a high priority with the White House. High rhetoric but no action. I've not seen any pressure from the White House on the Speaker to tell the Speaker that we have a great friend in Colombia, we have an ally, a stalwart ally in President Uribe, and we need to quit thumbing our nose at him, quit treating him like a redheaded stepchild, and begin to treat him as the friend and ally we know him to be by recognizing the importance of this free trade agreement, and getting it passed, getting it signed and getting it implemented into law.

The only reason I can see so far, remaining reason, is our trade unions' opposition to this particular trade agreement. I'm not sure why they picked out Colombia because, in the grand scheme of things, Colombia's overall economy doesn't threaten any particular business in the United States.

But the remaining issue is with our trade unions. It's been my experience that Colombia has addressed almost every single one of the issues with respect to union organizers that was the pushback. They've decreased the violence significantly. They've agreed to ILO standards. As my colleague Mrs. BIGGERT mentioned earlier, they've agreed to an Office of the High Commission from the U.N. on human rights. All those things have been agreed to so there's no rational reason to continue to maintain the 35 percent trade barrier on automobiles. There's no rational reason to maintain the 10 to 15 percent trade barrier on movies and DVDs. There's no rational reason to maintain the 10 percent tariff on cotton. And finally, there's no rational reason to maintain the 10 percent tariff on computers. That hurts American businesses.

My colleague mentioned a while ago that our trade unions don't understand that when we make things in the United States and sell them overseas that creates jobs. I would respectfully disagree. They are bright, smart people. It's counterintuitive why they would be against creating jobs in America so that we could build stuff and sell it overseas, but I think they full well understand the mechanics of how that works.

So I would encourage my colleagues to continue to push on the Colombia

Free Trade Agreement. Colombia is the strongest democracy in South America, and at a time when there's unrest in Honduras, unrest in Venezuela, unrest in Bolivia and throughout that region, we need a strong ally in that country. We need to put our actions where our mouth is, in effect, and put this agreement in place so that we can quit insulting our good friend President Uribe by refusing to bring this up.

I appreciate the gentleman for the time.

Mr. DREIER. I appreciate the gentleman for his very thoughtful contributions and I'd be happy to yield to my friend from Hinsdale.

Mrs. BIGGERT. I was going to maybe correct what I said. What I meant to say that there were people on the other side of the aisle that had blocked these agreements, and not the trade unions. I know that so many of them really do know how important this is.

Mr. DREIER. I thank my friend for her contribution as well, and it has been an unfortunate thing. I believe that there are intelligent people within the union movement here in the United States who understand that creating jobs in the United States hinges in large part on opening up markets where 95 percent of the world's consumers are outside of our borders, and yet, they have, for some unknown reason, and there's lots of speculation as to why they do this, they have continued to drum up and really pander to what is the lowest common denominator of fear, frightening people. My gosh, if we embark on an agreement, we're going to lose jobs, when, in fact, every shred of evidence that we have is that the opposite is the case.

And I thank my friend for her contribution. I thank my friend from Midland as well.

Now, I'm very, very pleased, Mr. Speaker, to yield to our very, very hardworking colleague who for many years served as the top Republican on the Ways and Means Committee Subcommittee on Trade who's been a great champion of it, as a fellow Californian, represents important agriculture industry in his State, the largest industry. I say as an Angeleno, that I know full well that agriculture is the number one industry in our State of California, and the idea of opening up new markets is very important.

And actually, as the gentleman begins, I want to talk a little bit about the U.S.-Korea Free Trade Agreement because I know that would play a very big role in benefiting the constituents he has, the farmers whom he represents.

With that, I'm happy to yield to my friend from Chico.

Mr. HERGER. Well, I thank my good friend from California (Mr. DREIER) for yielding and also for the leadership that you've given over the years in this incredibly important area of trade, of fair trade, of free trade, and how crucially important it is to our economy, not just to the district I represent but to our entire Nation.

And Mr. Speaker, the number one concern for Americans right now is the economy. Americans know that the health of the U.S. economy directly impacts their job and their ability to provide for their family and keep a roof over their heads.

At the beginning of the year, Democrats pushed through the Congress an unprecedented measure to spend \$787 billion in an attempt to stimulate the economy. That was money we had to borrow, creating a national deficit that will reach almost \$2 trillion by the end of the year.

The President assured the American people that this was the only way to prevent the unemployment rate from reaching 8 percent. Yet, with this mammoth deficit spending, the unemployment rate has skyrocketed not to 8 percent, but to 9.5 percent, with estimates indicating it will reach 10.5 percent before the end of the year and no end in sight.

While Americans continue to struggle to find work, Congress has moved on to other issues, ignoring one of the most obvious and efficient vehicles to promote economic growth and create jobs: trading with other countries. Importantly, this solution doesn't require the government spending billions of dollars nor does it require a huge expansion or invasion of the government into the free market. It is as simple as removing foreign barriers to U.S. goods and services so that our workers and businesses can compete on a level playing field in the global economy.

Most Americans don't know that the U.S. is not only the number one trading Nation in the world but also the number one manufacturer and that our record exports last year were the one bright spot in our economy.

Mr. DREIER. Mr. Speaker, let me ask my friend to repeat that. We are the number one manufacturing country in the world? So few people realize that. People believe that it is China. People believe that there are other countries, that Mexico is, but we continue, even with this struggling, down economy to be the number one manufacturing country in the entire world?

Mr. HERGER. That is absolutely correct, number one manufacturing Nation in the world, the number one trading Nation in the world. Trade is part of the foundation of a strong economy and high standard of living.

□ 1915

Today, for example, more than 57 million American jobs depend on trade, and these jobs pay 13 to 18 percent higher wages. Clearly, it would be in our Nation's best interest to build on this record, helping us through this difficult economic time.

The premise is simple: reducing tariffs and other barriers would make our goods less expensive and therefore more competitive in foreign markets. The additional sales from exports will help sustain and grow our U.S. businesses during this economic downturn,

creating much needed job opportunities in the United States.

When you combine the fact that demand is sluggish in the United States due to the high unemployment and general uncertainty about the economic outlook with the fact that 95 percent of the world's consumers live outside the United States, it seems like the commonsense solution would be to encourage U.S. exports by reducing barriers abroad. The best way to do this is to negotiate market-opening trade agreements with other countries.

Mr. Speaker, my district in rural northern California is typical of many districts across the United States that are largely dependent on agriculture. We produce more almonds, walnuts, rice, and prunes than we can possibly consume, and heavily rely on exporting these goods to foreign markets.

The bottom line is promoting free and fair trade through these agreements is an essential component of economic recovery. Unfortunately, House Democrat leadership has failed to take this necessary step for our workers, despite the fact that we have three agreements—three agreements already negotiated and just waiting for congressional approval.

Two of these pending agreements are with close U.S. allies in South America: Panama, and Colombia. Both of these countries largely already have duty-free access to U.S. markets due to trade preference programs, while our goods face high tariffs in theirs. Yet, these nations want to move from a one-way trade relationship to a two-way relationship. Why? This Congress is preventing that from happening when our workers would benefit from new opportunities in these markets.

It is mind-boggling to me that the U.S. Government continues to ignore the needs of our workers in such a way.

We also have a pending agreement with South Korea, which is the most commercially significant agreement for the United States, as Korea is already our seventh largest trading partner.

Together, these three trade agreements would increase U.S. exports by at least \$10.8 billion, as estimated by the U.S. International Trade Commission. That clearly means more businesses for U.S. companies and more jobs for American workers. And these benefits are spread throughout the entire economy. All sectors benefit: manufacturers, agricultural producers, and services.

Yet, instead of providing this true stimulus to our struggling economy, Congress and the administration have chosen to tie our hands behind our back. We must realize the cause of this inaction. If the American people knew that denying a vote on the Panama agreement is causing U.S. workers to miss an opportunity to export heavy machinery to Panama for their \$5 billion Panama Canal expansion project, would they think Congress is acting in their best interest by sitting on the agreement? I think not.

If the American people knew that if Canada ratifies their agreement with Colombia before the U.S., Colombians will be buying Canadian wheat instead of U.S. wheat, would they think that loss in market share to our competitor is acceptable? I don't think so.

If the American people knew that if the European Union ratifies their agreement with South Korea before the U.S., Koreans are going to use European services instead of services provided by American workers, would they think their Members of Congress are doing what's best for American workers? Absolutely not.

By not finalizing these agreements, we not only miss out on opportunities for our businesses to expand; we will also start to lose our current market share to our competitors. The EU, Canada, China, and other nations aren't standing still. They will continue to push for their own market-opening agreements that would put U.S. goods and services at a competitive disadvantage.

Mr. Speaker, the reality is that if we are not moving forward, we are moving backwards—and other countries aren't going to wait for us to catch up. Trade is an essential part of economic recovery and the American people cannot afford for this Congress to continue to ignore it. Expanding trade opportunities for our businesses will help them grow and expand, creating jobs that American workers need right now. And if that isn't reason enough, we don't have the luxury of time to sit back and wait while our competitors race by. I urge this Congress to act on behalf of American workers and pass the three pending U.S. trade agreements. Our great Nation is at a crossroads. Will the Democrat Leadership of this Congress take our Nation down a protectionist path, isolating our Nation from the rest of the world, or are they going to choose the path traveled by Pres's John Kennedy and Bill Clinton and embrace the quest for open markets that have helped make this country the greatest Nation in the world?

During this time of economic instability, it has never been more important for the leaders of our Nation to actively choose open markets and free & fair trade. The United States already tried protectionism in the 1920s—it was called the Smoot-Hawley Act of 1928 that raised tariffs on products in every sector which resulted in a worsening of the Great Depression. Mr. Speaker, the American people cannot afford to go down their protectionist path again. We desperately need the benefits & opportunities that these trade agreements create.

Mr. DREIER. Mr. Speaker, let me thank my colleague for his very thoughtful contribution, especially mentioning the very important Korea agreement.

This is about jobs, jobs, jobs created right here in the United States of America. And that is exactly what these trade agreements will do.

I thank my friend and all of my colleagues for their participation in this very, very important Special Order. I will say, Mr. Speaker, that we will continue this conversation, and look forward to work in a bipartisan way to get these agreements through so that we

can create more good job opportunities for our fellow Americans.

URGENT NEED FOR HEALTH CARE REFORM

The SPEAKER pro tempore (Mr. DONNELLY of Indiana). Under the Speaker's announced policy of January 6, 2009, the gentleman from Connecticut (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MURPHY of Connecticut. I thank Speaker PELOSI and my colleagues for allowing us to come down for the next hour or so and speak to you. We're doing a joint hour. Occasionally, those of us who are pushing for health care reform to happen for our constituents this year have come down to the floor to share our thoughts about the urgent need for reform.

We're sharing this hour with the 30-something Working Group, which I'm honored to be a part of. And I know our hope is that, at the very least, Representative RYAN will be able to join us later this evening as part of this hour.

But we are here to focus our thoughts and our energies and to talk to our colleagues about the need to pass real comprehensive health care reform for this country and for our constituents. We know what the problem is out there because when we're out there at our town halls, when we're setting up our office hours at the supermarket or the grocery store, it's our constituents that are coming to us and telling us about the fact that they just can't afford this health care system any longer.

If you're lucky enough to have insurance, you've seen your family have to pick up more and more of the share. As the cost of health care goes up for businesses, they're passing more of it along to individual consumers.

So now, if you're a family of four out there, you're likely to be spending \$3,000 to \$5,000, at least, on health care, even when you have insurance. Your deductible now is in the thousands of dollars rather than in the hundreds of dollars.

That copay that you have to bring with you to the doctor's office now isn't \$5 or \$10; it's \$100 or \$150. Those drugs that used to only cost you \$5 or \$10 when you showed up, well, if it's in the wrong tier of drug, you may be paying 50 to 70 percent of the cost of that drug.

If you're a senior citizen and you happen to find yourself in the dreaded doughnut hole, not only are you paying the full cost of those drugs, and potentially bankrupting yourself in the process, but you're paying the highest prices in the entire health care market when you show up at the drug store.

You're paying more than the Federal Government pays for that drug. You're paying more than Blue Cross/Blue Shield pays for that drug. You're paying through the nose for it.

This health care system is broken. It's broken because the people that got it just can't afford it any longer.

Now, much of the cost is very visible to people. That cost that you now bear as an employee, that you didn't used to have to pay, that increased deductible or that copay, that hurt is felt. We're feeling it for you because we're hearing those stories increasingly about people that just can't come up with the money to pay that high deductible, people that just don't have the cash to fill in the drug company doughnut hole. That hurt is visible and real for our constituents.

But there is an invisible pain. There is an unseen hurt that we need to talk about here on this floor because there are a lot of businesses that are passing along the cost of health care, but there are also a lot of businesses that are eating the cost of health care, that don't want to have a high-deductible plan for their employees. So what they do is they pay it instead.

The business decides that they will pay the 10 percent increase in premiums, but it just means that their employees don't get a wage increase that year. Or when they were supposed to get a 5 percent bump up, they only get a 2 percent bump up.

There are millions, millions of employees in this country who should be making more in take-home wages but aren't because the businesses that they work for are paying more in health care costs than they ever have before.

Now that's just not me talking; that's just not anecdotes I hear from the business owners and the employees in my district. That's data. That's data that shows that over the last 10 years the premiums charged to employers from health care insurance companies have risen by 120 percent during the last 10 years—120 percent jump. More than double—a more than doubling of health care premiums charged to businesses.

During that same time, average wages have grown by only about 20 or 30 percent. During that same time, wages have grown at less than the overall rate of inflation. Guess what? That's because of the cost of health care eating into the money that people take home from their paychecks.

Lastly, the invisible cost comes here. Guess what, Mr. Speaker and my colleagues? We've got a system of universal health care in this country. We're not inventing a system of universal health care. We've got one now. It's just the most inhumane, most unconscionable, most inefficient universal health care system in the world because our Federal law guarantees you health care, but only until you get so sick, you get so crippled, that you get so desperate that you as an uninsured individual have to show up to the emergency room. And so you get care, but it's too late.

It's the most expensive, most inefficient way of delivering universal health care. There is a cost to that, because when that individual who could have just gotten a prescription to cover their growing infection and instead lets

it get to such an extent and such a degree of severity that they have to show up at the emergency room and they have to have major surgery to cure that festering illness and infection, there's a cost to that of 10 to 20 times what the cost of the preventative service might have been.

That cost doesn't just sort of evaporate in the air. It doesn't disappear into the ether. It's real. It's substantive. The hospital picks up that cost and forces private insurers to reimburse them more to help them cover the costs of the uninsured. Charges some of it back to the government. Every taxpayer in this country, a portion of your tax dollars that you send to the Federal and State government goes to hospitals and emergency rooms to cover the cost of all those 50 million people that walk in without insurance.

So there are costs all throughout the system, both visible and invisible, that we cannot sustain. And so we've come down here to the House floor today to not just focus on the problem—I think you've got to talk about the disease in order to get a diagnosis—but to talk about the fact that for the first time in almost a generation we are on the verge as a United States Congress of rising to the massive challenge that confronts our health care system.

We are on the precipice of passing real health care reform that lowers the cost of health care for everybody in the system whether you're an individual paying it or you're a business having to bear the burden of the cost, and at the same time makes the system more fair for people right now that are paying more for health care just because they happen to be sicker than somebody else; for those millions of people who can't find health care in the first place because they happen to have a pre-existing condition.

For all those senior citizens out there who are trying to decide between 20 different plans that the difference can only be deciphered in the fine print of the paperwork that they send you in the mail, we're going to make this system more transparent, we're going to make it more fair, we're going to give people more choice. And by doing that, we're going to lower the cost of the American health care system for everybody so that those very visible costs that are holding families back are controlled and those invisible costs that too often aren't seen by wage earners or by taxpayers disappear over time.

□ 1930

So I'm really glad to be down here this evening. I see Representative SPEIER's joined us, so I'd love to hear from her as well. We're going to be joined later on, I know, by Representative RYAN and others to focus some attention on this problem of health care and the approach that we're going to take in this House. So I'd love to have Representative SPEIER from California join us to talk a little bit more about the challenges that we confront and

some of the solutions that we put forth.

Ms. SPEIER. Well, thank you to the gentleman from Connecticut. I want to thank you for your leadership and for your comments because this issue can't wait. I think we know that better than most.

But tonight what I would like to do is talk to the 80 percent of Americans who have health insurance, who basically ask, Well, why should I care about health care reform? I have health insurance. And to the 80 percent of Americans who do have health insurance, I have a few things to tell them.

Right now, for all of us that have health insurance, we are in a position of paying for those that don't have health insurance. It's called cost shifting. So for the premiums that we pay, part of each premium is actually paying for the uninsured. It's called cost shifting. And it's estimated that every American family pays \$1,100 per year for the uninsured.

So, for instance, you go into the ER with a broken ankle, you get health care. The uninsured person goes into the ER for that same broken ankle, they get health care because we have a Federal law that requires that all people get health care when they return to the emergency room. But we pay \$2,000 for that broken ankle, not because it costs \$2,000, but because the individual who came in with no health insurance didn't pay. And that's where the cost shifting takes place.

So with health care reform, it's going to be much like many States in the country have as it relates to auto insurance. There's a mandate for auto insurance, and now we're going to mandate that every American have health insurance. And for those who can pay, they will pay. And for those that can't pay, we will help them pay.

Now, the next question I want to answer is why is health care so expensive.

Currently, the United States pays twice as much as any other industrialized country in the world for health care; \$6,700 for every man, woman, and child. Now, compare that to what's paid in Germany or Canada, where it's \$3,000. Or take the country of Japan, where it's \$2,500. And the cost of living in Japan is just as high as it is here in America.

Now, the conventional wisdom would suggest that, well, our health care is more expensive because our outcomes are better. You get better care if you pay more money. Well, that's simply not true. The U.S. ranks first in unnecessary deaths among the 19 industrialized nations.

Now, let me repeat that. The U.S. ranks first among—the most unnecessary deaths that take place as a result of a lack of health care. In fact, the number is pretty staggering. It's like 22,000 Americans will die this year for lack of access to health care.

We waste a lot of money on health care spending. Recent estimates are that one-third of the care provided in

this country, to the tune of some \$700 billion, doesn't improve anyone's health. Now, if a third of the care that's being provided isn't providing additional health care, then it's wasteful spending. And when they talk about \$700 billion of wasteful spending, it's time for all of us to sit up and think, wait a minute. What's really going on here?

And 20 percent of the health insurance premium goes for overhead and profits. Now, when I tell you that in 1994 only 4 percent of the health care premium went for profits and overhead, you've got to scratch your head and ask, how did we go from 4 percent in 1994 in overhead and profits to 20 percent in 2009?

Next question that I want to answer is how does this health care reform make it safer for me.

I want to tell you a dirty little secret. It's a dirty little secret about health care that no one wants to talk about, and it's about medical errors, and we have known about it for decades. The Institute of Medicine put out a report that said there are 100,000 deaths in America every year because of medical errors; 100,000 deaths.

Now, I'm going to talk about a specific bacteria infection that people get typically in the hospital. It's called Methicillin-resistant *Staphylococcus aureus*. Now we say MRSA for short. Now, the MRSA infection rate is growing by leaps and bounds. In fact, there's 100,000 cases of MRSA a year. Two-thirds of those people that get that infection get it in the hospital setting.

Now, of the 100,000 people that will get a MRSA infection, 19,000 of them will die because of that infection. Now, that's a stunning figure.

If there was a 747 that crashed in the United States every week, that's the equivalent of 19,000 deaths. And if there was a 747 that crashed every week in America, we wouldn't tolerate it. We'd call on the FAA. We'd call on the airlines. We would stop it. But we've done very little to stop the spread of MRSA in hospital settings.

Now, this health care reform bill takes an important step, not a full step. It doesn't go all the way, but it does now require that hospitals will have to report their hospital-acquired infections.

What we need to do, furthermore, is put the protocols in place so that we can stop these infections from occurring and we can stop the deaths as well.

Now, the last thing I want to talk about is something that not everyone is necessarily familiar with if you're in a group health setting, and it's called a preexisting condition. If you're in a group health setting, it doesn't matter if you have a preexisting condition. You are covered. But if you're in the individual market and have a preexisting condition, good luck.

And I'd like to show you these health care horror stories, preexisting condi-

tions. These are the types of pre-existing conditions that can prevent you from getting health insurance in this country. Depression, sprained ankle. How about a misdiagnosis for bipolar disorder?

This is an actual case. A young woman was given a bad diagnosis. Her doctor confirmed that she never should have been diagnosed; yet, when applying for individual insurance, she was denied due to her psychological history, even though it was a misdiagnosis.

Well, look down that list. Diabetes, gallstones, anxiety, stress. How about tested for multiple sclerosis? Not that you have multiple sclerosis, but that you were tested for it becomes a pre-existing condition and you can be denied health insurance in the individual market.

Let's move down to bunions. How about too thin or too heavy? How about too healthy?

Believe it or not, this was a reason given to a gentleman for not giving him health care. In Florida, he sought insurance in the individual market because he was working for an architectural firm that didn't offer it. He'd been healthy all his life. He'd never been to the doctor. He did all the right things. He was a health nut and stayed in shape. And so when he went shopping and he was declined coverage, it was because there was a "lack of current medical records." Now, he explained that he didn't have any medical records because he hadn't been to a doctor because he's been healthy. But for that reason, because he was too healthy, he was declined health insurance.

I had a story that just came into my office today. It's a family in my district, and they called because they were concerned. They have twin sons. One of their sons just had a dislocated shoulder from an athletic event. Not unusual. But because he had that dislocated shoulder, they had been told by their health care insurer that they will now exclude coverage for any shoulder injuries for both sons, even though the twin brother was not engaged in the athletic activity and didn't dislocate his shoulder.

So, health care reform makes pre-existing conditions a thing of the past. All of this would be wiped away. All of these horror stories would be gone. Americans could breathe a sigh of relief that now, no matter what your ailment, and believe me, all of us have a preexisting condition of one sort or another; it just hasn't been tested because we've been in the group health market. But all of us will be able to access health care and health insurance through the health care reform proposal.

You know, much like you, I came to Congress to make this country a better place. With real health care reform, I believe we'll have an opportunity to do just that.

Thank you. I yield back.

Mr. MURPHY of Connecticut. Thank you very much, Representative SPEIER. Thank you for drawing attention to what this reform effort that we're talking about here tonight means, not just to these people that you're talking about that have been denied coverage for preexisting conditions, but what it means to all the folks that have insurance out there.

If I had a dime for every person I've run into that has talked to me about the fact that, you know what, they're not really happy in the job that they're in. They want to go do something else, or that they really have a great idea, a business that just has been germinating in their mind and they want to go out and start it, but they can't leave their current job. They can't go out and start that business because they're going to lose their health care because their daughter is sick and they've got some health care for her now, but if he leaves or she leaves and goes out and does what they really want to do with their life, or starts that small business, that they're going to lose that health care coverage. There are millions of Americans who have health care today and are trapped, are trapped in their job, are trapped in their place of employment, because they can't dare lose the coverage that they have.

Now, in the most powerful country in the world, in the beacon of freedom from around this globe, that kind of servitude to your employer, just because you have insurance that you can't leave, just doesn't seem right.

But it also is just absolutely silly economic policy. Think of all of the innovation that we're stifling. Think of all of the great entrepreneurs who never get to go out and invent, who never get to start that business because they can't leave the insurance that they have. So this really is fundamentally about trying to make health care for those that have it more meaningful, more real, but also more flexible. And I thank you for drawing attention to this issue.

Well, we are blessed to have with us on the floor Representative RYAN. We were talking earlier. This is kind of a hybrid health care hour/30—Something hour, and one of the things we're talking about here, Mr. RYAN, is that this is hard; right? This is a big problem. We've got one the most confusing, most complicated health care systems in the world, and we're going to take on a very complex and convoluted system at a lot of different angles.

So the bill that is going to come out is going to be big. It's going to have a lot of pages to it, because in order to tackle a really complicated and confusing health care system, you have to have the guts to think big. You've got to take on all of the various problems that have been created in this system, whether it be high cost health plans, preexisting condition exclusions, post-claims underwriting, all of the various tricks of the trade that insurers and others have used to try to make money

and exclude people we've got to take on and do things with.

But it also makes it really easy for folks who are critical of health care to just sit back and say, Well, what you're proposing isn't any good, and we're just going to sit back and criticize rather than propose alternatives. And that seems to be the dynamic once again that's playing out on this floor, that the Democrats are going to offer real solutions, real opportunities for this country to move forward on health care, and we're going to be met with opposition that defends the status quo and really doesn't offer alternatives. So we're here tonight to—

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. MURPHY of Connecticut. Absolutely.

Mr. RYAN of Ohio. Because we have, hot off the presses here, a copy of and a chart of the Republican health care plan. And it has been the Republican health care plan for a good many years now, and it will continue to be the Republican health care plan, and it looks very similar to the Republican energy plan. Not quite sure exactly what it is. Lots of question marks. No real solutions for the American people. And as you, I think, articulated a few minutes ago, this is a major issue for real people all over the country, for people who have lost their jobs because of the downturn in the economy, for people who come from communities who have been dealing with the global restructuring, with the loss of manufacturing jobs.

□ 1945

Many people from my district for the last 30 years, whether they were in the rubber industry in Akron or in the steel industry in Youngstown or in the auto industry in Warren, have had to deal with this tumultuous change in our economy. This is prior to Wall Street's pulling the rug out from the national and, really, from the global economy, and this is prior to the bad policies over the past, you know, 8 to 10 years that our friends on the other side have consistently pushed.

You know, from a lot of the people who do have some criticism, maybe, for what's going on, I don't hear anyone saying the answer is to cut taxes for the top 1 percent and to get defense spending kicking. We've been doing that. Prior to the Democrats' coming into office a couple of years ago in the House and then prior to President Obama's getting elected, we had a policy where there were tax breaks for the top 1 percent, and they were supposed to invest all of that money into our economy. It never really happened.

I think what happened over the course of the last couple of years was that the Reaganomics—supply side economics—cut taxes for the wealthiest and then hoped the crumbs fell somewhere in Youngstown, Ohio, for some of the workers to maybe get a bite of. It has not worked. With the deregula-

tion of Wall Street, we saw what happened there. It has caused a global recession almost to the likes of the Great Depression. The only things I feel are saving this from being a Great Depression are the Great Depression programs—unemployment insurance, Medicaid, Medicare, Social Security, the Pension Benefit Guaranty Corporation, and the health care tax credit that we increased from 65 percent to 80 percent in the stimulus bill. Those are the only things preventing people from being on the streets. They've lost their homes, and they have no health care. If it weren't for these basic safety nets that we've set up, there would be cheese lines again. Let's be honest about it. No one wants to admit it.

So what we are trying to do here with energy, quite frankly, and now with health care, is to shift what's going on in our country. It has taken us a long time. Since 1980 this supply-side economic policy has been happening. What we are trying to do is to shift 30 years of this nonsense that has been implemented and to restructure our country, to unleash the power, as Mr. MURPHY stated earlier, of the American people. Those people in our districts who don't have health care or who have lost their jobs and who are scared in America need to be helped. I make no bones about it, and I don't think anyone else does, because the top 1 percent has been fine. They will be fine.

What we are trying to do is to restructure the system. We are trying to take health care as it currently is, Mr. Speaker, and squeeze the fat out of it, squeeze the special interests out of it, take the savings to help cover everyone, and invest at the front end by making sure that we don't have co-pays for preventative care, to make sure that no one will lose their insurance or will have to go bankrupt because of their health care issues. To me, this is basic common sense.

The security for the American people is what we are looking for so that they can confidently go about their business, so that they can create wealth, take chances and be entrepreneurs. That's what this is all about.

If you take these two pieces of legislation, the health care and the energy, you are talking about unleashing the potential, the innovation, the entrepreneurship, the talent, the intellect, and the skill of the American people.

Mr. MURPHY of Connecticut. Will the gentleman yield?

Mr. RYAN of Ohio. I would be happy to yield.

Mr. MURPHY of Connecticut. Let me go back to a number that I used at the outset of this hour.

Over the last 10 years, a time during which the Republicans had control of this House and the Senate and during which the Republicans had control of the White House, the employers in my district saw health care costs go up by 120 percent. Now, they've had a lot of things increase during that time.

Frankly, Mr. RYAN, the only thing that competes for that are energy costs, probably during that same time, depending on what oil was costing from coming abroad. Energy prices might have gone up by 120 percent, but nothing else has increased by 120 percent. That is an unsustainable rate of growth for our employers, and it puts them at a tremendous disadvantage vis-a-vis the rest of the world. We live in a global economy today.

If we want to go back and diagnose all of the reasons that our economy, essentially, went into a free fall at the end of last year—and that were abated at the beginning of this year, in part, by the actions that this Congress took—you've got to look at health care costs. You've got to look at the fact that \$1,500 of every car produced in this country can be accounted for just with regard to retiree health care benefits. That number is essentially zero for their competitors in Asia or in Europe. This economy is weighed down by a health care system that costs twice as much as every other health care system in the rest of the world.

So, if we want to talk about economic revitalization, if we want to talk about making this country globally competitive again and about coming out of this recession stronger than we were when we went back into it, then we've got to do something about costs.

We spent some time today in our committee, Mr. RYAN, with the non-partisan Congressional Budget Office. They outlined for us the economic effects of our bill, and they made it very clear: The reforms that are outlined in our bill are going to lower the costs of health care insurance for individuals and for employers, that the menu of options that we are going to present, an increased menu of affordable options for businesses and for individuals, is going to lower the costs of health care. In an era where most businesses are crossing their fingers and are hoping and praying that this year's premium increase is only 10 or 11 percent, a decrease in cost is almost unthinkable for those businesses, and it's central to why we're doing health care reform.

Mr. RYAN of Ohio. I thank the gentleman.

These numbers are from 2004, but they illustrate the point, and we'll get them updated.

The United States in 2004 spent \$6,100 per person on health care with one's life expectancy to be 77½ years. In Canada, France and Germany, they spent \$3,000 and a little bit of change, and their life expectancies are 3 years more than ours, 2 years more than ours and 1½ years more than ours. We're spending double. So what we're saying to our employers is that the status quo can't stand. We are being wasteful with our health care dollars. We are wasting money in this system.

So, if you're a conservative, if you're a businessperson and if you're standing in the halls of Congress and if you have

to look at and analyze the health care situation, you will come to the conclusion that it is better for us as a country to put money upfront toward preventative care and to save money on all of these costs that happen down the line.

We have universal coverage now, but it's through an emergency room, Mr. Speaker. That's no way to run a health care system. Don't come to us, you know, unless it's an emergency. Then come to us. Then we'll take care of you. No business would run that way. You would put money up front. We'll give you a prescription. We'll help you with your wellness. We'll help you deal with your stress reductions. We'll help you deal with mental health. We'll help you deal with a lot of these issues so that you don't come to our emergency rooms as often for health care.

I have a CEO in my district who talks about his hospital. He has said to me more than once, Give me the opportunity to get that person and to give him a \$20 prescription instead of my having to deal with him when he comes to my emergency room where it costs me \$100,000. That's what we're trying to do here. That's what this whole health care reform is all about.

I want to yield to a friend of mine. We have worked on a variety of issues together and will continue to. He is a great Member from Rhode Island, and he is a very dear friend, Mr. LANGEVIN.

Mr. LANGEVIN. I thank the gentleman for yielding.

I just want to echo your comments because you're right on target.

Clearly, in the United States, we have a health care system that is broken. We're in crisis and it's unsustainable. It is clear, when you look at statistics from around the world, that we have the highest costs and yet the worst outcomes when it comes to health care. That's because, when you look at the number of uninsured and when you aggregate it, well over 47 million Americans are without health insurance. That is the reason we are on a path that we cannot sustain, and it's not serving anyone in terms of delivering good health care and good quality when we have a system that has so many who are uninsured and when we're spending our dollars so inefficiently. So I want to be here tonight to add my voice to this clarion call for health care reform.

I want to begin, of course, by thanking my colleague from Connecticut (Mr. MURPHY) for organizing this Special Order to discuss health care reform. I thank Mr. RYAN for his contributions to this effort tonight, and I thank the other speakers who have spoken or who will speak later.

Let me say that I believe that we need to have a frank discussion, an honest discussion, with the American people about this issue. It's an issue that directly impacts everyone in this country—individuals, families, businesses—at every level of our government. Regardless of one's age, gender,

race, religion or income level, everyone has a direct stake in our health care system, and it's important that Americans are properly informed of their choices as Congress moves forward with health care reform.

Now, I think every Member of Congress certainly is in agreement on one fact, which is that our current health care system, as I said before, is not sustainable. I'm really disturbed, I have to say, by allegations from my colleagues on the other side of the aisle that proposing real solutions which offer substantive changes to the status quo is somehow seeking to socialize medicine or is seeking to ration care. I think this is something that we should address, so I'd like to offer some insights into this, some clarifications on this point.

First of all, the thing that we must acknowledge—and Mr. RYAN was talking about it earlier, the unfortunate truth—is that we're already experiencing rationing under the current system. We experience it when insurance companies deny individuals coverage based on their health statuses or pre-existing conditions. We see it in the millions of families whose premiums and co-pays are so high that they have to forgo basic care and life-sustaining treatments or have to choose between medications and groceries. We see it in businesses that can no longer offer insurance as a benefit to the employees, not because they don't want to but because they simply can't afford it. Each of these circumstances represents a form of market-based rationing, which is a basic failure of our current health care system, of our private health insurance markets, due to skyrocketing costs.

I want to be very clear to my colleagues and to the American people that reducing costs and expanding health coverage to all Americans doesn't mean reducing quality, access or choice. On the contrary, we can and we must use the money already in the system more efficiently to ensure access and to expand everyone's choices of insurance coverage—of doctors and of more effective treatments.

The most recent draft of the House proposal, while far from a finished product and while far from perfect, does build on the strengths of our current system, the employer-based system, and then supplements that with a health insurance exchange. What does that mean?

Well, it means that Americans who are happy with their current health care coverage can keep it, but those who don't have coverage through their employers will be able to shop for their choices of private health plans just like Federal employees and Members of Congress do. They will also have the option, of course, of choosing a public plan alternative, which, I think, is vitally important. Those Americans who cannot afford to purchase insurance in the private market will receive assistance in paying for the coverage that they do choose.

Under this new system, private health insurance companies will now have to play by a new set of rules. The insurers are no longer going to be in the driver's seat. We are putting the American people in the driver's seat.

□ 2000

We're going to make sure there is a basic new set of rules and fairness in our health insurance system. Again, the health insurers will no longer be able to deny coverage based on a person's previous health condition, and they'll have to participate in a more transparent and competitive marketplace. This means reducing out-of-pocket costs or unexpected fees when patients become sick and need the care that they have paid for and have been promised. Greater transparency will translate into more manageable costs so that when we open our bills or statements, we know exactly what we're paying for. Most importantly, under this vision of health care, doctors and patients will make medical decisions, not insurance companies or the government. I cannot overstate this point enough. Medical decisions should always be left to the patient and his or her health care provider. That's what we're going to ensure under this system. This is the health care system that we can and we must strive for, one that offers stability for families, where coverage is not lost because someone changes or loses their job or becomes unexpectedly ill. These are, as we know, without a doubt challenging times. We face extraordinarily high unemployment in this country. In my home State of Rhode Island right now, the unemployment rate has reached 12.1 percent. This is on my mind every single day when I come to work, at night when I go to sleep, the first thing when I wake up in the morning is this on my mind, and how do we fix that and get our economy back on track. Well, fixing health care is going to be vitally important to do that because the current status quo is just unacceptable. Even more unacceptable is that every job lost places access to even the most basic health care coverage at even greater risk.

As I conclude here tonight, let me just say this: That in a Nation that has led the world in health care innovation, every citizen should have access to affordable high-quality care. I believe this to be true not only for moral reasons but because this is what will ensure that we remain the global leader in health care innovation in the 21st century. It also makes sure that our workers and our businesses will continue to be competitive in this global economy in which we now live.

I urge my constituents and Americans from across the Nation to engage in a real, honest, clear discussion on health care reform and to demand a universal health care proposal that puts the American people first. I am just proud to be able to join this Special Order tonight, talking about the

need for health care reform. Again, I want to thank and commend the gentleman from Connecticut (Mr. MURPHY) for organizing this event. I'm pleased to be here with you, with Mr. RYAN and with all of our colleagues who care passionately about health care reform. This is our time. This is the year when we are going to fix health care in America once and for all for the American people.

Mr. MURPHY of Connecticut. I thank the gentleman who has been such a great leader on this for a very long time. I think he is right. This is our moment. But it's no coincidence that it's taken a long time to get here because there are a lot of forces that are aligned against health care reform happening here. For whatever reason, for a long time they had control of the levers of power down here. The folks that have been doing very well off the status quo have stopped health care reform from happening here for a long time. There are a few individuals out there who are running some of the big health care companies, who are down on Wall Street, who have made their fortunes off this health care system. But what's happened is they've priced their products, whether it be a drug or a medical device or an insurance plan, to such an expensive degree that people can't afford to get it; and so the cost of their fortune ends up being people's lives, people's health. So it is no coincidence that it's taken us this long to get here. There are powerful interests that are aligned against getting health care to people that don't have it.

Mr. RYAN of Ohio. If the gentleman would yield, one of the reasons is the projection for costs. If we do nothing, this plan here, if we implement or just let the Republican health care plan continue, that means an \$1,800 increase next year and down the pike. So the reason Mr. LANGEVIN thinks about this before he goes to bed and when he gets up is because we know the cost of inaction. We don't have to explain to people in the heartland what the cost of inaction is. It's an increase of \$1,800. It's more people being knocked off the rolls, more people calling our offices saying, Hey, can you help us? I just got denied coverage. It says in my policy I got covered, but now I'm not getting covered. All of this happens, and it is a cost to all of us. So I think the reason we have to act now and why it's so important is because the cost of inaction is an \$1,800 a year increase.

Mr. MURPHY of Connecticut. That is absolutely right. As I was saying earlier, some of that cost is sort of invisible to people because all of the money that we send to emergency rooms to cover the uninsured, all of the extra medicine that is being practiced out there that doesn't need to be practiced that we're paying for through our Medicare and Medicaid systems is buried in the people's tax bills. The wages that people never got because their employers took all of the extra money they earned that year and sent it to

the insurance company to pay for their increased premiums. So that increase in the health care system that we're going to see if we don't enact health care reform is visible in some places, to some people out there, and it is invisible in other places. I just see no way to get this economy back up and running unless we take on the high cost of this health care system.

Now it's one thing to sort of be for cutting costs in our health care system. We heard a lot of people on the Republican side of the aisle talk in unison with us about cutting cost. It's another thing to be for things that cut cost. I want to talk for just one second about the element of the Democratic plan that saves our health care system about \$100 billion over the next 10 years and is giving small employers and individuals the option, if they want to, to buy into a government health care plan—you know, not unlike the one that you and I have access to or the Medicare plan that lots of other folks have access to. All we're saying is that people and businesses should have the choice to go out there and buy a not-for-profit government-sponsored health care plan. If they think that their private insurance is better, then stay there. But if they think that maybe they'll do better on a government plan which costs less because it doesn't have to pay the big CEOs' salaries, it doesn't have to return big returns to shareholders, if they think they'd be better off there, let them go there. And our nonpartisan budget office has told us that that's going to save the health care system about \$100 billion a year. The Commonwealth Fund, a nonpartisan research group, estimates that an individual might be able to save \$1,100 a year by choosing that government-sponsored health care option. Now it's up to them whether they want to do that. But we are hearing from both our budget experts here and our budget experts outside of this building that there are real cost savings. That's why when we're looking at surveys on this issue of whether or not the public wants to have the option to buy into a public health care plan, every single survey they have done shows that 65, 83 percent, 76, 72 percent want that option. In fact, on this chart the most remarkable thing is that the highest survey here, the survey that shows 83 percent of people wanting the option to buy into a government-sponsored health plan, that survey was done by a group called EBRI, which is essentially all of the major institutional health care companies' research arm. So even when the groups out there that are a little bit more skeptical about health care reform do a survey, they find the same thing that everybody else finds. So listen, I think that there could be some real bipartisan agreement here on cutting costs. But it's one thing to stand up on the House floor if you are a Republican and

say that you want to cut costs. It's another thing to actually be for legislation that does it, that actually implements cost-cutting measures.

Mr. RYAN of Ohio. That's the money that we reinvest back into those cost-saving measures, that we reinvest back into preventive care so that kids will have dental, kids will have oral, which could be the same thing. Kids will have hearing checkups. All of these things will be included for young kids. Vision. These are all things that, as we save this money and steer it back into the front end of this program, we are going to have healthier citizens.

Now I was reading an article last night that hit me about energy, and it also makes a good point about health care. We are in a direct competition, Mr. Speaker, with China. I don't think anybody will deny that. I think we all know that we are in a direct competition with Asia and with China. In China they lose 400,000 people a year, who die because of the air pollution in China. So the point on the energy bill is, they are clearly not doing enough. At some point those people are going to say, We want clean air. And once we jump ahead in the energy field and start making these products and exporting them to China, we now have created a massive export market. But the philosophy is different because we are saying that our values, our priorities here are about putting the money on the front end, making sure everybody's covered. This chart here, the difference in the \$6,000 that we spend per citizen and the \$3,000 and some change that Canada, France and Germany spend and have a higher life expectancy is because they cover everyone. They allow people to get preventive care so they're healthier, so that they can go to work, so that they don't miss weeks at a time of work. They get the prescription, and they can go back to work.

I mean, we heard a lot over the last decade or two about family values. What is a deeper value than the health of your kids and the health of our families? There is not one. Because if you don't have health, you don't even have happiness. There are very few unhealthy happy people. When you are unhealthy, you are unhappy. So this is fundamental to the values that we have as a country. It will unleash a level of productivity in this country. All of the anxiety that people have will be channeled and unleashed into more positive endeavors and at the same time begin to move us in a direction where we are not going to bankrupt the country. We are going to make the country healthier, more productive, create more wealth and at the same time contain our health care costs, which will probably end up saving us a lot of money in Medicare. I mean, one of the things that people forget is, all of these people who don't have health care that are older, that think, I'm going to wait until I get on Medicare; and then once they get on Medicare,

the problem is exacerbated. The cancer has spread, and a variety of other problems ensue. So this is an opportunity for us to say that as we try to compete in a global marketplace, we have the opportunity to enhance the intellect, the productivity and the health of our citizens.

Mr. MURPHY of Connecticut. You know, there are a lot of really great companies out there who have figured this out. I think of a company in my State, Pitney Bowes, who has been a leader in health care reform because they've figured out over time how much money they were losing to sick workers, how much productivity they were losing because they had a health care plan that somebody else was administering out there that had a financial incentive to deny care. So they decided that they were going to take on their health care plan themselves, that they were going to put health care clinics in their facilities, that they were going to put health care close to their employees, that they were going to give rewards to employees that worked out, that invested themselves in keeping themselves healthy. There are companies out there that have figured out really great models to provide better health care, more immediate on-site care for their employees; and they have benefited not just because they feel good about keeping their employees healthy but because their bottom line has been strengthened by the fact that their employees are healthier, showing up for work more often and ready to produce and ready to compete.

You mentioned the fact that this health care system is going to bankrupt this economy. Right now we're spending 17 percent of our GDP on health care, and economists are telling us that in the not so distant future \$1 out of every \$3 that we're spending in this country is going to be on health care. That is just unsustainable. But on a much more local level, these are personal bankruptcies too. We think of bankruptcy in this country as, you know, being somebody that went out there and bought too many snake oil securities or made a real bad bet in a real estate investment and then all of a sudden they've gone belly-up. No, Mr. RYAN. You know this. Half of the bankruptcies in this country, half of the families that have to go into bankruptcy do so because they had an unexpected medical cost, a cancer or a terminal disease that bankrupted their family. Lives, families devastated through no fault of their own, just because they got sick and they either didn't have insurance or they had insurance that wouldn't cover the full extent of the illness.

□ 2015

The dirty little secret out there is that a lot of insurance plans, you may not know this because it is in the fine print, have a lifetime limit on the amount of money they will spend on you. So you're okay until you get real-

ly, really sick. But for that 1 or 2 percent of people that are spending millions of dollars on their care over their lifetime, your insurance runs out even if you think that you have it

So this is about individual people whose lives are shattered, shattered by having expenses that they can't control. That is what this health care reform is about as well, Mr. RYAN.

Mr. RYAN of Ohio. And when you look at the company you were mentioning, no co-pays on prevention, no rate increases for preexisting condition, there will be a big sigh of relief in this country when this is passed. An annual cap on out-of-pocket expenses, and we are saying to people in America, in 2013 or whatever the date is that this gets implemented, you will not go bankrupt because of a health care condition that you may have or a member of your family may have. It is said and done. That is what this bill is about.

Mr. MURPHY of Connecticut. Mr. RYAN, it is not that we are not going to ask people to contribute to the cost of health care. We are talking about caps on the amount of money that you're going to contribute. But we are still going to expect people to step up to the plate and pay for part of health care, to have a little bit of exposure and scratch in the game themselves. And that is important. It is important to have shared responsibility.

Nobody is talking about the government coming in here and either taking over our health care system in general or paying for everybody's health care or even asking insurance companies to pay for 100 percent of health care. We want individuals to have some scratch in the game. We just don't want it to end their lives.

Mr. RYAN of Ohio. Exactly, and flip their families and send them out of their homes and the whole ripple effect that happens. And there is another point to this that is in here but it is not in here. As we talk about prevention, and there's great sections in here about community health clinics and different preventative measures that are going on and that we are going to continue to promote preventative medicine and public health training grants and those kinds of things that I think are very, very important to what we are trying to achieve here.

It is sending a signal, and I think President Obama has been sending a signal, people have got to take care of themselves as well. This is not just, okay, you can now do whatever you want and you're going to be covered. Like Congressman MURPHY said, Mr. Speaker, each citizen will have skin in the game, and their health care decisions at some level will affect what they pay. But what we are saying is, we will be helpful, you will contribute, there will be shared responsibility here, and at the time you have to do what you need to do to take care of yourself.

And we all have that responsibility now as we have the demographic train

coming down the pike with baby boomers going into Medicare, going into Social Security and all of these issues. We have got to be a lean, mean, productive economic force in the world so that we can drive our economy and help pay for a lot of this debt that has been accumulated over the course of the last 8 to 10 years and move us forward.

But, again, we know the cost of doing nothing. We know exactly what will happen. Health care bills will go up another \$1,800 on average next year and as far as the eye can see. Again, this is not a plan. This is our friends on the other side; this is their Republican health care plan, a bunch of lines going to a bunch question marks and back again and maybe, you know, at some point, maybe off the chart somewhere there is a solution there. It hasn't worked.

They had an opportunity here when they controlled the House, the Senate, and the White House to implement whatever it is they come up with. Maybe they have a couple of these squares they can fill in. But whatever it is they came up with, they had a chance to implement it. And now it is Johnny-come-lately, and we are going to get this done. And I think the President is committed to this; we are committed to this.

Every time I go home, I meet thousands of Delphi employees who have been left behind in the GM bankruptcy, both salaried and union, and steel workers who have lost their jobs and had their pensions cut in half, those in the PBGC, lose their health care. This is what this is about. Those are the people that will benefit from this, Mr. MURPHY.

I want to thank you as we wind down here for the opportunity to do this. We will be here tomorrow and possibly Friday and next week, day in and day out, because it is that important for us to pass this. I really believe that the health and welfare of our country depend on it. And I think that the energy bill and with this, I think this is transformational for us and I think a great opportunity for places like northeast Ohio.

And I yield back to my friend.

Mr. MURPHY of Connecticut. I thank you for joining us here. We will be down here talking about this because it is so important to get health care for America. As you said, our friends on the other side of the aisle had 8 years to get this done. And people may say, well, Mr. President, you're taking on a lot really quickly. But we are paying for the costs of inaction. We are paying for the costs of a Republican Party which for whatever reason decided not to do much about the cost of our health care system.

And we are going to get this done. We are going to get this done so that nobody loses their livelihood, nobody loses their access to the apparatus of opportunity just because they get sick and can't afford to treat themselves.

We are going to lower the cost of doing business. We are going to lower the burden of the cost of living for families, and we are going to do it this year.

And with that I yield back.

HEALTH CARE REFORM

The SPEAKER pro tempore (Mr. ELLSWORTH). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker. I appreciate the privilege of being recognized here on the floor of the House. And I would be happy if I could borrow the poster from Mr. RYAN with all of the question marks on it, because I have the one with the Democrats' answers on it. And I think what he has done is perhaps looked at these question marks and created, I'm not sure who actually comes up with these things, and decided that he would produce government solutions for all the question marks that could be produced on the poster that he has delivered here earlier in this hour.

And so I have here something that looks to me like the basis of it, which is HillaryCare, and I believe if I go back to my office in Iowa and I dig through my archives from my construction company that was seeking to thrive during the Clinton administration, I have in there the very poster that was laminated that showed the entire flow chart of HillaryCare which was presented to the American people and rejected by the American people. It has got to be, once I compared the two to the template, for what we have here that is produced off of this bill.

There really aren't question marks with what Republicans want to. We have more ideas than we can agree upon. I will concede that much. We have sought to improve health care, but we fought Democrats every step of the way. Now it is clear that when you look at the differences between the proposals that we have and what it is that they are poised to vote for, here is what will happen. You will hear all kinds of platitudes about how we can't stimulate the economy and grow our way out of this situation that we are in unless magically the solution that arrives is "let's go to socialized medicine and that is going to fix our economic woes." Somehow when I hear that said, I can't connect it, Mr. Speaker.

I'm listening to the dialogue that comes out, and with such great self-confidence it flows. Let me see. I wrote it down. I was listening to Mr. MURPHY from Connecticut, and he said, let me see, I see no way to get this economy back on track unless we fix health care. Fixing health care means nationalizing health care. It means turning into socialized medicine. And what goes on, if we look at the flow chart here, is the Health Choices Administration, HCA, just a moment, I will get this back where I can read it too, Mr.

Speaker, the Health Choices Administration, HCA sets up a commissioner. There is a health insurance exchange that would presumably broker health insurance through this exchange. It's kind of like where you might trade on the Board of Trade for a commodity like corn oil or beans or gold. And they want to trade traditional health insurance plans that would be in there and then a public health plan matched up against it. Now that is the center piece of this proposal.

And what it really says is that they want to establish a government health insurance program that would compete directly with the private health insurance programs that are out there. And we have hundreds and hundreds of those insurance programs that are out there, and if I remember correctly, the number that I have seen was 1,300 different companies competing in health insurance and the health insurance business. That is a lot of competition. It is not a little competition; it is a lot of competition.

If you believe competition brings out the best in us and the markets that are driven because of the competition and the demand that is there, then you have to know that there are a lot of different models that have been tried, and there may be some good models that weren't marketed very well, and there may be some bad models that were marketed well, and there may be some other alternatives out there.

But this I can guarantee you, Mr. Speaker, if there is a better idea in how to insure health care in the United States of America, it will not come from government. Government doesn't provide solutions. The creativity is not there. And this proposal that comes from the Democrats that was just unleashed on America yesterday has within it a series of presumptions on how they are going to save money on health care.

One, if we listen to the gentlemen that made their presentations here within the last hour, they would tell you they are going to squeeze the profit out, that there are people that are actually making money by providing us the very best health care in the world, and we surely couldn't have that. We couldn't have people that are making money doing this.

I don't know where people get incentive. We have good hearts. We are altruistic people. But it is nice to have a little profit so that you can justify going to work. Otherwise you might just stay home and raise the kids and work in the garden, go fishing, golfing, mow the grass, whatever you do. If you squeeze the profit out, people are going to quit going to work. And that is what they suggest is going to happen. Squeeze the profit out, take it out of whatever might be there for the insurance companies, take whatever might be in the profit for the health care providers, our doctors and our nurses and our administrators and all the people

that work so well in the health care industry—and by the way, let's acknowledge the volunteers, the EMTs that are out there on a daily and nightly basis. They deliver more regularly than the mail does, rain or snow or sleet or hail. Nothing stops them from going out to save people's lives and increase the quality of our life.

But into all of this mix, they propose that we upset the very, the largest and the best health care system in the world. To what purpose? Fix the economy? Mr. MURPHY would have you think that because he says that he can't imagine getting our economy back on track unless we fix health care.

Here it is: "I see no way to get this economy back on track unless we fix health care." This is something that was amazing to me, Mr. Speaker. I listened to, at the time, it was Senator Obama, Candidate Obama, arguing to the American people that they should elect him President because he is going to fix all of these things that aren't functioning with government and that the economy will work better if we just simply nationalize our health care plan.

Now, I will concede this point: this Nation spends too high of a percentage of its GDP on health care. It is too high if you compare it to other countries in the world. But it is not too high when you are someone who needs that care, when you have cancer in the family, when you need some emergency heart surgery. We are not a country that waits in line for health care. But the countries that are mentioned here do wait in line. Canadians wait in line for health care. The Europeans wait in line for health care. Those in the United Kingdom wait in line for health care.

One of the gentlemen, I believe it was Mr. RYAN from Ohio, said that people delay getting health care services until they qualify for Medicare, then the cancer spreads and presumably it is a bigger problem. "The cancer spreads because people wait until they qualify for Medicare" was what the statement was.

But it is a fact that if one is diagnosed with cancer in the United Kingdom, your life expectancy is, on average, 18 years less than if you are diagnosed with cancer in the United States.

Now I wonder how the gentleman that gave the presentation the last hour would reconcile that, and I will use that, that dirty little secret, about how much better our care is for cancer patients here in the United States and how much longer our life expectancy is than it is in a place like the United Kingdom. Presumably they have a similar health care plan to those in the European Union. And their answer will be, the life expectancy of Canadians and Europeans is 1 or 2 or 3 years longer than the life expectancy of those in the United States.

Well, that is typical liberal logic, Mr. Speaker. They would look at one statistic, and if that statistic could sup-

port the argument they want to make, they don't look underneath that to ask the question, why would the life expectancy of a Canadian be longer than the life expectancy of an American by 1 year, I think that data was. I didn't get to see the chart.

The first thing you need to do when you hear some data like that is ask some other questions like why? How could it be if one is diagnosed with cancer and lives to 18 years longer in the United States than if you are under the socialized medicine program of the United Kingdom, then how can you then equate that the life expectancy of someone in the United Kingdom is going to be longer than that of the United States because they have access to health care when that health care supposedly cures their cancer, but they are dying 18 years sooner?

□ 2030

Could it be, Mr. Speaker, that there are other factors involved that reduce the life expectancy here in the United States? How many of us die violently in accidents, for example, compared to those in Canada? How many of us die of addictions like abusing illegal drugs or from alcoholism? What are the ratios of that? How many die of suicide? I wouldn't think that is a situation that's going to be solved by a socialized medicine program, except I'm just willing to bet there's something in the flowchart here to expand the mental health that I might have overlooked in this nasty-looking, modern-day, technicolor, expanded and exploded version of the former Hillary Care.

It is here somewhere, I'm confident, how they would address the mental health situation. And that is an issue, and it is an issue we can certainly talk about how to address. But when you carve all of these things out of the statistics, I'd be willing to take the stand at the life expectancy of Americans who take care of themselves similar to the ways that Canadians take care of themselves is equal to or better than that of Canadians or Europeans.

And otherwise, what is the variable? If they're dying 18 years sooner from cancer in Europe than they do in the United States, then would there be some other illness that counterbalances that? Maybe it's diabetes here in the United States because we may tend to be a little heavier, and I believe we do tend to have diabetes more often. Put those factors into place, but don't just throw a blanket number out here and tell us that you have to upset the best health care system in the world because you've got one data point that you can point to without looking underneath that data point to draw a legitimate conclusion from that data.

This is a typical approach.

Let's see. If I go on, the dirty little secret from Mr. MURPHY. There is a secret limit to what insurance will spend on you. You know, I don't know that that exists, and it implies that exists in every health insurance policy in the

United States. I expect it exists in some of them. I'm confident it doesn't exist in all of them. But here is the real little dirty secret that is in this bill and this broad, exploded, technicolor floor chart that's built off of the foundation of the former Hillary Care plan that came out in about 1993.

Part of the secret is this. They intend to tax the middle class workers in America and some of the working poor in America—in fact, probably all of the working poor in America—to fund this outrageously high-priced socialized medicine plan. And how will that work, Mr. Speaker? And here's how it will work.

There will be a surcharge, according to this bill, that will be imposed upon the payroll of employees. Now, the employer is asked to pay the tax, 8 percent that would be put upon the payroll. It would be calculated off of the wages of the employer's workers in order to fund the health insurance plan for those employees if the employer doesn't provide the health insurance for them.

Now, to make it simple, they want to tax the employer who doesn't provide health insurance for the employees. Now, that may sound good to people who don't have health insurance. It may sound good to someone who a little begrudges their boss and maybe the lack of generosity on the part of their boss, but here's what happens. And I will just draw this comparison so we can think of it in relative terms.

The Social Security that we pay, the payroll tax that we pay, all of us on our payroll, up to whatever the cap is, is considered by economists to be—even though it's 50-50, and I've many times sat down and done the math formula making out payroll for my own employees. I would multiply .0765. That's half of the payroll tax, and that came out of the employee's side. And then that same .0765, which adds up to 15.3 percent, employer's half came out of my side. I would look at that and I would say, that 7.65 percent out of the employer is something I'm actually paying to the employee. It's the cost of hiring that employee. It's a fixed cost that comes with it.

So regardless of whether I take it out of his check or my check, it's all money that I would be paying that employee if it weren't going to the government. It is a tax on his earned wages, his or her earned wages. And so I've always viewed it that way, as the payroll tax being a tax on the earned wages of the employee and the limiting factor on how much I can afford to pay the employee.

Let's say you can afford to hire someone who will return for you \$30 an hour, and if you pay them in total cost of their wages, their overtime wages, the payroll tax, the benefits plan that you have, whether it be health insurance, retirement plan, whatever else it may be, all of those costs—including the lost time that's in transition, the lost time in production in coffee breaks

and all of those things that have to be added in, the inefficiencies are added in. Let's say all of that adds up and it costs you \$20 an hour to have this employee hired and you can make \$30 an hour off of having that employee. Now, there's a little margin there to work with. And of course you have other factors involved to take that profit to apply to, such as the overall overhead of the company, and the list goes on.

But let's say it costs you \$20 an hour to have this employee working for you and he's making \$30 an hour, and you can make that work and have a little margin for profit and apply some of that overall margin to your overhead, your own administrative costs, and along comes the government and says, Well, I'm going to tax you \$10 an hour for this employee.

Now they've taken entirely all of the cushion that was there and the necessary profit that you have to have to fund other parts of the company from that and the profit that you have to have to build enough capital so you can offer somebody else a job, and government takes it all away. Now, what's an employer to do? I will tell you exactly. He has to lay off the employees that cost him more money than they are making. You can't sustain yourself that way. You can bridge these gaps over time and things go up and down, but over time, this will all be reduced down to can you afford to have the employee or can't you.

And one of the ways that you adjust that affordability is if the Federal Government adds \$10 on to the cost of keeping the employee. You have to look at that in terms of, then, if that eats up all that you have to work with, then you have to look at lowering the employee's wages, or more often it happens, you simply don't offer the raises at the same time you might have otherwise. This comes off the backs of the worker.

Democrats want to tax the working poor and the working middle class and the middle and upper class Americans to pay for a health care plan that I believe is completely misguided, that doesn't fix what it's designed to fix and surely will not fix this economy.

We have to know that their approach to the economy is so far off that more of the same is not going to solve the problem. These are a bunch of Keynesian economists here that are in charge of the country today in the White House, in the House of Representatives, and in the Senate, and they believe, like FDR believed, that if you could just borrow enough money and pour it into this economy and replace jobs in the private sector with government jobs in the public sector, that somehow you could stimulate this economy and get the engine or this economic engine running again.

Mr. Speaker, I can find no empirical data out there that consistently supports the idea that we can borrow money from our children's and grandchildren's future, and actually borrow

it directly from the Chinese and the Saudis, while we're at it, and dump that money into this economy and stimulate the economy so that it grows.

Back to the 1930s, I thought—and I believe there's been a definitive experiment that's taken place with Keynesian economics, this borrow money and dump it in in government jobs and grow government to compensate for a shrinking that has taken place in the private sector.

And if we go back to Henry Morgenthau, who was the Treasurer for FDR back in the 1930s, he objected and he said, What have we to show for this? We borrowed money. We spent money like nobody has spent it before, and we haven't created any jobs. We have nothing to show for all of the money that we have spent. And he was the believer, he was the mouthpiece for FDR's Keynesian approach to the New Deal. The New Deal that I was taught was a good deal when I went to school—and, of course, I went back and actually studied the data and came to an informed conclusion rather than just simply a cursory statement that reinforced FDR's New Deal program.

The father of this, of course, was John Maynard Keynes, the father of Keynesian economics. And he—throughout those years, he was very influential in the 1920s and 1930s and less so in the 1940s, although America was distracted from economics during that period of time. But Keynes said that he could solve all of the unemployment in America. All we needed to do was go find an abandoned coal mine and go out there and drill a lot of holes down in that abandoned coal mine and fill those holes full of American cash, greenbacks, the dollar, drop cash down into those holes, fill them up again, and then fill the old coal mine up full of garbage—this is his story—and turn the entrepreneurs of America loose to go dig up of the money. It would create all these jobs in digging through the garbage, digging down through the holes, finding the money, keep everybody busy, and the entrepreneurs would find that money eventually—and probably all of it somehow—and it would keep everybody busy and they would all have a job and they would all have money.

And I know that it was a facetious model. I know that he drew that description as, let's just say, a facetious model that would illustrate how ridiculous it can be. I think he began to realize this later on in his career how ridiculous it can be to put government in to make work and to put government into the business of intervening between the private sector. That's what's going on here in America.

But the dirty little secret, to use the phrase used by Mr. MURPHY from Connecticut, is not that there is a limit on what an insurance company will provide and that they will shut off their health care. What the dirty secret is, Democrats have committed to taxing

the working people in America to fund their trillion-and-a-half or more health insurance plan that is designed to crowd out the private sector insurance companies in America, the hundreds and hundreds of them that are providing such a good job and such a highly professional service. And it comes down to the health insurance exchange and those qualified health benefits plans that exist today competing against a proposed and newly created public health plan that would crowd out our private health insurance here in America as we know it.

We have a model we can look at to learn from this. Otto von Bismarck established a national health care plan in Germany before the turn of—into the 20th century. My guess is 1898, but I suspect it was actually before that. I know that it's the oldest national health care plan in the world. And then it didn't cost very much because medicine hadn't developed very far. But they do have private health insurance in Germany, but what it is, it's 10 percent of the market. And the national plan, the required plan has crowded out all of the private health insurance in Germany except for about 10 percent. And the people that have that 10 percent are those who are self-employed, that run businesses, that have found a way within their business to go out into the marketplace and buy some health insurance that provides them perhaps a little better care than they get out of the government plan.

So that's what we can expect to happen with the insurance companies here in the United States should the Democrats in this Congress, in the House and in the Senate, and in the White House get their way, Mr. Speaker. We will see these proud, important, independent health insurance underwriters, their companies, these people that are doing this business, this service on Main Street in many small towns in America and across this country, we will see them shrink down, drop off one by one, companies dropping off one by one. Some will go in one fell swoop. But they're looking at almost the death knell of their industry if this socialized medicine plan gets passed by this Congress.

And yes, they will try to find a little niche in the market, but it isn't going to happen in the end. Some will find their way, but they will be narrowed down like they were narrowed down in Germany.

And we won't have the people that are answering the phone at 7 o'clock at night going over to someone's house to sit down and talk through their health insurance plan with them, helping to nurture them and helping inform them as to the situation. It will be a government bureaucrat that punches the clock, and there will be a lineup outside the door. We know how this works in government agencies. There will be a lineup outside the door.

And that bureaucrat will take the appointments at the appointed time, usually. And when it's time for the coffee

break in the middle of the conference, they will get up and go off into the break room. They will have their little coffee break and it will last all of 15 minutes, and when it's time for the lunch hour at noon, the "closed" sign goes on, the bureaucrat walks out the door and goes off down to the bistro or wherever to have lunch with his other bureaucrats. He or she shows back up again at 1 minute to 1 o'clock and opens up the door again and starts through this process.

□ 2045

And the American people will not be able to compete. They will not be able to go someplace where they're treated like a real human being customer. They will be treated by a government bureaucrat.

Don't we have 300 million Americans who have experience with bureaucrats? Don't we know what that does to the attitude? Bureaucrats have an attitude. It's the nature of it all. It's because they have a monopoly. People that have a monopoly have an attitude, and whether they're in the private sector or whether they're in the public sector, if it cashes out the same for being nice as opposed to being not so nice, to being the same for providing happy, friendly service, compared to providing that grumpy, reluctant service, we know the result. People like that often gravitate towards the government.

We'll create this great big massive technicolor flowchart of interrelated government agencies. And by the way, the ones in color are the new ones. The ones in white are existing. Medicaid, SCHIP, Medicare, they're existing. Go on down the line, through the private insurers, they're existing. Traditional health insurance plans, they're existing, but they get shoved into the qualified health benefits plan, but they have to write a plan that actually qualifies, too, which takes some of these people out.

These are existing government. Here are the departments: Treasury, Health and Human Services, Veterans Administration, Defense Department, Labor Department, here's Congress, the President. Institute of Medicine exists. There's the National Health Service Corp., they're there. States, all these programs.

And the ones in white are existing. The ones in color are created new. All of those that are in color, that's thousands and thousands and thousands, Mr. Speaker, of new bureaucrats, new bureaucrats who will be handed this monopoly, and they will be in the business of not only taking customers in and writing their insurance plans in the pace that they see fit, because they're government after all—what government office stays open after 5 o'clock on any working day? What government office would ever think of coming in on a national holiday? What government office would take a look at how they're going to retool their serv-

ice so they could compete with higher competition, so they could expand because they could compete better? They won't do that because they're handed a monopoly, and if they can't compete, then they will be subsidized more by the taxpayers in America.

And we will be trained as a people to line up outside the door, patiently wait our time, take what we can get, not be able to shop around because these qualified health benefits plans that come from our traditional health insurance providers will be squeezed out. And by the way, that squeeze-out that will come will not be an accident; that's the result of people who really didn't think through what they were doing to the American people. It will be the willful, premeditated result of the people who happen to have the gavels in this Congress now and the power in the White House now who believe in socialized medicine.

They want to adopt a policy that's a socialized medicine policy, and they want to kill the private sector because they don't believe in it. They believe that government provides better than individual competition, free markets and people provide, and that's the great divide in our two approaches here, not a chart with question marks on it. Those must be things that were confusing to Mr. RYAN, the chart with all of these new bureaucracies on them.

And I would say, Mr. Speaker, that it's a chilling thought to think that my children and my grandchildren and their children and every generation beyond them might be receiving their health care standing in line in front of a government agent who hangs the closed sign the minute the clock ticks past the appointed hour, regardless of how long the line is.

We're a people that will be conditioned to a lot of things, but standing in line is not one of the things that Americans do well. We have to do that when we get on an airplane now to go through the security at TSA. And I look at that and I watch that, the security line, and sometimes I wonder how do they ever get Americans to stand in line like that. We don't do that. We'll stand in line to get into a ball game. We will stand in line to get into a concert. We'll stand in line to vote. And now we will stand in line to get on an airplane. And if this broad exploded Technicolor Hillarycare expanded plan gets passed by this Congress, you know it will be signed by the President. He wants a bill to sign, and I don't think it matters what's in it. Americans will be standing in line for their health care, not just in the offices to get signed up to be part of the public health plan but lined up in emergency rooms, clinics, hospitals, all across this country or in a queue that doesn't show up so much, not one that you can see that's clearly tangible until you look at the long lists that will be there because it's an inevitable result that socialized medicine produces rationing of care. It's been a fact wherever it's

been tried. It's a fact today wherever it exists, and it will become a fact in the United States of America should this program that was unleashed on us yesterday be made law.

Here's another place where they think they're going to save. They're going to save money by rationing care, getting you in a long line. Places like Canada, United Kingdom and Europe, people die when they're in line. There are plenty of examples of that.

I listened to the gentlelady talk about some anomalies that justified to her socialized medicine. Well, they would describe those who die in line in Canada or the United Kingdom or Europe as being just simply anomalies, that somehow the system let them fall through the cracks. The families that lose their members don't think that it is just the system that fell through the cracks. It's a real life, a real loved one.

Someone whose health care is rationed by formulas that are created by bureaucrats, the bureaucrats that will close their door at the appointed time, could be the health choices administration commissioner; could be coming from the bureau of health information; it could be the "national priorities for performance improvements".

When I see national priorities, we know that some of the national priorities will be they want to spend less money on certain types of care. That will mean that people will die because they weren't a high enough national priority. They've already got it here in the bureaucracy. National priorities for performance improvements, it says. Well, here's how they want to improve their performance, and by the way, I endorse some of these things as being good ideas. I just don't think that government can run it and make it work.

They want to expand the information technology in their health care. I agree with that. I think we ought to have interconnected health—the health records so that if someone gets sick from my district who happens to be in Speaker PELOSI's district in San Francisco, they can put their health care card into an Internet-connected security database and find out what prescription drugs a person might be on, find out what they've been treated for and be able to save lives accordingly and provide efficiencies accordingly. And I think it could reduce the numbers of those people that are going around and shopping for prescriptions if we had a central database. And I believe that is being developed within the health care industry and not fast enough to suit any of us, I don't think, including the people that are developing it.

But info tech is a good thing, and it can be used in a lot of good ways, and you don't have to have socialized medicine to have information technology.

Second item that they would save money with would be comparative research. Good, we're doing a lot of comparative research. They're earmarking

comparative research. We're earmarking comparative research although you don't see it much because this place has been—this floor, there's not really legitimate debate on this floor because this House has been shut down by the Speaker and the Rules Committee. I have to inject that in. Special Order and 1 minutes is about the only place where you've got an opportunity to have these kind of discussions, Mr. Speaker.

Comparative research is good. The other countries can do a little more research and that would be great. But what happens is we do the research in this country. All of the progress—I put it this way—much of the progress that has been produced by the pharmaceutical companies and the innovations that have come on to the health care markets within the last generation have dramatically transformed the way we provide health care in this country. The research and the development is predominantly paid for by American users of pharmaceuticals, and the beneficiaries of that research are the people in the countries like Canada, United Kingdom and Europe where they do negotiate for a cheaper rate and where here in the United States we're paying too much of that. We can fix that without socialized medicine, and I'd like to see them pay a greater share of the costs of the research and development that goes into making these wonder drugs that we have today that do extend people's lives.

And I would add that those people in those countries that have a longer life expectancy are probably using American research and development pharmaceuticals. They might be made in a foreign country, but a lot of them are produced by the R&D here in the United States, and they're the beneficiaries of it as well.

Third thing they would do to save money on health care is more prevention and wellness. Mr. Speaker, you don't need to socialize the health care system in United States of America in order to have more prevention and wellness. That's something that is emerging. It's emerging in our culture. It's emerging with some of the health insurance providers we have in this country who are packaging up proposals in different ways to provide incentives for the insured to live a healthier lifestyle, to get regular checkups, to go across the scales and watch their weight and, let's say, avoid some of the vices that shorten our life expectancy, and letting that be reflected in the premiums that are being paid.

But I can guarantee you, Mr. Speaker, that this public health plan of the health insurance exchange is not going to have those incentive nuances in there. It's the private sector that's going to produce those things, and we need to encourage them to do that.

So they have borrowed some ideas from the private sector, but the idea

that they've borrowed that is the centerpiece of this is the idea of expanding Medicare to reaching across the generations and reflecting the model of socialized medicine that exists in Canada, the United Kingdom, Europe. We could keep going further east I think, Mr. Speaker, and might end up with something that's a little closer to what they're talking about.

So we're a country that has thrived on free enterprise. We need to continue to thrive on free enterprise, and the idea of socialized medicine is an idea that's abhorrent to Americans. The idea of standing in line waiting for a bureaucrat to approve your health insurance premium is also abhorrent to Americans.

I went over and visited Russia earlier this year, and as I traveled around Moscow, Mr. Speaker, I saw something there that was kind of a phenomenon that exists in Russia that I'm afraid might exist in the United States if they pass this socialized medicine. And that is, that if you watch the Russians walk around Moscow—I didn't go much beyond Moscow—so they walk around out there with their shoulders hunched, looking down at the sidewalk. And I see people on the streets of Washington, D.C., do that all the time, but they're looking out for all the cracks and bumps and holes that we have. It's a matter of survival here. Where I come from we look people in the eye when we walk down the sidewalk. We bid them good day, good morning, good afternoon, nice to see you. We're friends and neighbors working together.

And it doesn't happen in that country. They look down and their shoulders are hunched, and they wander around, and if you sit and watch them, they will wander around. You can follow one of those fur coats and a hat, and it will lead you to a line, and they go get in line. They stand there. And then the line moves slowly. And I stood in line for nearly 2 hours, even as a Member of Congress, to walk into their legislature, the Duma, and they knew we were coming. And I see the other Russians standing in line a lot longer than I was. It looks to me like they go find a line and stand in it, and then they get to the front of the line and find out why they're there, do whatever it is, buy their toothpaste or whatever, and then go find another line and stand in it.

It looks like the Russians, to me, are conditioned to go to from line to line, standing in line. It reminds me of that story of where you see someone will go out in the street—it's a comedy routine from back in I think the 1950s or 1960s—and stand on the street in New York City and look up into the sky and just stare into the sky. And someone else would come along and look, and someone else would come along and look. And after a while, there's a whole crowd of people looking up into the sky, and the original person that was looking at nothing, steps back, smiles. Well, he's drawn a crowd by doing that.

Just standing in line in Russia draws a line behind you. It doesn't really—I mean, without regard to what's in front of that—and I know they have to talk to each other and figure out if they're wasting their time. Human nature is human nature.

We're going to create line standers in America, people who capitulate to the system, submit themselves to the system. And I will argue that the health care system we have in the United States, some of the problems we have is because we have too much government and we submit too much to the system, and the individuals who are receiving the health care don't have enough vested interest in, not enough skin in the game, to be able to use their incentives that should be there to do a better job of evaluating the costs.

So what should we do? And I will provide some answers here, Mr. Speaker, on what we should do for health care.

First and foremost, take a look at our health savings accounts. We did that. We put that in place as Republicans, as a Republican majority in the House and in the Senate, and it was signed by President Bush. And who comes out against health savings accounts today? Well, they don't comport very well with socialized medicine, Mr. Speaker. So that's something that's probably going to go.

□ 2100

Probably not going to be in this flow chart here that—I don't see the health savings account. Now I've not read the whole bill, and I don't know that I'm going to put myself through that.

But we passed health savings accounts. And it stands today this way: if you are a young couple at age 20—I do this because round numbers, I can figure—at age 20, and you put in the \$5,150 for a couple into a health savings account, tax-free, first year. And then that groove being indexed to inflation grows each year since then. And we're in about year 6, I think we are. Maybe year 5.

You put that money, the maximum amount in the health savings account every year and spend \$2,000 out for reasonable health care costs and grow this account at around 4 percent, and when I did the math on this, that made sense. Today, it doesn't quite make sense. It will again.

Grow that at about 4 percent. If that couple would work and put the maximum into their health savings account every year from age 20 to age 65, they arrive at Medicare eligibility with about \$950,000 in their health savings account. Now that's a pretty good deal.

But I can tell you what the Democrats in this Congress want to do with that if they get their hands on that money. They want to tax the \$950,000 in the health savings account. They'll tax it then, before you can take it out, because you won't really need much of it, if any of it, anymore. Or, they will take it out of you in inheritance tax when you die.

You are not going to be able to avoid Democrats increasing taxes on you. And that's one of those dirty little secrets, is your health savings account will be taxed, by the ideas of Democrats, either when you die or when you try to take the money out when you retire.

Here's what I propose: let's increase that amount. Let's increase that amount to the point where that couple can arrive at age 65 with enough money to buy paid-up Medicare replacement insurance policies, policies that they own. Or maybe a transition policy that they have owned throughout their working lives that's theirs, that is transportable, that can go with them, a policy that they own, and let them transition into a lifetime health insurance plan and be able to use their health savings account to purchase that full up.

That's one thing we should be able to do to give people back some freedom. And I can tell you what it costs today if you wanted to buy a Medicare replacement policy at age 65. The liability—the present value of that liability of Medicare replacement at age 65 is around \$72,000 this year. That's about where we are.

So it gives you an idea if that \$950,000 were in a 65-year-old couple's health savings account today, they could write a check for \$144,000 and buy a paid-up Medicare policy and take the difference—let's just call that \$800,000—and I would want them to have that tax-free and go off and retire, travel the world, will it to their children, buy a new convertible, whatever they want to do, and give them their freedom because they've earned it by being responsible.

But the problem that we have is the Democrat plan takes away the responsibility of the insured, of the individuals in this country, and puts it on somebody else. It puts it on the employer that says regardless whether your employee wants to sit down and market his way through a health insurance plan—his or her—regardless of that, if they don't have health insurance provided by you, then we're going to tax you 8 percent on that payroll. And I said earlier that comes out of the worker. That's wages he is not going to get. The employer has to crank it out of the worker because he is paying all the market can stand on the wages that are there. So, we tax small business, we're going to tax workers.

There was the issue raised of pre-existing conditions. We can do some things with preexisting conditions without adopting socialized medicine.

But here's a point that was made by the gentleman from Arizona yesterday, JOHN SHADEGG, who is a leader on this health care policy that we have. He said, If you like your health insurance, and over 70 percent of Americans like the health insurance that they have, if you like it, then get ready to lose it, because you will lose it under this Democrat plan.

In this flow chart is the trap that you will be sucked in from here, over here to the public health care plan. And when President Obama says, If you like your health insurance, if you like the plan that you have, don't worry, you get to keep it.

Well, Mr. Speaker, you get to keep it for the first minute that President Obama signs such a bill, and probably the first hour, day, month, maybe even a year. But maybe not. Maybe not. Because most of the health insurance in this company is provided through people's jobs through their employer who brokers it. And there are long, deep reasons for that that I won't go into tonight.

But the President can't say you get to keep your health insurance plan because he doesn't make that call. If the government model, this public health plan here, if that model is financially advantageous for the employer, if the policies that the employer are paying for cost the company more than the policy that's offered by the public insurance plan, an employer will almost always then drop the private-payer health insurance plans, these that are in this circle, which would become the qualified health benefits plans, drop them and adopt the public health plan.

Now how is President Obama going to tell some company they can't do that? And if you don't quite follow this yet, Mr. Speaker, I will put it this way.

Walmart announced last weekend that they are supporting an employer-mandated health insurance plan. They announced that policy over the weekend and I thought, Why would Walmart do that?

I have the press release here. Let's see. I'm going to say this. They would do that because it looks like it would help their bottom line. Here's what they said. The company says it supports the employer mandate because all businesses should share the burden of fixing the health care system. Well, I don't know what the basis is for that statement except that there must be some advantage to this.

So are we to believe that a huge company, a company that I applaud for the business model that they've creatively put together, but are we to believe that a huge company like Walmart that is everywhere would propose and support—an employer-mandated health care system is the language that they used—would Walmart support that and then not adopt the public health plan, because they already have the traditional self-insurance plans provided to 52 percent of their employees? Would they then move into a qualified health benefit plan for all of their employees because of the mandate that they have endorsed, or would they opt into the public health plan option?

Would Walmart still support the President's proposal, which is basically what has been presented here in this Congress? Would they still support it if they had to guarantee they were going to keep the qualified benefits plan?

Would they still support it if there was in the bill that they couldn't drop the private provider and could not opt into the public plan, into the government plan, into the socialized medicine plan?

I think not. I think they want the best option of the two. They will fight to preserve that. So will a lot of companies. But I think this is about something that puts pressure on some of their competition that doesn't provide as much health insurance for their employees as Walmart does for theirs. Less responsible employers, some might call that.

But there still remain a lot of uninsured in that group. Some are on Medicaid. That's true for a lot of companies that are more entry-level wages.

I don't take so much issue with that. I just point out that the idea is this: the employees of Walmart won't get to decide that they get to keep the private plan that they have today, the traditional health insurance plan in this white box that will transition into a qualified health benefit plan, most likely, if it does qualify, unless a bureaucrat says it doesn't. They'll write some new rules for that. Those employees won't make that decision. Walmart will make that decision.

So when the President says, If you like the plan you have, don't worry, you get to keep it, in truth, you should worry. JOHN SHADEGG is right: if you like your plan, get ready to lose it, because you will lose it. The public plan will crowd out the private plan and everybody will fall under the same category, and we will have health care that is rationed in America. We will have lines, and we will have bureaucrats with their nose in the air making life and death decisions on the health care that will be provided to the American people. It is inevitable. It's resulted in that every time that it's been found.

Now, I draw another comparison. The Canadians are forbidden by law to jump ahead in the line. Now if they didn't have a line, you wouldn't have to have a law that forbids you from jumping ahead in the line and accessing health care.

So when you need a hip replacement—and I have seen the data on this. I actually have to guess, but I believe what I saw for a hip replacement number was 171 days of waiting. Something in that category is pretty close, anyway. I don't know how long you wait in the United States. Not at all, if you're in a hurry. Somebody will get you in. They'll find a way to schedule it. We have that kind of service here in this country.

I talked to an individual in my district a year and a half or so ago who had immigrated to the United States from Germany. And he had had hip surgery over there under their socialized medicine plan, a German; but he didn't get his surgery in Germany. He had to go to Italy to get his hip surgery.

The European Union has queues—longer lines in some places, shorter

lines in another place is—certain times that you get into a line and move closer to the front of the line. I suppose you try to get yourself in as many lines as you can.

But this individual happened to be—I ran into him when he was out picking up some things for home improvement, as I was, and he told me the story about how long he had to wait in line and what he had to do to go from Germany to Italy, get in that line and then get his hip replacement, hip surgery.

Here in the United States you're not going to have a measurable line. You might be able to get in one if you're not in a hurry and get it scheduled for convenience. But if you want that surgery, you're going to get that quickly.

Now, Canadians have an innovative thing. One is it's against the law to jump ahead in line. Those are not enforced equally across the provinces in Canada. So some people with more money, some people with more influence get ahead in the line.

Mr. Speaker, if you have ever had the experience of standing in line—and one of the easy ways to think of this is in the airport. If you're standing in line waiting to try to make a flight and you see one or two or three flight crews arrive late and they go get in line in front of you and they start going through the security—now they're actually pretty efficient at it and I know I want to get them on the planes and get these planes going. The lines would be longer if the crews don't show up.

But I stood in that line and had to back up. And the result is this: when someone gets in line in front of you, you have to back up. The line gets longer. Have you ever stepped in a line and watched the line get longer? You know that it isn't paying your time very well to stand in that line.

Well, the lines get longer in places in Canada and in Europe because you have people who have money and influence and power that get preferential treatment over those who don't have the money, influence and power.

So, in Canada it's resulted in this: some of the employers who offer a good employment package pay the wages and the benefits to their employees, the employees who have full access to the Canadian socialized medicine plan. But also as part of the package, let's just say, for example, if they need heart surgery and you're working in Toronto—just say you're wearing a suit and tie, working in a company in Toronto who puts together a good health care package, a good employment package. Here will be the wages, the vacation time, the retirement benefits. They don't get to say the health care plan for Canadian, but they do get to say, You can opt out and go to the United States.

And in their employment package will be an insurance plan that will put them on a plane in Toronto and fly them to Houston for heart surgery so that they can cut ahead of the line. They don't have to wait.

Now, what kind of a country has a health care plan that we would want to emulate that would have employment packages that fly people all the way across the continent to give them heart surgery quickly because the line is too long in Canada?

And it's worse than this, Mr. Speaker. There are companies that have sprouted up in Canada that turnkey these things. Sometimes within the health insurance plan that's part of the employment, that says, We will opt you out of the country to get you fast health care services to the United States. And sometimes it's someone in Canada who can't wait in line to get the service.

And so there are companies there like tour companies, travel agencies, travel/health care agencies that put together the package. So let's just say that you are in Quebec and you want to go to, let's say, the Mayo Clinic in Rochester, Minnesota, to get a hip replacement, and the hip replacement line you're in in Canada is long.

Well, the travel/health care agency in Canada that's sprouted up because of entrepreneurs, you can go contact them and they will set it up. They will say, Here, let me see. You arrive at the airport here in Quebec at this time and this is your flight number and here's your ticket. And you can fly down to the Mayo Clinic and here's the hotel that you can go check into. You'll arrive at this time. Transportation to the hotel is a shuttle bus from the airport to the hotel that you'll be staying at.

□ 2115

Here is your examination from the doctor and the surgeons, and they'll do that examination, and later on in the day, or overnight, they'll start the surgery, give you the hip replacement. Here's the package on the rehabilitation therapy. Here is your trip back and your plane ticket back to Quebec. Turnkey. I don't know how long it takes, I'm guessing three to four days turnaround, give you a little therapy, send you back home again. All of that, you write one check to the travel/health care agency that's sprouted up to meet a demand that exists because of the lines and the rationing that necessarily result in government-run plans and always have.

And, Mr. Speaker, I'll go back to 1948 and 1949. I had a World War II vet hand me a stack of Collier's magazines. And he fought in Europe, the Second World War. He'd saved these Collier's magazines all of those years, from 1948 and 1949. Now, 1948 was the year that the United Kingdom established their national health care plan, their socialized medicine.

And in the magazine, each issue of the magazine had a story about the health care that was unfolding in Canada. And you can just range through some of them. I can remember pictures of people lined up outside doctors' offices, nurses that were frazzled, doctors who were speaking into the record

quoted saying, I have to see so many more patients now in order to provide enough income because I'm being paid so much less per patient, I have to spend less time with the patient, and I have to run them through and see too many patients an hour. I'm missing diagnoses. I'm not able to treat these patients the way I should be. The relationship between us is so fast that there is no doctor/patient relationship.

People are leaving the health care industry because the stress was turned up and the margins were turned down. And we have a good lot of highly talented people in this country that stepped forward to go into the health care industry, good doctors and nurses and other providers. And they're highly educated. It takes a long time to train a doctor, roughly a decade to turn one out that can start to take charge and teach others. That takes time and money. They need to be paid what it's worth to attract them into the profession and to be able to be on call in the middle of the night and on weekends and all the things that they do. And that isn't going to happen in a country that rations health care and squeezes down the prices, Mr. Speaker.

So, I would just suggest that we should think long and hard before we leap into this abyss. As I listened to the gentleman from Connecticut (Mr. MURPHY), I would suggest that he should know this, if anyone does, and that is, when you turn government loose to do something that the private sector should be doing, Murphy's Law always applies. Murphy's Law, of course, is what can go wrong will go wrong.

The incentives will not be in place to provide the quality of care, the timely service. And we don't have rationing of health care in the United States today. We don't have lines that exist in a measurable way. We don't have long lists on paper of people that are waiting their turn to get their service.

We have the best health care system in the world, and it's getting better, and we can do more with competition. We can do more with addressing the medical malpractice litigation that we have in this country that they don't have to a measurable extent in the other countries. We can do better with health savings accounts. We can do better with bringing in competition. We can allow people to expand their health savings accounts, and we can allow them to have enough money in that they can bargain down a higher co-payment and a higher deductible in order to get a lower premium.

And you roll all of this together. If you give people freedom, if you give them responsibility, if you believe in the free market system and you let the markets do what they will without interference, without the intervention of some fraudulent medical malpractice suits that are driving up these premiums and causing doctors to do tests that are unnecessary, except to protect them from litigation, we can bring this

health care down, and we can see the quality of it go up, and we can also be an inspiration for the rest of the world.

And creating socialized medicine is not a solution for an economic problem. That will make the problem worse, not better. And we are, on one side of us, we are Adam Smith free-marketeers on the Republican side of the aisle. These are the Keynesian economists on the Democrat side of the aisle, those who want to grow government, nationalize eight huge entities in America; that all happened on the watch of President Obama, the nationalization of eight huge entities.

And with that in mind, nationalization, there is no exit strategy there. There will be no exit from socialized medicine, and cap-and-tax will crush this economy as well. We must draw a line. This is it. This is the Rubicon. I'm not going across into the irrevocable policy. And those that do, I believe, will regret it the rest of their life.

With that, Mr. Speaker, I thank you for your indulgence, and I would yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today on account of a family medical emergency.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KLEIN of Florida) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. MASSA, for 5 minutes, today.

Mr. KLEIN of Florida, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. JONES, for 5 minutes, July 22.

Mr. POE of Texas, for 5 minutes, July 22.

Mr. FORBES, for 5 minutes, July 16.

Mr. DREIER, for 5 minutes, July 16 and 17.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. ENGEL, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Thursday, July 16, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2655. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Modification of Temporary Liquidity Guarantee Program (RIN: 3064-AD37) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2656. A letter from the Chief Executive Officer, Anti-Doping Agency, transmitting the Agency's 2008 Annual Report and Financial Audit, pursuant to 21 U.S.C. 2002 36 U.S.C. 10101; to the Committee on Energy and Commerce.

2657. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Mount Enterprise, Texas) [MB Docket No.: 08-226 RM-11494] received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2658. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the former Liberian regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004, pursuant to 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

2659. A letter from the Acting Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Authorization Validated End-User (VEU): List of Approved End-Users and Respective Eligible Items for India [Docket No.: 0906151047-91048-01] (RIN: 0694-AE65) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2660. A letter from the Acting Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Implementation of the 2008 Australia Group (AG) Intersessional Decisions; Additions to the List of States Parties to the Chemical Weapons Convention (CWC) [Docket No.: 090113021-9025-01] (RIN: 0694-AE55) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2661. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-123, "Processing Sales Tax Clarification Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2662. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 18-124, "National Law Enforcement Museum Sales and Use Tax Credit Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2663. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-125, "Records Access Amendment Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2664. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-126, "Raze Permit Com-

munity Notification Amendment Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2665. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-127, "Citizen-Service Programs Amendment Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2666. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-128, "Child Development Center Directors Relocation Fairness Clarification Temporary Amendment Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2667. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-133, "Transportation Infrastructure Improvements GARVEE Bond Financing Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2668. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-134, "Anacostia River Clean Up and Protection Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2669. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-135, "Clean and Affordable Energy Fund Balance Temporary Amendment Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2670. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-136, "Neighborhood Development Tax Deferral Temporary Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2671. A letter from the Director, Office of Congressional Relations, Federal Trade Commission, transmitting notification that the Commission recently began the audit of financial statements for the fiscal year 2009; to the Committee on Oversight and Government Reform.

2672. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Standards; Temporary Alternative Size Standards for 7(a) Business Loan Program (RIN: 3245-AF96) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

2673. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Vocational Rehabilitation and Employment Program-Duty to Assist (RIN: 2900-AM91) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FILNER (for himself, Mr. BUYER, Ms. CORRINE BROWN of Florida, Mr. STEARNS, Mr. SNYDER, Mr. MORAN of Kansas, Mr. MICHAUD, Mr. BROWN of South Carolina, Ms. HERSETH SANDLIN, Mr. MILLER of Florida, Mr. MITCHELL, Mr. BOOZMAN, Mr. HALL of New York, Mr. BILBRAY,

Mrs. HALVORSON, Mr. LAMBORN, Mr. PERRIELLO, Mr. BILIRAKIS, Mr. TEAGUE, Mr. BUCHANAN, Mr. RODRIGUEZ, Mr. ROE of Tennessee, Mr. DONNELLY of Indiana, Mr. MCNERNEY, Mr. SPACE, Mr. WALZ, Mr. ADLER of New Jersey, Mrs. KIRKPATRICK of Arizona, and Mr. NYE):

H.R. 3219. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROSS (for himself and Mr. MEEK of Florida):

H.R. 3220. A bill to amend title XVIII of the Social Security Act to reform Medicare coverage and reimbursement for home oxygen therapy services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. HINOJOSA, Mr. BISHOP of New York, Mr. PAYNE, Mr. HOLT, Mr. COURTNEY, Ms. HIRONO, Mr. ANDREWS, Mr. KILDEE, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. LOEBSACK, Ms. FUDGE, Mr. SCOTT of Virginia, Ms. ESHOO, Mr. TIERNEY, Mr. SABLAN, Mr. WU, Mr. KUCINICH, Mr. HARE, Mr. SESTAK, Ms. WOOLSEY, and Mrs. DAVIS of California):

H.R. 3221. A bill to amend the Higher Education Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. CULBERSON):

H.R. 3222. A bill to promote Internet safety education and cybercrime prevention initiatives, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BUYER (for himself and Mr. BOOZMAN):

H.R. 3223. A bill to amend title 38, United States Code, to improve the Department of Veterans Affairs contracting goals and preferences for small business concerns owned and controlled by veterans; to the Committee on Veterans' Affairs.

By Mr. BECERRA (for himself, Ms. MATSUI, and Mr. SAM JOHNSON of Texas):

H.R. 3224. A bill to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. INSLEE (for himself, Ms. NORTON, Mr. BLUMENAUER, Ms. MATSUI, Mr. MORAN of Virginia, Mr. CONYERS, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. MOORE of Kansas, Mr. ENGEL, Ms. KAPTUR, Mrs. MALONEY, Mr. MCGOVERN, Mr. CARSON of Indiana, Mr. GRIJALVA, Ms. LEE of California, Ms. EDWARDS of Maryland, Ms. WOOLSEY, and Mr. CLEAVER):

H.R. 3225. A bill to help provide funds for community gardens, and for other purposes; to the Committee on Agriculture.

By Mr. KINGSTON (for himself, Mr. CARTER, Mr. ALEXANDER, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. LATTI, Mrs. BACHMANN, Mr. POE of Texas, Mr. PITTS, Mr. FLEMING, Mr.

LINDER, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. KING of Iowa, Mr. HOEKSTRA, Ms. FALLIN, Mr. SHADEGG, and Mr. LAMBORN):

H.R. 3226. A bill to provide that appropriated funds may not be used to pay for any salaries or expenses of any task force, council, or similar office which is established by or at the direction of the President and headed by an individual who has been inappropriately appointed to such position (on other than an interim basis), without the advice and consent of the Senate; to the Committee on Oversight and Government Reform.

By Mr. LEVIN (for himself and Mr. DAVIS of Kentucky):

H.R. 3227. A bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut:

H.R. 3228. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects in the Town of Canton, Connecticut; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 3229. A bill to amend the Alaska Native Claims Settlement Act to recognize Alexander Creek as a Native village, and for other purposes; to the Committee on Natural Resources.

By Ms. MATSUI (for herself, Mr. INSLEE, and Ms. NORTON):

H. Res. 649. A resolution supporting the goals and ideals of National Community Gardening Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. STEARNS:

H. Res. 650. A resolution recognizing that country music has made a tremendous contribution to American life and culture and declaring country music to be a uniquely American art form; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

105. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 141 urging the United States Department of Defense to renew and increase its supply of essential excess and donation surplus equipment to Illinois public safety officers through the 1033 Program, the LESO Program, and the U.S. General Services Administration's Donation Program (Federal Surplus); to the Committee on Armed Services.

106. Also, a memorial of the Senate of the State of Louisiana, relative to SENATE RESOLUTION NO. 86 memorializing the Congress of the United States to take such actions as are necessary to create a national catastrophe fund; to the Committee on Financial Services.

107. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 91 memorializing the Congress of the United States to address the issue of global climate change through the adoption of a fair and effective approach that safeguards American jobs, ensures affordable energy for citizens, and maintains America's global competitiveness; to the Committee on Energy and Commerce.

108. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 86 urging the Congress to honor the contributions of African-American slaves in the United States by de-

claring that every February 28th shall be designated as Honor the Contributions of African-American Slaves in the United States Day; to the Committee on Oversight and Government Reform.

109. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 101 memorializing the Congress of the United States to enact legislation to prohibit fetal torture and dismemberment; to the Committee on the Judiciary.

110. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 68 encouraging Congress and President Barack Obama to support H.R. 693, the Reaching the Star Act, creating a Suburban Transit Access of STAR line inter-suburban commuter rail to ease road traffic congestion in 100 communities from Joliet to O'Hare International Airport, providing safe and reliable transportation options for the more than 1.6 million area residents living in high-congestion areas; to the Committee on Transportation and Infrastructure.

111. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 44 urging the members of Congress to introduce and give full consideration to a bill comparable to the Patriot Employers Act in order to ensure that American firms contribute their fair share to our society's social welfare; to the Committee on Ways and Means.

112. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 82 memorializing the Congress of the United States to enact legislation and appropriate monies in order to provide additional homeland security funding for state maritime enforcement agencies; to the Committee on Homeland Security.

113. Also, a memorial of the House of Representatives of the State of Oklahoma, relative to House Resolution No. 1043 disapproving the United States Department of Homeland Security's assessment report concerning Rightwing Extremism; to the Committee on Homeland Security.

114. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 233 urging the United States Congress and the President of the United States to enact H.R. 676, pending in the 110th Congress, which provides universal health insurance coverage for all individuals residing in the United States and its territories; jointly to the Committees on Energy and Commerce, Ways and Means, and Natural Resources.

115. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 55 calling upon federal policy makers to ensure that goods sold domestically meet U.S. food and product safety standards; jointly to the Committees on Ways and Means, Energy and Commerce, and the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. ACKERMAN, Mrs. MALONEY, Ms. SHEA-PORTER, Mr. LANGEVIN, Ms. ZOE LOFGREN of California, Mr. SCHIFF, and Ms. KILPATRICK of Michigan.

H.R. 40: Mr. RANGEL and Ms. WATERS.

H.R. 173: Mr. COFFMAN of Colorado.

H.R. 207: Mr. WALDEN.

H.R. 208: Mr. RYAN of Ohio, Mr. PAULSEN, Mr. MCNERNEY, and Mr. WALDEN.

H.R. 211: Ms. FUDGE, Mr. EDWARDS of Texas, and Mr. HALL of New York.

- H.R. 213: Mr. SESTAK.
H.R. 235: Mr. WALDEN and Mr. ELLISON.
H.R. 275: Mr. MORAN of Virginia.
H.R. 406: Mr. HIMES and Ms. BALDWIN.
H.R. 426: Mr. POSEY.
H.R. 442: Mr. BURGESS, Mr. AUSTRIA, and Mr. TIBERI.
H.R. 503: Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 510: Mr. MOORE of Kansas, Mr. CARDOZA, Mr. CHANDLER, Ms. HERSETH SANDLIN, Mr. WITTMAN, and Mr. ELLSWORTH.
H.R. 571: Ms. SUTTON.
H.R. 690: Mr. MILLER of Florida and Mr. YOUNG of Florida.
H.R. 691: Mr. PAUL.
H.R. 702: Mr. SIRES.
H.R. 734: Ms. PINGREE of Maine.
H.R. 795: Mr. JACKSON of Illinois.
H.R. 804: Mr. PASTOR of Arizona.
H.R. 847: Mr. MURPHY of New York.
H.R. 848: Mr. TIERNEY.
H.R. 936: Mr. TEAGUE.
H.R. 939: Mr. HIMES.
H.R. 953: Mr. ORTIZ, Mrs. McMORRIS RODGERS, and Mr. HOEKSTRA.
H.R. 982: Mr. AUSTRIA.
H.R. 1020: Mr. HONDA and Mr. VAN HOLLEN.
H.R. 1064: Mr. LIPINSKI and Mr. MCNERNEY.
H.R. 1137: Mr. MEEK of Florida.
H.R. 1156: Mrs. McMORRIS RODGERS.
H.R. 1166: Mr. DAVIS of Illinois.
H.R. 1173: Mr. ARCURI and Mr. SHULER.
H.R. 1177: Mr. GONZALEZ, Mr. CAMPBELL, and Mr. TIM MURPHY of Pennsylvania.
H.R. 1190: Mr. HASTINGS of Washington.
H.R. 1207: Mr. SALAZAR, Mr. KIRK, and Mrs. EMERSON.
H.R. 1240: Mr. MAFFEL.
H.R. 1245: Mr. WITTMAN and Mr. KIRK.
H.R. 1283: Mr. GRAYSON.
H.R. 1293: Mr. MILLER of Florida, Ms. CORRINE BROWN of Florida, Mr. BILIRAKIS, and Mr. SNYDER.
H.R. 1346: Ms. LEE of California.
H.R. 1382: Mr. SHADEGG.
H.R. 1410: Mr. MILLER of North Carolina.
H.R. 1441: Ms. BALDWIN.
H.R. 1470: Mrs. CAPITO.
H.R. 1509: Mr. HALL of New York.
H.R. 1548: Mr. MURPHY of Connecticut and Mr. STEARNS.
H.R. 1558: Ms. TITUS and Mr. HIMES.
H.R. 1618: Mr. WILSON of Ohio.
H.R. 1625: Mr. OBERSTAR.
H.R. 1684: Mr. TIBERI and Mr. BURGESS.
H.R. 1700: Ms. ZOE LOFGREN of California.
H.R. 1751: Ms. CORRINE BROWN of Florida and Mr. SARBANES.
H.R. 1761: Mr. GRIJALVA.
H.R. 1776: Mr. HIMES.
H.R. 1826: Mr. ROTHMAN of New Jersey and Mr. FATTAH.
H.R. 1831: Mr. UPTON, Mr. SESSIONS, Mr. GARRETT of New Jersey, Mr. BERMAN, Mr. ROGERS of Michigan, Mr. MORAN of Kansas, Mr. TONKO, and Mrs. MYRICK.
H.R. 1835: Mr. MATHESON.
H.R. 1941: Mrs. DAVIS of California.
H.R. 2006: Mr. DONNELLY of Indiana.
H.R. 2017: Mr. PATRICK J. MURPHY of Pennsylvania, Mr. WALDEN, and Mr. LATTA.
H.R. 2060: Ms. ESHOO.
H.R. 2097: Mrs. KIRKPATRICK of Arizona.
H.R. 2122: Mr. JONES.
H.R. 2149: Mr. HIGGINS, Mr. PUTNAM, and Mr. THOMPSON of Mississippi.
H.R. 2184: Mr. SIRES.
H.R. 2193: Mr. PAULSEN.
H.R. 2194: Mr. MILLER of North Carolina, Mr. GOHMERT, Mr. BISHOP of Georgia, Mr. STUPAK, Mr. CAO, Mr. LANGEVIN, Mr. FARR, Mr. ALTMIRE, Mr. CALVERT, Mrs. BLACKBURN, Mr. TERRY, Mr. MINNICK, Mr. BARTLETT, Mr. KLINE of Minnesota, Ms. CORRINE BROWN of Florida, Ms. SUTTON, and Mr. HOEKSTRA.
H.R. 2215: Mr. DINGELL, Mr. KILDEE, and Mr. PETERS.
H.R. 2220: Ms. KOSMAS, and Ms. PINGREE of Maine.
H.R. 2245: Ms. WATERS, Ms. RICHARDSON, Mr. CAMPBELL, Mr. WALZ, and Mr. SIMPSON.
H.R. 2261: Mr. LATHAM.
H.R. 2293: Mr. LANGEVIN.
H.R. 2296: Mr. DENT, Mr. SMITH of Nebraska, Mr. BRIGHT, Mr. TIBERI, Mrs. EMERSON, Mr. CULBERSON, Mr. MCCAUL, Mr. PERRIELLO, and Mr. GRIFFITH.
H.R. 2329: Mrs. DAHLKEMPER and Mr. PETERSON.
H.R. 2363: Mr. FATTAH, Mr. BERMAN, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2365: Ms. MCCOLLUM.
H.R. 2373: Mr. PERRIELLO, Mr. BUTTERFIELD, Mr. KILDEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KRATOVIL, Ms. GIFFORDS, and Mr. PAULSEN.
H.R. 2381: Mr. HARE and Mr. GRIJALVA.
H.R. 2425: Mr. FARR and Mr. WOLF.
H.R. 2440: Mr. LAMBORN.
H.R. 2452: Mr. RYAN of Ohio, Mr. YARMUTH, Mr. KIRK, and Mr. THOMPSON of California.
H.R. 2469: Mr. LATTA, Mr. BROUN of Georgia, Ms. FOXX, Mr. GINGREY of Georgia, Mr. SHADEGG, Ms. FALLIN, Mr. KING of Iowa, Mrs. SCHMIDT, Mr. ISSA, Mr. PENCE, Mr. CONAWAY, Mr. KINGSTON, Mr. FLEMING, and Mr. PITTS.
H.R. 2478: Mr. PLATTS, Mr. CUMMINGS, and Mr. FORBES.
H.R. 2480: Mr. FRANK of Massachusetts, Mr. LIPINSKI, and Mr. MILLER of North Carolina.
H.R. 2497: Mr. BLUMENAUER.
H.R. 2499: Mr. ROGERS of Alabama.
H.R. 2548: Mr. CONNOLLY of Virginia.
H.R. 2561: Mr. CAO.
H.R. 2563: Mr. HILL, Mr. POSEY, Mr. MARCHANT, Mr. TIBERI, and Mr. CONAWAY.
H.R. 2590: Mr. PAUL.
H.R. 2625: Ms. BALDWIN.
H.R. 2626: Mr. MCCOTTER.
H.R. 2642: Mr. WILSON of Ohio.
H.R. 2648: Ms. MOORE of Wisconsin, Mr. FALOMAVAEGA, Mr. COHEN, and Ms. DELAURO.
H.R. 2669: Mr. RAHALL.
H.R. 2681: Mrs. NAPOLITANO.
H.R. 2695: Mr. PLATTS.
H.R. 2709: Ms. HARMAN.
H.R. 2724: Mr. HODES.
H.R. 2740: Mr. SOUDER, Mr. MEEKS of New York, and Mr. MCCOTTER.
H.R. 2759: Mr. ETHERIDGE, Ms. CORRINE BROWN of Florida, Mr. RUPPERSBERGER, Mr. WELCH, and Mr. GERLACH.
H.R. 2771: Mr. BOREN.
H.R. 2811: Mr. HASTINGS of Florida.
H.R. 2835: Mr. MORAN of Virginia and Mr. ELLISON.
H.R. 2842: Mr. LINDER.
H.R. 2861: Mr. ELLISON.
H.R. 2894: Mr. CHANDLER.
H.R. 2906: Mr. SARBANES.
H.R. 2920: Mr. COSTELLO and Ms. SUTTON.
H.R. 2938: Mr. SHIMKUS.
H.R. 3011: Mrs. KIRKPATRICK of Arizona, Mr. KLINE of Minnesota, and Ms. PINGREE of Maine.
H.R. 3017: Mr. MCNERNEY.
H.R. 3024: Mr. BISHOP of Georgia and Mr. BLUMENAUER.
H.R. 3025: Mrs. DAHLKEMPER.
H.R. 3042: Mr. WAXMAN.
H.R. 3044: Mr. HERGER, Mr. MCHENRY, and Mr. DRIEHAUS.
H.R. 3147: Mr. CONYERS.
H.R. 3148: Mr. BURGESS.
H.R. 3189: Mr. KIRK.
H.R. 3212: Mr. KING of New York and Mr. BOSWELL.
H. J. Res. 56: Mr. COHEN, Ms. DELAURO, Mr. ANDREWS, and Ms. PINGREE of Maine.
H. Con. Res. 16: Mr. KLINE of Minnesota and Mr. KIRK.
H. Con. Res. 74: Mr. HASTINGS of Florida.
H. Con. Res. 94: Mr. COHEN and Ms. MCCOLLUM.
H. Con. Res. 102: Ms. JACKSON-LEE of Texas.
H. Con. Res. 144: Ms. SPEIER, Mr. LARSEN of Washington, Mrs. CAPITO, Mr. SCHOCK, Ms. ROYBAL-ALLARD, and Mr. LYNCH.
H. Con. Res. 159: Mr. FRANKS of Arizona, Mr. MCCOTTER, Mr. KENNEDY, Mr. MURPHY of Connecticut, Ms. BERKLEY, Mr. ROSS, Mr. DOYLE, and Mr. KIRK.
H. Res. 89: Mr. TURNER, and Mr. MANZULLO.
H. Res. 93: Mr. HINOJOSA and Mr. SABLAN.
H. Res. 111: Mr. MINNICK, Mr. TONKO, Mr. BONNER, and Mr. MEEKS of New York.
H. Res. 245: Mr. CARSON of Indiana.
H. Res. 394: Mr. SULLIVAN.
H. Res. 440: Mrs. BACHMANN.
H. Res. 487: Mr. UPTON and Mr. HOEKSTRA.
H. Res. 494: Mr. COOPER, Mr. SPRATT, and Mr. BRADY of Pennsylvania.
H. Res. 512: Mr. WATT, Mr. CARNAHAN, Ms. GIFFORDS, Ms. WOOLSEY, Mr. SHERMAN, and Mr. SIRES.
H. Res. 513: Mr. ALTMIRE, Mr. BACHUS, Mr. BISHOP of Georgia, Mr. BOOZMAN, Ms. BORDALLO, Mr. BURTON of Indiana, Mr. CALVERT, Mr. COLE, Mr. COURTNEY, Mr. DUNCAN, Mr. GOHMERT, Mr. HASTINGS of Florida, Ms. KAPTUR, Mr. KINGSTON, Mr. KLINE of Minnesota, Mr. LATTA, Mr. MCCAUL, Mr. MCCOTTER, Mr. OBERSTAR, Mr. PLATTS, Mr. PUTNAM, Mr. RODRIGUEZ, Mrs. McMORRIS RODGERS, Mr. SENSENBRENNER, Mr. SPRATT, and Mr. WU.
H. Res. 517: Ms. WOOLSEY.
H. Res. 533: Mr. MASSA, Mr. HINOJOSA, and Mr. DINGELL.
H. Res. 558: Mr. ROYCE, Mr. HALL of Texas, Mr. PAULSEN, Mr. PAYNE, and Mr. HINOJOSA.
H. Res. 605: Mr. CAO, Mr. SENSENBRENNER, Mr. BISHOP of Georgia, Mr. MORAN of Kansas, Mr. CUMMINGS, Mr. KING of New York, Mr. FRELINGHUYSEN, Mr. JONES, Mr. ABERCROMBIE, Mr. HINCHEY, Mr. MCGOVERN, and Mr. PETERSON.
H. Res. 615: Mr. SMITH of Texas, Mr. PRICE of Georgia, Mr. TIAHRT, and Mr. CONAWAY.
H. Res. 619: Mr. TIAHRT, Mr. SCHOCK, and Mrs. MILLER of Michigan.
H. Res. 623: Mr. REICHERT.
H. Res. 630: Mr. CAPUANO and Mr. HONDA.
H. Res. 631: Mr. POE of Texas and Mr. RYAN of Ohio.
H. Res. 633: Mr. COHEN.
H. Res. 634: Mrs. LOWEY, Mr. MCHUGH, and Ms. BALDWIN.
H. Res. 639: Mr. RADANOVICH and Mr. ROYCE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative HASTINGS of Washington, or a designee, to H.R. 3183, the Energy and Water Development and Related Agencies Appropriation Act, 2010, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

DELETIONS OF SPONSORS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 648: Mr. PALLONE.