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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

Rev. Elizabeth Hanley, Abiding Savior Lutheran Church, Cameron, Texas, offered the following prayer:

Let us pray. God of Grace, we give You thanks for this new day. You bless the whole human family with Your sustaining love.

Open the hearts of the ones who gather here as they make decisions for our Nation. Stir in them wisdom, understanding, and compassion in discernment. Bind them together in the common pursuit of justice and peace for Your people. Give them courage to be a voice for those who have no voice; that their work might bring relief to the burden and hope to those in need.

Renew the hearts of Your people, O God, and move us to trust in You. Bless, O Lord, all those who offer their lives in service to others, and grant us grace to live in Your never failing love.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey (Mr. SIRES) come forward and lead the House in the Pledge of Allegiance.

Mr. SIRES 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 509. An act to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, and for other purposes.

The message also announced that pursuant to Public Law 111–21, the Chair, on behalf of the Majority Leader of the Senate and the Speaker of the House, announces the joint appointment of Phil Angelides of California to serve as Chairman of the Financial Crisis Inquiry Commission.

The message also announced that pursuant to Public Law 111–21, the Chair, on behalf of the Majority Leader, appoints the following individuals to serve as members of the Financial Crisis Inquiry Commission:

The Senator from Florida, Mr. GRAHAM.

Heather Murren of Nevada.

Byron Georgiou of Nevada.

The message also announced that pursuant to Public Law 111–12, the Chair, on behalf of the Republican Leader, appoints the following individuals to serve as members of the Financial Crisis Inquiry Commission:

Keith Hennessey of Virginia.

Douglas Holtz-Eakin of Virginia.

WELCOMING REVEREND ELIZABETH HANLEY

The SPEAKER. Without objection, the gentleman from Texas (Mr. HENSARLING) is recognized for 1 minute.

There was no objection.

Mr. HENSARLING. Madam Speaker, above your chair are inscribed the words ''In God We Trust.'' There is nothing more important that we in Congress do each day than seek His wisdom, guidance, and blessing upon our deliberations.

I am both grateful and proud that today my friend, Pastor Elizabeth Hanley, sought those gifts on our behalf.

Pastor Hanley, known to her flock as Pastor Liz, has led the Abiding Savior Lutheran Church in Cameron, Texas, since 2002. She's a lifelong Lutheran, a fifth generation Texan, and like my wife, she's a Baylor Bear.

I have had the opportunity to worship at Abiding Savior on a number of occasions. I know for a fact that through the love of her savior, Jesus Christ, Pastor Liz nurtures the youth of her congregation. She gives hope to the downhearted, she cares for the elderly, and she inspires all through her words of grace through faith.

Hope and unity are in abundance at Abiding Savior. And its parishioners will tell you Pastor Liz is truly deserving of the words, ''Well done, good and faithful servant.''

I thank Pastor Liz for being here today and leading our invocation.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 further requests for 1-minute speeches on each side of the aisle.

PARITY IN MENTAL HEALTH COVERAGE

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

Mr. KENNEDY. Madam Speaker, I would like to thank you, Speaker PELOSI, for bringing to the floor of this House a piece of sweeping health care legislation, the likes of which we haven't seen in over 60 years since the Congress passed the Medicare legislation.

Madam Speaker, I want to thank you because it's about time the American people had an opportunity to have

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health care for all, irrespective of preexisting conditions.

Madam Speaker, I want to thank you on behalf of the millions of Americans who suffer from mental illness because health insurance companies do not acknowledge that the brain is part of the body, that there is such a thing as alcoholism and addiction in this country.

Madam Speaker, thanks to your leadership, we passed the Paul Wellstone-Pete Domenici Mental Health and Addiction Equity Act last session, and thanks to your leadership with this legislation, there is no discrimination against those with mental illness. And in each and every one of the health care plans, there is absolute parity in health care coverage for those with mental illness.

Thank you, Madam Speaker, for this historic legislation.

JUSTICE GINSBURG

(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, last week's New York Times Magazine featured an interview with Supreme Court Justice Ruth Bader Ginsburg. Some of her comments were absolutely astonishing coming from a sitting Supreme Court Justice, but the most disturbing comment came in reference to abortion.

In reference to Roe v. Wade, the infamous Supreme Court case, she said this: ''Frankly, I had thought at the time Roe was decided, there was concern about population growth, and particularly growth in populations that we don't want to have too many of.''

I cannot imagine any acceptable context where a serious person could refer to ''populations that we don't want too many of.'' This eugenic way of thinking debases the value of all human life. All people are created equal and deserve the most fundamental right to life no matter what race, religion, or socioeconomic background.

I am shocked that a member of the Supreme Court believes that a compelling reason for the legality of abortion is because our society wants to reduce the growth of specific populations. Justice Ginsburg's comments are an assault and insult to the values of the American people.

ENACT HEALTH CARE REFORM

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

Mr. BUTTERFIELD. Mr. Speaker, last November the American voters demanded change, and one of the many changes that they demanded was health care reform.

Now Democrats are responding with comprehensive health care reform, and we are hoping that our Republican friends will join us as we overhaul the broken health care delivery system. Health care reform will control spiraling costs. Without reform, the cost of health care for the average family of four is projected to rise $1,800 each year, and insurance companies will continue to control health care decisions.

Under our legislation, families with health insurance will see lower costs; rate increases for preexisting conditions and gender or occupation would be eliminated; out-of-pocket expenses would be capped; children will be guaranteed affordable dental, hearing, and vision care; preexisting condition denials and insurance companies' lifetime payments limits would be eliminated.

We must answer the call of the American people by enacting health care reform. Let's do it for the American people, and let's do it for the American economy.

WHERE HAVE ALL THE DOCTORS GONE?

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

Mr. POE of Texas. Mr. Speaker, half of the primary care physicians say they would like to leave the practice of medicine in 3 years. There is just too much cost and time involved from red tape by insurance companies and the government agencies. And that's before government bureaucrats nationalize the whole system. Also, their costs for malpractice insurance has skyrocketed.

The American Medical Association said more doctors are leaving the profession than being replaced by new doctors. Doctors are just hanging up their stethoscopes and choosing a different line of work. It's just not worth it.

It costs about $200,000 to get through medical school. The government keeps bailing out its special interest buddies, but not one cent goes to help pay off these college loans. And the administration wants doctors to shoulder even more of the costs of practicing medicine. It's no wonder they're choosing other professions and moving off to Jackson Hole, Wyoming.

To make matters worse, many doctors are no longer accepting Medicare or Medicaid patients because government reimbursement doesn't even cover the cost of the treatment. Now, isn't that lovely? No doctors and more patients.

Mr. Speaker, when we run out of doctors, what will we do? Turn our health care system over to government snake oil salesmen?

And that's just the way it is.

GROUNDBREAKING HEALTH CARE REFORM

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

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today because we're on the verge of groundbreaking health care reform legislation that will benefit generations to come and signal to the world and all of America that we are no longer a Nation that tolerates 46 million uninsured and many millions of workers, people who work every day, uninsured and facing huge out-of-pocket costs.

Now, today, I want to emphasize the importance of including a robust public health insurance option, with an established Medicare provider network, in the final health care reform bill. An established network will allow the public plan to give Americans a real choice among insurance plans and doctors from the start, from the beginning. A public provider network will place the public plan on a level playing field with private plans establishing real competition, real reform, and lowering costs for Americans.

Look, we have one chance to do health care reform, and it's today. And we have to ensure that we establish the strongest infrastructure to give success for the American people and to give them coverage and care and lower costs.

Further, the Congressional Budget Office says that a robust plan will save $91 billion for our country. We know the system is broken, and now we have a chance for a truly American solution to health care reform.

CONGRESS' NEVER-ENDING SPENDING SPREE

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

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to discuss my strong concerns over this never-ending spending by this Congress. In tough economic times when folks across Alabama and our Nation are tightening their belts, Congress is doing the exact opposite.

Just this week, House Democrats unveiled their new health reform plan which rings up a mind-boggling $1 trillion in spending over 10 years. While I agree that health insurance reform is important and Congress should pay close attention to affordable, accessible health care, spending another trillion dollars of taxpayer dollars on a possible government takeover is not the answer.

Folks in my home State of Alabama tell me Congress is spending like drunken sailors, and I agree. It's time for Congress to sober up and stop borrowing and spending money we don't have.

□ 1015

AMERICA NEEDS HEALTH CARE REFORM TODAY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Madam Speaker, thank you for your leadership.

Just as we thought, when we began to make a historic march towards the civil rights of all Americans for health care reform, we begin to hear noises, wrong noises, about how much we're spending. Well, I will tell you what we're doing, because we're not ashamed of addressing the concerns of Americans: $100 billion a year to fix a $2 trillion problem; the fact that Texas children are uninsured, they will be able to be insured as other children around America.

Sixty years Americans have been waiting and waiting and waiting for health care reform. Family costs are going up $1,800 a year. How many Americans want to continue that? And every single President, including Candidate MCCAIN, wanted health care reform.

We're doing it the right way. We're going to provide for primary care doctors. We're going to invest $1 in fighting for it and save $1.75.

I want you to know this, Mr. and Mrs. America, we're going to take the big step, not for ourselves but for you. Health care reform, not yesterday but today and forever, because America needs it, and they need it now.

HEALTH CARE

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

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, as work begins today on the 1,000-page and $1 trillion health care bill, the Congressional Budget Office provided Members with some troubling points yesterday.

For example, supporters of this plan argue it's necessary to bring down costs. We need to do that. However, the CBO admitted that the public plan would have essentially no impact on the long-term growth of health care costs, the legislation's purported goal.

A few other issues: the $1 trillion score was not produced on the actual bill, but a summary provided days before the text was introduced. And more questions.

What impact will the health care bill and its taxes have on job losses? What will the big tax increase do to small business? What is the cost of the government plan? And what happens if it doesn't let private plans play by the same rules?

Let's make sure we don't replace the bureaucracy of insurance with barriers, burdens, and bureaucracy of government. Neither one is good medicine. Real reform is good medicine. Let's do it right. Let's take the time to work together as a team and solve this problem once and for all.

SURFACE TRANSPORTATION REAUTHORIZATION

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

Mr. SIRES. Madam Speaker, currently, highway connections are worsening, ports are clogged, rail lines are plagued with choke points, and our communities are suffering with increased congestion, ever-worsening air pollution, and a struggling economy. We must act now to address these critical infrastructure issues and bring aid to our communities.

Our communities are struggling right now, not only with an inefficient and underperforming transportation system, but also with high unemployment rates and a sluggish economy.

The Surface Transportation Authorization Act produced by Chairman OBERSTAR is a bold step forward on transportation policy that will address our aging infrastructure and create or sustain 6 million family-wage jobs.

We need to continue the work we did with the Recovery Act and move forward with this legislation now to boost the economy, aid our communities, and transform our transportation system.

MEDIA IGNORE PRESIDENT'S DISAPPROVAL RATING

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

Mr. SMITH of Texas. Madam Speaker, a recent Washington Post editorial listed among President Obama's assets ''a steady affection from a large majority of the country.'' The national media frequently claim that the President is overwhelmingly popular.

A new poll by Rasmussen tells a different story. The poll shows that just 28 percent of voters strongly approve of the way that the President is doing his job. Thirty-six percent strongly disapprove, giving President Obama an approval index rating of a negative 8 percent. And that's before the American people find out about his plans to ration health care.

A negative approval rating is hardly steady affection from a large majority of the country. The national media should tell Americans the whole story, not tell them what to think.

SUPPORTIVE OF THE IDEAS CONTAINED IN THE HEALTH CARE REFORM LEGISLATION

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

Mr. KAGEN. Madam Speaker, I rise this morning to strongly support the ideas contained within our health care reform legislation.

The idea is very simple. It's about equality. It's about no discrimination against any citizen due to preexisting medical conditions. And isn't it about time? You know, it was a little over 50 years ago that this Congress in a bipartisan way guaranteed the equality at the lunch counter; and now working together we're going to guarantee that every citizen has equality at the pharmacy counter, at the physician's office, and at the hospitals that they need to go to to guarantee the health that they require just to survive.

This is our time in Congress to work together to fashion a health care system that works for everybody, not just those who were chosen at the top of the feeding chain.

I stand in support of health care reform that is meaningful, that guarantees no discrimination against any citizen anywhere in this land.

ECONOMIC IMPACT OF HIGHWAY INVESTMENT

(Mr. BROWN of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BROWN of South Carolina. Madam Speaker, the unemployment rate in South Carolina is over 12 percent. This is the third worst in the Nation, but only $400,000 in stimulus highway dollars have been spent. Instead of creating jobs, red tape is slowing projects down and forcing millions to be spent on painting road lines and pouring sidewalks, instead of going towards job-creating jobs like I–73.

Infrastructure investment is a proven job creator, but instead of workers constructing miles of new and badly needed highways, we have miles of red tape.

And we are at risk of seeing even more job losses as the Obama administration and the Senate stand against a new highway bill. Instead of setting a path of 6 years of needed investment in highways and transit, the other body and President Obama want us to wait another 18 months. They want us to go down the same path as the last highway bill, where 12 extensions led to hundreds of millions of dollars in reduced investments and tens of thousands of jobs lost.

Madam Speaker, we can do better. We must move forward with a new highway bill, but we also must ensure that we give States the tools they need to cut through the red tape preventing these dollars from creating jobs and building new infrastructure.

NOW IS THE TIME TO ACT ON HEALTH CARE REFORM

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

Ms. SCHWARTZ. The introduction of health care reform legislation marks tremendous progress toward meaningful health care reform for all Americans. As a member of the Committee on Ways and Means and a centrist Democrat, I worked to ensure that this legislation is built on American assets of innovation, competition, private-public choices, and shared responsibility.

I authored core provisions to increase access to primary care and strengthen consumer protections in the private market, both of which are key to improving the quality, efficiency, and reducing the cost of care, while improving health outcomes.

These provisions will increase the number of primary care doctors and nurses, increase reimbursement for primary care, and coordinate care for patients. Copayments for prevention and primary care will be eliminated for all Americans. Insurance companies will be prohibited from excluding coverage of preexisting conditions and will be required to explain coverage in plain language.

As Members of Congress, we have a shared responsibility to contain health costs for families, businesses and the government, while ensuring that every American has access to affordable, meaningful, stable coverage. The status quo is unacceptable and unsustainable. Now is the time to act.

AMERICANS NEED TO DEMAND A MARKET-BASED HEALTH CARE SYSTEM

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

Mr. BROUN of Georgia. Madam Speaker, I'm a medical doctor. I used to do a radio program called ''House Calls with Dr. Paul,'' where I tried to explain medical problems to people so that they could understand them.

As a Member of Congress, I am here this morning to try to explain this health care bill in ways that Americans can understand it. America needs to decide whether they want a health care system where they make the decisions in conjunction with their doctor or some Washington bureaucrat makes those decisions.

They need to make the decision whether they want a health care system where they have to wait long periods of time for surgeries and for tests, for MRIs and x-rays, where people who have cancer can't get the life-saving treatments that they desperately need, which is what we've been seeing from the other side.

We have solutions. Republicans have introduced numerous bills; and numerous bills will be introduced that will solve the health care problems, lower the cost of premiums, lower the cost of medicine, hospital bills and doctors' bills. The American people need to decide and demand a market-based health care system.

IMMIGRATION REFORM

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

Mr. POLIS. Over the 4th of July weekend, I toured a detention facility in Aurora, Colorado, where I met dozens of law-abiding immigrants. There are more than 30,000 immigrants like them throughout the country who find themselves in detention. Some of these individuals include teenagers, torture survivors, and the elderly. Others are asylum seekers who asked for protection upon arrival in the United States due to persecution in their country of origin, only to find themselves locked up for months or years like criminals at taxpayer expense.

For thousands of immigrants in similar circumstances throughout the country, even if the Department of Homeland Security ultimately rules in their favor, while they wait we are paying $132 a day to feed them, clothe them, house them. They want to be out working, paying taxes; but we insist that they avail themselves at our expense.

While at the Aurora detention center, I met immigrants who were placed in detention following a minor traffic infraction or a car accident that wasn't their fault. Due to the complicated nature of our current immigration system, many of them are stuck in the nebulous gray area between being lawfully and unlawfully present as they await the decision of an immigration judge. But regardless of the final outcome, separating parents from their American children by placing them into detention at taxpayer expense goes against our most basic values as Americans.

As Congress works toward comprehensive immigration reform, I urge my colleagues to deal with the detention issue as part of that.

FEDERAL GOVERNMENT SHOULDN'T RATION HEALTH CARE

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, it is interesting to sit here on the floor and listen to my colleagues from the other side describe their health care bill. It's going to solve everything. The only thing they haven't said is it's going to have a solution for cancer overnight and every other disease known to man.

And I thought, where have we heard this kind of promise before? How far back do we have to go? And then I realized it was the stimulus package. We were told we had to vote for the stimulus package on the President's timeline, and they guaranteed us unemployment wouldn't go above 8 or 8.5 percent. They guaranteed us all these jobs would be created. They guaranteed us that government solution.

Well, we've seen what's happened, and now we're hearing the same thing on health care. Well, just remember what the President said when he was in Michigan recently and someone asked him a question about their 100-year-old mother who received a pacemaker. He asked, Under your system, what would happen? And the President's response was, Well, boy, that's a tough question; you might just have to give her pain pills.

That sounds like rationing to me. I'm not sure I want the Federal Government to tell me I should take a pain pill when I need some surgery.

YOUNG ADULTS FINANCIAL LITERACY ACT

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

Mr. CARSON of Indiana. Madam Speaker, I come to the floor to discuss the Young Adults Financial Literacy Act, which I mentioned last week, to help community organizations provide better financial education to young adults.

As our recession drags on, it is clear that many of the problems we now face could have been avoided by better educating people about the financial system.

Today, across our country, thousands of young people are getting their first credit card, taking out loans for college, and renting their first apartments. Yet statistics show that many of these young adults never learn basic financial skills like budgeting, saving, and maintaining manageable debt.

My bill will help young people receive the financial education they need before they take these critical steps. It will provide grants for the development and implementation of effective education programs, empowering a young generation of consumers at this critical economic time.

So I encourage my House colleagues to cosponsor the Young Adults Financial Literacy Act.

STOP THE TAXING ON SMALL BUSINESS

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

Mr. BUCHANAN. Madam Speaker, this past week I held a town hall meeting in North Port, Florida. More than 300 people showed up.

A common theme at the forum was that the government should not nationalize health care. My constituents don't want a one-size-fits-all system where bureaucrats choose your treatments and doctors. My constituents want to make their own medical choices.

Some in Congress are rushing to bring a complex and far-reaching health care bill to the House floor within the next 2 weeks. This plan has numerous challenges in it.

First, it imposes an 8 percent tax on small businesses who don't offer health insurance to their employees. Most of these family-run businesses want to offer health care insurance but can't afford it. It's an 8 percent tax not on profit but on overhead. It becomes overhead. It's an 8 percent expense.

How does taxing small business help us get out of the worst economic recession in more than a century? This is a job killer, not a job creator.

Let's work together and make it better for small business and stop the taxing on small business.

□ 1030

EARLY DIAGNOSIS SAVES MONEY FOR RESEARCH

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

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

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

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

SELLING THE FAILED STIMULUS PLAN

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

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

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

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

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

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

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

The Clerk read the resolution, as follows:

H. RES. 644

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3170) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 145, line 11. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. In the case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto 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. 3170, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). The gentleman from Colorado is recognized for 1 hour.

POINT OF ORDER

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

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

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

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

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

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

The Chair recognizes the gentleman from Arizona.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This would simply allow the D.C. voucher program—the highly popular D.C. voucher program—to continue. This is not something that is not germane. It is germane. This is the bill that deals with D.C. appropriations. But the majority party simply didn't want to vote on that. And so they rejected it, and it's out.

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

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

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

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

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

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

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

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

□ 1045

We should be able to offer these amendments, as we have historically, in Republican and Democrat Congresses in the past. This is nearly unprecedented in the scope of clamping down on our ability to represent our constituents and in our ability to raise these issues on the floor of this great institution, of this democratic institution, where free speech and the opportunity to debate public policy issues are enshrined.

What has this House come to?

Mr. FLAKE. I thank the gentleman.

I reserve the balance of my time.

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

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

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

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

With that, I reserve the balance of my time.

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

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

I yield to the gentleman from Oregon.

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

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

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

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

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

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

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

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

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

The question of consideration was decided in the affirmative.

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

As a member of the House Financial Services Committee, we have worked with Chairman FRANK to examine the causes of our recent economic downturn. There were many causes of it, but our findings conclude that a large factor of this downturn was misguided deregulation promoted in the financial markets.

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

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

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

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

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

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

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

I now reserve the balance of my time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1100

Madam Speaker, what kind of precedent is this administration and Congress setting by forcing regulation on successful businesses while completely avoiding responsibility and transparency in their own spending habits? The American people know that you shouldn't spend what you don't have, and that's exactly what this Democrat majority is doing. According to the Congressional Budget Office, the Obama administration is on its way to doubling the national debt in 5 years. Just last week the Congressional Budget Office released a monthly budget review which states that the Federal budget deficit reached $1.1 trillion, and this was reached during the month of June. According to the CBO, that is $800 billion more than the deficit record through June 2008. The bottom line is that the United States is looking at a possible $2 trillion record deficit for this year alone, a long stretch from the group of people who talked about fiscal insanity just before the election. I think we know what the truth is. The Democratic Party is tax and spend. Especially at a time of deep economic recession, this Congress should be promoting pro-growth policies that reduce spending and increase jobs. Unemployment continues to rise while our friends on the other side of the aisle consciously continue to tax, borrow and spend their way into record deficits. The CBO estimates that unemployment benefit spending is more than two-and-a-half times what it was at this point last year. The current unemployment rate is now over 9.5 percent, which is the highest level in 26 years, and their own budget estimates say it's going to rise.

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

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

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

I reserve the balance of my time.

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

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

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

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

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

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

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

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

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

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

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

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

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

The amendment simply says that we will not, as taxpayers in this country, give billions of dollars to General Motors and Chrysler until they come to terms with the hundreds of thousands of people they have put out of work. We know that their actions have thrown 40,000 auto workers out of work. We know that 50,000 people who worked for Delphi have lost their health coverage. This week we had the auto dealers in town, and the actions of the President's auto task force is going to cause the closure of 789 Chrysler dealerships across this country, 2,600 General Motors dealerships. About 60 people work at each dealership. Over 200,000 people thrown out of work because of the goofy actions of an unelected task force, and now the car company is taking advantage. Why do we know it's the goofy action of the task force? We know it because both car companies filed to plan for reorganization on February 17. That plan was rejected. We know from Mr. Bloom, who is the new head of the task force, why that plan was rejected. In testimony before the Senate, he indicated, ''We rejected that plan because they didn't get rid of enough people, they didn't close enough auto plants, and they didn't close enough auto dealerships across the country.'' Well, in response to that, the car companies, if they wanted the billions, they came back and presented a plan that will now cause 300,000 people, 300,000 families to be without jobs in this country.

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

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

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

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

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

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

□ 1115

Veterans' businesses, minority-owned businesses, in essence, they don't have an advocate, and our agencies are using ''good old boy'' systems to give business not to our small businesses, but to others.

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

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

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

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

Mr. LAMBORN. I thank the gentleman for yielding.

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

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

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

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

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

Mr. LAMBORN. Would the gentleman yield?

Mr. PERLMUTTER. Yes, for 15 seconds.

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

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

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

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

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

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

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

Now for those who are new, they might say, well, why is the D.C. appropriations in the Financial Services bill? The proper question is, why is Congress having anything to do with the D.C. budget, a local budget? It is none of your affair. And it is an anomaly that we are going to cure soon. But the fact is that it is here under the Home Rule Act, which made the District of Columbia a self-governing jurisdiction. It is in the Financial Services bill because there is no place to put it. There is no place to put it because it doesn't belong in a Federal budget because it is not the money of the people of the United States. These are the funds of the people who live in the District of Columbia.

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

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

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

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

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

The gentleman from Texas has 14¾ minutes remaining.

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

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

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

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

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

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

Mr. WALDEN. It is kind of ironic for someone who is so passionate about achieving voting rights in this city that we would be denied voting rights on this floor on amendments that we sought to be considered.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1130

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

My view, and that of a number of Members on both sides of the aisle, is that it is fundamentally unfair, and it will be incredibly damaging to these families, especially when, going back to the beginning of the year, these same retirees lost not only their health benefits but also their life insurance.

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

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

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

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

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

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

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

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

The gentleman from Ohio (Mr. LATOURETTE) mentioned that he'd been in the Chair in previous years where, for 3 days we debated amendments to the Interior bill. Many of those amendments were amendments that I offered, some of which were uncomfortable to people on that side and on this side, earmark amendments or others. Yet, we did it for 3 days.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Madam Speaker, it's so sad because no new Member of this body in the last session or this session has ever seen an open rule. They're damaging bipartisanship in this body. It's sad.

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

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

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

There was no objection.

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

I yield back the balance of my time.

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

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

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

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

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

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

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

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

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

□ 1145

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

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

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

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

Strike the resolved clause and all that follows and insert the following:

Resolved, That immediately upon the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3170) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion

except one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and} has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. PERLMUTTER. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. SESSIONS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

H.R. 1442, by the yeas and nays;

H.R. 129, by the yeas and nays;

H.R. 2188, by the yeas and nays;

H.R. 409, by the yeas and nays;

ordering the previous question on H. Res. 644, by the yeas and nays;

adopting H. Res. 644, if ordered;

H. Res. 543, by the yeas and nays.

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

PROVIDING FOR SALE OF FEDERAL INTEREST IN SALT LAKE CITY LAND

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

The Clerk read the title of the bill.

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

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

[Roll No. 548]

YEAS—422

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
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)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)

Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—10

Coffman (CO)
Dingell
Eshoo
Gohmert
Johnson (GA)
Lucas
Oberstar
Pence
Schrader
Young (FL)

□ 1212

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.

Stated for:

Mr. COFFMAN of Colorado. Madam Speaker, on rollcall No. 548, I was unavoidably detained. Had I been present, I would have voted "yea."

Ms. ESHOO. Madam Speaker, I was not present during the rollcall vote No. 548 on July 16. I would have voted "yes."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 16, 2009.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Cathy Mitchell, Chief of the Elections Division of the California Secretary of State's office, indicating that, according to the unofficial returns of the Special Election held July 14, 2009, the Honorable Judy Chu was elected Representative to Congress for the Thirty-Second Congressional District, State of California.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER
(By Robert F. Reeves, Deputy Clerk).

Enclosure.

ELECTIONS DIVISION,
STATE OF CALIFORNIA,
Sacramento, CA, July 15, 2009.

Hon. LORRAINE C. MILLER,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR MS. MILLER: This is to advise you that the unofficial results of the Special Election held on Tuesday, July 14, 2009, for Representative in Congress from the Thirty-Second Congressional District of California, show that Judy Chu received 15,238 votes or 61.67% of the total number of votes cast for that office.

According to the unofficial results, Judy Chu has been elected as Representative in Congress from the Thirty-Second Congressional District of California.

To the best of the Secretary of State's knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by Los Angeles County, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

(For Cathy Mitchell, Chief,
Elections Division).

SWEARING IN OF THE HONORABLE JUDY CHU, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

Mr. STARK. Madam Speaker, I ask unanimous consent that the gentlewoman from California, the Honorable JUDY CHU, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no question has been raised with regard to her election.

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

There was no objection.

The SPEAKER. Will the Representative-elect and the members of the California delegation present themselves in the well. All Members will rise, and the Representative-elect will raise her right hand.

Ms. CHU appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 111th Congress.

□ 1215

WELCOMING THE HONORABLE JUDY CHU TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. The gentleman from California (Mr. STARK) is recognized for 1 minute.

Mr. STARK. Madam Speaker, as the dean of the California delegation, it is my duty and a deep pleasure to introduce the newest addition to our delegation, Dr. JUDY CHU. The election of Dr. CHU is groundbreaking—not only because she's a Renaissance woman—she taught psychology at East Los Angeles Community College—but also because she's the first Chinese American woman ever to serve in Congress.

Dr. CHU's impressive record as an elected official goes back over a few years. She was elected to the Garvey School District's Board in 1985. She's held the title of mayor, city councilwoman, State assemblywoman and chair of the Assembly appropriations committee, vice chair of the California State Board of Equalization, and now a Member of Congress.

The causes she has championed over the years are as varied and important as the offices she has served in. As chair of the Assembly appropriations committee, she ensured that programs benefiting students, people with disabilities, and the elderly were properly funded. Her effectiveness extended to the Assembly floor, building coalitions to pass legislation that enhanced protections for victims of domestic violence, strengthened hate crime laws, and brought much-needed improvements to public school facilities.

Her experience as a professor, public servant, and advocate for families and the less fortunate will make her an important voice in this Congress. I know she's ready to hit the ground running.

Please join me in welcoming Dr. Chu to the House of Representatives.

I yield to the gentlewoman from California (Ms. Chu).

Ms. CHU. Speaker PELOSI and fellow Members of the House of Representatives, I'm so honored and humbled to be here in this great hall of Congress. I'm especially honored to follow in the footsteps of my mentor, Secretary of Labor Hilda Solis, whose support and encouragement I truly cherish.

I am proud to have been elected by a district of people in California, in the San Gabriel Valley in Los Angeles, that is diverse, that is working class, and that cares deeply about its senior centers, parks, and community centers.

They are anxious to ensure that their kids will have a job when they graduate from college, that they don't have to fear getting sick, and that they can be secure in staying in their homes. I look forward to working with you and making sure that this happens.

I want to thank my supporters for believing in me so strongly. And they are up there. I want to thank my family, my nieces—my family especially. My husband, Mike Eng.

It is at times like this when I think about my grandfather, who came to this country with nothing. He worked hard and opened up a small Chinese restaurant and working night and day, day and night, and he used that very expensive labor—his sons—to make ends meet. And now, two generations later, here I am.

America is truly the land of opportunity. I thank you all very much.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath of office to the gentlewoman from California (Ms. CHU), the whole number of the House is 434.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

LOS PADRES FOREST LAND CONVEYANCE

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 129, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). 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. 129, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 549]

YEAS—422

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E.B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—11

Bachus
Clay
Hall (TX)
Lucas
Pence
Rush
Schrader
Sires
Titus
Velázquez
Young (FL)

□ 1229

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.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. WALDEN. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas the gentleman from Oregon, Mr. Walden submitted an amendment to the Committee on Rules to H.R. 3170, the Financial Services and General Government Appropriations Act;

Whereas the said gentleman's amendment would have protected the free speech rights of broadcasters and American citizens by prohibiting funds made available in the Act from being used to implement the Fairness Doctrine and certain broadcast localism regulations,

Whereas a similar amendment was adopted by the House in 2007 during consideration of H.R. 2829, the Financial Services and General Government Appropriations Act, 2008 by a vote of 309 yeas and 115 nays, and became law, but the Democratic leadership allowed the provision to expire;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process; but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for free speech on this Floor, and

Whereas the Speaker, Mrs. Pelosi, the Democratic leadership, and the chairman of the Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 644, the rule to accompany H.R. 3170, be amended to allow the gentleman from Oregon's amendment be considered and voted on in the Houses.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Oregon will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

JOINT VENTURES FOR BIRD HABITAT CONSERVATION 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. 2188, 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. 2188, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 33, as follows:

[Roll No. 550]

YEAS—400

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Hall (NY)
Hall (TX)
Hare
Harper
Hastings (FL)
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—33

Adler (NJ)
Barton (TX)
Bean
Burgess
Capps
Carter
Cole
Conaway
Crowley
Fallin
Foster
Granger
Gutierrez
Halvorson
Harman
Heinrich
Inslee
Israel
Kind
Kosmas
Lucas
McMahon
Moore (KS)
Murphy (NY)
Olson
Pence
Schrader
Schwartz
Serrano
Smith (TX)
Snyder
Thornberry
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining.

□ 1240

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.

Stated for:

Mrs. CAPPS. Madam Speaker, on rollcall No. 550, had I been present, I would have voted "yea."

Mr. MCMAHON. Madam Speaker, on rollcall No. 550, H.R. 2188, had I been present, I would have voted "yea."

Mr. ADLER of New Jersey. Madam Speaker, on rollcall No. 550, had I been present, I would have voted "yea."

Mrs. HALVORSON. Madam Speaker, on rollcall No. 550, had I been present, I would have voted "yea."

LAS VEGAS MOTOR SPEEDWAY 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. 409, 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 gentleman from California (Mr. BACA) that the House suspend the rules and pass the bill, H.R. 409, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 27, as follows:

[Roll No. 551]

YEAS—406

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E.B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)

King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
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 (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—27

Barton (TX)
Burgess
Carter
Conaway
Culberson
Granger
Gutierrez
Kennedy
LaTourette
Lucas
Maloney
McIntyre
Murphy (CT)
Olson
Olver
Pence
Posey
Price (GA)
Rodriguez
Rohrabacher
Schrader
Sestak
Simpson
Smith (TX)
Thornberry
Waxman
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1247

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.

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

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 644, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 200, not voting 6, as follows:

[Roll No. 552]

YEAS—227

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
Meek (FL)
Meeks (NY)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Obey
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—200

Aderholt
Akin
Alexander
Austria
Bachmann
Barrett (SC)
Bartlett
Barton (TX)
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Culberson
Dahlkemper
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Oberstar
Olson
Ortiz
Paul
Paulsen
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—6

Lucas
Pence
Price (GA)
Schrader
Sherman
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1254

Mr. ROYCE changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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. SESSIONS. Madam 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 216, nays 213, not voting 5, as follows:

[Roll No. 553]

YEAS—216

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kaptur
Kennedy
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Miller (NC)
Miller, George
Minnick
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Woolsey
Wu
Yarmuth

NAYS—213

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Culberson
Dahlkemper
Davis (AL)
Davis (KY)
Davis (TN)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Holden
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kanjorski
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Mollohan
Moran (KS)
Murphy, Tim
Murtha
Myrick
Neugebauer
Nunes
Nye
Oberstar
Olson
Paul
Paulsen
Perriello
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Putnam
Radanovich
Rahall
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—5

Lucas
Pence
Price (GA)
Schrader
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1305

Messrs. PETERS and DINGELL changed their vote from ''nay'' to ''yea.''

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.

PERSONAL EXPLANATION

Mr. PRICE of Georgia. Madam Speaker, on rollcall Nos. 552 and 553, I was inadvertently detained. Had I been present, I would have voted "nay" on rollcall Nos. 552 and 553.

PARLIAMENTARY INQUIRIES

Mr. WESTMORELAND. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state it.

Mr. WESTMORELAND. Was the last vote held open to change the outcome of the vote?

The SPEAKER pro tempore. The vote was open for the minimum duration under the rule.

Mr. WESTMORELAND. I'm sorry, the House was not in order, and I did not hear your answer. I'm sorry.

The SPEAKER pro tempore. The vote lasted for the minimum period required.

Mr. WESTMORELAND. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state it.

Mr. WESTMORELAND. Madam Speaker, I know that at times we hold the vote open to make sure that everyone has a chance to vote. In the last vote, approximately 24 more people voted than had voted in the previous vote 5 minutes earlier. So what was the reason for leaving the vote open when clearly the outcome was changed by the vote being held open and people changing their vote?

The SPEAKER pro tempore. The vote lasted for the required minimum period.

Mr. WESTMORELAND. What is that minimum time?

The SPEAKER pro tempore. That vote was a minimum 5-minute vote.

Mr. WESTMORELAND. That was a minimum 5-minute vote?

Further parliamentary inquiry, what is the max time?

The SPEAKER pro tempore. There is no maximum time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

SUPPORTING HOME SAFETY MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 543, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. HALVORSON) that the House suspend the rules and agree to the resolution, H. Res. 543.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 9, answered ''present'' 3, not voting 5, as follows:

[Roll No. 554]

YEAS—416

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
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)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—9

Blackburn
Flake
Kingston
Lee (NY)
Lummis
Paul
Rooney
Sensenbrenner
Shadegg

ANSWERED ''PRESENT''—3

Gohmert
Issa
Poe (TX)

NOT VOTING—5

Lucas
Pence
Rangel
Schrader
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1314

Mr. POE of Texas changed his vote from ''yea'' to ''present.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. GOHMERT. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. GOHMERT. Madam Speaker, we just voted on H. Res. 543. I voted present because I was confused. This indicates that we are designating June as Home Safety Month. By designating the month that just passed as Home Safety Month, would this be an ex post facto law that would be prohibited by the Constitution?

The SPEAKER pro tempore. The Chair cannot construe the measure.

Mr. GOHMERT. I understand it is confusing to you as well. But were we designating the month just passed as Home Safety Month?

The SPEAKER pro tempore. That is not a parliamentary inquiry.

Mr. GOHMERT. Well, I thought the question mark on the end might have helped it become one. But anyway, I understand it is confusing to the Chair, so I guess no answer is an answer.

The SPEAKER pro tempore. The Chair thanks the gentleman.

GENERAL LEAVE

Mr. SERRANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on H.R. 3170.

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

There was no objection.

□ 1315

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 644 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. 3170.

□ 1316

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. 3170) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes, with Mr. HASTINGS of Florida 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 New York (Mr. SERRANO) and the gentlewoman from Missouri (Mrs. EMERSON) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. SERRANO. Mr. Chairman, I yield myself such time as I may consume.

I am pleased to rise in support of the Financial Services and General Government 2010 appropriations bill, which includes total funding of $24.150 billion.

This is a bill that we worked on cooperatively with our ranking member, JO ANN EMERSON, and I want to thank her for her work that she has put into this bill, for her friendship and her all around goodwill. We had helpful input from our subcommittee members and a productive full committee markup where all members had an opportunity to offer amendments and to have them debated and considered.

This is a bill that we, as a Congress, can be proud of. The agencies that this

bill funds touch the lives of all of us, and the funding is directed to those programs where we believe the American people will derive the most benefit.

You have had a chance to look at the bill and report and to see the specifics of how the money for the 2010 fiscal year have been allocated so, in the interest of time, I'm not going to present a lot of detail regarding each program and agency. Instead, I would like to briefly highlight the five important themes that were addressed throughout this bill.

The first of these is rebuilding the regulatory agencies designed to protect investors, consumers and taxpayers. A significant increase of $76 million above 2009 is provided for the Securities and Exchange Commission. This is the agency that combats financial manipulation, fraud and deceptive practices. It has not been vigilant enough in executing these duties in the past few years. The increase provided will allow the SEC to hire approximately 140 new employees to strengthen their oversight capacity.

In addition, the Federal Trade Commission, which protects consumers in financial matters, will receive $33 million more than in 2009.

The Consumer Product Safety Commission, which plays an important safety role in our product decisions, will also receive increased funding.

Funding is strengthened for several of the Inspector General offices included in our bill that are charged with making sure that regulatory and financial agencies are doing what they're supposed to do.

With regard to the Troubled Assets Relief Program, TARP, the bill requires the Treasury Department to provide reports so that we know how Treasury is addressing those parts of the financial crisis over which it has been given oversight responsibilities.

A second major theme of the bill is to make sure capital and other assistance gets to small businesses and low-income communities, not just to large businesses and the wealthy. Funding increases are directed to the two key agencies which play important roles in this area. The Small Business Administration receives $236 million more than last year, and the Community Development Financial Institutions Fund receives $137 million more than in 2009.

Our third priority of supporting equitable and efficient administration of justice in the Federal courts is met by well-directed funding increases that allow our courts to keep up with the costs and growing workloads.

The fourth theme is to provide for fair and effective collection of taxes. Full funding is provided for the President's request for the IRS, which includes a substantial increase for tax enforcement to close the gap between taxes owed and taxes paid. We also help our taxpayers meet their responsibility by including resources for the IRS to provide assistance in person, over the phone, and on the IRS Web site.

Our final priority is to meet our obligations to the Nation's Capital City, Washington, D.C., by including payments to address high-priority needs. We reduce undue interference in local affairs by dropping numerous restrictions on the District that do not apply to other parts of the Nation. For example, we dropped the prohibition on use of local D.C. tax funds for abortion, thereby putting the District in the same position as the 50 States by leaving that decision up to the elected government of the District of Columbia.

Beyond these five priority areas, our bill touches the lives of Americans in other ways as well. For example, we assist American farmers by clarifying language from last year's bill regarding trade with Cuba and the requirement for payment of ''cash in advance.'' We also provide increased funding for Drug-Free Communities coalitions who work to reduce problems of youth drug abuse in their neighborhoods and communities.

Before I conclude, I would like to thank staff on both sides of the aisle who have made tremendous contributions to this process. All the staff, both majority and minority, have worked long hours with dedication, and I would like to extend my personal thanks.

So let me end by saying that I believe this is a good bill that merits your support. It directs funding to improve the services that our government agencies provide to our constituents as they invest their savings, purchase products, start small businesses and pay taxes. It addresses the needs of our courts and our Nation's Capital City. I would ask for your vote in favor of its passage.

I reserve the balance of my time.

Mrs. EMERSON. I yield myself such time as I may consume.

Mr. Chairman, since this is the first bill I'm managing on the floor as ranking member of the Financial Services Subcommittee, I'd like to say for the record how honored I am to have this position.

The economic challenges facing our Nation demand that the contents of the Financial Services Appropriations bill be deliberately laid out and carefully structured. The subcommittee has jurisdiction over a diverse group of agencies which regulate the financial and telecommunications industries, collect taxes and provide taxpayer assistance, support the operations of the White House, the Federal Judiciary, and the District of Columbia, manage Federal buildings and provide oversight of the Federal workforce.

I want to commend Chairman SERRANO for his efforts in crafting the bill. It has been a real privilege and pleasure to work with him. And while we don't always agree, he has been very open to concerns and issues raised by Members on our side of the aisle. I thank the chairman for his commitment to bipartisanship and for listening to the minority views.

I also want to thank the majority staff who worked on this bill, including the Clerk, David Reich, Bob Bonner, Karyn Kendall, Lee Price, Andria Oliver, Ed O'Kane, Alex Jobal and Nadine Berg. I also have to commend the members of the minority staff. John Martens, Alice Hogans, Dena Baron, and my staff, Justin Rone and Jeffrey Connor, who have all been extremely dedicated to putting the best possible product forward from the subcommittee. On both sides, these staff members worked very hard for the committee and the American people, and I appreciate their efforts.

While I've been pleased to have a wonderful working relationship this year with Chairman SERRANO, I am disappointed by the fact that we're not doing what our constituents have asked us to do, and that is to work together in a totally bipartisan way at the full committee level to make the lives of our constituents better.

For example, the rule for consideration of the bill limits debate to 17 amendments, and I believe that 97 were submitted to the Rules Committee. This rule, then, doesn't, the rule governing the debate here, did not display bipartisanship or regular order because we had colleagues who want today offer amendments about which they felt very strongly, saving taxpayer money by taking extra returned TARP money and putting it toward the deficit, people who felt very strongly about the D.C. public school systems, and the like. But it's troubling that they weren't able to offer their very substantive amendments, amendments which our constituents feel very strongly about.

I do urge my colleagues to support a process where every Member has the opportunity to have his or her voice heard on the floor of the House.

Now, let me turn to the bill before us today. The $24.15 billion allocation provided to the subcommittee is much too large. It's a 7 percent, or $1.6 billion increase above the current year, excluding stimulus funding. This allocation allows most agencies in the bill to be funded at or above the rate of inflation. I believe the resource requirements of the agencies funded in the bill can be met with a smaller allocation. Especially at a time when every household in America faces difficult budgetary choices, Congress must be diligent when spending the taxpayers' money. The Federal Government, in this bill, is growing at an incredible rate at a time when employers who I represent in the district have cut jobs, and when people are really hurting. They're making the tough choices, and we really should too, as an example to them.

The Congressional Budget Office concedes that, ''Under current law the Federal budget is on an unsustainable path—meaning that the Federal debt will continue to grow much faster than the economy over the long run.''

This bill primarily funds government agency operating accounts. It doesn't support programs or grants, and doesn't represent a commitment to fiscal sustainability. In short, this bill

provides a 7-percent increase which goes straight to the bureaucracy's bottom line. We're not making the tough decisions the American people feel we should consider at a crucial time for our Nation's economy.

The administration's own budget documents state that the Federal debt held by the public will be 68.5 percent of gross domestic product by 2014. This is the highest percentage of Federal debt to GDP since 1950, the year that I was born.

That said, using the allocation provided to him, Chairman SERRANO has done an outstanding job of crafting this bill. I'm grateful that the bill provides increases to critical programs such as the Financial Crimes Enforcement Network, the Treasury Terrorism and Financial Intelligence Programs, and Tax Preparation Assistance Grants.

I also support the proposed reduction in the ONDCP's media campaign in order to provide additional resources to the Drug-Free Communities program and the High Intensity Drug Trafficking Areas program.

I'm pleased the bill provides $74 million for D.C. education programs, including $42 million to D.C. public schools. My stepdaughter currently teaches in a District public school, and her reports, along with the Adequate Yearly Progress measurements, indicate dramatic improvements need to be made before every D.C. school is offering the opportunity that children in D.C. deserve.

In the meantime, this bill does not eliminate the Opportunity Scholarships program, but it does restrict the program to students already enrolled in it.

How can we limit educational opportunities for low-income students when we know the public school system is underperforming?

Regarding the General Services Administration, I am grateful that the chairman has included language directing a review of the GSA supply schedule. In just one example of the need for this review, the Department of Homeland Security has identified $42 million of savings over 5 years by no longer using the GSA to purchase office supplies. We want to try to improve the GSA supply procurement process so that this savings can be replicated throughout all government departments and agencies.

□ 1330

I also support the GSA construction and alteration projects funded in the bill. I don't usually have positive things to say about GSA construction and alteration accounts, but I will say that the chairman has done an excellent job in crafting the bill that funds justifiable projects.

I also want to thank the chairman for including language clarifying the congressional intent regarding the cash-in-advance policy in the sale of agricultural and medical supplies to Cuba. This clarification will help American producers expand their markets in a significant neighboring export market.

One area of the bill that I believe has received an excessive level of funding is payments under the Help America Vote Act. There is no question that we are obligated to provide for free and fair elections. It's a hallmark of our democracy, and we must always work to safeguard the electoral process. However, the administration justifiably proposed to cut this particular program to $50 million because the States aren't spending the funds that have been provided in the past years. The account contains a surplus of $186 million today. This bill needlessly adds $100 million to this underused account.

The Election Assistance Commission is waiting for the States to claim the 2008 and 2009 grant funds. Of the $115 million provided in fiscal year 2008, only $25 million has been claimed by the States. Of the fiscal year 2009 funds, $100 million, only $3 million has been paid to two States.

Another area of the bill that deeply concerns me is controversial changes to longstanding general provisions regarding the District of Columbia. I strongly oppose these changes. I do not believe that increasing the availability of abortions or medical marijuana will improve the quality of life in the District of Columbia.

As you see, Mr. Chairman, this bill is very controversial. Not only does the proposed bill spend more than $24 billion, but it proposed to change longstanding policies on which Members on both sides of the aisle have long agreed. This is why the bill should be considered in regular order.

We recognize that operating under an open rule is grueling, long, hard work, and we've done it that way for years and years, at least as long as I have been on this committee. At the same time, we believe that the responsible regular functioning of this institution is important, especially on spending measures that demand the full attention of the Congress because they have the full attention of the American people.

In conclusion, Mr. Chairman, while I have some reservations regarding this bill and I'm disappointed that it's not being debated so that all Members could be heard, I would again like to thank Chairman SERRANO for his openness and his friendship.

I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I would like to yield 3 minutes to the chairman of the full committee and the most famous Chicago Cubs fan in the Nation, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I think George will dispute that fact.

Mr. Chairman, this bill is a key part of efforts to restore the stability of, and public confidence in, America's financial institutions. For example, with the Securities and Exchange Commission, this bill strengthens its ability to enforce rules that govern investments and financial markets and detect and prosecute fraudulent schemes. Under the Federal Trade Commission allocation, it strengthens the FTC's capacity to protect consumers and combat anticompetitive behavior and prosecute unfair and deceptive practices in areas such as foreclosure and credit repair services.

With respect to the Treasury Inspector General, it provides $30 million to help the Inspector General perform mandated reviews in cases where bank failures or other circumstances caused losses for the deposit insurance fund. It also provides a substantial amount of funding, $387 million more than 2009, to target wealthy individuals and businesses who avoid U.S. taxes by parking money in overseas tax havens.

I think those are four good reasons to vote for the bill.

I also want to speak just for a moment to the LaTourette amendment. That amendment simply is an effort to try to find a way to give auto dealers across the country an opportunity to have a decent review process, a decent appeals process, given the fact that GM and Chrysler have set up their own arbitrary process to shut them down.

I would point out the majority of Members of this House are sponsors of similar legislation, and I would also suggest this. This Congress has provided $60 billion in funding to the auto industry. I think to suggest that somehow they have been abused because the Congress is trying to provide some efforts to help local auto dealers get a better understanding of what is happening to them is, in my view, off the point.

In addition to the $60 billion we provided those auto companies, we've also provided increased Federal purchases of automobiles to try to get rid of their backlog. We've provided the Cash for Clunkers provision which they wanted to see passed, and we provided $2 billion in research funding to help the auto industry develop new technology. I hardly think that they have been underprivileged in terms of their treatment by this Congress.

So I would simply say before people get too exercised about the LaTourette amendment, I don't think anybody expects that language to survive intact. What we do want is to see that language used as an opportunity to get the auto dealers and the auto companies to sit down and work out a better appeals process so that you don't have some significantly profitable auto dealers at the local level being unnecessarily put out of business. That means job losses in virtually every county in this district, and I don't think we have an obligation to support that.

Mrs. EMERSON. I now yield 3 minutes to a fellow subcommittee member and a very hardworking member from Texas (Mr. CULBERSON).

Mr. CULBERSON. I thank the gentlelady.

A wise friend, a local historian pointed out to me the city council makes decisions that can affect you for the next month, the next week, State legislatures make decisions that may affect you the next year, but the United States Congress makes decisions that will affect the next generation and for many years to come. And so we, all of us, take very seriously our obligation here to work together to find solutions to the problems that face the Nation, to protect what is great about America. And this committee has done so, all of us on the committee, regardless of our core principles, the districts we work for, represent, trying to find areas we can work together.

And I want to thank Chairman SERRANO, our full committee chairman, Mr. OBEY, for example, finding areas to work together with our superb ranking member, Mrs. EMERSON, to find common ground on important areas. I want to thank the chairman for accepting the amendment that Mr. LATOURETTE offered that we all support to protect car dealers from being arbitrarily shut down and enforcing State franchise laws, for accepting the amendment to get information from the White House on whether or not foreign combatants captured on foreign battlefields are actually being read Miranda rights.

I want to thank the committee chairman for agreeing as we work together to try to get the Supreme Court to open up their oral arguments to disclosure on the Internet.

But when it comes to the financial solvency and security of the Nation, there are profound differences of opinion between those of us who are fiscally conservative and the fiscally liberal majority. We, this week, saw the deficit exceed a trillion dollars for the first time on the same day that the majority laid out a government takeover of the health care industry, what would be the largest tax increase in the history of America, the week after the liberal majority passed the largest tax increase in the history of the country on energy. The energy tax that this majority passed will affect everyone in America and hammer the private sector unless you're Amish. I think the Amish are the only people that come out okay under that energy tax.

And don't forget this liberal majority is going to allow the Bush tax cuts to expire 12 months from this coming January 1. When you combine all of those things together, the New York Post points out today that in New York City the tax rate would get to about 58 percent.

So there is a profound difference in us as fiscal conservatives and the direction that the liberal, fiscally liberal majority is taking us.

I offered an amendment in committee, which the majority denied, that all money refunded by TARP recipients had to go to pay down the deficit. That amendment was rejected. We keep searching, as fiscally conservative Members in the minority, we keep searching for ways to keep money. Is there any cut that this liberal majority would accept? We haven't seen it yet. We've offered every cut we can imagine, from little ones to big ones. Nothing is accepted.

This Congress is spending more money in less time than any Congress in history. It's irresponsible. It's dangerous. This endangers the national security of the country, and there should be no more spending, no more debt, no new taxes.

Mr. SERRANO. Mr. Chairman, I would like to yield 2 minutes to the dean of the House, the gentleman from Michigan (Mr. DINGELL).

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, I begin by thanking my good friend from New York and the distinguished chairman of the full committee for their kindness and their graciousness in making this time available.

I have rarely voted against the rule and rarely voted against the previous question. I am very much troubled by what we see happening here today. I recognize the goodwill of the gentleman from New York and the gentleman from Wisconsin, but I would observe that we are playing with fire here.

My friend from Wisconsin mentioned billions of dollars we've made available to the auto industry. He's correct. We have. Now the question is do we, by what we are doing here with regard to the auto dealers, jeopardize those expenditures and jeopardize the well-being of our auto industry? That is what is at stake here.

This is a serious matter. If the auto industry goes down because we have taken sides in a quarrel between the auto industry and the dealers, we will have destroyed not only the dealers that complain but all of the other dealers and all of the people who work for the auto industry, who are associated with it, all of the suppliers. Frankly, we are playing with fire here.

I recognize that there is the intention to use this as a lever to help the dealers, and I applaud that. But I think that this is the wrong lever, the wrong time, and the wrong way to use this kind of lever.

The result of this playing with fire can be a serious disaster which we visit upon ourselves, upon the auto industry, upon all of those who are dependent upon it. And I would urge my colleagues in dealing with this to be exquisitely careful with this kind of exercise because it imposes upon all of us and upon the Nation an incredible level of danger which I hope will be avoided, and we are now putting ourselves in a position where all of the good that has been done to try and preserve this important auto industry is being put at risk.

Mr. Chair, it is with sadness and great dismay that I rise in opposition to H.R. 3170, the "Financial Services and General Government Appropriations Act of 2010." The bill's legislative language, which would force auto manufacturers that have received federal funding to reinstate terminated dealer franchises, has the grave potential to do significant harm to the already suffering national economy. Thanks to the timely intervention of the Administration and extraordinarily speedy bankruptcies, Chrysler and General Motors (GM) are once again on the path toward viability. Nevertheless, section 745 of this bill threatens to undo the delicately wrought restructurings achieved in bankruptcy court for both companies and could very well bring about their collapse. Should section 745 become law, I fear far more dealers, not to mention auto suppliers and other ancillary businesses, would be forced to close than would have otherwise under Chrysler's and GM's original dealer termination plans. Although I recognize that both companies, particularly Chrysler, did a poor job in achieving dealer rationalization, it remains my strong preference to resolve this matter outside of statute. I urge my colleagues to take heed of this warning.

Mrs. EMERSON. I now yield 2 minutes to the gentleman from Ohio (Mr. LATOURETTE)

(Mr. LATOURETTE asked and was given permission to revise and extend his remarks.)

Mr. LATOURETTE. I thank the gentlewoman for yielding.

Mr. Chairman, I have nothing but the highest regard for the dean of the House. As a matter of fact, when I was elected in 1994, my mentor, Ralph Regula, said, When you grow up, you need to be like JOHN DINGELL.

And in this particular instance, however, I thought I was going to disagree with his remarks, but I couldn't agree with him more. And I would assure him, as the author of the amendment in this bill and also from observing Mr. MAFFEI and the majority leader as they move legislation in a different path, that everybody understands the gravity of this situation. But without exerting this lever, we're going to have a crisis in this country, and an economic recovery will not be possible if we continue to throw people out of work.

The use of expedited bankruptcy proceedings by the automotive task force in connection with the two car companies has caused the extinguishment of State franchise laws and rights that have affected all of the dealers that are listed on this chart: 789 for Chrysler, 2,600 for General Motors. About 60 people work at each dealership. This stroke of the pen, this saying that this is the way we're going to go to get General Motors and Chrysler out of trouble on top of the $60 billion that Mr. OBEY talked about is going to throw over 200,000 people out of work.

I am grateful to the chairman of the full committee, Mr. OBEY, and the chairman of the subcommittee, Mr. SERRANO, for accepting this amendment and also going to the Rules Committee and protecting it from potential point of order.

And the proof is in the pudding on the car companies. The car companies

submitted reorganization plans on February 17 that didn't contemplate the closing of as many plants, the firing of as many people, nor the closing of the dealerships. The auto task force, according to testimony by Mr. Bloom, the new head of the task force, before the Senate said they pushed back. The task force said to the car companies, you're not being aggressive enough because you haven't closed enough plants, you're not being aggressive enough because you haven't fired enough people, you're not being aggressive enough because you haven't closed enough dealerships, and so now we're left with what we're left with.

As a result, if the crocodile tears that we now hear from Detroit are to be believed, if they really thought this was the way to go, to close down people that are making money for them and don't cost them any money, they would have, on February 17, said, This is our plan. They didn't do it until May, and as a result, 200,000 people are going to lose their job.

□ 1345

Mr. SERRANO. I yield 3 minutes to the gentleman from Maryland (Mr. SARBANES) for the purpose of a colloquy.

Mr. SARBANES. I want to thank the chairman for his leadership, Chairman Serrano, on this bill, for giving me the opportunity to speak on an important issue impacting my district.

The District of Columbia operates a juvenile detention facility named New Beginnings in Anne Arundel County, Maryland, which is in my district. Since its opening this May, there have been two separate instances of escapes by juveniles housed at the facility. In the last instance, six juveniles escaped without any notification to the county in which the facility is located. From all accounts, these escapes occurred through easily breached doors and windows. Both of these episodes have raised troubling questions about the level of oversight and security at the facility.

Applicable District of Columbia law requires: ''Developing and maintaining a system with other governmental and private agencies to identify, locate, and retrieve youth who are under the care, custody, or supervision of the department, who have absconded.'' Unfortunately, these and other standards relating to the security at the facility have not received adequate attention from District of Columbia authorities.

I'd like to yield to the majority leader who I know has a perspective on this.

Mr. HOYER. I would like to echo the remarks of my colleague, Mr. SARBANES.

Prior to opening New Beginnings, the District of Columbia operated another juvenile detention facility, Oak Hill, at the same location. I represented that area of our State for some period of time. This facility was plagued with a history of escapes, and Oak Hill officials routinely, in my opinion, failed to notify area officials and local law enforcement when that occurred. In 2002, I facilitated an agreement signed by the D.C. Human Services Department obligating them to contact local police and communities in the vicinity about Oak Hill escapees.

Although that facility has now been replaced, I am dismayed that the District has failed to comply with the spirit of that agreement and, as Mr. SARBANES points out, applicable D.C. law. I join with my colleague in urging the subcommittee to continue to work with the District of Columbia to ensure, first, that every effort to prevent future escape is undertaken and, second, that the local community, including law enforcement, be notified should an escape occur.

Mr. SARBANES. I want to thank Chairman Serrano for the opportunity to speak about this important issue; and as we move forward with this legislation, I hope we can work together with the District of Columbia to make sure that we can protect the surrounding community.

I yield to the gentleman from New York.

Mr. SERRANO. I can certainly appreciate the gentleman from Maryland's frustrations, and he raises an important issue. I will work with the gentleman to ensure that the District of Columbia reviews security procedures at the New Beginning youth facility and works cooperatively with local leaders in the State of Maryland.

Mr. SARBANES. Thank you.

Mrs. EMERSON. I now yield 3 minutes to a member of our subcommittee, Mr. CRENSHAW from Florida.

Mr. CRENSHAW. Let me just say, as we stand here debating this bill, there are a lot of people in our country that are hurting because of some particular acts that have taken place, and one of the things this subcommittee is tasked with doing is to make sure the regulatory agencies that could prevent situations like this actually have the proper amount of funding and the oversight to protect American lives in the future.

A lot of you all have heard me say from time to time that the number one responsibility of the Federal Government is to protect American lives, and usually when I say that I am talking about national security. I'm talking about funding for our men and women in uniform.

But today, I rise to talk about two agencies under this bill which are aimed to protect American lives by protecting their health and their financial security: the Consumer Product Safety Commission and the Securities and Exchange Commission.

During the housing boom in Florida, a lot of American drywall producers couldn't keep up with the pace and the demand for drywall for the new homes. So they began to import drywall from overseas locations, including China. However, unbeknownst to the contractors and to the families who were buying their dream homes, this drywall was contaminated. Some say the Chinese used byproducts from coal plants. Some say it was from overseas shippings.

The end result has been catastrophic. Families have had to flee their homes that smell like rotten eggs, and worst of all, these homes have put their families' health at risk. These contaminants have caused nose bleeds, headaches, asthma attacks, among other things. American families soon realized that their American Dream had turned into an American nightmare.

So how could this have been prevented? Well, my colleagues and I on the subcommittee have asked that since the U.S. Consumer Product Safety Commission is charged with protecting the public from products like this, how did it go undetected? All I know is this legislation is aimed to end an episode like that and make sure it doesn't happen again. There's more money, more regulation, more oversight to end this.

The other tragedy that's taken place this year has devastated the financial security of a lot of our citizens. Last year, a guy named Bernie Madoff admitted that he had created an elaborate Ponzi scheme from the legitimate investments of hardworking Americans. Instead of investing the funds, he would simply deposit the money in his own bank account, and cover this up by masking foreign transfers and filing false SEC reports. Again, how did this happen? How did the SEC not catch this tremendous and egregious highway robbery? Well, the good news is this bill contains additional funds for the SEC to try to help them do a better job of making sure this doesn't happen again.

Now, I would have written this bill differently had I been in charge. I think there are a lot of flaws in the bill, but I think as members of this subcommittee we do have a responsibility to try to protect the health and the financial security of our American citizens.

Mr. SERRANO. I'd like to yield 2 minutes now to a gentlewoman who, notwithstanding some of the things you see happening on this House floor, is really the only Representative from Washington, D.C., Ms. NORTON.

Ms. NORTON. I thank the gentleman for yielding. I thank the gentleman, the ranking member and the committee for bringing this bill forward, especially Chairman SERRANO for consistently showing respect for our citizenship as American citizens by not interfering with local governance and trying to keep others from doing so.

Mr. Chairman, it's very painful for a Member to have to come to the Congress to ask that you vote for her local budget. It's particularly painful when that Member doesn't even have a vote herself on her own local budget. Yet some Members are quick to step up with amendments of their own on a

budget they had nothing to do with raising, as if District of Columbia were just another Federal appropriation.

One Member, I regret to say, came forward with some misinformation which the Rules Committee and I had to correct this morning that somehow we wanted Federal funds to be used for abortion. Nonsense. We have never asked for Federal funds for abortion services in the District of Columbia, only for use of local funds. We have never asked for anything except equality with other jurisdictions and other American citizens.

All residents ask is that you respect the Home Rule Act. Congress had no intention that our local budget would be treated any differently. These are our funds, local funds, not Federal funds. It is very difficult for Congress, and Congress does not, in fact, change the local budget because Congress doesn't know anything about it. The presence of the D.C. budget here becomes a basis for a small minority to use us for their own purposes, to try to impose on us their own choices.

You can't endorse local control as a founding principle for everybody except the residents of your Nation's Capital. The Founders never made exceptions. I ask you to vote for this appropriation and in doing so, to remember, we demand not to be relegated to second-class citizenship because of our treatment in this process and on this floor.

And I thank you, Mr. Chairman, for all you have done for this appropriation.

Mrs. EMERSON. I now yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. The bill before us today will open up the funding spigot for abortions in the District of Columbia. The Dornan amendment has, for years, helped to reduce abortions in D.C. Recently, there has been a lot of talk about abortion reduction, and the one thing that everyone seems to agree on is that public funding for abortion increases the number of lives lost to abortion. Even the Guttmacher Institute has found that significantly more women choose abortion when the government subsidizes it. Unfortunately, the bill before us today will only serve to increase abortion.

The District of Columbia has a sordid history with abortion funding. In 1994, when the funding ban was lifted, D.C. took $1 million away from the Medical Charities Fund which was created to help AIDS patients to instead pay for abortions. And the District had to request additional funds to make up for the funds used on abortion. Then, when the funding ban was reinstated, the city disregarded the law and continued to fund abortion for two additional years.

The bill will again open the door for D.C. to abuse taxpayer dollars to expand abortion, and it completely disregards the views of the majority of Americans who do not support public funding for abortion.

The bill thrusts upon hardworking taxpayers the values of the Washington elite. Nearly 180 Members of this House, both Republicans and Democrats, made a simple and reasonable request: maintain existing pro-life policies in appropriations bills; and if you don't, allow us the opportunity to vote up or down.

Yesterday, the Rules Committee unilaterally acted to deny Members and, consequently, the constituents they represent, the opportunity even to vote on whether this bill should be used to expand public funding for abortion. Such actions are an offense to the democratic process, to the American taxpayers, and to the sanctity of human life.

I urge my colleagues to oppose the bill.

Mr. SERRANO. I'd like to yield 2 minutes to the gentleman from Texas (Mr. EDWARDS) who by the way was the strongest leading voice in having us put language in this bill that says that any TARP money has to be explained to the Congress on its use and all kinds of reports come back to Congress.

Mr. EDWARDS of Texas. Mr. Chairman, I'd like to thank Chairman SERRANO for his kind comments and for his leadership for including two key provisions in this bill I strongly supported.

First, this bill holds the U.S. Treasury Department accountable for how it invests taxpayer funds under the TARP program. Language included in the bill at my request mirrors my bill, H.R. 2832, which directs the Treasury Secretary to report back to Congress by December of this year on their plans to repay taxpayers the money they have invested in the TARP program. The language also requires the Treasury to submit to Congress the estimates, the likely gains and losses, from those investments.

Our efforts to shore up the financial system must be accompanied by greater accountability and strict oversight to ensure taxpayer dollars are being spent wisely and effectively. The American taxpayers have a right to know how their tax dollars are being invested and when they will be repaid.

Second, the bill adds $92 million to the budget of the SEC and for the first time specifies that $4.4 million of SEC funding should be used by the Office of Inspector General, increasing their staff by 140 investigators, lawyers and analysts to investigate and prosecute corporate crime. The Americans want greedy Wall Street criminals who helped cause this recession investigated and punished for their crimes. By increasing enforcement at the SEC, we will send a strong message that if you rob innocent investors of their retirement and college savings you will spend the rest of your life sharing a prison cell with criminals like Bernie Madoff.

I thank Chairman SERRANO for including these two important provisions in this legislation and urge the bill's passage.

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

Mr. SERRANO. I yield 2 minutes to the gentlewoman from California (Ms. LEE) and also wish her, on behalf of the House, a happy birthday.

Ms. LEE of California. Thank you, Mr. Chairman. Let me thank the chairman for his well wishes. They come every 6 months now I think, but thank you so much.

Let me rise in strong support of H.R. 3170 and just say to the chairman, this is my first year on this subcommittee, but it's an honor to serve with you and such great leaders.

□ 1400

I want to thank Chairman SERRANO and Ranking Member EMERSON for their very hard work on this bill in a bipartisan fashion. You've worked together during very difficult times for our economy and, of course, for this appropriation.

This bill begins the work of rebuilding the regulatory and oversight framework of the Federal Government, restoring home rule to the District of Columbia, and safeguarding consumers by reinvigorating the Consumer Products Safety Commission.

By investing in the Securities and Exchange Commission, the Federal Trade Commission, the Consumer Products Safety Commission, the IRS, and other vital agencies, we can bring back a fair and honest marketplace that is safe for consumers and investors alike.

We need strong regulators to enforce our Nation's financial regulations. This will ensure the stable operation of our capital markets, help stabilize the economy, and bring an end to this unregulated financial environment during the Bush administration, which has created havoc in the lives of millions.

The chairman has also taken great strides in restoring home rule to the residents of the District of Columbia. As Chairman SERRANO has said, we were elected to represent our home districts, not elected to represent the District of Columbia, nor are we members of the D.C. City Council.

The people of the District of Columbia should have the ability to make the same decisions as other communities and cities which make these decisions for themselves. They should not be subject to the ideological whims of Members who wish to advance personal agendas on the back of D.C. residents.

These are Americans. They deserve to be treated fairly—just like we'd want our constituents to be treated.

I also want to thank the chairman for clarifying the definition of cash in advance for agricultural and medical equipment payments from Cuba.

The CHAIR. The time of the gentlewoman has expired.

Mr. SERRANO. I yield the gentlewoman 30 additional seconds.

Ms. LEE of California. Let me just say that United States companies should be able to benefit from profits

and create jobs, which is the bottom line, during this recession as a result of these business opportunities. So this provision is very important for our economic recovery.

So I look forward to working with the chairman and the subcommittee to ensure that the Treasury Department prioritizes real terrorist threats to our national security and does not waste vital agency resources—our tax dollars—on Americans who want to travel to the Caribbean.

Mrs. EMERSON. I continue to reserve the balance of my time.

Mr. SERRANO. I yield 1 minute to my friend and leader, the majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank my friend for yielding and I congratulate him on his leadership of this committee and say how pleased I am that my good friend, JO ANN EMERSON, is the ranking Republican on this committee. I thank her for her leadership—one of the very constructive Members of this body.

This subcommittee is a special subcommittee to me because I had the great honor of serving on this subcommittee for 23 years. I chaired this subcommittee for 2 years and then served as the ranking member when we had the hostile takeover of the institution by the other side, and they became the chair and I became the ranking member. So I have served on this committee for some time.

I rise today because I normally would have weighed in with the chairman and with the ranking member on the issue of pay for civilian employees. As a matter of fact, I had the opportunity to discuss with the chairman the provisions for pay in this bill.

The administration and I had a discussion some months ago with reference to their recommendation on civilian and military pay. I indicated to him that we are in a very unique situation in America today. We've lost millions of jobs, millions of people are concerned about losing their jobs, and I therefore perceived it as a relatively unique situation where Federal employees understood that there would be constraints that were not necessarily present in other years.

Federal employees are already constrained by the ECI, the Economic Cost Index, wage index, in the country. If people across the country don't get raises, they don't get raises.

However, for the 28 years that I have served in this body, there have only been 4 years where there has not been pay parity between the military pay cost-of-living adjustment and the civilian cost-of-living adjustment.

In 1985, the military received half a point more than the civilians. In 1994 and 1995, the civilians received in 1994, 1.7 percent more than the military and, in 1995, fourth-tenths of a point more than the military. In 2002, the military received 2.2 more.

Both the military and the civilian employees obviously perform great services for our country. I think there was a sense by the military and civilians that parity between the two made sense, and in fact the Congress, as you see in 24 of those 28 years, has followed that policy.

The chairman, in consultation with me, because I don't want the burden to be on him or the committee, and in discussion with those of us who represent a large number of Federal employees, concluded because of the uniqueness of our economic situation that agreeing to this lack of parity—not supporting it, but agreeing to it—that may be, for some, a distinction without a difference, but it is, I think, a distinction.

However, because of my concern and my discussions with Mr. Orszag in February or March, I went back to Mr. Orszag—and I want to read into and submit for the RECORD a letter dated July 9, 2009.

It says, ''Thank you for your June 24, 2009, letter regarding pay parity for Federal civilian employees and nonmilitary in noncombat zones.''

Now, the reason he references noncombat zones is because I think there is an appropriateness in the hazardous duty pay, whether they be military or civilian. We put people in harm's way and we put them at risk, and giving them greater compensation makes a lot of sense. I suggested this to the Armed Services Committee. That's not what we did here, but I will go on.

''Given the exceptional circumstances surrounding the economic downturn, the administration did not include equal pay increases for civilian and military pay personnel in its fiscal year 2010 budget submissions. Nonetheless, the administration shares your commitment''—and, really, the commitment of all of us in this Congress who, for 24 out of 28 years, has fought for and affected pay parity as the policy of this Congress—''nonetheless, the administration shares your commitment to a strong civil service that can attract the talent we need to deliver the high level of performance the American people deserve from their government.''

This is the important sentence. I made it known to Mr. SERRANO. I did not go over this with Mrs. EMERSON. But, it says this, ''The administration is therefore committed in future years to the principle of pay parity between the annual pay increase for the Federal civilian workforce and members of the Armed Service serving in nonhazardous locations.'' Again, this is not about hazardous duty pay for people in harm's way. ''Thank you for your efforts on behalf of Federal employees,'' et cetera.

I rise simply to note that on behalf of the Federal employees I represent, the Federal employee representatives with whom I have had extended discussions, the Senate has taken action in their subcommittee. They did not effect pay parity either, although they effected a greater increase than is included in this bill.

Between now and the conference committee, I intend to be working with Mr. SERRANO and Mrs. EMERSON on what policy we believe to be appropriate, given the economic circumstances that confront all Americans.

Federal employees have the benefit of having stable, secure jobs. They very much appreciate that. They understand that they don't want their fellow citizens to be in distress and without them being cognizant of that distress and appreciation for the economic situation it puts us in.

So I thank the chairman, I thank the ranking member for their concern and their focus, and I look forward to working with him on this issue as they proceed through the process and we go to conference.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, July 9, 2009.

Hon. STENY H. HOYER,
Majority Leader, House of Representatives, Washington, DC.

DEAR MR. MAJORITY LEADER: Thank you for your June 24, 2009, letter regarding pay parity for Federal civilian employees and military personnel serving in non-combat zones.

Given the exceptional circumstances surrounding the economic downturn, the Administration did not include equal pay increases for civilian and military personnel in its Fiscal Year 2010 budget submission. Nonetheless, the Administration shares your commitment to a strong civil service that can attract the talent we need to deliver the high level of performance the American people deserve from their government. The Administration is therefore committed in future years to the principle of pay parity between the annual pay increase for the Federal civilian workforce and members of the armed services serving in non-hazardous locations.

Thank you for your efforts on behalf of Federal employees. We look forward to continue working with you in the future.

Sincerely,

PETER R. ORSZAG,
Director.

Mrs. EMERSON. I now yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentlelady for yielding. I come to the floor and I rise in opposition to this bill. I do so for a number of reasons, but the reason I take this opportunity to express that is, the longstanding policy that blocked the compulsion that was delivered to American taxpayers to fund abortions through the District of Columbia has been dropped from this bill, and it was refused to be allowed as an amendment here to the floor. So the constituents of America will not know how their Member would vote and where their Member stands on compelling public funds to be used for abortions in the District of Columbia.

We've gone through this debate here before. This debate has gone on back and forth, but it was established back in the early nineties. The process of funding public abortions in D.C. were established in the early nineties, and

that was rolled back, and still the District of Columbia violated Federal law for 2 years and continued to fund abortions.

Now, here's the image that I have in my mind. Two of them. One of them is to compel anyone who has a moral objection to funding abortions is wrong. The second thing is the memory of the vote on the Mexico City Policy. When we lost that as a pro-life coalition here in Congress, I saw people over on that side of the aisle jumping up and down, hugging, clapping, and cheering. And why? Because we were going to compel taxpayers to fund abortions in foreign lands.

How could anyone be that delighted about such a policy? But I think it was because those who were cheering and clapping and hugging believe they had landed a blow against the convictions of the people who they could just consider be wearing a different jersey on the other side of the aisle.

It is bigger than this, it's deeper than this. This is life. This is unborn, innocent human life that doesn't have a voice here on this floor. If we could hear their scream for mercy, we would at least hear the Tiahrt amendment and have a real debate here on the floor, as we would have had in any of the two previous centuries this United States Congress has operated under open rules.

I oppose the bill and I advocate for open rules.

Mr. SERRANO. I yield 1 minute to my friend and colleague from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the chairman and my friend. Mr. Chairman, why Tuesday? Why do we have Federal elections on Tuesday? My guess is that most Members of this House of Representatives don't know the answer to that question, and the answer is: There is no good answer for our voting on Tuesday.

There is good reason to change voting from Tuesday to weekends. One out of four people say they don't vote in Federal elections because the weekday is too busy for them. They're balancing their jobs and their schedules and their kids.

I've introduced the Weekend Voting Act, which would move Federal elections from Tuesdays to weekends. And I want to thank the chairman of this subcommittee for including language that I had proposed in this bill directing the GAO to conduct a study on the cost-benefit analysis of weekend voting.

That study is going to answer the question: Why Tuesday? But, more importantly, it's going to answer the question: Why not weekends, and lead to the empowerment of the American people.

We ought to make it easier for people to vote, not harder.

Mrs. EMERSON. I now yield 2 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend for yielding. Mr. Chairman, for almost two decades, Congress has banned the use of taxpayer funds for abortion in the District of Columbia except in the exceedingly rare and tragic cases of rape, incest, or the life of the mother.

President Obama tells us he wants to reduce abortion. Well, one of the most effective and proven ways to reduce abortion is not to fund it. The evidence is compelling. And, frankly, it's logical.

The research arm of Planned Parenthood, an organization that itself every year performs over 305,000 abortions in its own clinics—a staggering loss of children's lives—their research arm, the Guttmacher Institute, has made it absolutely clear that when taxpayer funding is not available, between 20 and 35 percent of Medicaid abortions that would have been procured simply don't occur and that these children go on to be born.

Today, there are thousands of children in the District of Columbia and millions throughout the country who live, attend schools, have boyfriends and girlfriends, get married and have their own kids—dream and hope because taxpayer subsidies didn't effectuate their demise.

Pursuant to the Constitution of the United States, Congress has the authority and, I would respectfully submit, the obligation and duty, especially from a human rights perspective, to set policy as it relates to how funds are used in either protecting or destroying children. We should not be subsidizing the killing of unborn children.

By definition, abortion is infant mortality. Ultrasound technology, the rise of prenatal medicine has shattered the myth that unborn children are somehow not human, nor alive.

Dr. Alveda King, Mr. Chairman, niece of the late Dr. Martin Luther King, had two abortions. She now leads an organization known as the Silent No More Campaign, made up exclusively of women who have had abortions.

The CHAIR. The time of the gentleman has expired.

Mrs. EMERSON. I yield the gentleman 1 additional minute.

□ 1415

Mr. SMITH of New Jersey. She has made it very clear that, after every abortion, one baby dies—two if they're twins—and the woman is wounded.

The intermediate and long-term psychological damage and physical damage to women is underreported and underappreciated, but as she and so many others have pointed out, it is real and frightening. Dr. King has said, How can the dream survive? She was talking about her late uncle, the late Dr. Martin Luther King. How can the dream survive—these are her words—if we murder children?

Abortion methods, Mr. Chairman, are gruesome. The cheap sophistry of choice, the euphemisms that are cynically employed to cloak it, can't mask a dismemberment abortion that hacks a child to death and can't mask poison shots that chemically burn and kill an unborn child. Abortion is infant mortality. We should not be funding it. There will be children who will die if this legislation becomes law simply because the subsidies are there to effectuate their deaths.

I hope Members will vote ''no'' on the bill.

Mr. SERRANO. Could I inquire as to how much time is available?

The CHAIR. The gentleman from New York has 8½ minutes available, and the gentlewoman from Missouri has 5½ minutes available.

Mr. SERRANO. Mr. Chairman, I would like to yield 2 minutes for a colloquy to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I commend the Chair of this subcommittee for producing a good bill, and I seek to enter into a colloquy with him about the importance of making voting systems auditable and about conducting audits of electronic election results.

Voting is the foundation of our democracy. It is the right through which we preserve all other rights. Anything of value should be auditable, especially our votes. That's why it is so important that States using paperless systems have all of the funding they need to convert to paper ballot voting systems before the next general election and that all States have the funding they need to conduct audits of the electronic tallies.

I would yield at this moment back to the chairman.

Mr. SERRANO. I agree with the gentleman about the importance of protecting the integrity of the vote count. I was pleased to incorporate HAVA funding in the bill and language in the committee report stressing the importance of gathering information on voting system malfunctions, of making official paper ballots more accessible, and of verifying election results. I hope jurisdictions will use these funds to deploy the most accessible paper ballot voting systems and will audit their election results to ensure the integrity of our democracy.

Mr. HOLT. I thank the gentleman very much.

We have a recent compelling example of how important this is. We have the resolution of the Senate race in Minnesota. If the only information available were an electronic tally, one candidate would have been presumed the winner without recourse, but because a bipartisan canvassing board was able to inspect and recount actual voter-marked ballots, they were able to determine that the other candidate actually won. Software electronic counts alone cannot be relied upon to ensure that the intent of the voters will be honored.

In 2010, seven entire States and counties in a dozen others will not be able to verify independently the electronic tallies in their elections unless they use their HAVA funds to deploy accessible paper ballot voting systems. We

have not succeeded yet in establishing a national standard.

The CHAIR. The time of the gentleman has expired.

Mr. SERRANO. I yield the gentleman another 30 seconds.

Mr. HOLT. However, I urge every jurisdiction in the country that has changed their voting system in the last several years to move to an accessible paper ballot system.

I thank the gentleman very much for his support.

Mr. SERRANO. The gentleman is most welcome, and I look forward to working with him to make sure all States have the funding they need to implement these critical election protection measures.

Mr. Chairman, I reserve the balance of my time

Mrs. EMERSON. At this time, Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentlelady for recognizing me again during the course of this debate.

Mr. Chairman, one of the sad consequences of bringing appropriations bills to the floor under a closed rule or under a structured rule is that you leave so many Members on both sides of the aisle between the devil and the deep blue sea. Sadly, we have that in this particular bill.

Mr. Chairman, you would have seen during the rule vote that it was a close vote, and thanks to some great work by orthopaedic surgeons in its last 30 seconds, the provision was able to survive.

I would suggest that it is not a mystery to those of us in this House that the people who voted ''no'' on the rule, many of them—both Republicans and Democrats, and I think the last time I saw the scoreboard it was 33 Democrats—weren't voting ''no'' against their leadership and the rule that they'd brought forward. They were voting ''no'' because the rule did not permit a discussion on an amendment by Mr. TIAHRT or by anybody else relative to the use of taxpayer funds for abortions in the District of Columbia. That's why they voted ''no.''

Likewise, we have discussed—Mr. OBEY has discussed, Mr. DINGELL has discussed, and I have discussed—the fact that Mr. SERRANO and Mr. OBEY were very gracious to accept an amendment that I offered that deals with the 200,000 people in this country who are about to lose their jobs, who work at auto dealerships across the country.

You know, for 14 years—just as an aside, Mr. Chairman—I chafed at the fact that appropriators were legislating on authorization bills, but now that I'm one of them, I love it. I think it's a wonderful process, and I hope it continues.

Having said that, as for the vote that Members are going to take in a couple of hours, nobody is going to know where they stand on the car dealers, and nobody is going to know where they stand on the issue of abortion. If you vote ''yes'' on the bill, you can call up and say, Hey, I was with you auto dealers. Yet the people who don't think that taxpayer funds should be used for abortion are going to be concerned about that vote. If you vote ''no'' on the bill, you are not going to have any difficulty with the people who don't think taxpayers' funds should be used for abortions, but your auto dealers would be right to be mad at you. These need to be open ruled.

The CHAIR. The time of the gentleman has expired.

Mrs. EMERSON. I yield the gentleman an additional 30 seconds.

Mr. LATOURETTE. The fact of the matter is we have to have some clarity. The people who send us here to Washington deserve to know where we stand on these issues. For every year that these appropriations bills had come to the floor when we were in the majority, we hadn't liked some of the amendments. I can remember being where the Chair is today. I sat in that chair for 3 days on an Interior Appropriations bill, and I let every Democrat and every Republican who wanted to say something come down and strike the last word or offer an amendment. At the end of the day, the will of the House prevailed. This rule and the way this debate is being conducted, the rule of the House is not being adhered to.

Mr. SERRANO. Mr. Chairman, I would like to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), a member of the subcommittee and one of our great leaders.

Ms. DELAURO. Mr. Chairman, this is a strong bill, a bill that aims to bring much needed stability and confidence to our financial system and assistance to our small businesses.

The bill provides critical funding to the Securities and Exchange Commission to help it strengthen the regulation of our financial markets and to the Federal Trade Commission to enhance its ability to protect consumers. It ensures further oversight of TARP. It requires Treasury reports that will notify Congress of steps taken to implement oversight recommendations. To help small businesses weather the current economic storm, the bill supports $848 million for the SBA, including $25 million in new microlending and $10 million in microloan technical assistance.

In 2008 alone, SBA's intermediary microlenders made more than 5,000 loans, totaling more than $60 million, to entrepreneurs who were unable to secure the credit that they needed from conventional lenders. This bill also includes significant funding for IRS tax enforcement to support the administration's efforts to combat tax haven abuse.

I have worked to ensure that the bill includes a provision which prevents Federal contracts from going to domestic corporations that incorporate in tax havens to avoid meeting their tax obligations.

The bill also eliminates Bush-era restrictions that hamper the ability of U.S. companies to export agriculture goods to Cuba. In this economic climate, we should be opening and not irrationally closing markets for American products.

In recent years, many of our regulatory agencies have neglected their responsibilities to protect consumers, taxpayers and investors. This bill takes strong steps to reverse that disregard while making critical investments in programs that help small businesses, the lifeblood of our economy, succeed.

I urge my colleagues to support the passage of this important piece of legislation.

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

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON) for the purposes of a colloquy.

Mr. SKELTON. Mr. Chairman, I intended to offer an amendment to provide funding for the Harry S. Truman Scholarship Foundation in the amount of $660,000. I decided not to offer that amendment today, but I wish to engage the chairman of the subcommittee in a colloquy regarding the importance of this foundation.

Mr. Chairman, I believe that it is in the best interest of our Nation to ensure that the leaders of tomorrow have access to the best educational opportunities available. For that reason, I have long been associated with the Harry S. Truman Scholarship Foundation, which awards scholarships for college students to attend graduate school in preparation for careers in government or elsewhere in public service.

The Truman Scholarship Foundation was established by Congress in 1975 as the Federal memorial to our 33rd President, Harry S. Truman. The foundation has been operating from the original appropriation and the interest from that amount since 1977; but as the cost of college has increased over the years, the foundation's assets have not grown accordingly to meet the needs of the students it serves.

So, Mr. Chairman of the subcommittee, Mr. SERRANO, I ask your assurance that you will seek to include funding for the Truman Foundation in conference with the other body.

Mr. SERRANO. Will the gentleman yield?

Mr. SKELTON. I yield.

Mr. SERRANO. I thank the gentleman for bringing this to my attention, and I will assure him that I will do my best to work with my Senate colleagues in conference.

Mr. SKELTON. I certainly thank the gentleman, and I thank you for this opportunity to raise the issue on the floor.

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

Mrs. EMERSON. Mr. Chairman, I would like to thank the chairman again for his graciousness and for his openness in working with me and with

the rest of the subcommittee on the minority side, and I look forward to continuing that relationship.

I yield back the balance of my time.

Mr. SERRANO. How much time do I have left, Mr. Chairman?

The CHAIR. The gentleman has 2½ minutes remaining.

Mr. SERRANO. I yield myself the balance of the time.

Mr. Chairman, I want to thank the gentlewoman, and I want to thank all of the speakers who have participated today, but I think there is a clarification that needs to be made.

Many speakers have come to the House floor and have spoken about the abortion issue and have said that the American taxpayer is being asked in this bill to foot the bill for abortions. That is not correct, and that has to be made clear.

First of all, to me, the issue is whether or not the District of Columbia should be given the opportunity to govern its own affairs or whether Congress will continue to impose on D.C. its will. So, for many years, the folks in the District of Columbia have had to accept Congress' wishes for many test items and issues throughout the country. I believe that, in some cases—and with all due respect to my colleagues—they have imposed these provisions on the District of Columbia in many areas of gay marriage, of needle exchange programs, of abortion, and of gun issues so that they could go back home and say they had done something on that issue. Yes, they did, to the people of the District of Columbia—not to the people in their districts but to the people of the District of Columbia.

What this bill simply says is that local funds raised locally by the taxpayers of the District of Columbia can be used to provide abortion services. The ban on the use of Federal funds for abortion remains in place.

□ 1430

Let me repeat that. Federal funds going to the District of Columbia cannot be used to supply abortion services. What we've done is to say, local funds that you raise on your own from your own American citizen taxpayers can be used for those purposes. That should be clarified, and people should know the truth.

This bill is a good bill; and I hope that at the end of the day, people will vote for it. It covers many areas. I thank all my colleagues.

Mr. LATOURETTE. Mr. Chair, since I was elected to serve in Congress, I have supported the pro-life position. I am strongly committed to protecting the rights of the unborn. Accordingly, I think it is wrong for Americans' tax dollars to be used to pay for abortion.

Mr. Chair, I voted against the rule for consideration of this bill because it did not afford Members an opportunity to express their clear position on the issue of taxpayer-funded abortion. Fortunately, we will have a chance to vote again on a conference report between the House and the Senate, which I hope will strip these abortion provisions from the bill before any bill is signed into law.

Mr. Chair, let the record reflect that I oppose lifting the restrictions on government-funded abortions in the District of Columbia.

Mr. FRELINGHUYSEN. Mr Chair, I rise in support of the District of Columbia Opportunity Scholarship Program.

We, as Members of Congress, have one notion that binds us all together—every one of us understands that the key to the future of our great nation is the quality of the education we provide our children.

We all know the story of many failing District of Columbia public schools: Low graduation rates. High drop out rates. Low math and reading scores, reflected in a city-wide adult literacy rate of 37%! And, we can all agree that the children in the District deserve a first class education!

A few years back, I had the honor to Chair the District of Columbia Appropriations Subcommittee. In that capacity, I worked to create a program to give a 'hand-up' to children in DC—the District of Columbia Opportunity Scholarship Program.

We built a 'three-sector' approach, endorsed by former Mayor Anthony Williams and then councilman and current Mayor Adrian Fenty, and others: public schools, charter schools, and the latter, and the Opportunity Scholarship Program, which provides families with funds to send their children to private or parochial schools.

Since 2005, some 3,000 students have been provided with Opportunity Scholarships (over 7,000 applied). Today, there is a long waiting list, but over 1,700 D.C. scholarship students are attending 49 non-public schools. The average annual income for these families is around $23,000.

In April, the U.S. Department of Education released its own report—finding that students in the scholarship program are performing at higher academic levels than their peers who are not in the program, and are better off by virtually every important measure in their chosen schools.

So this is a good news story, right?

Well, not any more.

During the markup of this bill in Committee, I offered an amendment to make all DC children eligible for the Opportunity Scholarship Program.

And an amendment to allow the younger brothers and sisters of Opportunity Scholars to be allowed to participate alongside their older siblings. Both were defeated.

And likewise, I tried on behalf of Minority Leader Boehner and others before the Rules Committee, unsuccessfully, to make all children eligible.

But the Rules Committee said "no" to the Boehner amendment and in doing so, slammed the 'door of opportunity,' inexcusably, on thousands of low-income Washington families.

Anticipating that there may well be a wellspring of indignation that Congress is again interfering with DC governance, may I ask where the District would be today if the Federal Government had not assumed most of the costs of the city's judicial system, and numerous city employee pension obligations—which we still pay.

And, I never heard protests about intervention when I inserted funding in the D.C. Appropriations bill to rebuild many dilapidated and dangerous DC school playgrounds or money to protect the Anacostia riverfront.

So why not continue to support a program that really is important: one that helps children!! by providing $14 million to give these children a better school and their parents a chance to fulfill their dreams?

And may I add, the dollars that now rescue some children in failing District public schools do not come at the expense of the public system—the program offers parents a choice without hurting public schools.

We need to heed the call of many city parents who want school choices for their children—a future as bright as ones in many of our states.

While the theoretical debate on such scholarships may have some value in the political sphere, District children should not be the pawns in some ideological battle. Rather, we need to protect their future and keep the scholarship program alive and expand it.

Finally, Mr Chair, as the Washington Post recently wrote, and I quote: "Political ideology and partisan gamesmanship should not be allowed to blow apart the educational hopes of hundreds of DC children." I could not agree more!

Mr. PENCE. Mr. Chair, it is morally wrong to take the taxpayer dollars of hundreds of thousands of Washington, D.C. residents who cherish the right to life and use them to fund abortions. I am deeply disturbed that this Congress is set to vote on a Financial Services and General Government Appropriations Act that lacks traditional protections against using tax dollars to fund the destruction of human life.

Every year since 1996, this annual funding bill has included language that prevented the use of federal and local funds to pay for abortions in the District of Columbia. Not only was the language prohibiting the use of local funds stripped from the Financial Services Appropriations bill, but a bipartisan amendment to restore this ban on taxpayer-funded abortion offered by Congressman TODD TIAHRT (R–KS) and Congressman LINCOLN DAVIS (D–TN) was blocked by the Democrat-controlled Rules Committee from even receiving an up-or-down vote on the House floor, violating a much older tradition of this storied institution.

Earlier this year I joined nearly 180 of my colleagues in writing a letter to Speaker PELOSI to urge the retention of important pro-life provisions that have historically been included in government spending bills. Despite our bipartisan plea, the Democrat leadership has chosen to remove these provisions and deny the people's representatives a vote in this House, shutting out the voices of the millions of pro-life American taxpayers they represent.

The District of Columbia now has the unlimited ability to use local taxpayer funds to provide abortions. This is a dark moment for the cause of life in America and I hope that this Congress will rededicate itself not only to protecting the taxpayer, but the unborn.

Mr. VAN HOLLEN. Mr. Chair, I rise in support of the Financial and Governmental Services Appropriation Act of 2010.

The bill appropriates a total of $46.2 billion to fund the important operations and functions of the U.S. government. This support will help fund federal government salaries, including a 2% pay raise for all federal civilian employees, the U.S. postal service, and it will help to rebuild the regulatory, enforcement and oversight structure of the federal government.

This bill supports our efforts to protect consumers and investors by strengthening the oversight of Wall Street and large financial institutions. Enhancing the regulatory authorities and oversight functions of government agencies will be a major focus of these efforts. This legislation contributes to this process by increasing the flow of government resources to the agencies that will be on the frontlines. The bill appropriates $1 billion for the Securities and Exchange Commission, $149 million to fund the operations of the Treasury Department Inspectors General; $292 million for Federal Trade Commission; $113 million for the Consumer Product Safety Commission; and $38 million for the FDIC Inspector General.

The bill also acknowledges the key role the nation's small businesses will play in the recovery by providing resources for the government programs that are helping small businesses weather current economic conditions. Small businesses drive economic growth and job creation in the U.S. Protecting the health of existing small businesses and fostering the growth of new ones is a congressional priority. In addition to providing $847 million for the Small Business Administration, the bill further illustrates Congress' commitment to supporting healthy small businesses by reinstating agreements with auto dealerships that were dropped as part of the recent General Motors or Chrysler bankruptcy proceedings.

This bill funds the important functions and operations of the federal government, while also supporting the financial reform, enforcement and oversight priorities of Congress. I encourage my colleagues to join me in support of the bill.

Ms. CORRINE BROWN of Florida. Mr. Chair, I rise today in support of H.R. 3170, Financial Services and General Government Appropriations for FY 2010. The gentleman from New York, Mr. SERRANO, has done a wonderful job of shepherding this complicated and bipartisan bill to the floor today.

I rise today to speak on one specific provision in this bill. The bill requires automakers that have taken government funding, such as General Motors (GM) and Chrysler, to reinstate agreements with dealerships they have dropped as part of their recent bankruptcy proceedings.

Automobile dealers are the backbone of all of our communities. They are an economic engine employing dozens and sometimes hundreds of hardworking, taxpaying members of the community.

Auto dealers are on the frontlines of the U.S. automotive industry. They take the chances with the new cars being developed in laboratories in Detroit and around the world. They are the face of our cities, the sponsor of many little league teams and the lead in many charitable events.

When the Auto Task Force and the bankruptcy judges took the ability of our auto dealers to earn a living, they took away a portion of our communities.

The bill gives these men and women the opportunity to reclaim their lives and their businesses, and plug a hole that has been torn in each and every one of our districts.

Support this bill, support our communities and support our automobile dealers.

Mr. KLINE of Minnesota. Mr. Chair, there is an amendment to this bill that should have been made in order, but was not.

The Financial Services and General Government Appropriations bill before us today includes a modest investment of $12 million to provide an educational lifeline to a few lucky disadvantaged students living in our nation's capital.

We are all too painfully aware of the challenges facing the public school system in the District of Columbia, where less than half of elementary students are proficient in reading and math. Mayor Adrian Fenty and Chancellor Michelle Rhee are working hard to turn this around, and I applaud their efforts.

But change can't happen fast enough for the District's children. That's why Congress created a three-sector plan to improve education for all students. Students could choose to attend their traditional neighborhood public school, a charter school, or a private school—if they were lucky enough to win a scholarship lottery.

Sadly, this Democratic majority and the Obama Administration have backed away from this bipartisan, fair approach that lets District parents decide what school is best for their child. This majority has cut off the scholarship option for any student who is not already in the program.

Earlier this spring, the Department of Education actually rescinded more than 200 scholarships from new students who had been told they would be able to attend the private school their parents had chosen for them this fall.

Instead, these students will now be forced to attend a D.C. public school—one they did not choose, and one that may be failing academically or expose their child to physical danger. Adding insult to injury, some of these children are being separated from older siblings who were lucky enough to receive a scholarship in the past.

This matter is best illustrated by The Washington Post, which featured the plight of one mother, Latasha Bennett, in a July 10 editorial.

The Post reports that Ms. Bennett is ''in an understandable panic over where her daughter will go to kindergarten next month. She had planned on the private school where her son (already a scholarship recipient) excels, but, without the voucher she was promised, she can't afford the tuition.''

What the amendment that was rejected by this Democratic majority would have done is help Ms. Bennett and the thousands of District parents who are trying to give their children the opportunities they never had. It's that simple.

The parents who are fortunate enough to participate in the program are grateful for the opportunity these scholarships provide their children, and students are taking advantage of the benefits. After three years of study we know parents remain highly satisfied with their children's schools, and participating students are ahead of their counterparts in D.C. public schools in reading.

In fact, the lead independent researcher, Dr. Patrick J. Wolf, has called this program a success. In written testimony to the Senate Committee on Homeland Security and Government Reform, he stated the ''D.C. OSP has met a tough standard of efficacy in serving low income inner city students.'' Further, in responding to a question from the Chair of the Committee, Mr. Wolf agreed the D.C. OSP is one of the most effective national programs he has studied.

This type of success should translate into an expansion of the program. Instead, this Administration's Statement of Administration Policy on this bill actually praises the Democratic majority for taking away families' choices, stating, ''The Administration also appreciates the Committee's support for continuing the D.C. Opportunity Scholarship program for only those students currently enrolled in the program.''

The reaction from D.C. residents is telling: More than 7,000 D.C. residents have signed a petition imploring Congress to keep the program alive.

Further, seven members of the D.C. Council also have petitioned Education Secretary Arne Duncan to reverse his decision. In their letter, the members say ''we believe we simply cannot turn our backs on these families because doing so will deny their children the quality education they deserve.''

The D.C. Opportunity Scholarship Program has helped thousands of low-income students in Washington go to the school of their choice—including the exclusive Sidwell Friends School attended by the President's own children.

The President obviously chose the school he thought was best for his daughters. Why shouldn't every parent have that opportunity? I am ashamed this majority will not even allow Congress to debate whether or not to continue the program and the benefits it provides to families in the District of Columbia. What a travesty.

This Administration has spoken about ''green shoots'' when it discusses hopeful signs in our weakened economy.

The D.C. Opportunity Scholarship Program is a ''green shoot'' in the weakened school system of this nation's capital city—and we are letting it die.

Mr. JOHNSON of Georgia. Mr. Chair, I urge my colleagues to support this legislation, first, because it provides much-needed funding, and second because it will correct a grave injustice affecting people in all of our districts.

Auto manufacturers operating on taxpayer money are shutting down dealerships without any justification and without adequate compensation to the dealers.

These closures are difficult for all communities but their effects are especially pronounced in minority communities.

The closure of minority-owned dealerships cost 150,000 jobs in 2008 and will cost another quarter of a million jobs in 2009.

Members of this body have worked for decades to support small business and minority-owned business. We should do everything we can to help them now.

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

The CHAIR. All time for general debate has expired.

Mr. SERRANO. 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. OBEY) having assumed the chair, Mr. HASTINGS of Florida, 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. 3170) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes, had come to no resolution thereon.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Ms. DELAURO. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 651

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

COMMITTEE ON EDUCATION AND LABOR.—Ms. Chu.

Ms. DELAURO (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 644 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3170.

□ 1431

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3170) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes, with Mr. HASTINGS of Florida in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule and the bill shall be considered read through page 145, line 11.

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

H.R. 3170

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 the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, $303,388,000, of which not to exceed $21,983,000 is for executive direction program activities; not to exceed $46,249,000 is for economic policies and programs activities; not to exceed $48,080,000 is for financial policies and programs activities; not to exceed $64,611,000 is for terrorism and financial intelligence activities; not to exceed $22,679,000 is for Treasury-wide management policies and programs activities; and not to exceed $99,786,000 is for administration programs activities: *Provided*, That the Secretary of the Treasury is authorized to transfer funds appropriated for any program activity of the Departmental Offices to any other program activity of the Departmental Offices upon notification to the House and Senate Committees on Appropriations: *Provided further*, That no appropriation for any program activity shall be increased or decreased by more than 4 percent by all such transfers: *Provided further*, That any change in funding greater than 4 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That of the amount appropriated under this heading, not to exceed $3,000,000, to remain available until September 30, 2011, is for information technology modernization requirements; not to exceed $200,000 is for official reception and representation expenses; and not to exceed $258,000 is for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: *Provided further*, That of the amount appropriated under this heading, $6,787,000, to remain available until September 30, 2011, is for the Treasury-wide Financial Statement Audit and Internal Control Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: *Provided further*, That this transfer authority shall be in addition to any other provided in this Act: *Provided further*, That of the amount appropriated under this heading, $500,000, to remain available until September 30, 2011, is for secure space requirements: *Provided further*, That of the amount appropriated under this heading, $3,400,000, to remain available until September 30, 2012, is to develop and implement programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements: *Provided further*, That of the amount appropriated under this heading $3,000,000, to remain available until September 30, 2012, is for modernizing the Office of Debt Management's information technology.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $9,544,000, to remain available until September 30, 2012: *Provided*, That $4,544,000 is for repairs to the Treasury Annex Building: *Provided further*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement ''Internal Revenue Service, Operations Support'' or ''Internal Revenue Service, Business Systems Modernization''.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $29,700,000, of which not to exceed $2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $149,000,000, of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses, including for course development, of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $102,760,000, of which not to exceed $26,085,000 shall remain available until September 30, 2012; and of which $9,316,000 shall remain available until September 30, 2011: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $50,000,000 is permanently rescinded and returned to the general fund.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $244,132,000, of which not to exceed $9,220,000 shall remain available until September 30, 2012, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $99,500,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory

assistance to State and local agencies with or without reimbursement.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2010 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $26,700,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $192,244,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until September 30, 2012, for systems modernization: *Provided*, That the sum appropriated herein from the general fund for fiscal year 2010 shall be reduced by not more than $10,000,000 as definitive security issue fees and Legacy Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2010 appropriation from the general fund estimated at $182,244,000. In addition, $90,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

To carry out the Community Development Banking and Financial Institutions Act of 1994 (Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $243,600,000, to remain available until September 30, 2011, notwithstanding subsections (d) and (e) of section 108 of such Act (12 U.S.C. 4707); of which $10,000,000 shall be for financial assistance, technical assistance, training, and outreach programs under sections 105 through 109 of such Act (12 U.S.C. 4704-4708), designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers; of which $1,000,000 shall be available for the pilot project grant program under section 1132(d) of division A of the Housing and Economic Recovery Act of 2008 (Public Law 110–289); of which $80,000,000 shall be transferred to the Capital Magnet Fund, as authorized by section 1339 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 1301 et seq.), as amended by section 1131 of the Housing and Economic Recovery Act of 2008 (''HERA''; Public Law 110–289), to support financing for affordable housing and economic development projects; of which up to $18,000,000 may be used for administrative expenses, including administration of the New Markets Tax Credit Program; of which up to $7,500,000 may be used for the cost of direct loans; and of which up to $250,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $16,000,000: *Provided further*, That section 1339(h)(3) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, as added by section 1131 of HERA, shall be applied by substituting the term ''at least 10 times the grant amount or such other amount that the Secretary may require'' for ''at least 10 times the grant amount''.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,273,830,000, of which not less than $5,100,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $10,000,000 shall be available for low-income taxpayer clinic grants, of which not less than $9,000,000, to remain available until September 30, 2011, shall be available for Community Volunteer Income Tax Assistance matching grants for tax return preparation assistance, and of which not less than $205,800,000 shall be available for operating expenses of the Taxpayer Advocate Service.

ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,904,000,000, of which not less than $59,206,000 shall be for the Interagency Crime and Drug Enforcement program; and of which not to exceed $126,500 shall be for official reception and representation expenses associated with hosting the Leeds Castle Meeting in the United States during 2010: *Provided*, That up to $10,000,000 may be transferred as necessary from this account to ''Operations Support'' solely for the purposes of the Interagency Crime and Drug Enforcement program: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act. In addition to amounts made available above, $600,000,000 shall be made available for enhanced tax enforcement activities.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $4,082,984,000, of which up to $75,000,000 shall remain available until September 30, 2011, for information technology support; of which not to exceed $1,000,000 shall remain available until September 30, 2012, for research; of which not less than $2,000,000 shall be for the Internal Revenue Service Oversight Board; of which not to exceed $25,000 shall be for official reception and representation; and of which $290,000,000 shall be made available to support enhanced tax enforcement activities: *Provided*, That of the amounts provided under this heading, such sums as are necessary shall be available to fully support tax enforcement and enhanced tax enforcement activities.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $253,674,000, to remain available until September 30, 2012, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That, with the exception of labor costs, none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210), $15,512,000.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading ''Enforcement'' may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 105. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 106. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 107. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 108. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 109. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 110. The Secretary of the Treasury may transfer funds from Financial Management Service, Salaries and Expenses to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 111. Section 122(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking ''11 years'' and inserting ''12 years.''

SEC. 112. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing and Urban Affairs.

SEC. 113. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

SEC. 114. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related 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. 115. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 116. The Secretary is authorized to establish additional Treasury accounts for the Alcohol & Tobacco Tax and Trade Bureau, Department of the Treasury; U.S. Customs and Border Protection, Department of Homeland Security; and the Bureau of Alcohol, Tobacco Firearms and Explosives, Department of Justice, for purposes of administering refunds under 31 U.S.C. 1324.

This title may be cited as the ''Department of the Treasury Appropriations Act, 2010''.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102 , $450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to 31 U.S.C. 1552.

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $59,319,000, of which not less than $1,400,000 shall be for the Office of National AIDS Policy.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $13,838,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $2,500,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,200,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $12,231,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $115,280,000, of

which $16,768,000 shall remain available until expended for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, $92,687,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $27,575,000; of which $1,300,000 shall remain available until expended for policy research and evaluation: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $248,000,000, to remain available until September 30, 2011, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas (''HIDTAs''), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy (''the Director''), of which up to $2,700,000 may be used for auditing services and associated activities (including up to $250,000 to ensure the continued operation and maintenance of the Performance Management System): *Provided further*, That each High Intensity Drug Trafficking Area designated as of September 30, 2009, shall be funded at not less than the fiscal year 2009 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2010 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $132,400,000, to remain available until expended, which shall be available as follows: $20,000,000 for outreach and media activities related to drug abuse prevention; $98,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $1,000,000 for the National Drug Court Institute; $10,000,000 for the United States Anti-Doping Agency for anti-doping activities; $1,900,000 for the United States membership dues to the World Anti-Doping Agency; $1,250,000 for the National Alliance for Model State Drug Laws; and $250,000 for evaluations and research related to National Drug Control Program performance measures, which may be transferred to other Federal departments and agencies to carry out such activities: *Provided*, That any grantee under the Drug-Free Communities Program seeking a renewal grant (year 2 through 5, or year 7 through 10) that is not awarded renewal funding shall be afforded a fair, timely, and independent appeal of the non-renewal decision prior to the beginning of the funding year.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000, to remain available until September 30, 2011.

PARTNERSHIP FUND FOR PROGRAM INTEGRITY INNOVATION

(INCLUDING TRANSFER OF FUNDS)

To execute the Partnership Fund for Program Integrity Innovation, $40,000,000, to remain available until September 30, 2012, which may be used for grants, contracts, cooperative agreements, and administrative costs for carrying out Partnership Fund for Program Integrity Innovation pilot projects: *Provided*, That funds made available under this heading may be transferred by the Director of the Office of Management and Budget to appropriate agencies to carry out pilot projects and to conduct or provide for evaluation of such projects: *Provided further*, That no funds may be obligated for any pilot project unless the Director of the Office of Management and Budget has determined that the project (1) addresses programs that have a substantial state role in eligibility determination or administration or where Federal-state cooperation could otherwise be beneficial, (2) in aggregate, is expected to save at least as much money as it costs, (3) demonstrates the potential to streamline administration and/or strengthen program integrity, and (4) does not achieve savings primarily by reducing the participation of eligible beneficiaries: *Provided further*, That the Director shall notify the Committees on Appropriations of the House of Representatives and the Senate of each determination required by the preceding proviso at least 15 days in advance of obligating funds for the pilot project involved, and shall include in the notification a statement of the purposes and objectives of the pilot project and a plan for evaluating its results: *Provided further*, That the Director shall submit a progress report on activities funded under this heading to the Committee on Appropriations not later than September 30, 2010, and annually thereafter for the next four years.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,604,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $330,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings ''The White House'', ''Executive Residence at the White House'', ''White House Repair and Restoration'', ''Council of Economic Advisers'', ''National Security Council'', ''Office of Administration'', ''Special Assistance to the President'', and ''Official Residence of the Vice President'', the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, 15 days after giving notice to the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the

amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from ''Special Assistance to the President'' or ''Official Residence of the Vice President'' without the approval of the Vice President.

SEC. 202. The Director of the Office of National Drug Control Policy shall submit to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act, and prior to the initial obligation of more than 20 percent of the funds appropriated in any account under the headings ''Office of National Drug Control Policy'' and ''Federal Drug Control Programs'', a detailed narrative and financial plan on the proposed uses of all funds under the account by program, project, and activity: *Provided*, That the reports required by this section shall be updated and submitted to the Committees on Appropriations every 6 months and shall include information detailing how the estimates and assumptions contained in previous reports have changed.

SEC. 203. Not to exceed 2 percent of any appropriations in this Act made available to the Office of National Drug Control Policy may be transferred between appropriated programs upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 3 percent.

SEC. 204. Not to exceed $1,000,000 of any appropriations in this Act made available to the Office of National Drug Control Policy may be reprogrammed within a program, project, or activity upon the advance approval of the Committees on Appropriations.

This title may be cited as the ''Executive Office of the President Appropriations Act, 2010''.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $74,034,000, of which $2,000,000 shall remain available until expended.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111, $14,525,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $33,577,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $21,350,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $5,080,709,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $5,428,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A, and also under 18 U.S.C. 3599, in cases in which a defendant is charged with a crime that may be punishable by death; the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services under 18 U.S.C. 3006A(e), and also under 18 U.S.C. 3599(f) and (g)(2), in cases in which a defendant is charged with a crime that may be punishable by death; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; and for necessary training and general administrative expenses, $982,699,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $62,275,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $457,353,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $83,075,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $27,328,000; of which $1,800,000 shall remain available through September 30, 2011, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $71,874,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $6,500,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $4,000,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $16,837,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and Other Judicial Services—Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services—Fees of Jurors and Commissioners'', shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for ''Courts of Appeals, District Courts, and Other Judicial Services'' shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Within 90 days after the date of the enactment of this Act, the Administrative Office of the U.S. Courts shall submit to the Committees on Appropriations a comprehensive financial plan for the Judiciary allocating all sources of available funds including appropriations, fee collections, and carryover balances, to include a separate and detailed plan for the Judiciary Information Technology Fund, which will establish the baseline referred to in the second proviso of section 608.

SEC. 305. Section 3314(a) of title 40, United States Code, shall be applied by substituting ''Federal'' for ''executive'' each place it appears.

SEC. 306. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 307. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended—

(1) in the third sentence (relating to the District of Kansas), by striking ''18 years'' and inserting ''19 years''; and

(2) in the sixth sentence (relating to the Northern District of Ohio), by striking ''18 years'' and inserting ''19 years''.

This title may be cited as the ''Judiciary Appropriations Act, 2010''.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $35,100,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $15,000,000, to remain available until expended and in addition any funds that remain available from prior year appropriations under this heading for the District of Columbia Government, for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia, including support requested by the Director of the United States Secret Service Division in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $268,920,000 to be allocated as follows: for the District of Columbia Court of Appeals, $12,022,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $108,524,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $65,114,000, of which not to exceed $1,500 is for official reception and representation expenses; and $83,260,000, to remain available until September 30, 2011, for capital improvements for District of Columbia courthouse facilities, including structural improvements to the District of Columbia cell block at the Moultrie Courthouse: *Provided*, That funds made available for capital improvements shall be expended consistent with the General Services Administration (GSA) master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 percent of the funds provided under this heading for facilities.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $55,000,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $83,260,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $83,260,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $212,408,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $153,856,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the

provision of services for or related to such persons; of which $58,552,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That not less than $2,000,000 shall be available for re-entrant housing in the District of Columbia: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $37,316,000: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT FOR WATER AND SEWER SERVICES

For a Federal payment for water and sewer services, $20,400,000, which shall be used as follows: $20,000,000 for a payment to the District of Columbia Water and Sewer Authority (WASA), to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan and subject to a 100 percent match from WASA; $400,000 for the District of Columbia Department of the Environment, to conduct a study of lead levels in the District's drinkng water.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,000,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment to the Commission on Judicial Disabilities and Tenure, $295,000, and for the Judicial Nomination Commission, $205,000, to remain available until September 30, 2011.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, $1,700,000: *Provided*, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia (CFO), not later than 60 days after enactment of this Act, a detailed budget and comprehensive description of the activities to be carried out with such funds, and the CFO shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate not later than June 1, 2010.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $74,400,000, to be allocated as follows: for the District of Columbia Public Schools, $42,200,000 to improve public school education in the District of Columbia; for the State Education Office, $20,000,000 to expand quality public charter schools in the District of Columbia, to remain available until expended; for the Secretary of Education, $12,200,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 126), of which up to $1,000,000 may be used to administer and fund assessments: *Provided*, That notwithstanding the second proviso under this heading in Public Law 111–8, funds provided herein may be used to provide opportunity scholarships to students who received scholarships in the 2009–2010 school year: *Provided further*, That funds available under this heading for opportunity scholarships, including from prior-year appropriations acts, may be made available for scholarships to students who received scholarships in the 2009–2010 school year: *Provided further*, That none of the funds provided in this Act or any other Act for opportunity scholarships may be used by an eligible student to enroll in a participating school under the DC School Choice Incentive Act of 2003 unless (1) the participating school has and maintains a valid certificate of occupancy issued by the District of Columbia; and (2) the core subject matter teachers of the eligible student hold 4-year bachelor's degrees.

FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY FACILITY

For a Federal payment to the District of Columbia, $15,000,000, to remain available until September 30, 2011, for costs associated with the construction of a consolidated bioterrorism and forensics laboratory: *Provided*, That the District of Columbia provides a 100 percent match for this payment.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia, $2,375,000, of which $2,000,000 is to remain available until September 30, 2011, to support costs associated with the District of Columbia National Guard; and of which $375,000 is to remain available until expended for the District of Columbia National Guard retention and college access programs, which shall hereafter be known as the ''Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program''.

FEDERAL PAYMENT FOR HOUSING FOR THE HOMELESS

For a Federal payment to the District of Columbia, $19,200,000, to remain available until September 30, 2011, to support permanent supportive housing programs in the District.

FEDERAL PAYMENT FOR YOUTH SERVICES

For a Federal payment to the District of Columbia, $5,000,000, to remain available until September 30, 2011, to support the ''Reconnecting Disconnected Youth'' initiative.

FEDERAL PAYMENT FOR PUBLIC HEALTH SERVICES

For a Federal payment to the District of Columbia, $4,000,000, to remain available until September 30, 2011, for HIV/AIDS prevention programs in the District.

DISTRICT OF COLUMBIA FUNDS

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia (''General Fund''), except as otherwise specifically provided: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act, (114 Stat. 2440; D.C. Official Code, section 1-204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2010 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $8,858,278,000 (of which $5,721,742,000 shall be from local funds, (including $313,789,000 from dedicated taxes) $2,575,447,000 shall be from Federal grant funds, $556,429,000 shall be from other funds, and $4,660,000 shall be from private funds); in addition, $125,274,000 from funds previously appropriated in this Act as Federal payments, which does not include funds appropriated under the American Recovery and Reinvestment Act of 2009 (123 Stat. 115; 26 U.S.C. Section 1, note): *Provided further*, That of the local funds, such amounts as may be necessary may be derived from the District's General Fund balance: *Provided further*, That of these funds the District's intradistrict authority shall be $712,697,000: in addition for capital construction projects, an increase of $2,963,810,000, of which $2,373,879,000 shall be from local funds, $54,893,000 from the District of Columbia Highway Trust fund, $212,854,000 from the Local Street Maintenance fund, $322,184,000 from Federal grant funds, and a rescission of $1,833,594,000 from local funds and a rescission of $91,327,000 from Local Street Maintenance funds appropriated under this heading in prior fiscal years for a net amount of $1,038,889,000, to remain available until expended: *Provided further*, That the amounts provided under this heading are to be available, allocated and expended as proposed under ''Title III—District of Columbia Funds Division of Expenses'' of the Fiscal Year 2010 Proposed Budget and Financial Plan transmitted to the Mayor by the District of Columbia Council on June 5, 2009: *Provided further*, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act (87 Stat. 777; D.C. Official Code §1-201.01 et seq.): *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2010, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the ''District of Columbia Appropriations Act, 2010''.

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $1,500,000, of which, not to exceed $1,000 is for official reception and representation expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission (CPSC), including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $2,000 for official reception and representation expenses, $113,325,000, of which $2,000,000 shall remain available for obligation until September 30, 2011 to implement the Virginia Graeme Baker Pool and Spa Safety Act grant program as provided by section 1405 of Public Law 110–140 (15 U.S.C. 8004).

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002, $17,959,000, of which $3,500,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002: *Provided*, That $750,000 shall be for the Help America Vote College Program as provided by the Help America Vote Act of 2002 (Public Law 107–252): *Provided further*, That $300,000 shall be for a competitive grant program to support community involvement in student and parent mock elections.

ELECTION REFORM PROGRAMS

For necessary expenses relating to election reform programs, $106,000,000, to remain available until expended, of which $100,000,000 shall be for requirements payments under part 1 of subtitle D of title II of the Help America Vote Act of 2002 (Public Law 107–252), $4,000,000 shall be for grants to carry out research on voting technology improvements as authorized under part 3 of subtitle D of title II of such Act, and $2,000,000, shall be to conduct a pilot program for grants to States and units of local government for pre-election logic and accuracy testing and post-election voting systems verification.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $335,794,000: *Provided*, That $334,794,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2010 so as to result in a final fiscal year 2010 appropriation estimated at $1,000,000: *Provided further*, That any offsetting collections received in excess of $334,794,000 in fiscal year 2010 shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2009, shall not be available for obligation: *Provided further*, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $85,000,000 for fiscal year 2010.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $37,942,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $65,100,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $24,773,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $291,700,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $102,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $19,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections 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 $170,700,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

For an additional amount to be deposited in the Federal Buildings Fund, $459,900,000. Amounts in the Fund, including revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $8,465,585,000, of which: (1) $722,537,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

Alabama:

Mobile, United States Courthouse, $96,000,000.

California:

Calexico, Calexico West, Land Port of Entry, $9,437,000.

Colorado:

Lakewood, Denver Federal Center Remediation, $9,962,000.

District of Columbia:

Columbia Plaza, $100,000,000.

Southeast Federal Center Remediation, $15,000,000.

Florida:

Miami, Federal Bureau of Investigation Field Office Consolidation, $190,675,000.

Georgia:

Savannah, United States Courthouse, $7,900,000

Maine:

Madawaska, Land Port of Entry, $50,127,000.

Maryland:

White Oak, Food and Drug Administration Consolidation, $137,871,000.

Greenbelt, United States Courthouse, $10,000,000.

Texas:

El Paso, Tornillo-Guadalupe, Land Port of Entry, $91,565,000.

San Antonio, United States Courthouse, $4,000,000:

Provided, That each of the foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That all funds for direct construction projects shall expire on September 30, 2011 and remain in the Federal Buildings Fund except for funds for projects

as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $400,276,000 shall remain available until expended for repairs and alterations, which includes associated design and construction services:

Repairs and Alterations:

District of Columbia:

East Wing Infrastructure Systems Replacement, $35,000,000.

Eisenhower Executive Office Building (roof replacement), $15,000,000.

New Executive Office Building, $30,276,000.

Special Emphasis Programs:

Fire and Life Safety Program, $20,000,000.

Energy and Water Retrofit and Conservation Measures, $20,000,000.

Federal High-Performance Green Buildings—Energy Independence and Security Act of 2007, $20,000,000.

Basic Repairs and Alterations, $260,000,000:

Provided further, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2011 and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects; (3) $140,525,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $4,861,871,000 for rental of space which shall remain available until expended; and (5) $2,340,376,000 for building operations which shall remain available until expended: *Provided further*, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2), and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2010, excluding reimbursements under 40 U.S.C. 592(b)(2) in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $63,165,000, of which $3,000,000, to be available until expended, is provided for the Office of Federal High-Performance Green Buildings.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; the Civilian Board of Contract Appeals; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses; $72,881,000, of which $1,000,000 shall be for a payment to the Oklahoma City National Memorial Foundation as authorized by 16 U.S.C. 450ss–5.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $60,080,000: *Provided*, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $33,000,000, to remain available until expended: *Provided*, That these funds may be transferred to Federal agencies to carry out the purpose of the Fund: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That such transfers may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $3,756,000.

FEDERAL CITIZEN SERVICES FUND

For necessary expenses of the Office of Citizen Services, including services authorized by 5 U.S.C. 3109, $36,515,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Services activities in the aggregate amount not to exceed $61,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2010 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 501. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 502. Funds in the Federal Buildings Fund made available for fiscal year 2010 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 503. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2011 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 504. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 505. From funds made available under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'', claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 506. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of General Services under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the

House and Senate Committees on Appropriations prior to exercising any lease authority provided in the resolution.

SEC. 507. In furtherance of the emergency management policy set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Administrator of the General Services Administration may provide for the use of the Federal supply schedules of the General Services Administration by relief and disaster assistance organizations as described in section 309 of that Act. Purchases under this authority shall be limited to use in preparation for, response to, and recovery from hazards as defined in section 602 of that Act.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $40,339,000 together with not to exceed $2,579,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $2,200,000, to remain available until expended, of which up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289) notwithstanding sections 8 and 9 of Public Law 102–259: *Provided*, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,800,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents and the activities of the Public Interest Declassification Board, and for the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901 et seq.), including maintenance, repairs, and cleaning, $339,770,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110-409, 122 Stat. 4302-16 (2008), and the Inspector General Act of 1978 (5 U.S.C. Appendix), and for the hire of passenger motor vehicles, $4,100,000.

ELECTRONIC RECORDS ARCHIVES

For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, $85,500,000, of which $61,757,000 shall remain available until September 30, 2012: *Provided*, That none of the multi-year funds may be obligated until the National Archives and Records Administration submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11; (2) complies with the National Archives and Records Administration's enterprise architecture; (3) conforms with the National Archives and Records Administration's enterprise life cycle methodology; (4) is approved by the National Archives and Records Administration and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $27,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $13,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2010, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall be the amount authorized by section 307(a)(4)(A) of the Federal Credit Union Act (12 U.S.C. 1795f(a)(4)(A)): *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 2010 shall not exceed $1,250,000.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,000,000 shall be available until September 30, 2011 for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $14,415,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $97,970,000, of which $5,908,000 shall remain available until expended for the Enterprise Human Resources Integration project; $1,364,000 shall remain available until expended for the Human Resources Line of Business project; and in addition $113,238,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $9,364,000 shall remain available until expended for the cost of implementing the new integrated financial system, and of which $4,248,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2010, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $3,148,000, and in addition, not to exceed $20,428,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, and the Act of August 19, 1950 (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 107–304, and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $18,495,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), up to $14,333,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act: *Provided*, That unobligated balances remaining in this account on October 1, 2009 shall be transferred back to the Postal Service Fund: *Provided further*, That unobligated balances remaining in this account on October 1, 2010 shall be transferred back to the Postal Service Fund.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (5 U.S.C. 601 note), $2,000,000, to remain available until September 30, 2011.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,036,000,000, to remain available until expended; of which not less than $4,400,000 shall be for the Office of Inspector General; of which not to exceed $20,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: *Provided*, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,025,780,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That $10,220,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2010 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2010 appropriation from the general fund estimated at not more than $0.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $24,150,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 108–447, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $428,387,000: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That $110,000,000 shall be available to fund grants for performance in fiscal year 2010 or fiscal year 2011 as authorized, of which $1,000,000 shall be for the Veterans Assistance and Services Program authorized by section 21(n) of the Small Business Act, as added by section 107 of Public Law 110–186, and of which $1,000,000 shall be for the Small Business Energy Efficiency Program authorized by section 1203(c) of Public Law 110–140: *Provided further*, That $11,690,500 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2011: *Provided further*, That $10,000,000, to remain available until September 30, 2011, shall be for expenses for the relocation of the headquarters of the Small Business Administration.

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, $16,300,000.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the Surety Bond Guarantees Revolving Fund, authorized by the Small Business Investment Act of 1958, $1,000,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $3,000,000, to remain available until expended, and for the cost of guaranteed loans, $80,000,000, as authorized by section 7(a) of the Small Business Act, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2010 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2010 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $17,500,000,000: *Provided further*, That during fiscal year 2010 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958, shall not exceed $3,000,000,000: *Provided further*, That during fiscal year 2010, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $153,000,000, which may be paid to the appropriations account for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $1,690,000, to remain available until expended, of which $352,357 is for loan guarantees as authorized by section 42 of the Small Business Act, and $1,337,643 is for loan guarantees as authorized by section 12085 of Public Law 110–246.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $102,310,000, to be available until expended, of which $91,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be paid to the appropriations for Salaries and Expenses; of which $9,000,000 is for indirect administrative expenses for the direct loan program, which may be paid to the appropriations for Salaries and Expenses; of which $1,000,000 is for

the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be paid to the appropriations for the Office of Inspector General; and of which $1,310,000 is for administrative expenses to carry out the guaranteed loan programs, which may be paid to the appropriations account for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 510. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 511. For an additional amount under the heading ''Small Business Administration—Salaries and Expenses'', $62,300,000, to remain available until September 30, 2011, which shall be for initiatives related to small business development and entrepreneurship, including programmatic and construction activities, in the amounts and for the purposes specified in the table that appears under the heading ''Administrative Provisions—Small Business Administration'' in the reports of the Committees on Appropriations of the House of Representatives and the Senate accompanying this Act.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $118,328,000, of which $89,328,000 shall not be available for obligation until October 1, 2010: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2010.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, up to $244,397,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435): *Provided*, That unobligated balances remaining in this account on October 1, 2009 shall be transferred back to the Postal Service Fund: *Provided further*, That unobligated balances remaining in this account on October 1, 2010 shall be transferred back to the Postal Service Fund

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $49,242,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2010 from appropriations made available for salaries and expenses for fiscal year 2010 in this Act, shall remain available through September 30, 2011, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 614. The provision of section 613 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by

the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. The Public Company Accounting Oversight Board shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board as of December 31, 2009, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2010 shall remain available until expended.

SEC. 618. During fiscal year 2010, for purposes of section 908(b)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)), the term ''payment of cash in advance'' shall be interpreted as payment before the transfer of title to, and control of, the exported items to the Cuban purchaser.

SEC. 619. None of the funds made available in this Act may be used to implement or enforce section 101(a) of the Consumer Product Safety Improvement Act of 2008 in regards to off-highway vehicles. For purposes of this section the term ''off-highway vehicles'' mean motorized vehicle designed to travel on 2, 3, or 4 wheels, having a seat designed to be straddled by the operator and handlebars for steering control, and such term includes snowmobiles.

SEC. 620. (a) Section 101(a)(1) of the Federal and District of Columbia Government Real Property Act of 2006 (Public Law 109–396; 120 Stat. 2711) is amended to read as follows:

''(1) IN GENERAL.—

''(A) U.S. RESERVATION 13.—On the date on which the District of Columbia conveys to the Administrator of General Services all right, title, and interest of the District of Columbia in the property described in subsection (c), the Administrator shall convey to the District of Columbia all right, title, and interest of the United States in U.S. Reservation 13, subject to the conditions described in subsection (b).

''(B) OLD NAVAL HOSPITAL.—Not later than 60 days after the date of the enactment of the Financial Services and General Government Appropriations Act, 2010, the Administrator shall convey to the District of Columbia all right, title, and interest of the United States in Old Naval Hospital.''.

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Federal and District of Columbia Government Real Property Act of 2006.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2010 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $13,197 except station wagons for which the maximum shall be $13,631: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992 (Public Law 102–404): *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13423 (January 24, 2007), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2010, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2010, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2010, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2010 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2010 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2009, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2009, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2009.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 711. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 712. Notwithstanding section 31 U.S.C 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 713. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to 5 U.S.C. 3302, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the National Geospatial-Intelligence Agency;

(5) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(6) the Bureau of Intelligence and Research of the Department of State;

(7) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(8) the Director of National Intelligence or the Office of the Director of National Intelligence.

SEC. 714. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 715. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasireligious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 716. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act of 1989 (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with

the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

SEC. 717. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 718. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 719. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 720. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 721. (a) In this section, the term ''agency''—

(1) means an Executive agency, as defined under 5 U.S.C. 105;

(2) includes a military department, as defined under section 102 of such title, the Postal Service, and the Postal Regulatory Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 722. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

(TRANSFER OF FUNDS)

SEC. 723. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse ''General Services Administration, Government-wide Policy'' with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): *Provided further*, That the total funds transferred or reimbursed shall not exceed $17,000,000: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 724. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 725. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 726. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided*, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 727. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any non-Federal government Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission to the Federal government of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 728. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 729. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 730. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 731. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 732. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 733. (a) For fiscal year 2010, no funds shall be available for transfers or reimbursements to the E-Government initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the Committees on Appropriations of the House of Representatives and the Senate.

(b) The report in (a) and other required justification materials shall include at a minimum—

(1) a description of each initiative including but not limited to its objectives, benefits, development status, risks, cost effectiveness (including estimated net costs or savings to the government), and the estimated date of full operational capability;

(2) the total development cost of each initiative by fiscal year including costs to date, the estimated costs to complete its development to full operational capability, and estimated annual operations and maintenance costs; and

(3) the sources and distribution of funding by fiscal year and by agency and bureau for each initiative including agency contributions to date and estimated future contributions by agency.

(c) No funds shall be available for obligation or expenditure for new E-Government initiatives without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 734. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 735. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 736. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) and regulations implementing that section.

SEC. 737. Each executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. Such evaluations for individually-billed travel charge cards shall include an assessment of the individual's consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act (Public Law 91–508): *Provided*, That the department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: *Provided further*, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

SEC. 738. (a) DEFINITIONS.—For purposes of this section the following definitions apply:

(1) GREAT LAKES.—The terms ''Great Lakes'' and ''Great Lakes State'' have the same meanings as such terms have in section 506 of the Water Resources Development Act of 2000 (42 U.S.C. 1962d–22).

(2) GREAT LAKES RESTORATION ACTIVITIES.—The term ''Great Lakes restoration activities'' means any Federal or State activity primarily or entirely within the Great Lakes watershed that seeks to improve the overall health of the Great Lakes ecosystem.

(b) REPORT.—Not later than 45 days after submission of the budget of the President to Congress, the Director of the Office of Management and Budget, in coordination with the Governor of each Great Lakes State and the Great Lakes Interagency Task Force, shall submit to the appropriate authorizing and appropriating committees of the Senate and the House of Representatives a financial report, certified by the Secretary of each agency that has budget authority for Great Lakes restoration activities, containing—

(1) an interagency budget crosscut report that—

(A) displays the budget proposed, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carries out Great Lakes restoration activities in the upcoming fiscal year, separately reporting the amount of funding to be provided under existing laws pertaining to the Great Lakes ecosystem; and

(B) identifies all expenditures since fiscal year 2004 by the Federal Government and State governments for Great Lakes restoration activities;

(2) a detailed accounting of all funds received and obligated by all Federal agencies and, to the extent available, State agencies using Federal funds, for Great Lakes restoration activities during the current and previous fiscal years;

(3) a budget for the proposed projects (including a description of the project, authorization level, and project status) to be carried out in the upcoming fiscal year with the Federal portion of funds for activities; and

(4) a listing of all projects to be undertaken in the upcoming fiscal year with the Federal portion of funds for activities.

SEC. 739. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 740. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled ''Competitive Area'' published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 741. Notwithstanding section 748 of division D of the Omnibus Appropriations Act, 2009, the President may modify or replace Executive Order 13423 if the President determines that a revised or new Executive Order will achieve equal or better environmental or energy efficiency results in terms of emission of greenhouse gases, use of renewable energy, reduction in water use, sustainable environmental practices, toxic and hazardous chemicals, construction and renovation practices, vehicle consumption of petroleum products, and use of electronic equipment and its disposition and notifies the appropriate committees of Congress at least 15 days in advance of the change.

SEC. 742. Not later than 120 days after enactment of this Act, each executive department and agency shall submit to the Director of the Office of Management and Budget a report stating the total size of its workforce, differentiated by number of civilian, military, and contract workers as of December 31, 2009. Not later than 180 days after enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee a comprehensive statement delineating the workforce data by individual department and agency, as well as aggregate totals of civilian, military, and contract workers.

SEC. 743. (a)(1) Not later than the end of the third quarter of fiscal year 2010 and each subsequent fiscal year, and for each department or agency not later than its inventory required under the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270), the head of each Federal department or agency (other than the Department of Defense) shall submit to Congress an annual inventory of the activities performed during the preceding fiscal year pursuant to contracts for services for or on behalf of such department or agency, as the case may be. The entry for an activity on an inventory under this section shall include, for the fiscal year covered by such entry, the following:

(A) The functions performed by the contractor.

(B) The contracting organization, the component of the department or agency administering the contract, and the organization whose requirements are being met through contractor performance of the function.

(C) The dollar size and funding source for the contract under which the function is performed by appropriation and operating agency.

(D) The fiscal year for which the activity first appeared on an inventory under this section.

(E) The number of full-time contractor employees (or its equivalent) paid for the performance of the activity.

(F) A determination whether the contract pursuant to which the activity is performed is a personal services contract.

(G) Whether the contract has been performed pursuant to a contract awarded on a noncompetitive basis, either originally or upon a subsequent renewal.

(H) Whether the contract has been performed poorly, as determined by a contracting officer, during the 5-year period preceding the date of such determination, because of excessive costs or inferior quality.

(2) The inventory required under this subsection shall be submitted in unclassified form, but may include a classified annex.

(b) Not later than 30 days after the date on which an inventory with respect to a department or agency is required to be submitted to Congress under subsection (a), the head of such department or agency shall—

(1) make the inventory available to the public; and

(2) publish in the Federal Register a notice that the inventory is available to the public.

(c) Not later than 90 days after the date on which an inventory is submitted under subsection (a), the head of the department or agency, or component thereof, responsible for activities in the inventory shall—

(1) review the contracts and activities in the inventory for which such head is responsible;

(2) ensure that—

(A) each contract on the list that is a personal services contract has been entered into, and is being performed, in accordance with applicable statutory and regulatory requirements;

(B) the activities on the list do not include any inherently governmental functions; and

(C) to the maximum extent practicable, the activities on the list do not include any functions closely associated with inherently governmental functions;

(3) identify activities that should be considered for conversion—

(A) to performance by employees of the department or agency; or

(B) to an acquisition approach that would be more advantageous to the department or agency; and

(4) develop a plan to provide for appropriate consideration of the conversion of activities identified under paragraph (3) within a reasonable period of time.

(d) Nothing in this section shall be construed to authorize the performance of personal services by a contractor except where expressly authorized by a provision of law other than this section.

(e)(1) The term ''function closely associated with inherently governmental functions'' means the functions described in section 7.503(d) of the Federal Acquisition Regulation.

(2) The term ''inherently governmental functions'' has the meaning given such term in subpart 7.5 of part 7 of the Federal Acquisition Regulation.

(3) The term ''personal services contract'' means a contract under which, as a result of its terms or conditions or the manner of its administration during performance, contractor personnel are subject to the relatively continuous supervision and control of one or more Government officers or employees, except that the giving of an order for a specific article or service, with the right to reject the finished product or result, is not the type of supervision or control that makes a contract a personal services contract.

SEC. 744. Congress requests the President, and directs the Attorney General, to transmit to each House of Congress, not later than 14 days after the date of the adoption of this Act, copies of any portions of all documents, records, and communications in their possession referring or relating to the notification of rights under Miranda v. Arizona, 384 U.S. 436 (1966), by the Department of Justice, including all component agencies, to captured foreign persons who are suspected of terrorism and detainees in the custody of the Armed Forces of the United States.

SEC. 745. (a) None of the funds made available in this or any other Act may be used to obtain a financial or ownership interest (or right to acquire such an interest) in an automobile manufacturer that deprives an automobile dealer of its economic rights under a dealer agreement and does not assume (or assign to a successor in interest) each dealer agreement which is valid and in existence (and has not been lawfully terminated under applicable State law) before the date of the commencement of a case under title 11 of the United States Code by such automobile manufacturer.

(b) Any automobile manufacturer with respect to which the Federal Government has a financial or ownership interest (or right to acquire such an interest) shall, to the extent that a valid dealer agreement existing immediately before the date of the commencement of a case under title 11 of the United States Code by such automobile manufacturer is not assumed by or assigned to another automobile manufacturer, require any new entity created in such case to enter into a new dealer agreement with the dealer whose agreement was not so assumed or assigned, and on the same terms as existed immediately before such date.

SEC. 746. Except as expressly provided otherwise, any reference to ''this Act'' contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

SEC. 801. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 802. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 803. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 804. (a) None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter.

SEC. 805. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless the Committees on Appropriations of the House of Representatives and the Senate and the President are notified in writing 15 days in advance of the reprogramming.

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 1, 2010.

SEC. 806. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 807. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 808. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or a District of Columbia government employee as may otherwise be designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Director;

(4) the Mayor of the District of Columbia; and

(5) the Chairman of the Council of the District of Columbia.

SEC. 809. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 810. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

SEC. 811. None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

SEC. 812. None of the Federal funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 813. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2010 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency for which the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 814. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, Sec. 1–204.42).

SEC. 815. Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

SEC. 816. None of the funds contained in this Act may be used to distribute any needle or syringe for the hypodermic injection of any illegal drug in any area of the District of Columbia which is within 1,000 feet of a public or private day care center, elementary school, vocational school, secondary school, college, junior college, or university, or any public swimming pool, park, playground, video arcade, or youth center, or an event sponsored by any such entity.

SEC. 817. Except as expressly provided otherwise, any reference to ''this Act'' contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 111–208. Each 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 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 consideration of the bill for amendment, 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.

AMENDMENT NO. 1 OFFERED BY MR. SERRANO

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–208.

Mr. SERRANO. Mr. Chairman, I rise to offer amendment No. 1 printed in the report of the Committee on Rules.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SERRANO:

Page 57, line 24, insert ''(increased by $4,875,000)'' after the dollar amount.

Page 64, line 5, insert ''(reduced by $5,125,000'' after the first dollar amount.

Page 68, line 11, insert ''(reduced by $2,875,000)'' after the dollar amount.

Page 68, line 13, insert ''(reduced by $2,250,000)'' after the dollar amount.

Page 79, line 21, insert ''(increased by $250,000)'' after the dollar amount.

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used for first-class travel by the employees of Federal departments and agencies in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

The CHAIR. Pursuant to House Resolution 644, the gentleman from New York (Mr. SERRANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SERRANO. Mr. Chairman, this amendment does several things. First, it increases FY 2010 funding for the Consumer Product Safety Commission by $4.9 million to its authorized level of $118,200,000. I thank my colleagues DEBBIE WASSERMAN SCHULTZ and ROSA DELAURO for cosponsoring my amendment to increase funding for the CPSC. Recently enacted consumer protection legislation has increased the workload of the CPSC considerably. The Consumer Product Safety Improvement Act was signed into law last August. This law sets strict limits on the amount of lead and chemicals that can be used in making children's products. The CPSC has faced many challenges in implementing the new law, and this additional funding will enable them to fully address workload needs.

This amendment incorporates an amendment first offered by my colleague Mr. HASTINGS to provide an additional $250,000 for the National Credit Union Administration's Community Development Revolving Loan Fund. This is a worthy program that provides loans and grants to credit unions that serve low-income communities with the goal of improving the quality of financial services provided to those communities.

This amendment also incorporates an amendment first offered by my colleague Mr. CUELLAR to prohibit the use of funds for first-class travel for employees of agencies funded by the bill. I think it makes sense to prohibit first-class travel for Federal employees.

I will close by saying that this is a good amendment, and I urge my colleagues to join me in supporting it.

I reserve the balance of my time.

Mrs. EMERSON. Mr. Chairman, I claim time in opposition to the manager's amendment.

The CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Mr. Chairman, while I don't oppose the content of this amendment, I do oppose the process in which it was offered.

Mr. Chairman, this is a controversial bill to many Americans. Increasing spending by $1.6 billion, or 7 percent, should be allowed to be debated under this bill. In addition, the changes in long-standing policy on abortion and on medical marijuana should also have an opportunity to be debated. I think that the responsible regular functioning of this institution is so important, especially on spending measures that demand the full attention of Congress, because they've got the full attention of the American people.

As my colleagues know, a manager's amendment traditionally is meant not to be controversial. It's meant to be offered and supported by both sides of the aisle to improve the bill in ways on which we can all agree. The manager's amendment is meant to have a quick debate, typically followed by debate on more difficult issues. Taking three proposed amendments by our Democratic colleagues and rolling them into a manager's amendment while prohibiting debate on the majority of amendments submitted by the Republicans is not in the tradition of this House or the tradition of what a manager's amendment should be.

I urge a ''no'' vote.

I yield back the balance of my time.

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

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. SERRANO).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PAULSEN

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111–208.

Mr. PAULSEN. 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:

Amendment No. 2 offered by Mr. PAULSEN:

Page 6, line 25, after the dollar amount insert ''(increased by $15,000,000)''.

Page 63, line 6, after the dollar amount insert ''(reduced by $15,000,000)''.

Page 64, line 5, after the first dollar amount insert ''(reduced by $15,000,000)''.

Page 68, line 11, after the dollar amount insert ''(reduced by $15,000,000)''.

The CHAIR. Pursuant to House Resolution 644, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Chair, I rise today to offer an amendment that would provide an additional $15 million for the Financial

Crimes Enforcement Network, which is also known as FinCEN. The Department of the Treasury established FinCEN in 1990 to provide a government-wide multi-source financial intelligence and analysis network. The agency's functions have expanded over the years and now include some regulatory responsibilities as well as providing important information on new incidents and patterns of fraud to the SEC, Department of Justice, the FBI and other intelligence organizations.

Now part of the Department of Treasury's Office of Terrorism and Financial Intelligence, FinCEN is also the lead office in fighting the financial war on terror, combating financial crime and enforcing economic sanctions against rogue nations. The recent economic crisis has demonstrated how important FinCEN's efforts are to our national financial security because it was FinCEN that was providing some of the earliest information regarding the financial crisis. FinCEN was one of the first to highlight the ever-growing problem of mortgage fraud, and it continues to track this problem today. Earlier this month, for instance, FinCEN helped the FBI release a new report, estimating a 36 percent increase in mortgage fraud between fiscal years '07 and '08. We must make greater efforts at reversing this trend.

The information provided to government organizations by FinCEN is essential to catch criminals and defeat terrorists. The ability to follow the money trail really and truly provides our intelligence and law enforcement community with information that leads to a broader understanding of terrorist organizations and drug dealers.

My amendment will provide FinCEN with additional resources and is an investment in the financial and economic security of the country. FinCEN is currently going through a process of modernizing and upgrading their technologies so they are better equipped to monitor, detect and battle crimes in the 21st century. We need these efforts to support continued success. Investing in FinCEN's IT modernization will provide a greater capability of identifying those who have misrepresented the health and size of their investments to their clients. It will provide the necessary tools for analyzing financial information and detecting criminal wrongdoing. And finally, this measure will provide needed support in coordination with Federal, State and local law enforcement. Especially in this time of economic crisis, our government agencies need the best information possible to confront these important issues of financial and economic security, and FinCEN can be that helper.

I reserve the balance of my time.

Mr. SERRANO. I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. SERRANO. I appreciate the gentleman's attention to the Financial Crimes Enforcement Network. I would like to point out that the Appropriations Committee has been very supportive of FinCEN. The reported bill provides the administration's requested funding increase of $11.3 million, or 12.3 percent, including $10 million to begin upgrades of the Bank Secrecy Act database used by law enforcement and intelligence agencies. We recognize the intent of the gentleman. We think it's a good amendment, and we accept it.

Mr. LATOURETTE. Will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Ohio.

Mr. LATOURETTE. I thank the chairman for yielding.

I just wanted to indicate that, as I am also in support of the gentleman's amendment, financial crimes are really something that needs to be looked at. The gentleman's amendment takes care of it. And I just want to commend the gentleman from Minnesota, who is a new Member of the House, for bringing this important issue to our attention.

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

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

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. PRICE OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111–208.

Mr. PRICE of Georgia. Mr. Chair, 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:

Amendment No. 3 offered by Mr. PRICE of Georgia:

Page 24, strike lines 1 through 5.

The CHAIR. Pursuant to House Resolution 644, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, this is a very simple amendment. It strikes $4.2 million from the bill, decreases the funding in the bill to strike the funding for the President's Council of Economic Advisers.

On January 20, 2009, when Barack Obama was inaugurated as President of the United States, the national unemployment rate stood at 7.6 percent, and the outstanding public debt of the Nation stood at $10.627 trillion. Confronted with this dire situation, the President urged Congress to pass an economic stimulus package. His solution—an end product containing $787 billion in new deficits for special interest giveaways.

□ 1445

Despite many of us who claimed, and I would suggest knew, that it wouldn't work, the American people expected immediate results because the President and his administration sold it as such.

Peter Orszag, the Director of the Office of Management and Budget, in responding to a question from CNN on when would Americans feel some benefit from the job losses, stated that it will take weeks to months. Now the President and his administration are backtracking on the stimulus package. In his most recent weekly address, the President said, ''The Recovery Act was not designed to work in 4 months. It was designed to work over 2 years.''

Well, Mr. Chairman, that is news to the American people who have taken notice and they have lost faith in the President's economic policies. Most folks think he simply doesn't have a plan that works.

And one of the biggest cheerleaders of the President's economic policies, the executive offices most responsible for the ineffective and destructive policies that we are seeing today, is the Council of Economic Advisers and its chairman, Christine Romer. She touted in a report which served as the basis for selling the nonstimulus plan to the American people that under such a plan the unemployment rate would max out at 8 percent if the plan were adopted. In fact, she said, without it, the unemployment rate would top out at 9 percent.

Well, Mr. Chairman, as you know, as well I do, to put it mildly, the administration and Ms. Romer were just plain wrong. The unemployment rate today stands at 9.5 percent, and more than 14 million individuals are unemployed under their watch.

Now the Council of Economic Advisers is championing a sweeping new health care reform and selling it as part of the economic recovery. A recent report by the Council of Economic Advisers entitled, ''The Economic Case for Health Care Reform,'' actually claims that slowing the annual growth rate of health care costs by 1.5 percentage points would increase real domestic product. Yet using the Chair's own modeling, House Republicans have determined that 4.7 million jobs would be lost as a result of the taxes on businesses which cannot afford to provide health insurance coverage.

So it has become abundantly clear, Mr. Chairman, that everything with this administration is about more government, more taxes, more spending and less jobs. If the stimulus and the health care package aren't proof enough, take a look at the auto bailout, the national energy tax, the upcoming plan to destroy the private student lending system, and on and on and on.

So the question must be asked, What responsible economist would actually advocate for this administration's job-

killing policies in the midst of a recession? And the answer, Mr. Chairman, is the Council of Economic Advisers.

My amendment is more than a vote to eliminate funding. It is a vote of ''no confidence'' on this administration's economic policies and those of the Council of Economic Advisers. They don't have a plan to get America back to work.

I would urge that we adopt this amendment, which is a commonsense amendment that moves us in the direction of not only saving money but coming up with a responsible, commonsense plan.

I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I rise to oppose the amendment.

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

Mr. SERRANO. First of all, I think it is important to realize that a lot of Members, especially—well, all Members from the other side will get up and make it sound as if the last few months have been the months that caused the economic crisis that we are in. The fact of life is that this President is trying to clean up the mess that was created during the last 8 years, because the prior President left this economy in pretty much good shape. It fell apart during these last 8 years. And we are trying to recover.

On this particular matter, the Council of Economic Advisers, or the CEA, was created in 1946 when the country faced a major economic crisis, just as we are doing today. At the end of the Second World War, many feared that the economy would sink back into depression with the phase-out of war spending. The Congress wanted to ensure that sound economic advice would be provided at the highest levels of the administration.

In the wake of a stock market bubble followed by a housing bubble that we have recently had, people have reason to worry about where the growth and jobs of the future will come from. We need the CEA to help the administration make better policy for the future.

Today, CEA has been involved in developing and evaluating the Recovery Act, health care options, energy and greenhouse gas policies, tax changes, job and training programs and other major economic challenges of our time.

As the administration develops policies in all these critical areas, the CEA brings solid, scientific evidence on the economic effects of alternative policies into the discussion. This is probably one of those times where we really need this kind of a Federal agency. And this is not the time to do away with it.

I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, how much time remains on each side?

The CHAIR. The gentleman has 1¼ minutes remaining.

The gentleman from New York has 2 minutes remaining.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the comments of my friend, but if we could hear the American people and their response to, once again, this blaming previous administrations, they would say, look, give me a break. Give me a break.

The American people are hurting. Millions of Americans are out of work. Yet the Obama administration and congressional Democrats promised that their $1 trillion stimulus bill would create jobs immediately and that the unemployment rate wouldn't rise above 8 percent.

Instead, 1.96 million jobs have been lost since this administration started, and we are $2 trillion more in debt since this administration started. In June alone, almost half a million jobs were lost, driving the unemployment rate to 9.5 percent, the highest level in 26 years.

So it is clear that the Democrats' $1 trillion stimulus plan just isn't working. And every American has the right to ask, where are the jobs? Where are the jobs, Mr. Chairman? This is about jobs. This majority clearly doesn't have the appropriate program. This administration clearly doesn't have the appropriate program. Democrats are clearly on the side of more government and more taxes. Republicans, however, Mr. Chairman, are on the side of the American people.

I urge adoption of this amendment.

I yield back the balance of my time.

Mr. SERRANO. It is very easy for folks on the other side to say, let's not talk about the past administration. I agree. That is not my intention. In fact, our President has said on many occasions the past is the past. But if we keep coming up and making it sound like something happened January 20 until today that brought us to our knees economically, then it is my role, and everybody else's role on this side, just to clarify and to discuss a little history. And the history is the fact that this economy is in bad shape not for anything that has happened this year, but what happened in the past.

On this amendment, this is the wrong time to get rid of this. This is the wrong time to move against it. We need it more than ever. I hope that people will defeat this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

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

Mr. PRICE of Georgia. 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 Georgia will be postponed.

AMENDMENT NO. 4 OFFERED BY MRS. EMERSON

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111–208.

Mrs. EMERSON. 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:

Amendment No. 4 offered by Mrs. EMERSON:

Page 58, line 19, insert ''(reduced by $50,000,000)'' after the dollar amount.

Page 58, line 20, insert ''(reduced by $50,000,000)'' after the dollar amount.

The CHAIR. Pursuant to House Resolution 644, the gentlewoman from Missouri (Mrs. EMERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Missouri.

Mrs. EMERSON. Mr. Chairman, my amendment would strike $50 million from the $100 million under the Election Assistance Commission for Help America Vote grants for States.

The President's budget requested a total of $52 million for election reform programs, $50 million for grants to States, and $2 million for research and other initiatives. My amendment would simply return the State grant funding level in this account to the same amount that the President's budget requested.

Sixty-two percent of the States have not even applied for their fiscal year 2008—2008—Help America Vote funds. Of the $115 million provided for State grants in fiscal year 2008, only about 20 percent of the funds have been obligated to the States; $25 million has been given to 18 States. Of the $100 million provided for State grants in fiscal year 2009, not even 4 percent has left the Treasury. Only two States have received fiscal year 2009 funds. So we have almost $186 million still sitting in the Treasury for these grants.

Now, I think you all know me and you know me well enough to know that if there is a need, I'm fully supportive of matching the funding level to that need. However, I see little need to provide another $100 million in unused funds to then get to a total of $286 million in untapped funds.

I respect my chairman, and I respect the need for election reform and certainty in the election process. There is no question that we are obligated to provide for free and fair elections. It is a hallmark of our democracy, and we must always work to safeguard our elections. However, this is one account that has a demonstrated lack of funding needs for the coming fiscal year. Even the President recognized the opportunity to save the taxpayer $50 million.

I urge all to do the same and vote ''yes'' on my amendment.

I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. SERRANO. I would like to yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman. Nothing is more important in a democracy than the integrity of the democratic process. Everything we do in this body is based on the assumption that the voters put us here as the result of a fair, accessible, and accurate

process. If there is anything we should not shortchange, it is our ability to conduct the most exemplary elections in the world. And we have not reached that standard yet.

In fact, the major national election official organizations and more than 25 civil rights, disability rights and other public interest groups have asserted that local jurisdictions still need all the funding originally authorized by HAVA simply to carry out HAVA's original requirements.

I have heard the gentlelady speak. But this letter addressed to every Member of Congress from such organizations as the National Association of Counties, the National Association of Secretaries of State, the American Association of People with Disabilities, NAACP Legal Defense and Educational Fund, Paralyzed Veterans of America, and others says that it is ''imperative,'' in their words, that State and local governments receive all the funding that is coming to them, that should be coming to them from HAVA. It should not be cut.

They need this funding for poll-worker training, for voter education and for putting in place voter systems that are accessible and reliable, and as we discussed earlier, auditable.

They say in this letter that full funding is necessary to fulfill the promise of HAVA, and I include this letter for the RECORD.

I urge my colleagues to support the modest HAVA funding in this bill and to defeat this amendment.

MARCH 17, 2009.

MAKE ELECTION REFORM A REALITY—SUPPORT FULL FUNDING FOR HAVA

DEAR MEMBER OF CONGRESS: We, the undersigned organizations, are deeply appreciative of the funding appropriated for the Help America Vote Act (HAVA) in FY08 and FY09 and urge you to support full funding and appropriate the remaining $470 million of authorized funding in FY10. Of this amount, $442 million is for the federally-mandated processes and equipment that state and local governments were required to have in place for federal elections beginning in 2006 and $28 million is for assisting state and local governments in making all polling places accessible and the protection and advocacy payments. It is imperative that state and local governments receive all of the funding they were promised to fully implement statewide voter registration databases, to keep up with the spiraling costs of purchasing and maintaining voting equipment and to ensure proper poll worker training and voter education in this environment of continually changing voting processes and procedures.

The lack of full federal funding for HAVA has led man state and local governments to scale back on their inital plans for implementation. Most devastatingly, initial Congressional delay in providing proper funding for the Election Assistance Commission (EAC) and the National Institute of Standards and Technology (NIST) ultimately prevented the timely development of the voting system guidelines and the implementation of a federal voting system certification program. This led to cost increases for state and local governments that in some cases were unable to utilize existing equipment and others that had to replace voting equipment more than once in an effort to comply with evolving guidance to ensure both accessibility and security. While the efforts of the EAC and NIST have since been funded, delay in their funding has contributed significantly to cost increases for state and local governments.

Full funding is necessary to fulfill the promise of HAVA and provide resources to state and local governments to meet the new and changing expectations for voting equipment and procedures. Should you have any questions, please contact the organizations listed below.

Sincerely,

ORGANIZATIONS REPRESENTING STATE AND LOCAL ELECTION OFFICIALS

International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT).

National Association of Counties (NACo).

National Association of Election Officials (The Election Center).

National Association of State Election Directors (NASED).

National Association of Secretaries of State (NASS).

National Conference of State Legislators (NCSL).

CIVIL AND DISABILITY RIGHTS AND VOTER ADVOCACY ORGANIZATIONS

Leadership Conference on Civil Rights.

American Association of People with Disabilities (AAPD).

American Civil Liberties Union (ACLU).

American Federation of Labor-Congress of Industrial Organizations (AFL–CIO).

American Federation of State, County and Municipal Employees.

Asian American Justice Center.

Association of Community Organizations for Reform Now (ACORN).

Brennan Center for Justice at NYU School of Law.

Common Cause.

Demos.

Fair Elections Legal Network.

FairVote.

International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, UAW.

Lawyers' Committee for Civil Rights Under Law.

League of Women Voters of the United States.

NAACP Legal Defense and Educational Fund, Inc.

National Association for the Advancement of Colored People (NAACP).

National Association of Latino Elected and Appointed Officials Educational Fund (NALEO).

National Council of La Raza.

National Gay and Lesbian Task Force Action Fund.

Paralyzed Veterans of America.

People For the American Way.

Project Vote.

SAVE.

Union for Reform Judaism.

U.S. Public Interest Research Group.

Mrs. EMERSON. I continue to reserve my time.

Mr. SERRANO. How much time do we have on this side?

The CHAIR. The gentleman from New York has 3 minutes remaining.

Mr. SERRANO. I would like to yield myself whatever time I may consume.

You know, when we buy a car, the first thing they tell us is to make sure we service that car regularly, change the parts that are necessary, oil it and keep it in good shape.

We have a democracy, and as the gentleman from New Jersey says, and as everyone knows, at the core of that democracy is the ability to vote and to have our votes counted properly. Yet what we are trying to do here today is to cut away, if you will, from that maintenance program, which is more than a maintenance program. What happened here in 2000 and in other places after 2000 was that the American people, regardless of the outcome of the election, were left with the understanding that something was wrong and that the greatest democracy on Earth was having a difficult time counting people's votes properly. And so HAVA was created.

HAVA is still in operation. HAVA is having moneys go out to communities. This is not the time to cut HAVA funds. On the contrary, this is the time to reinforce the core of our democracy by allocating the necessary funds. Give the States the opportunity to deal with the issue. Let the States deal with the issues back home that they have to as they meet the Federal requirements.

So I would oppose this amendment, and I would remind us that we don't pay that much attention to elections and how we run them because we have had this for so long in this society and this country that we take it for granted. But 2000 should tell us that we should never take it for granted again and that we should pay strict attention to it.

I reserve the balance of my time.

Mrs. EMERSON. Mr. Chairman, I said earlier that I have great respect for my chairman, and I certainly have great respect for the gentleman from New Jersey who has worked tirelessly on HAVA and worked to ensure that we have fair elections across this country.

□ 1500

And I do not believe that we should, to take a quote, shortchange any piece of the electoral process. But I bring to my colleagues' attention, once again, the fact that we have $186 million that is sitting in the Treasury the States have not tapped into. Sixty-two percent of the funds from 2008 haven't been used. We've only used 4 percent for 2009. And I think that nobody better than our President understands the need for us to find savings. And when we're sitting on $186 million, and with the additional $52 million that we will have in this account, we're still well over $200 million. And I dare say that at the rate that the States are using this money, we will never spend it.

And certainly, in difficult economic times, I truly believe that deferring to the President's budget request makes good economic sense.

I yield back the balance of my time, and urge a ''yes'' vote on my amendment.

Mr. SERRANO. I would urge a ''no'' vote on this amendment. And I yield the balance of my time to Mr. HOLT from New Jersey.

Mr. HOLT. Again, I hear the comments of the ranking member. It's important to point out, in this letter,

signed by the major election official organizations in the country, the Secretaries of State, associations of counties, election officials and so forth, they say that the rate at which the funding has been available to them in the past has led, in their words, ''many state and local governments to scale back on their initial plans for implementation'' of HAVA. We must, again, in their words, meet the promise of HAVA. This is not an imagined expense. This is a real expense to preserve democracy, and we have it on good authority, from the people who are doing the work, that this money is needed.

Mr. SERRANO. I urge a ''no'' vote, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. EMERSON).

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

Mrs. EMERSON. 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 Missouri will be postponed.

AMENDMENT NO. 5 OFFERED BY MRS. BLACKBURN

The Acting CHAIR (Mr. HOLDEN). It is now in order to consider amendment No. 5 printed in House Report 111–208.

Mrs. BLACKBURN. 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:

Amendment No. 5 offered by Mrs. BLACKBURN:

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

TITLE IX—FIVE PERCENT REDUCTION

SEC. 901. 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 Acting CHAIR. Pursuant to House Resolution 644, 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, again, today I rise in defense of the American taxpayer.

Mr. Chairman, we were greeted this week with the unfortunate news that we have already spent $1 trillion more than we have taken in in this fiscal year. The projections for next year are no better. Many think they're even worse. And yet, here we find ourselves on the floor again, one more day, one more ''approps'' bill, one more debate about spend, spend, spend.

Everybody in this Chamber knows that I am the grandmother of two precious little boys. Their future is so special and precious to me. And because of that, every day when I come to work, I think about the ramifications of the votes that I take and what it is going to do to them. And every day, I come down here, and what I try to do is slow the growth of government spending. It is completely out of control. It is about to bankrupt this Nation, and it is costing us jobs, jobs, jobs. And I do that because my grandsons already, at the age of 14 months and 1 month, they already owe $70,000 to Uncle Sam. The debt that we run up here will be paid in their denied opportunities of tomorrow. I just can't run up that debt with a clear conscience, and I really don't think that, if my colleagues stopped to think about it, that they would want to be running up that type of debt either.

That is especially true when we consider the funding for the programs that are before us today, because that funding has risen over 52 percent in the past 3 years. These same programs have already received $7 billion this year in stimulus funding. And yet, we propose another 6.4 percent increase, another $1.5 billion increase more than last year. That will include a new $5 million for a program called Youth Services. When I saw that, I thought, my goodness. I wonder how our youth will end up servicing the massive debt that we are leaving them to handle.

My 5 percent across-the-board cut will save the taxpayers $1.2 billion. My friends on the other side of the aisle will, no doubt, rise in opposition to this bill, and they're going to tell their constituents how hard they've worked in committee, how responsible the bill is. And as one of my constituents said, it must be mighty hard work to spend a billion dollars an hour, 24 hours a day, 7 days a week, which is exactly what is happening in Congress.

I just don't buy the lines about hard work anymore, and neither does the American taxpayer. How hard can we be working? How many hard choices can possibly be being made by Members of this Chamber when every year we spend more and more and more.

My colleagues may say that they aren't increasing funding by all that much, if you don't count the stimulus money, and you don't count the special appropriations. But we have already spent that money on programs. And I do count that money, and I count it because the ones who are going to have to pay that back are our children and our grandchildren.

Mr. Chairman, the gentleman across the aisle from me may offer a series of programs that his party claims are just too vital to be cut. And I would challenge him to take that list to his constituents, to lots of grandmoms like me, and just ask them if they agree.

I would concede that yes, indeed we do have critical programs that need to be funded. I would simply suggest that, in this economy, when people are losing their jobs, when businesses are struggling, with a $1 trillion deficit already on the books for this year, that we consider reducing by 5 percent the amount of increase that is before us today.

And so now, so that my colleagues can dazzle me with their Washington-style math, I will reserve the balance of my time.

Mr. SERRANO. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. It's interesting that when we speak about debt we never bring up the debt that the last administration rang up through the Iraq war. That's got to be at least half a trillion dollars, if not more. And I'm still waiting to find the weapons of mass destruction.

Secondly, if I may brag for a second, I've got the gentlewoman beat. I have four grandchildren. And I don't want to saddle them with any debt in the future. But I think that this bill speaks to another issue that deals with them, and that is their present, so that they don't continue to be ripped off by crooks on Wall Street.

And yet the gentlewoman's cut, for instance, would cut $51 million from the Securities and Exchange Commission, which would slash 120 staff members who have been placed here now to go after the crooks on Wall Street and all the other folks that created a problem for my four grandchildren now.

And so, yes, it is important to talk about the future. But it's also important to talk about the present. And what I keep hearing from folks is that, in a desire to save money now, we should do nothing to go after those people who created, who created much of the problems that we are facing now.

Let me give you another example. The IRS—new enforcement initiatives would go unfunded, resulting in over $600 million in lost tax revenues.

In other words, your 5 percent cut, the gentlewoman's 5 percent cut, would take away funding that goes after my grandchildren? No. After their parents? No. They would go after the millionaires and the zillionaires who are parking money overseas and who are not paying their fair share of taxes. So you would cut, she would cut, the gentlewoman would cut people to go after this.

If this amendment passes, the Small Business Administration would not be able to meet the borrowing needs of small businesses. SBA lending, in its popular 7(a) loan program, which both sides support, would be reduced by $875 million. Many small businesses, and we hear so often on that side about how much they love small business people, many small businesses have turned to the SBA or loans as the credit markets have tightened up, making less credit available to small businesses in this economic downturn. What this amendment proposes, is exactly the wrong thing to do.

The Federal courts would be impacted with a 5 percent reduction

across the board. One thousand full-time employees would be reduced from the Federal courts. On and on, absolutely, you were right. I have a list, but the list is not a list made up by staff or myself just for me to have something to say; it is the result of the impact of a 5 percent reduction. And so, it makes a lot of sense to say, in some cases, it scores a lot of points to say I want to cut the budget by 5 percent. But I think when you look at what we're talking about, you're hurting the very people we should protect.

So let me once again say, I appreciate the fact that the gentlewoman has two grandchildren that she wants to protect in the future. I have four that I want to protect in the future, but I want to make sure that we protect them now by making sure they don't get ripped off again, or their parents, as we did the last couple of years.

I reserve the balance of my time.

Mrs. BLACKBURN. What we are saying is save a nickel out of a dollar. A nickel out of a dollar, out of the amount of increase that is being given.

All of these programs sound great, but may I remind my colleagues, this administration has piled up more debt, more debt than every previous administration from George Washington to George Bush. You must have liked the deficit spending so much that you're doing more and more and more and more of it.

There are some of us that have come to this floor repeatedly. Budgets and appropriations should be about priorities.

I encourage a ''yes'' vote on my amendment.

Mr. SERRANO. We always talk about the debt. The debt was as a result of the last administration. In fact, all of these bailout programs started while we had another President in office.

The fact of life is that we have to protect the present. We have to make sure the past doesn't come back. And this 5 percent cut would hurt the very agencies in this bill that are supposed to assure us of a better present and a better future.

I oppose the amendment and urge its defeat.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

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

Mrs. BLACKBURN. 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 gentlewoman from Tennessee will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111–208.

Mr. BROUN of Georgia. 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:

Amendment No. 6 offered by Mr. BROUN of Georgia:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used for the salary of the Assistant to the President on Energy and Climate Change, the Deputy Assistant to the President on Energy and Climate Change, or any position in the Council on Environmental Quality.

The Acting CHAIR. Pursuant to House Resolution 644, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, I rise today in support of my amendment, which eliminates funding for the climate czar, their deputy, and staff salaries for the Council on Environmental Quality.

For too long the executive branch has skirted Senate confirmation proceedings and congressional oversight by appointing officials to oversee vast parts of the Federal Government. Administrations from both parties have been guilty of this practice. It's time for it to stop.

Mr. Chairman, we do not need and should not have czars. The last time I checked, only pre-Communist Russia had czars, and we are most certainly not Russia. But the word czar aptly describes the kind of power that these positions hold in our Federal Government. And the current administration has no fewer than 30 czars.

Unfortunately, the Rules Committee, as has been their practice, did not allow an amendment to eliminate all of these positions.

□ 1515

The CEQ was mandated by Congress 40 years ago. While their chairman is Senate confirmed and their members are various agency heads, the veil of secrecy by which this council operates is totally unacceptable, and it should be unacceptable to every Member of this House. It's no small secret that the council's actions are overtly political and lacking a proper legislative check, and it didn't just happen overnight. The previous administration's CEQ had its fair share of problems as well.

I have no problem with this administration, or any administration for that matter, seeking advice from outside experts on the important issues of the day. In fact, that's how it should be. But the recent actions by the council with regards to the Army Corps of Engineers as well as their so-called oversight on the projects from the Democrats' nonstimulus bill, to name just two, have forced me to resort to defunding their operations. Obviously, I would have preferred to remedy this problem through the normal committee process, but that option has not been afforded Members of the minority of this Congress.

Attempting to fix these issues in the appropriations process is less than desirable, but that's all that's afforded the minority right now, and that should be unacceptable to the American people.

I urge my colleagues to wake up and reclaim our constitutional footing as the check on the executive branch and vote ''yes'' on my amendment.

I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. I would like to yield 2 minutes to one of our colleagues and subcommittee chairman, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. The gentleman's amendment represents a misguided view on the subject of climate change and global warming. As the United States finally faces up to its responsibility to adapt to climate change, the gentleman wants to hobble our efforts for some illogical reason.

I, for one, am very comforted by the fact that Carol Browner is serving President Obama on energy and climate change issues and our response to them. We need all of the expertise that we can muster as we figure out how to adapt and mitigate climate change. My friend Carol Browner brings her respected experience as the former head of EPA to this job. The President, as well as the entire country, could not be better served in this important battle.

Also, the gentleman appears to want to defund the Council on Environmental Quality. The CEQ, under Nancy Sutley, is probably one of the best repositories of environmental expertise, and the United States is well served by them. NEPA was created in 1969 and Richard Nixon signed it into law.

As the chairman of the Interior and Environmental Appropriations Committee, I'm proud of the fact that we have dramatically increased funding for climate change science and wildlife adaptation over the last few years. But as my good friend MIKE SIMPSON, who is the ranking member on the Interior Subcommittee, repeatedly has said, we must make sure that the increased spending to combat climate change is spent properly. And I think that Carol Browner can also provide that kind of oversight at the White House. Why anyone would want to refuse her work is beyond me.

I urge a ''no'' vote on this very, very mischievous amendment.

Mr. BROUN of Georgia. How much time do I have left?

The Acting CHAIR. The gentleman from Georgia has 2 minutes, and the gentleman from New York has 3 minutes remaining.

Mr. BROUN of Georgia. This is about transparency and accountability. This administration has appointed more czars than pre-Communist Russia has appointed, and this one that we're trying to defund is just one of many.

Congress has no oversight. This is totally unacceptable. It should be unacceptable to you guys, too, Mr. Chairman, as well as every Member of this House. It should be unacceptable that we have czars appointed in what's supposed to be a free society, in a democratic Republic, representative government. Congress has the authority and responsibility to oversee the administration, and we're not doing our job, frankly, and it's about time for us to do our job.

Mr. DICKS. Will the gentleman yield on that point?

Mr. BROUN of Georgia. If I can have your time.

Mr. DICKS. I will just say this. We had at least 50 oversight hearings on this deal. Mr. SIMPSON and I——

Mr. BROUN of Georgia. I reclaim the balance of my time.

The thing is, this administration has given all of these czars tremendous amounts of power outside the purview of what they should have under the Constitution of the United States, and this particular czar doesn't look at scientific facts that there are thousands of scientists that say that there is minimal, if any, human effect on global temperatures.

We have an administration who has loaded up this council with people who are carrying out a political process, and it's been politicized, and it should be totally unacceptable. It is to me. It should be to all us of us.

I reserve the balance of my time.

The Acting CHAIR. The gentleman's time has expired.

Mr. SERRANO. I yield myself 1 minute.

It's amazing that we hear about oversight now. Yes, we do have oversight. It's funny how the other side never claimed oversight when the White House was having meetings determining what our energy policy should be between the White House and lobbyists and no Members of Congress were present, or when the White House and the administration knew that there was torture and other actions going on and nothing was being said.

The problem here is this may rise to a new legislative low because on these committees we respect the White House. When President Bush was in and this committee was in function, we let basically the White House have the staff members it said it needed, and now what we're trying to do here legislatively is to fire people at the White House. That's the wrong thing to do, and we should oppose it.

I yield the balance of my time to Chairman RAHALL. He takes care of all Puerto Rico issues, so I'm very nice to him.

Mr. RAHALL. I thank the gentlemen for that recognition.

Mr. Chairman, I rise in opposition to the pending amendment. It is, in what I view, a vindictive manner that seeks to prohibit the payment of a salary to any person employed by the White House Council on Environmental Quality, in addition the Assistant to the President for Energy and Climate Change and a deputy assistant.

As the chairman of the Committee on Natural Resources, which has jurisdiction over the National Environmental Policy Act, and hence, CEQ, I can assure my colleagues that eliminating this entity, which is the goal with the pending amendment, would have severe repercussions on our Nation's environment and our economy. CEQ, at least under President Obama, has served to coordinate policy among various Federal agencies and provide regulatory stability, coordination and stability.

I witnessed this firsthand recently with respect to coal surface mining in my home State in Appalachia. The EPA was off in one course, the U.S. Army Corps of Engineers were off on another course, and the coal industry caught in between was the subject of conflict and requirements with nobody able to provide it with a roadmap on how to obtain permits in order to mine coal in this country.

It was CEQ which stepped in, got the regulatory entities together, resulting in an interagency action plan on Appalachian surface coal mining. Now, the efficacy of that action plan remains to be seen, I grant you, but at least a plan is in place and the rules of engagement are set forth.

Now, if this amendment is part of a continued protest against the administration's position on climate change, let me be clear on that point. I voted against the House cap-and-trade bill. I did not support it, but I do support, as the subcommittee has said, the right of this President or any President to establish positions in his or her own White House. And if President Obama finds that he wants a White House assistant on energy and climate change, that's his prerogative. That's his right. It was the right of President Bush before him and many other Presidents in the past.

So I urge my colleagues to indeed oppose this ill-conceived, vindictive amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

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

Mr. BROUN of Georgia. 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 Georgia will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111–208.

PARLIAMENTARY INQUIRY

Mr. FLAKE. Parliamentary inquiry, Mr. Chairman.

The Acting CHAIR. The gentleman may state his parliamentary inquiry.

Mr. FLAKE. I plan to ask for unanimous consent to modify my amendment to reflect some of the amendments throughout this process that were not made in order by the Rules Committee. What I want to know is, is it in order, if the other side agrees with the unanimous consent request, and is it possible for them to do so and allow these other amendments to be offered?

Mr. SERRANO. I object, Mr. Chairman.

The Acting CHAIR. The gentleman has not stated a parliamentary inquiry.

The gentleman will state his inquiry.

Mr. FLAKE. The inquiry is, under unanimous consent, can the majority party agree to modify my amendment?

The Acting CHAIR. That is a hypothetical question.

If the gentleman wishes to make a unanimous consent to modify his amendment, that request is in order at the time the amendment is pending.

Does the gentleman wish to offer amendment No. 7?

Mr. FLAKE. Yes, I do.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for a small business incubator project of the University of West Georgia in Carrollton, Georgia, and the amount otherwise provided in such section is hereby reduced by $100,000.

The Acting CHAIR. Pursuant to House Resolution 644, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I ask unanimous consent that my amendment be modified to the form I have at the desk.

The Acting CHAIR. Without objection, the Clerk will report the modification.

Mr. SERRANO. I object.

The Acting CHAIR. Objection is heard.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

What I wanted to establish is that by unanimous consent the majority party could agree for me to modify my amendment. Now, I was allowed for 11 amendments under this rule to strike earmarks from the bill. Unfortunately, numerous Members, dozens of Members, were denied the ability to offer any amendments on this bill. It seems the majority party only wants to deal

with those amendments that they know they could win.

Now, under tradition, this House has brought appropriations bills of the House to the floor under an open rule. We've broken with tradition this year. There is a headline on AP wire right now that says, ''House Democrats muzzle GOP on sensitive issues.'' That's a pretty accurate headline. That's exactly what's happening here.

Now, we were told that it was a time constraint issue, that we simply couldn't finish all of the appropriations bills under a certain amount of time so we had to restrict the number of amendments. That's what the world was told here, the country was told. We find out that's not the case at all. We have a time limit under this bill. I have 11 amendments. I'm willing to modify my amendments to reflect some of those that were denied, amendments that were germane.

The first one that I have at the desk is one that would protect broadcaster freedom. This is an amendment that was offered last year in the appropriation bill. It was germane, and it received 309 votes from this Chamber, but the majority leadership doesn't want to vote on that, and so they've denied the authors of that amendment the ability to come to the floor and offer it. And so I'm willing to substitute that for one of mine under unanimous consent, but the gentleman objected twice, so we won't be able to do that.

So I just want to say it on the record—and I will say it again and again—this process is not right. We know this isn't the way it should be done. House Democrats are muzzling the GOP on sensitive issues, just like the headlines now read. It's not an issue of time. We're under time constraints already. We're willing to simply substitute time for time, but the majority party simply will not allow it.

Now to the merits of this amendment.

I'm seeking to strike funding, $100,000 for funding a small business incubator at the University of West Georgia. This would reduce the overall cost of the bill by a commensurate amount. This is money that's going to a business incubator. You will see that theme throughout a lot of these amendments, whether they're at a university or under some other umbrella. We're taking money from the Treasury here, money that we have to borrow, and funding business incubators.

□ 1530

Now a business incubator, that's a bit of a nebulous term and I haven't quite figured out what it is. It means different things in different places. But apparently here it's simply to offer counseling, resource information exchange, and distance-learning opportunities for entrepreneurs and small business ventures. That kind of thing is done all the time in every State, everywhere. But not everybody gets a Federal earmark to do that and it's not fair to do it here. People that get this kind of money should have to compete for it if that money is available at all.

With that, I reserve the balance of my time.

Mrs. EMERSON. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Funding recommendations included in this bill were made in full compliance with the applicable rules and procedures of the House. On a bipartisan basis, we have scrutinized thousands of Member requests and recommended funding for those projects we believe are most meritorious. In addition, the Small Business Administration was given an opportunity to vet this project and provided the committee with no negative feedback regarding the project or the grantee. I urge my colleagues to oppose this amendment.

I yield such time as he may consume to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. I thank the ranking member for yielding to me.

I want to say right off that I support the gentleman's request for unanimous consent but I certainly rise to oppose this striking amendment No. 7 by my friend and colleague from Arizona. I want to thank Chairman SERRANO and Ranking Member EMERSON for supporting this request, this project.

I commend the gentleman from Arizona. I think that his heart is true and consistent in regard to wanting to reduce government spending and waste, and I think he is to be commended for that. And I think the gentleman from Arizona knows that I too feel the same way. In fact, I have introduced legislation to bring some fairness and equity to Member initiatives, to cut them in half indeed. I know the gentleman is aware of that.

He doesn't know a lot about this project, and I'm sure that a lot of Members when their project for their district, for their constituents is challenged, they may dread coming down here to the floor. But I don't dread it at all. I'm thrilled to have an opportunity to come down and explain to the gentleman about this project.

Very simply, this $100,000 would go to the University of West Georgia's Small Business Development Center and their partnership with the Carroll County Economic Development Foundation's Burson Center to simply fund the expansion of their small business support center, or incubator. This center, which already exists, provides resources ranging from business counseling, to temporary office space, to technical support and access to an online database of Angel Investors Networks looking to support a potentially successful small business.

Specifically, this expansion will target the more than 12,000 veterans from west Georgia that will be returning in the coming year. Given the tight job market, 30 percent or more of these returning veterans will attempt to start their own business and will likely require some type of support in beginning that effort.

I urge my colleagues to oppose this striking amendment.

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. FLAKE. I thank the Chair and I thank the gentleman for his kind words. I think I'm the most commended Member in this body who never wins an amendment. Nevertheless, I think when you look at what's being funded here, these are activities that go on all over the country, whether they're sponsored by universities, whether they're sponsored by business groups, chambers of commerce, other associations. And to single one out and say that the University of West Georgia is deserving of a Federal earmark for their project, for their business incubator simply doesn't make sense.

We have a deficit this year that will approach $2 trillion by the time we finish the fiscal year. We are borrowing money from the taxpayers all over this country, or actually borrowing it from foreign countries, and we're asking the taxpayers and future generations of taxpayers to pay for it because we don't have the money to fund these programs.

This bill increases spending in the Financial Services appropriations bill, I think, $1.6 billion or so increase over last year. Yet we're funding projects as if we have no problem at all, as if money grows on trees here. And it doesn't. At some point I think we have to step back and say, We can't continue to do business this way. At some point we have to say, We're going to strike an earmark, or we're going to save some money somewhere. I would suggest that now is the time. If we're not going to do it now, I don't know when we're going to do it.

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

The Acting CHAIR. The gentlewoman from Missouri has 2 minutes remaining.

Mrs. EMERSON. I yield the balance of my time to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Mr. Chairman, again, a lot of what the gentleman says, I can agree with, but I continue to believe that some portion of Federal dollars that my constituents send to Washington is returned back to them and to our district, the 11th of Georgia. Yes, preferably through tax relief. But when necessary, through direct support of responsible and well-vetted local initiatives.

Let me explain to the gentleman and provide just a little more context for this request and the needs that this center is seeking to meet. Here are the six counties that the center services as well as the unemployment rate in each

county: Carroll County, 11 percent unemployment; Bartow, 11.5; Floyd County, 10.4 percent; Paulding, 9.8 percent; Haralson, 12.2 percent unemployment; and Polk, 10.5 percent unemployment.

As I said, Mr. Chairman, at the outset in defending this initiative against the gentleman's amendment to strike, this is a good project. And as he says, Well, why don't they go through the regular process. Well, I think if they went through the regular process, this project would have a 98 percent chance of getting funded. But I think it's my responsibility if I can to make sure that we don't take that 2 percent chance. I proudly stand here and defend this project.

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.

AMENDMENT NO. 8 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111–208.

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:

Amendment No. 8 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Commercial Driver Training Institute project of Arkansas State University in Newport, Arkansas, and the amount otherwise provided in such section is hereby reduced by $200,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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 at the desk.

The Acting CHAIR. Without objection, the Clerk will report the modification.

Mr. SERRANO. I object.

The Acting CHAIR. Objection is heard.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. That didn't sound like the Clerk, so I guess we've been objected to again.

Again what I am trying to do here is modify my amendment to reflect one of the amendments that was rejected by the Rules Committee. This particular amendment would keep in place the restrictions that have been in place for a long, long time against using taxpayer money to fund abortion services.

The sponsors of this amendment, on both sides of the aisle, felt so strongly about it that many of them on the other side of the aisle voted against the rule. So when time expired just about an hour or so ago to vote on the rule for this bill, it was about 10 votes short of passing because more than 30 Democrats voted against the rule. Now the vote was held open for an inordinate amount of time so that leadership could twist some arms and change some votes to get this rule to pass. You had Members on both sides of the aisle feel that strongly about bringing an amendment to the floor, but the majority party leadership decided, no, that we should be muzzled, not just on this side but Members on that side of the aisle as well.

Mr. Chairman, that's just not right, but that's what happens when you declare martial law on appropriations bills and say to the world, We can't do it because time does not allow. And then when somebody here asks for unanimous consent to simply substitute time for time, one amendment that wasn't allowed in order for one amendment that was, the majority stands up and says, I object.

So let's get rid of the fiction once and for all that this is an issue of time. What it's an issue of, the majority leadership does not want Members to have the ability to offer the amendments they would like to. We had the gentleman stand up in the last hour who presided a couple of years ago over the Interior appropriation bill. He noted that he sat in the Chair for over 3 days to listen to amendments come up on the Interior appropriation bill. I remember that time. I offered many of those amendments. There were many amendments that people on both sides of the aisle offered that the leadership on both sides of the aisle was uncomfortable with. But they allowed it to occur, because that's the way it should work here.

Under this martial law rule, we have a structured rule and the majority leadership picks which amendments can be offered and which ones cannot. That is simply not right, Mr. Chairman.

Now in terms of this amendment, this amendment would prohibit $200,000 from funding the Arkansas Commercial Driving Training Institute, and it would lower the cost of the bill by a commensurate amount. The recipient of this earmark is Arkansas State University. It's had a truck driving institute for more than 20 years. I am all for driver safety, particularly big 18-wheelers that are on the road, but I'm not sure why the Federal Government is funding this particular driving program. Nor do I understand why this institute is receiving another earmark, having received nearly a quarter of a million dollars in earmark funds in the omnibus bill that we passed just a few short months ago.

In fact, it appears that this institute was established and built in part with taxpayer dollars, Federal taxpayer dollars, thanks to a nearly $350,000 earmark it received in the fiscal 2008 transportation spending bill.

A quick search on the Internet shows there are dozens and dozens and dozens of commercial driving training schools all over the country. None of them have received this kind of Federal largesse. Why do we continue to fund institutes like this? Aren't some of the others just as deserving? Or is it just because we have Members in a position to do it?

If you look at this chart, you'll get the answer there. This is the Financial Services bill that we're dealing with now. Sixty percent of the earmarks in this bill are going to just 24 percent of the body. That represents appropriators, chairmen, ranking minority members, so-called powerful Members. Sixty percent. If you look at the dollar value of the earmark, that goes up to 70 percent. Seventy percent of the earmark dollars in this bill are going to less than 24 percent of the body.

Now you'll hear a lot of high-minded rhetoric about we can't let those faceless bureaucrats in the bureaucracy decide where the money goes. Well, most of the Members in this body would do better with faceless bureaucrats than with the Appropriations Committee, because time and time again, and this is a trend that we've seen throughout the appropriation bills this year, a small number of Members get a big chunk of the cash. And this is going to some organizations that have gotten earmarks year after year after year after year.

I reserve the balance of my time.

Mr. BERRY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BERRY. Thank you, Mr. Chairman.

I certainly want to thank our distinguished chairman and ranking member of this committee and the staff that's done magnificent work preparing this bill and getting it to the floor. We all appreciate them and what they've done.

I try to never rise to speak that I don't encourage anyone that will listen to me to keep in their hearts and minds and in their prayers our men and women in uniform and their families. I am delighted to be here to not only hopefully defend this amendment against attacks but I have heard my friend from Arizona's complaints.

I would refer him first of all to article I, section 9 of the United States Constitution that says no money shall be drawn from the Treasury but in consequence of appropriations made by law.

□ 1545

It says, ''No money shall be drawn from the Treasury but in consequence of appropriations made by law.'' I don't think the bureaucrats have the authority under the Constitution to appropriate money. That's the job of this Congress, this House, and the Appropriations Committee.

And I know my friend from Arizona means well. He has good intentions. He does these things in a spirit of camaraderie and never gets too vicious with his attacks. And I appreciate that. He is indeed a good fellow. But my mother used to tell me that the road to the bad place was paved with good intentions.

These people this truck driving course takes care of, the people that it makes possible for them to get trained, they're trained for good jobs that already exist. They're not going to get trained and then be out of work. They're going to be trained to operate vehicles over the Nation's highways in a safe manner.

This program helps to filter out any people that would not be suitable for that type work. That's part of what it does. This is a need that has existed for many, many years, and we have put lots and lots of State money, a lot of local money into this program and this community college, which does an outstanding job—and it has other programs where it trains people for jobs that already exist, and this is just one of its programs.

It would be absolutely foolish for us to deny this little bit of funding for a place that has worked so hard, has a very difficult time economically, and does only take up an effort to try to improve the lives of the people that want to work hard and participate in these programs and be trained for a good job.

And so I urge a ''no'' vote on this amendment, and I would urge my colleagues that choose to oppose earmarks—I like to call them Member-directed spending—but I think the Constitution is very clear on who's supposed to do that. If they would choose to be opposed to these Member-directed spending in these bills, then they need to go back to the Constitution and see where it says bureaucracy or bureaucrat or Federal agency or the executive branch or anything like that. It doesn't say that. It says the Congress has to pass these laws and make this money available.

So, I'm delighted to be here and appreciate the opportunity to speak against this amendment.

I reserve the balance of my time.

Mr. FLAKE. I urge support of the amendment.

Mr. BERRY. I urge a ''no'' vote on this amendment.

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.

AMENDMENT NO. 9 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 111–208.

Mr. FLAKE. I have an amendment at the desk designated as No. 9.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Proof of Concept Center of Idaho TechConnect, Inc., in Nampa, Idaho, and the amount otherwise provided in such section is hereby reduced by $285,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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 have at the desk.

The CHAIR. Without objection, the Clerk will report the modification.

Mr. SERRANO. I object.

The CHAIR. Objection is heard.

The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. I'd like to engage on my time a colloquy with the gentleman, the chair of the relevant subcommittee, if I could.

I'm just wondering why the majority doesn't want to consider these amendments that weren't made in order.

Mr. SERRANO. The Rules Committee made in order a certain amount of amendments. The Rules Committee is a body composed of Members from both sides. That's the rule that we're working under. And I think that out of respect for the House and the rules that we work under, we should accept that as the format for this debate today, and not to change it in any way just when we feel like it.

Mr. FLAKE. I thank the gentleman. He makes an important point. We have traditions in this House that we ought to uphold—and one tradition is appropriation bills being brought to the floor under an open rule. And we shouldn't be able to change that just because we feel like.

What I'm trying to do is return to the traditions of the House and allow Members to bring the amendments that they would like to offer; that their constituents, with their voice in Washington, would like them to be able to offer. But we're not allowed to. As the headline out there right now reads, ''House Democrats muzzle GOP on sensitive issues.''

Now this amendment that I would like to have offered instead of mine would allow the School Choice Initiative in Washington, D.C., to continue. Funding will go away for everyone except those who are currently in the program.

Over the past several years, thousands of residents of D.C. schools have been able to go to the schools of their choice. Now, because of this bill being passed today, unless an amendment is accepted otherwise, those children will be denied that choice.

Now that is an amendment that has support on this side of the aisle and the other side of the aisle. It was an amendment that was offered at the Rules Committee that was fully germane. It was in order to be considered. It was simply rejected because the majority leadership did not want this body to vote on it. I don't know why. We will have to all speculate.

But the fact is that we're taking the time that could have been offered for this amendment and allowing that one to be offered instead. So we're not increasing the time for these appropriation bills. The majority party is still objecting to that unanimous consent request.

Now, with regard to this amendment, this amendment would prohibit $285,000 from going to Idaho TechConnect, Inc., for the Proof of Concept Center, and reduce the overall cost of the bill by a commensurate amount. This Idaho TechConnect accelerates Idaho's innovation-based economy by connecting people, resources, and ideas.

Here's another one that's pretty much indistinguishable, I think, from the last one. It's a business incubator of some type that a group here, Idaho TechConnect, seems to think is worthy of Federal largess or an earmark. It doesn't want to compete for dollars that might be in an account that Congress, through its role under article I, has instructed the agency to set up. No. It attempts to earmark dollars beyond that.

The last gentleman mentioned that Congress has the power to appropriate. It certainly does. That's what we do here. That's the most important part of what we do here. And we tell the agencies what they can fund and what they can't, and we provide the money for them to do so.

We will often tell them to set up a program by which individuals and organizations around the country can compete for Federal dollars. But instead, here what Congress is doing is saying, We don't like what you've set up so we're going to run a parallel program, we're going to earmark dollars for these programs, because if the organization in my district had to compete for those dollars, they may not get them. There's only a 98 percent chance that they would get them. I want to make sure they do. Or, there's a 5 percent chance they would get it. I want

to make sure that they get those monies. And so we run a parallel track here.

I would say that I can't find the word bureaucrat in the Constitution, nor can I find the word earmark. Congress has the power to appropriate. But we authorize, we appropriate, and we have oversight functions. And we're circumventing that process when we earmark in this fashion.

I reserve the balance of my time.

Mrs. EMERSON. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Funding recommendations included in this bill were made in full compliance with the applicable rules and procedures of the House. In addition, the Small Business Administration was given an opportunity to vet this project, and it provided the committee with no negative feedback regarding the project or the grantee.

Unfortunately, Mr. SIMPSON, the sponsor of the amendment, was unable to come to the floor due to other important business.

I yield the balance of my time to the distinguished minority leader, Mr. BOEHNER.

Mr. BOEHNER. I want to thank the gentlelady for yielding. I want to thank Mr. FLAKE for his attempt to have my amendment offered. As you know, the gentleman asked unanimous consent to substitute for his amendment an amendment that would provide for a continuing scholarship program for students—poor students here in the District of Columbia.

This is an issue that many of us fought very hard for some 5 or 6 years ago. Unfortunately, the administration and the majority party here in the House have decided to end this program and only allow those students who are currently enrolled to finish. It does nothing to address the siblings of these students that are in these schools.

The reason this program was set up is because the District of Columbia had some of the worst schools in America. And while we spend nearly $15,000 per student for the students here in the District of Columbia, this small program is serving about 2,200 kids—2,200 kids, to give them a chance.

And all they wanted was the opportunity to debate the continuation of this program. But the majority party says, No, no, no. We can't have a debate on that. Why? Because we might win. And it wouldn't be us winning, it would be the poor kids in D.C. who are currently getting these scholarships. But we can't even have the debate. We can't even have a vote. What has this place become?

I just think it's outrageous that Members on either side of the aisle don't have an opportunity to offer amendments to these appropriation bills. This process now has gone on for 4 or 5 weeks, and it appears that it will go on for the next couple of weeks.

This is not what has ever happened in the 18½ years that I've been here—the 19th appropriation season I've been through. I've never seen anything like this in terms of the majority willing to suppress virtually all the Members of the House on both sides of the aisle.

And I think that the amendment that I wanted to offer to help save this program for poor kids here in D.C. was a worthy amendment. And I think Members on both sides of the aisle wanted to have an opportunity to debate that amendment and have a vote on it. But, no, it couldn't happen.

So I would urge my colleagues to vote against this bill.

Mr. FLAKE. I thank the gentleman and the gentleman's comments, the minority leader. We ought to allow substitution of this amendment. There's no reason, other than the majority party simply doesn't want to have the debate or have the vote.

With that, I urge support of this amendment, and 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.

AMENDMENT NO. 10 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 111–208.

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:

Amendment No. 10 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Greenstone Group project of the Northeast Entrepreneur Fund in Virginia, Minnesota, and the amount otherwise provided in such section is hereby reduced by $200,000.

The CHAIR. Pursuant to House Resolution 644, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I ask unanimous consent that my amendment be modified to the form I have at the desk.

The Acting CHAIR. Without objection, the Clerk will report the modification.

Mr. SERRANO. I object.

The CHAIR. Objection is heard.

The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. This amendment that I had hoped to substitute was an amendment offered by the gentleman, Mr. GINGREY of Georgia, which would simply have prohibited union activity on government time. Apparently, it's an amendment that the majority leadership did not want—it's a debate that they didn't want this body to have. It's an amendment they didn't want this body to vote on.

□ 1600

Now, it's a shame because it would be a 5-minute time limit, or 5 minutes per side, just the same as this amendment. This isn't an issue of time. There were a lot of amendments submitted to the Rules Committee. Far fewer were made in order, but now we have the time established and we're simply wanting to substitute one germane amendment for another germane amendment, but the majority party is objecting once again. So I think that the headline that was just out—House Democrats muzzle GOP on sensitive issues—is completely correct, and it is a shame, Mr. Chairman.

This amendment would prohibit $200,000 in funding for the Northeast Entrepreneur Fund, and it would reduce the cost of the bill by a commensurate amount.

According to the sponsor's Web site, the Northeast Entrepreneur Fund has helped start, stabilize or expand more than 1,100 local businesses and helped train or retain more than 3,000 jobs.

The certification letter indicated the funding for the Greenstone Group would strengthen 500 entrepreneurs in the region through group-based learning, peer support and access to various business services.

Again, here we have another business incubator. This is something that private-sector organizations, chambers of commerce, trade associations, and other businesses offer and do all over this country—hundreds in every State. Yet here we are singling one out and are saying this one is worthy of a Federal earmark, and we're going to give $200,000 to it. That's not right, Mr. Chairman. We can't continue to spend money this way.

Every dime that we are spending over and above what we spent last year, and a lot of what we spent last year is borrowed. When will we decide enough is enough and that we can't continue to do business as usual and fund earmarks in this fashion?

I reserve the balance of my time.

Mr. OBERSTAR. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. Mr. Chairman, I want to take the opportunity to thank the chairman of the full committee, Mr. OBEY, the chairman of the subcommittee, Mr. SERRANO, and the

ranking member, Mrs. EMERSON, for acknowledging the merits of this proposal and for including these funds for Greenstone Group.

I respect the gentleman from Arizona. He is consistent, persistent and sincere in his opposition to constituent-inspired investments that Members offer on their behalf; but were he to prevail, he would, in fact, be muzzling job-creating opportunities in northeastern Minnesota, an area in my district where unemployment rates are 12.9 percent, 15 percent and 16 percent in one community after another.

The term ''Greenstone Group'' is derived from the mineral deposit that underlies much of northeastern Minnesota's iron ore mining country. It is a natural resource-based economy. We've been losing jobs with the downturn in steel and iron ore production. In fact, the iron ore mines are completely shut down, and some 6,000 jobs have been lost. The bright spot is the Northeast Entrepreneur Fund, which the gentleman, in fact, cited from the application proposal.

The Entrepreneur Fund, which I have supported for over 20 years, has stabilized and has created 1,000 businesses, 2,500 jobs, people who are employed, who are paying Federal, State and local taxes that would not otherwise be paid. The return to the Federal Government on this investment is significant and real and tangible. The Entrepreneur Fund has provided $7 million in loans to 350 businesses. Over 9,000 individuals have been helped by the fund, by the Northeast Entrepreneur Fund. They have established a Women's Business Center. They've been an SBA microlender.

They're not doing it all by themselves. The gentleman from Arizona said, well, this can and should be done by the private sector. Well, the John S. and James L. Knight Foundation, the Blandin Foundation, Minnesota Power Company, and the Lloyd K. Johnson Foundation all are partners and participants with the Northeast Entrepreneur Fund and with the Greenstone Group. There is a public-private partnership that has been very successful and that has the support of the private sector. How does this translate?

Carol Willoughby, whom I know personally, has a very small company, Let the Whole World Know.

Without the training, the technical training from the Northeast Entrepreneur Fund, I could not have done it. I wouldn't be in business without them, she wrote.

Luke Popham and Jeremy Rebrovich, two beginning entrepreneurs, were turned down by nine banks until the Northeast Entrepreneur Fund found them, helped them and guided them.

Jeremy says, Without the Northeast Entrepreneur Fund, I wouldn't be in business today.

They built a fitness center with their carpentry skills, and they have 900 clients. They're producing, and they're creating jobs in an area that is losing jobs.

What the Entrepreneur Fund and the Greenstone Group do is simply provide, in participation with the private sector, professional business coaching. People with real world business experience have helped these beginning entrepreneurs do the right thing—develop good business plans, get on their feet, and operate successful businesses. These one-on-one meetings with their coaches help the business owners step back from the day-to-day job of running their businesses and help them to see the possibilities for growth. They develop sound business plans. This is a good investment of Federal dollars.

I urge opposition to the gentleman's amendment, and I reserve the balance of my time.

The Acting CHAIR. The gentleman from Arizona has 2½ minutes remaining and the right to close.

Mr. FLAKE. I thank the Chair.

I would yield to the gentleman just 30 seconds for him to explain whether there is any time in the foreseeable future that he believes the entity will not be reliant, or dependent, on Federal funds.

Mr. OBERSTAR. When the private-sector lending enterprises can step up on their own and can support startup enterprises like that, you won't need a helping hand, but when the private sector says, We can't do this alone and we need a helping hand, then I think there is an appropriate role for the Federal sector to be a partner with the private sector.

Mr. FLAKE. I thank the gentleman. I thank him for that clarification.

Mr. Chairman, no Member of Congress will ever say that, in his district, there is full employment and that there is no need for outside assistance. This particular entity isn't just receiving this earmark. It received an earmark for nearly $250,000 in the FY09 omnibus bill that we passed just a few months ago. So we have last year's bill, this year's bill and likely next year's bill.

There are organizations all over the country that would like, one, to compete for SBA funds on merit rather than on earmark, and there are private-sector organizations that would like to provide this assistance, but they're competing with government entities that are providing some of the same services, a lot of these services that are indicated here—strengthening entrepreneurs, group-based learning, peer support, access to various business services. These are services provided by the private sector all over the place as well, but these private-sector organizations now have to compete with government organizations to survive. In some cases, it is no wonder there aren't private-sector organizations. They're crowded out by their government counterparts.

So, rather than continuing to fund entities that have received earmarks year after year and that have no real prospect of not being reliant on Federal Government funding in the future, we've got to say enough is enough. We can't continue to spend money this way when we're running a deficit that might approach $2 trillion this year.

With that, I urge support of the amendment, and I yield back the balance of my time.

Mr. OBERSTAR. When the gentleman from Arizona waves his magic wand over the northeastern part of my district and restores economic stability and growth and job creation, then we won't need this helping hand.

As I pointed out, there is no crowding out of the private sector. In fact, as I cited, one of the participants was turned down nine times by small banks that don't have the backing of big correspondent banks. They couldn't do it on their own. Then the Northeast Entrepreneur Fund came in and partnered with them, and now we have got jobs created and we have got people working. That is what we're doing. There is no crowding out. There is a partnership, a public-private partnership, that is successful in job creation and in payroll creating, taking people off the unemployment rolls and putting them on payrolls.

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.

AMENDMENT NO. 11 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 111–208.

Mr. FLAKE. I have an amendment at the desk designated as No. 11.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Green Business Incubator project of Montgomery County, Maryland, and the amount otherwise provided in such section is hereby reduced by $150,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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 at the desk.

Mr. SERRANO. I object.

The Acting CHAIR. Hearing an objection, the gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. I'm just proud of myself for getting those words out before the objection came.

Again, I would have substituted, this time, the Broadcaster Freedom Act amendment, which would have been the same amendment we passed last year, which needs to be passed every year to prohibit the FCC from bringing back the so-called Fairness Doctrine, which would muzzle or gag, much like we're being muzzled or gagged on this side during this debate. It would muzzle or gag, particularly, conservative talk radio. That is the purpose that has been raised in the past, and there are fears and, certainly, some support among certain powerful Members of this body to reinstate the so-called Fairness Doctrine.

This would prohibit the FCC from spending any money to implement that Fairness Doctrine. Again, first we're being told that we don't have time to consider this amendment. We know that's not the case. So the real reason is the majority leadership does not want this amendment to be considered. They don't want the debate to happen. They don't want a vote to happen. They don't want to put their Members on record. They simply don't want to prohibit funding for that purpose. It is too bad, Mr. Chairman. I would hope that we could return to the traditions of this House, have open appropriations bills and have an open debate.

This amendment would remove $150,000 in funding for the Montgomery County Green Business Incubator, and it would reduce the cost of the bill by a commensurate amount. The recipient of this earmark is the Montgomery County Department of Economic Development. Now, I should say I don't know how many counties there are around this country. States like Arizona have large counties. A few States in the Midwest and in the South have literally hundreds of counties. In just about every county in the country there is a Department of Economic Development. Cities have them. States have them. There are literally thousands across this country, but we're singling out one here, the Montgomery County Department of Economic Development.

We're saying, You don't have to compete with everybody else for any dollars that the SBA has to send out, because we're going to earmark those dollars, and you're going to get them regardless of the merit of your program. It may be good; it may not be, but it doesn't matter because a powerful Member of Congress can simply say you're going to get that money, and that's what's happening here.

Again, these are business incubators, which is a pretty broad topic, providing services that a lot of private-sector organizations across this country already provide.

I reserve the balance of my time.

Mr. VAN HOLLEN. I rise to claim the time in opposition, Mr. Chairman.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. VAN HOLLEN. Mr. Chairman, first of all, I want to commend my colleague from Arizona for taking the time to scrutinize many of these projects.

I am pleased with the changes we have made in this body with respect to the transparency and accountability of the earmark reform process. It's something that my colleague has fought for for many years, but those changes did not actually take place until the new Congress was sworn in in January 2006. I am pleased we have gotten to this point, and I think the gentleman performs a very useful function here.

Montgomery County, Maryland, has become one of the Nation's centers in the biotech area. It is one of the top 10 biotech centers in the country. One of the reasons they were able to do that is they pursued a successful strategy of creating incubators.

Mr. Chairman, I include for the RECORD a whole list of success stories for the Montgomery County Incubator.

MONTGOMERY COUNTY INCUBATOR NETWORK SUCCESS STORIES—JUNE 2009

1. Avalon Pharmaceuticals.

Ken Carter, Ph.D., President, 20358 Seneca Meadows Parkway, Germantown, MD 20876, 301–556–9900.

Admitted: January 2000.
Graduated: October 2000.
Current Employees: 50+.
At admission: 3.

Avalon Pharmaceuticals, Inc is a bio company that utilizes an innovative forward chemical genetics approach to create safer and more effective small molecules medicines–focused in the area of cancer. The company has received more than 60 million in venture capital funding. In December 2004 the company was selected as a Top 100 Innovator by Red Herring. Red Herring covers technology innovation, venture financing, and the deals that make a difference. Its award-winning journalists go deeper, providing a comprehensive, critical analysis of what's new and why it matters. Red Herring's editorial staff evaluated over 1,200 submissions from 900 public and private companies, and selected the Top Innovator companies. The company executed an IPO in 2005 and was sold in 2009 to Clinical Data.

2. Nextone Communications.

Ravi Narayan, COO and Co-founder, 101 Orchard Ridge Dr., Suite 300, Gaithersburg, MD 20878, Tel. 240–912–1300.

Admitted: April 1999.
Graduated: January 2003.
Current Employees: 100+.
At admission: 4.

Nextone develops carrier-grade products that provide scalable session management of voice over IP (VoIP) and other real-time services. Nextone's portfolio of core and edge session management technologies enables service providers and carriers to interconnect their voice networks in the most simple and cost effective way. Nextone has offices in Asia and Europe.

3. Systems Integration & Development, INC (SID).

Ajay Agrawal, President & Founder, 15200 Shady Grove Road, Suite 300, Rockville, MD 20850, Tel. 301–840–2120.

Admitted: January 1999.
Graduated: July 2002.
Current Employees: 110.
At admission: 4.

SID specializes in designing, developing, and implementing superior quality web based software solutions for commercial enterprises and government agencies. SID has developed several web based COTS tools as solutions for workflow management, document management and tracking systems. 2004 has been a stellar year for SID. The company has been named members of several key ''who's who'' lists in the IT world, including Maryland Technology Fast 50 (ranked 21st), Washington Technology Fast 50 (ranked 13th), and the Technology Fast 500 for North America (ranked 483rd.)

4. GeneDX, Inc.

Sherri Bale, Founder, President & Clinical Director, 207 Perry Parkway, Gaithersburg, MD 20877, Tel: 301–519–2100, x102.

Admitted: July 1999.
Graduated: September 2002.
Current Employees: 25.
At admission: 2.

GeneDx specializes in genetic testing for rare hereditary disorders. Its mission is to make clinical testing available to people with rare genetic conditions and their families.

5. Opgen, Inc.

Noel Doheny, CEO, 708 Quince Orchard Boulevard, Gaithersburg, MD 20878, Tel: 301–919–6635.

Admitted: March 2008.
Graduated: July 2008.
Current Employees: 56.
At Admission: 2.

Opgen holds the record for the fastest graduation in the Incubator Network. The company owns a proprietary molecular detection system. The purpose of its technology is to detect and identify pathogens. Opgen's technology was utilized by the U.S. FDA to detect and trace the source of e-coli and salmonella that broke out in the produce markets. The company has received $50MM in venture funding and has contracts with the FDA and DARPA.

7. Aeras Global TB Foundation.

Jerald Sadoff, MD, President & CEO, 1405 Research Boulevard, Rockville, MD 20850, Tel: 301–547–2900.

Admitted: February 2004.
Graduated: September 2006.
Current Employees: 110.
At Admittance: 5.

Aeras is the recipient of over $200MM in grants, namely from the Bill & Melinda Gates Foundation. The organization is focused on developing a new and improved vaccine for tuberculosis, as well as diagnostics and therapeutics.

8. Advanced Vision Therapies, Inc.—''Finding Solutions to Prevent Blindness''.

Michael Kaleko MD, PhD, President, 9 West Watkins Mill Road, Gaithersburg, MD 20878.

Admitted: June 2003.
Graduated: January 2007.
Current Employees: 18.
At Admittance: 4.

Advanced Vision Therapies, Inc. (AVT) is focused on the treatment of sight-threatening eye diseases, such as age-related macular degeneration and finding a cure that works. AVT recognized that an improved delivery system is required to enable the broad application of ocular therapeutics. The company has identified two novel therapeutics and developed a proprietary delivery system, which, with a single administration, will provide sustained, possibly life-long therapy. AVT was aquired by the Wellstadt group who was subsequently aquired by Roche.

9. 20/20 GeneSystems, Inc.

Jonathan Cohen, Esq., CEO, 9430 Key West Avenue, Rockville, MD 20850.

Admitted: September 2001.
Graduated: December 2006.

Current Employees: 14.
At Admittance: 2.

20/20 GeneSystems, Inc. is dedicated to the development and commercialization of novel protein biomarker based diagnostics useful for both early disease detection and personalized medicine. The company presently utilizes several proprietary protein array technologies including a technique for multiplex tumor profiling that is a platform for ''companion diagnostics'' that predict patient response to targeted therapies. The company is using its technology to develop what it believes will be the first blood test for the early detection of lung cancer that will be a routine screen for smokers and others at high risk for the world's leading cancer killer. The company also has a profitable business unit, 20/20 BioResponse, dedicated to delivering biotechnology solutions to first responders.

10. ADF Solutions, Inc.
JJ Wallia, CEO, 4641 Montgomery Avenue, Suite 515, Bethesda, MD 20814.
Admitted: October 2005.
Graduated: June 2007.
Current Employees: 18.
At Admittance: 2.

ADF Solutions is the leading provider of software triage tools for forensic analysis. These tools allow for first responders, case agents and forensic examiners to quickly and cleanly analyze suspect computers and drive images, both in the field, and in forensic laboratories. The company's solutions are currently being deployed and tested at agencies worldwide for child exploitation cases, drive images analysis, cyber crimes, financial crimes and others.

11. Ariadne Genomics, Inc.
lya Mazo, PhD, CEO, 9430 Key West Avenue, Rockville, MD 20850.
Admitted: October 2005.
Graduated: June 2007.
Current Employees: 30.
At Admittance: 4.

Ariadne brings together a unique combination of talents in algorithm design, commercial bioinformatics system construction and bench-level biological expertise. The availability of public human and other genomic date, organism-wide protein-protein interaction data and widespread gene profiling technologies presents new challenges to the storage and analysis of biological and preclinical data. In recognition of this trend, Ariadne introduces a new generation of bioinformatics products that combine flexibility of desktop applications and browsing power of web-based solutions.

12. NetImmune (now known as RioRey).
Jason Lu, Original Founder, 7920 Norfolk Avenue, Bethesda, MD 20814.
Admitted: October 2005.
Graduated: April 2006.
Current Employees: 26.
At Admittance: 2.

Distributed Denial of Service (DDOS) attacks, in which a targeted server is crippled or shut down by a flood of malicious traffic, are a growing threat to both public and private networks, endangering revenue, productivity and confidential data. NetImmune's technology provides a unique, hardware-based solution to the DDOS threat. The technology was originally developed by the University of Maryland, commercialized by NetImmune and is now sold under the name of RioRey.

13. Radius Technology Group, Inc.
Chris Archer, CEO, 804 Pershing Court, Suite 001, Silver Spring, MD 20910.
Admitted: August 2004.
Graduated: August 2007.
Current Employees: 23.
At Admittance: 3.

Radius Technology is an award winning Information Assurance and Security Services Firm. They offer innovative, comprehensive information assurance and technology security services. Their risk-based approach aligns the most effective information assurance solutions with the unique needs and business objectives of its clients.

14. Get Real Consulting (formerly InetXperts).
Robin Weiner, CEO, 51 Monroe Street, Suite 1903, Rockville, MD 20850.
Admitted : October 2002.
Graduated : December 2007.
Current Employees: 30.
At Admittance: 3.

Get Real Consulting is the 2009 Microsoft Health Users Group—Innovation Awards Winner and the 2008 Emerging Business of the Year (Montgomery County Chamber). The company focuses on delivering high quality IT/Healthcare solutions and was one of the first Microsoft Health Vault solutions provider.

15. Institute for Biological Energy Alternatives (IBEA).
J. Craig Venter, CEO, 9704 Medical Center Drive, Rockville, MD 20850.
Admitted : May 2002.
Graduated : September 2004.
Current Employees : 200+.
At Admittance : 4.

IBEA is now a part of the consolidated J. Craig Venter Institute. The JCVI in May of 2009 received a $43 million, five year contract from the NIH/NIAID to provide genomics resources that are responsive to the needs of the global infectious disease community. To do this, JCVI investigators with scientific and technical expertise in infectious diseases, human genomics, DNA sequencing, genotyping, and bioinformatics, will continue to generate comprehensive genomic data sets that will enable pathogen countermeasures such as vaccines, therapeutics, diagnostics, and surveillance methods.

About the Craig Venter institute: The JCVI is a not-for-profit research institute in Rockville, MD and San Diego, CA dedicated to the advancement of the science of genomics; the understanding of its implications for society; and communication of those results to the scientific community, the public, and policymakers. Founded by J. Craig Venter, Ph.D., the JCVI is home to approximately 400 scientists and staff with expertise in human and evolutionary biology, genetics, bioinformatics/informatics, information technology, high-throughput DNA sequencing, genomic and environmental policy research, and public education in science and science policy. The legacy organizations of the JCVI are: The Institute for Genomic Research (TIGR), The Center for the Advancement of Genomics (TCAG), the Institute for Biological Energy Alternatives (IBEA), the Joint Technology Center (JTC), and the J. Craig Venter Science Foundation.

□ 1615

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

We are now adjusting to a new imperative, which is to make sure that we, as a Nation and as communities, move in the direction of clean energy technology and energy efficiency. These funds would be used by Montgomery County on a competitive basis to provide seed funding for startup small businesses, companies that have to meet very rigorous criteria, just as the kind of criteria they used and was applied in the biotech sector. So I think this is an incredible example of strong public-private partnerships. Again, these will be distributed on a very competitive basis. There is going to be a long line of people waiting for these requests, and they are going to have to meet the competition requirements. I'm pleased to join in this request with my colleague Donna Edwards. Unfortunately, Mr. Chairman, we're in Ways and Means marking up the health bill, so I am going to have to turn it over to my colleague.

The Acting CHAIR. Without objection, the gentlewoman from Maryland will control the balance of the time.

There was no objection.

Mr. FLAKE. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Arizona has 2½ minutes remaining and the gentlewoman from Maryland has 3 minutes remaining.

Mr. FLAKE. And I have the right to close?

The Acting CHAIR. The gentleman is correct.

Mr. FLAKE. I will reserve the balance of my time.

Ms. EDWARDS of Maryland. Mr. Chairman, I rise in strong opposition to this amendment. This amendment would prohibit funding for a project that will have a tremendously positive economic impact not only to Montgomery County but to the entire State of Maryland. This Green Business Incubator is expected to house 20 to 25 new businesses that will create an estimated 460 green jobs in our State. This project is both unique and innovative, and it's timely. This is a transformational time for American entrepreneurs, creators and innovators; and we have an opportunity not to do the work as government but to facilitate it, to jump-start it and to get out of the way of smart green entrepreneurs.

This is not the type of project that should be cut. Instead, this project should be used as a model for local areas around the Nation. The project is an example of how local communities can spark economic growth within a region, not with the help of giant outside corporations, but with small local businesses that are most closely connected to the people and their communities.

Now aside from providing economic growth, this Green Business Incubator and others like it around the country is a way to invest in our environment and new environmental technologies, 21st century technologies. The project will use both critical environmental investments and technologies that have resulted in new energy and climate policies and that have accelerated demand for green technologies.

This particular area of Maryland is a technology hub. Montgomery County intends to use the linkage locally with some of our strongest Federal laboratories, NIST, NOAA, NASA and the Department of Energy to develop new technologies that are environmentally sound. It is going to take a continuum of technologies to meet our global, environmental and energy needs in the 21st century. We have a strong track

record in Montgomery County with these Federal research to commercialization models. In FY09, Montgomery County had 135 companies in incubators with a fiscal impact of $465,000 to county coffers. This Green Business Incubator will contain the 21st century labs and communications facilities that fledgling green businesses need to grow, flourish, employ hundreds of workers and generate thousands of dollars in private market capital.

I would like to thank Chairman SERRANO and Ranking Member EMERSON for seeing the importance of this project for this century and for seeing its potential to spur environmentally sound economic growth for small business in Maryland. I urge a ''no'' vote on this amendment.

I reserve the balance of my time.

Mr. FLAKE. The gentleman who spoke earlier mentioned that this was in the top 10 of something. I know that Montgomery County beat out eight competing counties to house the Maryland Clean Energy Center, which is the State's first clearinghouse to drive clean energy and technologies. So we have an organization here, a county that is beating out competition. That's a good thing. But we're telling them, because you're beating out that competition, we're going to give you an earmark so you won't have to compete anymore. I mentioned that there are literally thousands of county Departments of Economic Development around the country who would like a shot at these funds, I'm quite sure. But when they apply for these funds at the SBA, they're probably being told, Sorry. That account is oversubscribed. There are too many earmarks in it so you won't be able to compete because a particular powerful Member of Congress simply siphoned off the funding so that an organization or institution in his or her district could receive those funds without competing for them. Just remember, what earmarks really are are no-bid contracts. It's basically an acknowledgement that you don't want the organization or institution in your district or elsewhere to compete for the funding, so you are going to ensure that they get it. And when you look at a chart like this, it's particularly pernicious when 60 percent of the share of earmarks are associated with appropriators, leadership, committee Chairs or ranking minority members, who comprise just 24 percent of this body, and 70 percent of the dollar value is associated with that group. And so you have a spoils system that decides where this money goes. Remember, Congress has the power to appropriate; and what we should do is first authorize, then appropriate and then conduct proper oversight but not circumvent that process by saying, We're just going to run a parallel program over here in Congress and earmark the dollars.

With that, I reserve the balance of my time.

The Acting CHAIR. The gentlewoman from Maryland has 30 seconds remaining.

Ms. EDWARDS of Maryland. Mr. Chair, with all due respect to the gentleman from Arizona—and I definitely understand his purpose—the fact of the matter is, this is a great project not just for the State of Maryland but for this country. It's important for us to look specifically at what a project will accomplish, how many jobs it's going to create in our State of Maryland and the value of that. I agree. I'm not going to pick and choose winners and losers among businesses in my congressional district, but I will pick and chose for the growth of small business in our community and stand behind those choices.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from Arizona has 30 seconds remaining.

Mr. FLAKE. I thank the Chair.

The argument we're hearing is akin to saying—you know this whole college bowl system that we have, the BCS? That's good. But we think the University of Maryland or Arizona State University or BYU or another organization, we think they're better. So we're just going to award them the national championship. They shouldn't even have to compete in the BCS or anywhere else because we think they're better. And because we can, we're going to do that. That's one of the problems with the contemporary practice of earmarking. And for that, I hope that we will object this amendment and at some point say that we can't continue to spend money in this way.

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.

AMENDMENT NO. 12 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 111–208.

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:

Amendment No. 12 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Activity Based Total Accountability project of the Florida Institute of Technology in Melbourne, Florida, and the amount otherwise provided in such section is hereby reduced by $100,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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 have at the desk.

Mr. SERRANO. I object.

The Acting CHAIR. Hearing objection, the gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. I thank the chairman.

It's unfortunate that it's been objected to again. Again, this amendment that I would have substituted is one that had bipartisan support, many Democrats, many Republicans, that would simply keep in place the restrictions that have been in place for years with regard to taxpayer-funded abortion. This is one that the rule for this bill just narrowly passed after the vote was held open for longer than it was supposed to so that a few arms could be twisted to make the rule pass because so many Members wanted this amendment to be considered. But yet the leadership on the majority side has said, We don't want to have a debate on this. We don't want to have a vote on this.

Now it doesn't matter which side you're on on this issue. I think everyone should agree that we should have a vote on it. This is the people's House. People should have the opportunity to vote on issues like this. It is not increasing the time for debate. It's simply substituting one amendment for another. It is unfortunate we won't be able to do that.

This amendment would remove $100,000 in funding for the Florida Institute of Technology in Melbourne, Florida, to be used for, quote, activity-based total accountability. According to the earmark sponsor's Web site, he requested just short of $1 million to ''create a national government services standards program to provide guidelines for which the efficiency of government services can be compared.''

I reserve the balance of my time.

Mr. CULBERSON. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman and Members, funding recommendations included in this bill were made in full compliance with the applicable rules and procedures of the House. On a bipartisan basis, we have scrutinized thousands of Members' requests and recommended funding for those projects that the committee believes are most meritorious. In addition, the Small Business Administration was given an opportunity to vet this project and provided the committee with no negative feedback regarding the project or the grantee. I urge my colleagues to oppose this amendment.

I yield such time as he may consume to the gentleman from Florida (Mr. POSEY).

Mr. POSEY. I thank the gentleman from Texas for yielding, and I want to thank our good friend, the Congressman from Arizona, for filing this well-intentioned but badly misguided amendment. It's not often that Members of Congress get the opportunity to specifically vote to make government more accountable. By defeating this amendment, you will have done that. You will have cast a vote, a standalone vote to make government more accountable.

The amendment strikes funding for a government accountability program known as the Activity-Based Total Accountability Institute. Government accountability is not a partisan issue. Thank goodness it's a bipartisan issue. The Florida legislature established this Activity-Based Total Accountability Institute on a strong bipartisan vote. In fact, it was a unanimous vote of the State legislature. And I am proud to point out that eight Members of the current Congress, Republicans and Democrats, supported this legislation when it was first passed by the Florida legislature. Those Members include the likes of outstanding congresspeople, Representative WASSERMAN SCHULTZ, Representative KENDRICK MEEK, Representative GINNY BROWN-WAITE, Representative MARIO DIAZ-BALART, Representative RON KLEIN, Representative SUZANNE KOSMAS, Representative CONNIE MACK, Representative ADAM PUTNAM and Representative GUS BILIRAKIS. We joined together in a bipartisan fashion because we know we need a greater accountability in government and in how taxpayer dollars are being spent, and this was a way to accomplish that.

I think we can accomplish much when we come together and reach across party lines for greater accountability and for the most efficient use of taxpayer dollars. That's why we did this; and that's what we did when we passed it; and hopefully that's what we will continue to do here today.

Activity-Based Total Accountability has been proposed as model legislation by the American Legislative Exchange Council, the Nation's oldest and largest bipartisan and nonprofit association of State lawmakers. Also the National Conference of State Legislators recommended that it be model legislation in each and every State. In fact, ALEC called it ''the best legislation to come out of any State capital in over a decade.'' If you support better government accountability, you should vote against this amendment, obviously.

Activity-Based Total Accountability helps us better understand unit-based accounting—what it does, what it costs the government to accomplish a certain task, how does that compare on a State-by-State basis. That's what ABTA tells decision makers, and that's what it tells the public. It's the most useful kind of cost accounting which presents the cost for all government activities in a format anyone can understand. Taxpayers can see line by line what government actually accomplishes with its resources.

Florida put $750,000 into the establishment of the institute to gather budget data from every State. The comprehensive analysis of apples to apples will help every State spend its resources more efficiently and the Federal Government's as well. Defeating the amendment will allow the program to continue, and I would respectfully request that you join me in voting ''no'' on the amendment.

Mr. CULBERSON. If the gentleman will yield, I think it's important to point out—and I want to say that I share my colleague Mr. FLAKE's zeal for trying to cut spending and control spending. I know Mr. POSEY shares that concern. We all, as fiscal conservatives, are committed to controlling spending. But under the rules that this liberal majority has established, under their PAYGO, this bunch thinks that to cut taxes increases the deficit; and therefore, under the rules of this House, it is forbidden, essentially, to cut taxes and impossible to cut spending.

□ 1630

So, even if Mr. FLAKE's amendment were passed, the money that he is reducing, $100,000, would churn right back in to the appropriations bill to be spent elsewhere. I know that aggravates Mr. FLAKE as much as it does me.

We have to reform the budget process. We have to be able, as fiscally conservative Members of Congress, to get up on this floor and offer cutting amendments that actually cut spending. But the game is rigged against taxpayers. Taxpayers are the losers in the way the rules of the House operate. And it is just not right.

Now, Mr. POSEY has got a very worthwhile project here in his own district, and that is something that he believes in his heart works. I join in opposing this amendment, but I would ask the Members to help us reform the budget process so we can actually cut spending and cut taxes.

Mr. FLAKE. I thank the gentleman from Texas for his comments. I think if we could bottle up all the shared zeal to cut spending, then maybe we could pass one of these amendments to cut spending.

The gentleman points out that we are not cutting it, and that year after year, when those of us who want to come down here and strike funding for earmarks want to do it, we receive objection from those on the Appropriations Committee to say, well, you're not really saving anything because it will go right back into there.

But you can go and lower the 301(b)s and (a)s, and you can do it the way you want to, but maybe, just maybe the reason the Appropriations Committee, on both sides of the aisle, unfortunately, and it pains me to say this as a Republican, but part of the reason you don't see the Appropriations Committee very anxious to cut spending is because of this. When you look at 70 percent of the dollar value of the earmarks being associated with Members who make up less than 24 percent of the body, if you take the Appropriations Committee, it is less than 14 percent of the body, and more than half of the dollar value of earmarks goes to just 14 percent of the body.

So I have to take with a rather large grain of salt the lamenting year after year after year by appropriators on both sides of the aisle that we can't cut this earmark spending because that darn money will just go right back into the system. So we can change any time we want.

I should say, also, this amendment made in order here will cut the funding and reduce it in the bill by the same amount. And to hear the excuse that we simply can't do that—and also this is something called activity-based total accountability, and the sponsor says that the purpose of the earmark is so that we can have more transparency in our funding structures at the State and local level. I find it ironic that we are using the least accountable system for distributing funds in order to increase transparency somewhere else.

At some point, we are all going to scratch our heads and say, wouldn't it be better when we are running at what could be a $2 trillion deficit this year to actually save the money and not spend it and concede to the taxpayers we can't continue to go on this way? But simply to say we can't cut these earmarks because, oh, that money will just go somewhere else, really, is a bit, it is just——

Mr. CULBERSON. Will the gentleman yield?

Mr. FLAKE. For 15 seconds. I think I have heard this before.

Mr. CULBERSON. We tried in committee, Jeff. Mr. LEWIS, the ranking member, offered an amendment in full committee to cut the overall spending levels in the Appropriations Committee, and we were defeated by the liberal majority. So we have made the effort. We are trying. And we are doing it at every opportunity. The frustration is your amendment won't save any money. I join you in wanting to cut, but this won't do it.

Mr. FLAKE. Reclaiming my time, we were in control for 6 years while I have been in this Congress, and we didn't make any effort to do that. That is the unfortunate thing. And we haven't done any better under the current leadership. But, unfortunately, we didn't send a very good example when we were in charge because we could have, at any time, ensured that the money went back to the taxpayer. But we didn't.

With that, 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 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.

AMENDMENT NO. 13 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 111–208.

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:

Amendment No. 13 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Commercial Kitchen Business Incubator project of the El Pajaro Community Development Corporation in Watsonville, California, and the amount otherwise provided in such section is hereby reduced by $90,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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 have at the desk.

The Acting CHAIR. Is there objection?

Mr. SERRANO. I object.

The Acting CHAIR. Objection being heard, the gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Is the gentleman sure he doesn't want to just reserve the right to object until he hears which amendment I have?

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FLAKE. All right. This amendment, I would submit, the modification would be to allow the school choice initiative to continue in D.C., again, a bipartisan amendment offered to the Rules Committee, rejected by the Rules Committee, because the Democratic leadership decided that this House should not debate the topic nor vote on it.

We have the time. It is not an issue of time. I'm willing to forgo one of my amendments to allow this one to be offered. But, again, the House leadership has decided they don't want to debate nor vote on this amendment, and so we are not allowed to.

We are breaking tradition that has held for decades and decades and decades in this House in order to simply shield Members or shield parties or whatever from votes that might be taken in the body. And that is unfortunate.

This amendment would prohibit $90,000 in funding for the Commercial Kitchen Business Incubator in Watsonville, California, and would lower the overall cost of the bill by a commensurate amount. According to the sponsor, the funding would be used for a small business incubator for food service microenterprise. Specifically it would be used to purchase industrial kitchen equipment.

With that, I reserve the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise in opposition to this amendment. And let me explain, as others have explained the situation. Pajaro Valley is in the central part of California. It is probably the most agriculturally productive area in the region and in the whole Nation. It is also the epicenter for the Loma Prieta earthquake in 1989. It was the largest plant closure for food processing plants, and it now has an unemployment rate of over 25 percent.

We have been struggling for many years to try to get involved in how do you create businesses, create new businesses, create businesses that people who have no capital, have no ability to go out and borrow money can start. And a lot of that is cottage industry. One of the cottage industries is the catering business, areas where you learn to be chefs at restaurants, learn, particularly with all of our specialty crops and organic crops, how do you take those crops and move them to the next stage. It is also a struggle because in order to do that and to get into the commercial world, you have to have a commercially licensed kitchen.

So we have been struggling. The local community is very involved in this. Local businessmen sit on the board of directors of the community development corporation. This is a corporation set up under Federal law. Under the small business development corporations, you have bankers sitting on this, you have business people sitting on it, and you have lawyers sitting on it. And what they do is they work with people in giving them the skills they need to go into business for themselves.

Part of that is to build a place where you can come and learn all of this food processing and food cooking. You need to have a kitchen. It needs to be industrialized. It needs to be certified. You just can't run a business out of the back of your home. It is just not legal in a residential area to start a commercial enterprise like that. It has strong backing from the small business community. This is a one-time expenditure, never to be done again.

I really have to say that I object to going after the poorest of the poor who want to get on their feet, who want to get off welfare and have that American Dream. And this is one area, one niche, that everybody has identified as a niche that needs to be filled. So I think this amendment would kill the American Dream. I suggest that you oppose it.

I reserve the balance of my time.

Mr. FLAKE. I thank the gentleman. I respect the gentleman from California. He and I have worked together on a lot of legislation.

But in this case, I would simply say there are a lot of areas in the country that are hurting. In California, El Centro has an unemployment rate of 27 percent. Just across the California border in Arizona, Yuma has an unemployment rate of 20 percent. There are a lot of people hurting in a lot of places. But when I hear the gentleman say this is going to be a one-time expenditure, we have heard that before. We have heard that many, many times before. I'm sure some of the earmarks that we talked about earlier, the first year the Member got the earmark, he would have said, this is going to be a one-time expenditure. And yet year after year after year, we are funding the same earmark.

These business incubators are particularly prone to repetitive earmarks over the years. We seem to keep funding them again and again.

Again, let me say that there are a lot of business incubator services provided by chambers of commerce, trade associations and private sector organizations just wishing to supply services and to make a dollar. And yet now they are going to be asked to compete with a government entity that is receiving Federal largesse. And it simply doesn't work very well. We know we don't have sufficient money to spread around to everybody who wants it. We are running a deficit that could approach $2 trillion. So we have to prioritize here. I would suggest it is time to say that we can no longer fund these business incubators that have kind of a nebulous mission that is provided by a lot of private sector organizations around there.

I reserve the balance of my time.

Mr. FARR. There is absolutely no competition with the private sector. They have endorsed this. They are the members of the board of directors. They are trying to assist this community to get on its feet. And why I take umbrage with this, there are 201 earmarks in this piece of legislation. The author of this amendment has chosen 11 to go after. And they are about attacking poor people, the poorest of poor. That is what incubator centers are about, to get people on their feet, people who can't get loans, can't get access to the capital that the normal business community can do. And who is helping them? The business people who say, yes, we need these jobs. These are niche jobs that are unfilled.

If you're going to begin the entrepreneurial spirit in America, then you

have to get people into the entrepreneurial capability. That is legal. That is fiscal. And that is what this does.

So I object to the fact that you have gone through this bill and only picked out 11 of 201 earmarks, less than 10 percent of this bill. If you want to attack earmarks, attack an F–22. Attack something that is big that really saves some money, instead of something that attacks poor people.

Mr. FLAKE. I thank the gentleman. I hope I have the opportunity, because I will offer an amendment to the Defense Appropriations bill to stop funding the F–22. The gentleman has a good point. But we should also make the point that we cannot continue to pick and choose winners and losers here. What we are doing is borrowing money from our kids and our grandkids all around the country. We are borrowing money from small businesses and others because we simply don't have the money here. We are running a deficit.

So what we are doing is selling bonds to finance the deficit that is going to have to be paid back at some time. We are saying, Mr. Small Businessman or Mrs. Small Businesswoman, we are going to take money from you now because we think we know how to spend it better on that business over there or on that incubator over there.

I would submit that that simply is not the most efficient use of resources. The market would tell us that is the most inefficient way to allocate money. Government doesn't do a particularly good job of allocating money, allocating money to startup businesses or anything else. So we have got to say ''stop'' somewhere.

I will be glad to support some of the programs that the gentleman has, some of the amendments to cut big items of spending from our entitlement programs and elsewhere. But we have got to do that, and we have got to do this. We can't let any program go and simply say that we are not going to cut spending when we have a deficit of nearly $2 trillion.

With that, Mr. Chairman, I would urge support of the amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, this amendment doesn't save the Federal taxpayer one penny. It just takes it out of the earmark and puts it into the general fund. This earmark is to help the poorest of the poor get on their feet.

I recommend a strong ''no'' vote on this amendment.

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.

AMENDMENT NO. 14 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 111–208.

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:

Amendment No. 14 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Defense Procurement Assistance Program of the Economic Growth Connection of Westmoreland in Greensburg, Pennsylvania, and the amount otherwise provided in such section is hereby reduced by $125,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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 at the desk.

The Acting CHAIR. Is there objection?

Mr. SERRANO. I object.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. I thought the seventh time might be the charm, but apparently not. Apparently, the majority party is insistent that it only hear the amendments that it wants to have debated and that it wants to vote on, rather than the amendments that the Members here decide what they want to debate and vote on.

It is unfortunate. I would have substituted the amendment that would prohibit union activity on government time. It seems to be a simple concept, not controversial. But it is apparently one that the leadership did not want to debate nor to vote on. It is not an issue of time. Time constraints are already here.

□ 1645

The only issue is the majority leadership decided they don't want to debate or have a vote on this issue.

This amendment would prohibit $125,000 from going to the Economic Growth Connection of Westmoreland in Greensburg, Pennsylvania, and reduce the overall cost of the bill by a commensurate amount. This funding would go toward the EGC's defense procurement and assistance program to, according to the sponsor, provide small and medium-sized business with additional support for all phases of the government contracting and acquisition process.

I reserve the balance of my time.

Mr. SERRANO. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. The Economic Growth Connection of Westmoreland operates a Defense Procurement Assistance Center to serve two counties in southwestern Pennsylvania having a combined population base of 500,000 and combined workforce of over 257,000. The Economic Growth Connection is dedicated to growing small business and making local firms more competitive. This particular project, the Defense Procurement Assistance Program, advances these goals by: Offering assistance to small businesses on how to work with the DOD, including assistance with Federal Acquisition Regulations and workforce training; acting as a liaison between prime contractors and local suppliers to identify opportunities for subcontracting; conducting seminars to enhance the skill sets of the local workforce in this supply chain, including workshops on military certifications, process improvements, and quality assurance; and developing a manufacturing database to identify local companies and their capabilities. This database lists over 800 companies employing an estimated 48,000 people. And over the last 3 years, clients have been awarded on average $40 million each year in procurement contracts.

This is a worthy project. And I think it should be retained.

I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, to be honest, I'm not sure how much more help southwestern Pennsylvania needs in the way of defense procurement assistance. And I'm not sure how much more the taxpayers in this body can actually afford.

According to usaspending.gov, the district in which the Economic Growth Connection of Westmoreland appears to reside has benefited from nearly $1.4 billion in Federal contracts from 2004 to 2009, hardly the poorest of the poor. The Army, Navy, Air Force and Defense Logistics Agency make up four of the top 10 contracting agencies, and more than 60 percent of these funds were not subject to full and open competition.

Similarly, usaspending.gov indicates that the district of the sponsor of this earmark has benefited from more than a billion dollars in Federal contracts from 2004 to 2009, with less than half available for everyone to compete for.

Among the list of contractors receiving these funds, according to usaspending.gov, are many that we've come to know very well, all too well: Kuchera Defense Systems, Argon ST, KDH Defense, and Concurrent Technologies. Kuchera Defense Systems. That is a defense contractor for whom the sponsor of this earmark requested funding over the past 2 years, was raided by the FBI in January, suspended by the Navy, reported for ''alleged fraud,'' including multiple instances of incorrect charges, along with allegations of defective pricing and ethical violations.

Argon ST has been in the news lately because it purchased Coherent Systems International in 2007. It has been reported that the former head of Coherent Systems pled guilty in Federal Court Tuesday, just this last Tuesday, to a kickback scheme and defrauding the U.S. Air Force.

KDH Defense also made headlines when Roll Call reported that the bulletproof vest company received millions of taxpayer dollars to build a sonar system that it had no experience to design.

Concurrent Technologies has long been the focus of defense earmark critics. For example, at the end of 2007 the Washington Post highlighted that the National Defense Center For Environmental Excellence that was managed by Concurrent had received more than $600 million in funding, and that little of the center's work had been useful to the Department of Defense.

How long can we continue to provide defense-related procurement dollars for an area with so many organizations that have been associated with conduct that I think people in this body would say are certainly not deserving of more earmarks? Yet we're doing it here again.

How much longer are we going to do this, Mr. Chairman?

With that, I reserve the balance of my time.

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

Mr. FLAKE. It shouldn't surprise anybody that several of these companies in this area were clients of the PMA Group, a now defunct lobbying firm that specialized in obtaining defense earmarks for its clients. Since PMA was raided by the FBI and closed its doors, multiple press reports have noted questions related to campaign contributions made on or behalf of the firm, including questions related to straw man contributions, reimbursement of employees for political giving, pressure on clients to give, suspicious pattern of giving, and the timing of donations related to legislative activity. So here we are, yet again, with another defense-related earmark for an area that has received billions in defense spending that has previously been associated with contractors that have run into trouble, and a lobbying group that has cast a long shadow over this House.

I urge my colleagues, if we're going to step up at any time, and say, enough is enough, let's step up here. For an earmark for $125,000 to going to help in defense procurement for an area that receives billions and billions of dollars in defense procurement.

When is enough enough, Mr. Chairman?

I ask for support of the amendment, and 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.

AMENDMENT NO. 15 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 111–208.

Mr. FLAKE. I have an amendment at the desk designated as No. 15.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Myrtle Beach International Trade and Conference Center of the City of Myrtle Beach, South Carolina, and the amount otherwise provided in such section is hereby reduced by $100,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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 have at the desk.

The Acting CHAIR. Is there objection?

Mr. SERRANO. I object.

The Acting CHAIR. Hearing objection, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

Mr. FLAKE. This is, I believe, number 8 times the majority has objected to simply substituting an amendment that was not ruled in order by the Rules Committee, an amendment that was germane. This particular amendment was one that would have protected broadcaster freedom to make sure that talk radio stations around the country and other media organizations would not be subjected to new regulations which would try to control their content. This amendment passed last year by a margin, I think, 309 votes in favor. Yet, it's one that the majority party did not want to hear debated, or did not want to see a vote on, and despite the fact that it has bipartisan support.

Again, Mr. Chairman, we can't continue to go down this road, having martial law on appropriation bills and simply saying that we're going to decide, as a majority party, the majority leadership, which amendments can be offered, which ones can be debated.

This particular amendment would prohibit $100,000 from being used to expand the Myrtle Beach International Trade and Conference Center in Myrtle Beach, South Carolina. It would reduce the overall cost of the bill by a commensurate amount.

According to the Myrtle Beach Area Chamber of Commerce, the Myrtle Beach Convention Center hosted over 500 groups in 2008, has an economic impact of more than $55 million per year. It was the host site of the 2008 South Carolina GOP Presidential candidates debate. It draws a large number of civic and public events.

Why in the world are we spending another $100,000, when we have nearly a $2 trillion deficit, for a convention center, convention and conference center? There are convention and conference centers all over the country. There are many in my home State of Arizona. Why we should choose one and say they're worthy of an earmark and the other one isn't, and saying that they shouldn't compete for dollars, we're just going to hand them out.

I reserve the balance of my time.

Mrs. EMERSON. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Funding recommendations included in this bill were made in full compliance with the applicable rules and procedures of the House, and the Small Business Administration was given an opportunity to vet this project, and provided the committee with no negative feedback regarding the project or the grantee. Therefore, I urge my colleagues to oppose this amendment.

I yield to Mr. BROWN of South Carolina.

Mr. BROWN of South Carolina. Mr. Chairman, I rise today to speak against the amendment offered by my friend from Arizona. I am proud to represent coastal South Carolina. I know that the economy of Myrtle Beach is suffering, and jobs are being lost every day.

The tourism industry is the number one industry in the Myrtle Beach region, and the lifeblood of the surrounding area. The Myrtle Beach International Trade and Conference Center is an important part of that industry, with local economy impact of over $55 million every year. However, it has reached capacity, limiting its ability to attract major conventions. In light of this, the community has embarked upon a multiyear effort to expand the Center, funded through a mix of local and other dollars.

Not only will improvements to the Center assist in attracting national conventions to Myrtle Beach, which will result in more good-paying jobs for the region, but it also serves as the emergency command center for the city of Myrtle Beach in the event of a hurricane or other types of national disasters, which is why this project has received past support from the Department of Homeland Security.

Horry County is one of the hardest-hit counties in South Carolina during this recession, and I am proud to do everything I can to assist my district to

create jobs and improve the quality of life of my constituents.

Mr. Chairman, I would submit, for the RECORD, a letter from Myrtle Beach Mayor John Rhodes, as well as a letter from the Myrtle Beach Chamber of Commerce, detailing why this funding is needed and how it will be spent.

Mr. Chairman, I urge my colleagues to vote ''no'' on the Flake amendment No. 15.

MYRTLE BEACH AREA
CHAMBER OF COMMERCE,
Myrtle Beach, SC, July 15, 2009.

Hon. HENRY BROWN,
House of Representative,
Washington, DC.

DEAR CONGRESSMAN BROWN: I am writing to thank you for your efforts to secure federal funds for the expansion of the Myrtle Beach Convention Center. In particular, I thank you for seeking $100,000.00 in the current legislation moving through Congress. Your support of this important project is greatly appreciated.

The expansion project, once underway, will create hundreds of jobs in our area. With our unemployment rate reaching record levels, we desperately need more jobs and this project will help us accomplish that objective.

Once complete, the expanded convention center will attract more groups and thousands of visitors to the area, boosting tourism and creating jobs. Since tourism is the key cornerstone to our local economy, we simply must find ways to grow the economic base and create more jobs. Because the convention center is so important to our economy today, an expanded convention center will undoubtedly create new jobs in our local community.

We appreciate your past support of expanding the Myrtle Beach Convention Center and urge you to continue to seek funding for this important project. Your leadership is crucial to this project and I hope you will continue to press forward on this project.

Thank you for all you do to lead South Carolina and the First Congressional District.

With warmest regards, I am,

BRAD DEAN,
President.

CITY OF MYRTLE BEACH,
OFFICE OF THE MAYOR,
Myrtle Beach, SC, July 15, 2009.

Hon. HENRY BROWN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN BROWN: I understand that you will head to the floor tomorrow to defend the $100,000 that you have requested for the Myrtle Beach Convention Center. I want to first thank you for your continued support for this project.

Not only will an enhanced convention and trade center create jobs in Horry County, which is one the state's leaders in unemployment (not something that we are proud of nor happy about), but will further enhance overall tourism to the Grand Strand, which in turn will help create jobs.

While I have the opportunity, I wanted to give you a quick update on the expansion. The property has been purchased and a needed expanded parking lot has been completed. Designs are now underway for the performing arts portion of the structure which will be around 30,000 sq ft. City Council is ready to issue bonds for that construction as soon as design is completed and bid. The program work is ongoing for the further expansion of 100 to 150 thousand sq ft. The design team and center staff just completed a whirlwind tour of facilities in three states to get ideas of what is working and not working in other facilities. There is a lot of work ahead of us, but this facility plays a huge role in the multi-billion dollar tourism economy for the Grand Strand and the State and the expansion thereof is critical to us.

Thank you again for all of your support.

Sincerely,

JOHN T. RHODES,
Mayor.

Mrs. EMERSON. I yield 3 minutes to my good friend, Mr. CULBERSON from Texas.

Mr. CULBERSON. Mr. Chairman, the budget deficit this year, this week, for the very first time in history has exceeded $1 trillion. The national debt is now over $12 trillion.

The liberal majority that controls this House, passing the energy tax just before the Fourth of July break, the biggest tax increase in the history of America, the liberal majority that controls this House, passing this ''spendulus'' bill in a single shot, more money than is spent by the entire annual budget of the United States. We are on the brink—this liberal majority that controls the House has taken over the automobile industry, the insurance industry, the banking industry. They're on the brink of taking over the health care industry. And by the way, Business Investors Daily reports today, the health care bill will make it illegal to even buy private insurance.

This is the most massive expansion of government in the history of the United States. This Congress has spent more money in less time than any Congress in history, is about to raise taxes more than any Congress in history.

We are on an unsustainable path for the future of this Nation. It's vitally important for us to control spending. No new taxes, no new spending, no new debt. That's very simple. Yet, the game, the rules of the House are rigged against the taxpayers.

Even if every one of Mr. FLAKE's amendments were adopted, even if every amendment offered on the floor to cut these earmarks were adopted, taxpayers won't save a dime.

Imagine sitting down to a game of chess, and even if you think you've got checkmate you don't, because the rules are rigged against you. The rules of this House are set up in such a way by the liberal majority that on a spending bill, it's impossible to cut spending. You've got to cut another bill, the budget bill, and reduce what's called the 302(a) overall spending level, which can't be done on this bill.

□ 1700

On the tax bill, you can't cut taxes. It's forbidden to cut taxes under the rules of the way this bunch runs the House. Their game is rigged against the taxpayers, and that's my greatest frustration.

First of all, each Member of this House, no one will do a better job of representing the people of South Carolina than my good friend, Mr. BROWN, and he publishes his request on his Web site. This is all done in a very transparent and open way. All of us are accountable to our constituents about the way we run our office, but it is time for the American people to stand up and demand that the rules be rigged in favor of the taxpayers.

I'm sick and tired of this Congress spending money that our kids don't have, of rigging the game or the rules of the game so that we cannot cut taxes, so you can't cut spending. This is a charade. It's not right. It's wrong for our kids, and it's time to cut spending, cut taxes, and quit driving up the national debt.

Mr. FLAKE. If the gentleman would continue in that vein, I would give him more time. I even got a bit of whiplash here. I thought the gentleman was arguing to not spend another $100,000 on Myrtle Beach, the convention center attached to the Myrtle Beach hotel, the Sheraton.

Mr. CULBERSON. Would the gentleman yield? I would be glad to engage in a debate.

Mr. FLAKE. If the gentleman is in support of the amendment, I would yield. If not, please don't say any more.

My frustration was we were in the majority for the first 6 years I was here. There were a lot of the same Members of the same appropriations committee. We could have cut the 302(a)s, but we didn't. And now we have appropriators now in the minority party blaming the appropriators in the majority party for doing what we should have done a few years ago.

So it all seems to me to make sense when you see a chart like this, that explains the spoils system that earmarks really are, when 70 percent of the dollar value of earmarks go to just 24 percent of the House, and when less than 14 percent of the House gets well over 50 percent of the dollar value overall of earmarks.

So I have to say we have to start somewhere, and if we can't start by saving $100,000 for the Myrtle Beach conference center, I don't know where we can start. I really, really don't.

So I would just urge my colleagues, if we say that we're fiscally responsible, then show it instead of standing up and saying, Hey, we need to cut spending, but first before we cut spending we've got to spend another $100,000 on the Myrtle Beach Convention Center. I think the taxpayers have heard that for far too long, when we were in the majority and now with the new majority. At some point, we're going to have to say we're not going to do this anymore. That's what we're attempting to do with this amendment. I would urge support of it.

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.

AMENDMENT NO. 16 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 111–208.

Mr. FLAKE. I have an amendment at the desk designated No. 16.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 for ''Small Business Administration—Salaries and Expenses'' shall be available for the Tech Belt Life Sciences Greenhouse project of the Pittsburgh Life Sciences Greenhouse in Pittsburgh, Pennsylvania, and the amount otherwise provided in such section is hereby reduced by $100,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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 at the desk.

The Acting CHAIR. Is there objection?

Mr. SERRANO. I object.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SERRANO. Would the gentleman yield?

Mr. FLAKE. For the purpose—the gentleman has time, I believe.

I will yield the gentleman 30 seconds.

Mr. SERRANO. I just wanted to know if there was a time during this debate where you were going to show any gratitude to the Rules Committee for the fact that of the 17 amendments you got 11?

Mr. FLAKE. I have said from the beginning I'm grateful for the amendments I get. But the vote on my amendments typically has all of the excitement and drama of a Cuban election where we know the outcome, unfortunately, and it serves as a useful purpose for the majority party.

I'm grateful for the amendments I get. I guess you have to be grateful and express gratitude for the benevolence of the majority party for granting me a few amendments on a bill that has traditionally come to the Congress under an open rule.

If that's what we've come to in this House, to just express gratitude for the crumbs that fall from the table in terms of being allowed to offer amendments on appropriation bills, I hope we haven't come to that but, Mr. Chairman, I'm starting to wonder.

I would like to have offered an amendment in substitute for one of mine that would—again, this would be for the D.C. School Choice Initiative, to allow it to continue, to allow students to have the choice of where they go to school, but we're denied once again.

This amendment would remove $100,000 in funding for the Pittsburgh Life Sciences Greenhouse, Tech Belt Biosciences Initiative and reduce the cost of the bill by the commensurate amount.

This earmark states that the funding will be used for the creation of a Biosciences Tech Belt, and I am anxious to learn what that is.

I would reserve the balance of my time.

Mr. DOYLE. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DOYLE. The goal of this project is to promote partnerships between various biotech industries and encourage growth in biosciences.

Pittsburgh Life Sciences Greenhouse is a private-public partnership that provides entrepreneurial life science enterprises in Pittsburgh and western Pennsylvania with the resources and tools they need to make global advances in research and patient care.

Both Pittsburgh and Cleveland are hubs of innovation and entrepreneurship. There are currently 800 companies in the biosciences sector employing more than 25,000 people in this tech belt region. This project will foster growth in the biotech sector by linking companies between the two cities.

Pittsburgh Life Sciences Greenhouse has worked with companies in over 20 counties throughout western Pennsylvania since its inception in 2001. Due to their extraordinary work, 14.5 million has been committed in over 60 companies which have leveraged over $300 million in additional funding from venture capitalists and angel investors. 228 companies have been launched or grown using Pittsburgh Life Sciences Greenhouse services. Over 300 jobs have been created or retained in the Pittsburgh Life Sciences Greenhouse-invested companies.

The Tech Belt Biosciences Initiative takes these activities to the next level by creating, with its counterpart in Cleveland, an organization called Bio-Enterprise. Together, Pittsburgh and Cleveland pull in $1 billion in combined NIH research dollars which can spin off hundreds of companies and, in turn, create jobs.

The Tech Belt Biosciences Initiative is designed to maximize this tremendous opportunity to improve public health, generate economic growth in a region in need of jobs, and ultimately make the region an international destination for biosciences and high-tech innovation. Promoting such growth and development not only benefits the State of Ohio, but the State of Pennsylvania and the entire country as a whole.

It's now my pleasure to yield 2 minutes to my friend from Pittsburgh (Mr. ALTMIRE).

Mr. ALTMIRE. I understand what the gentleman from Arizona is doing here. He was going through the earmarks, as he does, and somebody needs to do that to make sure that they're all on the up-and-up. He saw the word ''greenhouse'' and he said, Why are we giving $100,000 to a greenhouse in Pittsburgh?

Well, what this is is the Pittsburgh Life Sciences Greenhouse. We in Pittsburgh have the University of Pittsburgh Medical Center. We have Carnegie Mellon University. We are partnering with Cleveland, as Congressman DOYLE just talked about, where you have the Cleveland Clinic and Case Western Reserve.

So we have literally thousands of life science biotech startups throughout the region that are doing great work, that are creating jobs, that are growing the economy. And when you heard the word ''greenhouse,'' that's what that's about. We're growing the economy in western Pennsylvania and northeastern Ohio. And this relatively modest investment that we're making through this earmark is going to fund an organization that has promoted 80 different venture capital firms that have directly funded 60 different companies through the initiatives that we're talking about.

So it attracts private investment, angel investors, and venture capital firms that otherwise would not be involved in the Pittsburgh and Cleveland technology corridor, which has suffered with job losses because of trade agreements and because of the down economy over the past several years. And what we've done here is put together a group that's going to attract outside investment to capitalize manyfold above and beyond the relatively modest investment that we make here.

And we are talking about an organization that just directly through this Pittsburgh technology belt, Pittsburgh-Cleveland Tech corridor, has grown 400 jobs and generated $300 million in venture capital and angel investment.

So I think this is a very worthwhile investment that we can make to grow the economy, and Pittsburgh has weathered the storm very well. What we're talking about today has resulted in the fact that Pittsburgh has an unemployment rate that's below the national average.

Mr. DOYLE. Mr. Chairman, I would like to yield any remaining time to our friend and colleague from Ohio, Mr. RYAN.

Mr. RYAN of Ohio. I want to thank the gentlemen from the Pittsburgh area.

This is a great investment for our community to pull these two, Cleveland-Youngstown-Pittsburgh corridor together.

And I would just like to remind the gentleman from Arizona, as I have before and will continue on every amendment, his congressional district, Mr. Chairman, wouldn't even exist. You in Arizona, it's a desert. All of the water lines, all the sewer lines, the $7 billion Central Arizona Project was paid for by the taxes of the steelworkers in Pittsburgh. We helped build the West, our area, and now we're saying we need to retool our economy.

And I think it is imperative for everybody in this House to know, we're all Americans here. And so to take investment during the 1950s and 1960s to build the West and then have a Member of Congress come before us here living in the largesse, spreading water into the desert so they can have nice golf courses, and come tell two Members of Congress from Pittsburgh, Pennsylvania, that are trying to retool their economy that somehow this is a bad use of Federal money, I have an answer for this.

Why don't we send the State of Arizona a bill for the $7 billion that built the Central Arizona Project, that sent all of these water lines and sewer lines and public investment out there. Maybe we should ask for that money back and put it towards deficit reduction.

Mr. FLAKE. Well, that was an interesting recitation of western history, I will tell you that, but this tech belt was created 2 years ago. The CEO of Pittsburgh Life Sciences Greenhouse and the CEO of BioEnterprise, Cleveland, decided to collaborate and leverage the existing resources in Pittsburgh and Cleveland, and this tech belt initiative was born.

But this is an interesting quote. I want everyone to hear this. John Manzetti, the CEO of Pittsburgh Life Sciences Greenhouse said the objective of the tech belt was to ''create some excitement and get funding from the Federal Government'' to build up their regions. It's been successful at that. Believe me. There's a lot of money that has gone in Federal earmark money, that's for sure.

According to the press release of the sponsor of this earmark, in this year's omnibus appropriation act alone, his district received $55 million in Federal funding from earmarks. That's just in the omnibus bill itself.

May I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. FLAKE. I will yield to the gentleman from Pennsylvania. The gentleman from Pennsylvania wanted to speak on a previous earmark, and I will yield him the last minute I have here.

Mr. TIM MURPHY of Pennsylvania. With regard to Flake No. 14 amendment, I want to let my colleagues know that the economic growth connection of Westmoreland County located in Greensburg is actually a very valuable resource to manufacturers in helping to keep the local employees, especially at a time when we are struggling with our economy.

The funding for this will be used for small and medium-sized businesses and give them some additional support they otherwise would not be able to afford in helping small manufacturers compete with large firms to gain defense contracts and other jobs.

It helps them find building and maintenance databases that showcase the unique capabilities they have. It helps them locate places for their manufacturing to take place. It provides several services that otherwise these businesses would have to, at a much larger expense, hire someone to take care of. It provides jobs. It provides help.

And I hope my colleagues, in response, will oppose that amendment and help preserve some jobs in the area.

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.

AMENDMENT NO. 17 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 111–208.

Mr. FLAKE. I have an amendment at the desk, No. 17, my final amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. FLAKE:

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

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds provided in section 511 ''Small Business Administration—Salaries and Expenses'' shall be available for an infrastructure expansion project to promote small business of the City of Loma Linda and the City of Grand Terrace, California, and the amount otherwise provided in such section is hereby reduced by $900,000.

The Acting CHAIR. Pursuant to House Resolution 644, 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, for the 11th time, that my amendment be modified in the form at the desk.

The Acting CHAIR. Is there objection?

Mr. SERRANO. I object.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

□ 1715

Mr. FLAKE. I wish we could have modified the amendment. I would have, again, submitted the Broadcaster Freedom Act to allow us to limit funding to the FCC so that they wouldn't be able to restrict broadcaster freedom across this country, but I wasn't allowed one more time.

I'd like to yield 1 minute to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Mr. Chairman, I've been sitting in my office watching this debate, and I am absolutely astounded that the general criticism of the gentleman from Arizona appears to be that his amendments appear to be of really no consequence, why are you nitpicking, going after different earmarks. And yet the gentleman has on 11 occasions, I believe, asked to be able to substitute what no one could disagree with, that is, that there would be serious substantive amendments that would go to consequential issues that this House should be given an opportunity to vote upon.

And yet because of the actions of the Rules Committee and the majority party, time and time again this gentleman has not been allowed to do that. And so the American people are being prohibited an opportunity to have their general membership in this House be able to make decisions.

I first came to this House in 1979. One of the things that was crystal clear at that point in time is when you had appropriation bills, every single Member, no matter whether they were a Member of the majority or minority side, had an opportunity to present amendments. Why? Because the power of the purse is the strongest weapon we have in the House of Representatives to be able to exercise the will of the American people, and yet time and time again we are being prohibited from doing that.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLAKE. I yield the gentleman an additional 15 seconds.

Mr. DANIEL E. LUNGREN of California. And yet the gentleman from Arizona is attempting to give us an opportunity to exercise our constitutional prerogative, to represent our constituents here, and we are being denied that time and time again.

Shame on this House.

Mr. FLAKE. This amendment would strike $900,000 in funding for the City of Loma Linda, California, and the City of Grand Terrace, California, for an infrastructure expansion project to promote small business and reduce the overall cost of the bill by a commensurate amount.

The sponsor of this earmark states on his Web site these funds would be used to establish a fiber optic infrastructure expansion pilot program between the City of Loma Linda and the City of the Grand Terrace's new business park. The pilot program would demonstrate how updated and expanded Internet access can promote

small business, create jobs, enhance local competitiveness, on and on and on.

The sponsor says that this is needed because private loans are unavailable as a result of the credit crunch and this region would benefit from the use of Federal dollars as an initial investment for future expansions. Well, we have heard that song before. There is a credit crunch out there. No doubt every business across the country will tell you about it, but not every business can say I am going to grab $900,000 in funding. Yet that's what we're doing here.

We're picking and choosing which cities and municipalities and which organizations can get these dollars rather than say, you know, Mr. Taxpayer, maybe you ought to keep that money and spend it yourself. We're going to have to increase taxes at some point to pay for this, and we're telling everybody out there just to live with it because we make better decisions here on business investments in the U.S. House than you do as a small businessman.

That's, in essence, what we're saying, and it's time that we stop that, Mr. Chairman. We can't continue to go on, and if we can't strike $900,000 in funding for a project like this, then I don't know where we start. I really don't.

I reserve the balance of my time.

Mrs. EMERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Mr. Chairman, funding recommendations included in this bill were made in full compliance with the applicable rules and procedures of the House. In addition, the Small Business Administration was given an opportunity to vet this project and provided the committee with no negative feedback regarding the project or the grantee.

Unfortunately, Mr. LEWIS, the sponsor of the amendment, was unable to come to the floor due to other important business.

I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, we passed a milestone that probably we shouldn't be proud of. Just last week, I think, the Webster dictionary finally put the definition of ''earmark'' in its dictionary, not the traditional definition that I was used to as a kid on a ranch where you mark cattle, but rather, earmark as a designation of dollars from the Congress by a particular Congressman.

When we passed that milestone, I think we've probably gone too far. When it's in the lexicon so frequently that the dictionaries are now picking it up, the appropriators have been trying to find earmark in the Constitution for years without success. At least they will find it now in the dictionary. That's not something we should be proud of.

At some point we do have to stand up and say we've got to stop this when we have thousands and thousands and thousands of earmarks in appropriation bills over the year and we can't seem to cut funding for one of them here. I don't know when we're going to cut funding. I don't know when we're going to get a hold of this deficit that we have unless we start somewhere, and I would suggest that we start here on this amendment.

Mr. LEWIS of California. Mr. Chair, I rise in opposition to this amendment. The item under consideration would meet the goals set by this Congress as part of our efforts to deal with the ongoing economic crisis. This measure is directly targeted to improving infrastructure and creating new jobs.

In an effort to keep the United States competitive in an increasingly high-tech world, Congress is committed to expanding technology-based job training and cutting-edge communications connectivity. Such efforts are evidenced in the broadband funding provided in the American Recovery and Reinvestment Act and funding for technology research and development in the Enhancing Small Business Research and Innovation Act of 2009. The benefits of such investment are evident in this project, known as the Connected Communities Program in the City of Loma Linda and the City of Grand Terrace.

California communities are facing some of the worst problems in the nation of public infrastructure funding and an economic crisis. The devastating effects of the mortgage crisis continue driving unemployment. In the last year, unemployment in my district has almost doubled from 6.7% to 12.9%, far surpassing the national average. The technology sector is one of the few bright spots—in my District, the number of jobs in technology and health care are projected to double in the next five years.

In an effort to capitalize on growth in the technology and health sectors, the Cities of Loma Linda and Grand Terrace began a comprehensive effort to connect homes, business and teaching institutions to a community-based advanced fiber-optic network. This program complements the national effort to upgrade connectivity infrastructure and promote creation of highly skilled jobs. From employing and training skilled network technicians to attracting cutting-edge small business, the network has successfully approached the national and local economic development goals. The program has stalled, however, and the communities are hard-pressed to find the funds to complete it. Credit markets and investment dollars have dried up because of the drastic economic downturn in Southern California. Small cities like Loma Linda and Grand Terrace have been especially impacted, and are faced with being unable to finance the very infrastructure that can help lead to economic recovery. This request will complete the program and provide fiber-optic connectivity to 95% of the community.

It is my belief that this proven program will play an integral role in the economic recovery of my District and southern California. I ask my colleagues to support the Connected Communities project and defeat this amendment.

Mr. FLAKE. 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. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111–208 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Mr. PRICE of Georgia;

Amendment No. 4 by Mrs. EMERSON of Missouri;

Amendment No. 5 by Mrs. BLACKBURN of Tennessee;

Amendment No. 6 by Mr. BROUN of Georgia;

Amendment No. 7 by Mr. FLAKE of Arizona;

Amendment No. 8 by Mr. FLAKE of Arizona;

Amendment No. 9 by Mr. FLAKE of Arizona;

Amendment No. 10 by Mr. FLAKE of Arizona;

Amendment No. 11 by Mr. FLAKE of Arizona;

Amendment No. 12 by Mr. FLAKE of Arizona;

Amendment No. 13 by Mr. FLAKE of Arizona;

Amendment No. 14 by Mr. FLAKE of Arizona;

Amendment No. 15 by Mr. FLAKE of Arizona;

Amendment No. 16 by Mr. FLAKE of Arizona;

Amendment No. 17 by Mr. FLAKE of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 146, noes 279, not voting 14, as follows:

[Roll No. 555]

AYES—146

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

Bono Mack
Boozman
Boustany
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Chaffetz
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
DeFazio
Dreier
Duncan
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kaptur
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Latham
Latta
Lee (NY)
Linder
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Michaud
Miller (FL)
Moran (KS)
Myrick
Napolitano
Neugebauer
Nunes
Olson
Paul
Paulsen
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Tiahrt
Tiberi
Wamp
Westmoreland
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—279

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—14

Barrett (SC)
Bordallo
Burgess
Costa
Engel
Faleomavaega
Lucas
Norton
Payne
Pence
Rogers (MI)
Scott (VA)
Space
Velázquez

□ 1746

Messrs. COHEN, TIERNEY, Mrs. McCARTHY of New York, Messrs. COURTNEY, HINOJOSA, CARNEY, LEVIN, Ms. GINNY BROWN-WAITE of Florida, Messrs. BERRY and KENNEDY, Ms. JACKSON-LEE of Texas, and Ms. BEAN changed their vote from ''aye'' to ''no.''

Messrs. PETRI, CULBERSON, SMITH of Texas, and DEFAZIO changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MRS. EMERSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Missouri (Mrs. EMERSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 172, noes 250, not voting 17, as follows:

[Roll No. 556]

AYES—172

Aderholt
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Cassidy
Castle
Chaffetz
Childers
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Minnick
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Perlmutter
Peters
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Smith (WA)
Souder
Stearns
Sullivan
Taylor
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—250

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Christensen
Chu
Clarke
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)

Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perriello
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—17

Barrett (SC)
Bordallo
Braley (IA)
Capito
Carter
Faleomavaega
Kennedy
Lewis (CA)
Lucas
McGovern
Miller, George
Norton
Olver
Pence
Rangel
Scott (VA)
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1749

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BRALEY of Iowa. Mr. Chair, on rollcall No. 556, had I been present, I would have voted "no."

PERSONAL EXPLANATION

Ms. NORTON. Mr. Chair, on rollcall Nos. 555 and 556, had I been present, I would have voted "no."

AMENDMENT NO. 5 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 247, not voting 8, as follows:

[Roll No. 557]

AYES—184

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Arcuri
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Cooper
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Gutierrez
Hall (TX)
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Hoekstra
Hunter
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Larson (CT)
Latham
Latta
Lee (NY)
Linder
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOES—247

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rogers (KY)
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—8

Barrett (SC)
Bordallo
Faleomavaega
Lucas
Pence
Salazar
Scott (VA)
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1753

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. INGLIS. Mr. Chair, on rollcall No. 557, had I been present, I would have voted "aye."

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 282, not voting 8, as follows:

[Roll No. 558]

AYES—149

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Culberson
Davis (KY)
Deal (GA)
Dent
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Issa
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Space
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—282

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—8

Barrett (SC)
Bordallo
Faleomavaega
Kennedy
Lucas
Pence
Scott (VA)
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). Thirty seconds remain in this vote.

□ 1756

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 89, noes 342, not voting 8, as follows:

[Roll No. 559]

AYES—89

Bachmann
Bishop (NY)
Bishop (UT)
Blackburn
Boehner
Boustany
Brady (TX)
Bright
Broun (GA)
Burgess
Buyer
Campbell
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Ehlers
Fallin
Flake
Fleming
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Giffords
Gohmert
Goodlatte
Graves
Hall (TX)
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kirk
Kline (MN)
Lamborn
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Matheson
McCaul
McClintock
McCotter
McHenry
McMahon
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Petri
Pitts
Platts
Price (GA)
Roe (TN)
Rohrabacher
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Speier
Stearns
Sullivan
Thornberry
Tiberi
Wamp
Westmoreland
Wilson (SC)

NOES—342

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
Kirkpatrick (AZ)

Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
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
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Barrett (SC)
Bordallo
Faleomavaega
Kennedy
Lucas
Pence
Scott (VA)
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1800

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 115, noes 314, not voting 10, as follows:

[Roll No. 560]

AYES—115

Akin
Austria
Bachmann
Bean
Biggert
Bilbray
Bishop (UT)
Blackburn
Boehner
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Dent
Duncan
Ehlers
Fallin
Flake
Fleming
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Goodlatte
Graves
Hall (TX)
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latta
Lee (NY)
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Petri
Pitts
Platts
Poe (TX)
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—314

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
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
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
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
Nye
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—10

Barrett (SC)
Bordallo
Faleomavaega
Kennedy
Lucas
Olver
Pence
Rogers (KY)
Scott (VA)
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1802

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 94, noes 336, not voting 9, as follows:

[Roll No. 561]

AYES—94

Austria
Bachmann
Bishop (UT)
Blackburn
Boozman
Boustany
Bright
Broun (GA)
Brown-Waite, Ginny
Burgess
Campbell
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Giffords
Gohmert
Goodlatte
Graves
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Jenkins
Johnson (IL)
Jordan (OH)
Kind
King (IA)
Kline (MN)
Lamborn
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCaul
McClintock
McCotter
McHenry
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Perlmutter
Petri
Pitts
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Stearns
Sullivan
Terry
Thornberry
Tiberi
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—336

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boren
Boswell
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
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)
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
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
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—9

Barrett (SC)
Bordallo
Boucher
Ellison
Faleomavaega
Lucas
Pence
Scott (VA)
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1805

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 93, noes 337, not voting 9, as follows:

[Roll No. 562]

AYES—93

Austria
Bachmann
Bishop (UT)
Blackburn
Blunt
Boehner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Burgess
Burton (IN)
Buyer
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Fallin
Flake
Fleming
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Minnick
Myrick
Neugebauer
Nunes
Olson
Paul
Petri
Pitts
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Royce
Ryan (WI)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Stearns
Sullivan
Terry
Thornberry
Tiberi
Wamp
Westmoreland
Wilson (SC)

NOES—337

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
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
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján

Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—9

Barrett (SC)
Bordallo
Faleomavaega
LaTourette
Lucas
Meeks (NY)
Pence
Scott (VA)
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1808

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 114, noes 318, not voting 7, as follows:

[Roll No. 563]

AYES—114

Akin
Bachmann
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Boozman
Boustany
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Buyer
Camp
Campbell
Cantor
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Dent
Duncan
Ehlers
Fallin
Flake
Fleming
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gohmert
Goodlatte
Graves
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Petri
Pitts
Platts
Poe (TX)
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Young (AK)

NOES—318

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
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
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Frelinghuysen
Fudge
Giffords
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
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
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—7

Barrett (SC)
Bordallo
Faleomavaega
Lucas
Pence
Scott (VA)
Velázquez

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1812

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 102, noes 326, answered ''present'' 1, not voting 10, as follows:

[Roll No. 564]

AYES—102

Austria
Bachmann
Barton (TX)
Biggert
Bishop (NY)
Bishop (UT)
Blackburn
Boehner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Dent
Duncan
Ehlers
Fallin
Flake
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gerlach
Gohmert
Goodlatte
Graves
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Jenkins
Johnson (IL)
Jordan (OH)
Kind
King (IA)
Kirk
Kline (MN)
Lamborn
Latta
Lee (NY)
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Paul
Petri
Pitts
Platts
Price (GA)
Roe (TN)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Sullivan
Terry
Thornberry
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Young (AK)

NOES—326

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Etheridge
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Giffords
Gingrey (GA)
Gonzalez
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
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
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
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
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
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
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

ANSWERED ''PRESENT''—1

Fleming

NOT VOTING—10

Barrett (SC)
Bordallo
Eshoo
Faleomavaega
Gordon (TN)
Kennedy
Lucas
McCollum
Pence
Scott (VA)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains in this vote.

□ 1815

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KENNEDY. Mr. Chair, on rollcall Nos. 556, 558, 559, 560 and 564, I was detained by a phone conversation with George Soros regarding the state/the U.S. economy and world economy and what would be done to rectify it.

Had I been present, I would have voted "no."

AMENDMENT NO. 13 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 120, noes 311, not voting 8, as follows:

[Roll No. 565]

AYES—120

Austria
Bachmann
Barton (TX)
Bean
Bilirakis
Bishop (UT)
Blackburn
Boehner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Dent
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gohmert
Goodlatte
Graves
Hall (TX)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kirk
Kline (MN)
Lamborn
Lance
Latta
Lee (NY)
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Miller, Gary
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Petri
Pitts
Platts
Poe (TX)
Price (GA)
Radanovich
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiberi
Tierney
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman
Young (AK)

NOES—311

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
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
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)

Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
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
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—8

Barrett (SC)
Bordallo
Christensen
Faleomavaega
Lucas
Markey (MA)
Pence
Scott (VA)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains in this vote.

□ 1818

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 312, not voting 8, as follows:

[Roll No. 566]

AYES—119

Austria
Bachmann
Bachus
Bean
Bishop (UT)
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Buchanan
Burgess
Burton (IN)
Buyer
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Davis (KY)
Deal (GA)
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Goodlatte
Graves
Halvorson
Heller
Hensarling
Herger
Hodes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kirk
Kline (MN)
Lamborn
Lance
Latta
Lee (NY)
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Mica
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Petri
Pitts
Poe (TX)
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Speier
Stearns
Sullivan
Thornberry
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—312

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
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)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
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)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Barrett (SC)
Bordallo
Culberson
Faleomavaega
Lucas
Norton
Pence
Scott (VA)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains on this vote.

□ 1821

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 99, noes 332, not voting 8, as follows:

[Roll No. 567]

AYES—99

Akin
Austria
Bachmann
Barton (TX)
Bean
Blackburn
Boehner
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Campbell
Cantor
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Ehlers
Fallin
Flake
Fleming
Fortenberry
Foster
Foxx
Franks (AZ)
Garrett (NJ)
Giffords
Goodlatte
Graves
Halvorson
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Jenkins
Johnson (IL)
Jordan (OH)
Kind
King (IA)
Kirk
Kline (MN)
Lamborn
Latta
Lee (NY)
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul
McClintock
McCotter
McHenry
Minnick
Moran (KS)
Myrick
Neugebauer
Nye
Olson
Paul
Paulsen
Petri
Pitts
Poe (TX)
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Speier
Stearns
Sullivan
Terry
Thornberry
Tiberi
Upton
Walden
Westmoreland

NOES—332

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
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
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
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
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
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
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Barrett (SC)
Bordallo
Faleomavaega
Gohmert
Lucas
McKeon
Pence
Scott (VA)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains in this vote.

□ 1824

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 16 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 104, noes 325, not voting 10, as follows:

[Roll No. 568]

AYES—104

Akin
Austria
Bachmann
Biggert
Blackburn
Boehner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Campbell
Cantor
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Giffords
Gohmert
Goodlatte
Graves
Hall (TX)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
Kingston
Kirk
Kline (MN)
Lamborn
Latta
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Mica
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Petri
Pitts
Poe (TX)
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Stearns
Sullivan
Terry
Thornberry
Tiberi
Walden
Westmoreland
Wilson (SC)
Wittman

NOES—325

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boccieri
Bonner
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
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)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)

Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
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
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—10

Barrett (SC)
Blumenauer
Bordallo
Faleomavaega
King (IA)
Linder
Lucas
McCarthy (NY)
Pence
Scott (VA)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains in this vote.

□ 1827

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 74, noes 356, not voting 9, as follows:

[Roll No. 569]

AYES—74

Bachmann
Barrow
Blackburn
Boehner
Boustany
Bright
Broun (GA)
Burgess
Campbell
Cantor
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Duncan
Ehlers
Fallin
Flake
Fleming
Fortenberry
Foster
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Goodlatte
Graves
Halvorson
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Jenkins
Johnson (IL)
Jordan (OH)
Kind
King (IA)
Kline (MN)
Lamborn
Luetkemeyer
Lummis
Marchant
McCaul
McClintock
McCotter
McHenry
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nye
Paul
Petri
Pitts
Price (GA)
Rohrabacher
Ryan (WI)
Schauer
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Thornberry
Tiberi
Westmoreland
Wilson (SC)

NOES—356

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
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)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
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
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
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
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—9

Barrett (SC)
Bordallo
Faleomavaega
Gohmert
Linder
Lucas
McCarthy (NY)
Pence
Scott (VA)

□ 1830

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Mr. Chairman, I would like to take this time to yield to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentlewoman from Missouri for her leadership and for allowing me time to speak.

Mr. Chairman, it is my goal to have a clean, up-or-down vote to restrict tax dollars from paying for abortions in the District of Columbia. I'm just asking for a clean, up-or-down vote because I think many people in America do not want us to take tax dollars and provide abortions.

Now, there has been a letter sent to Speaker PELOSI, to Chairman OBEY, and Chairwoman SLAUGHTER on this very important issue back on February 25. I was a cosigner of this letter to the Speaker, to the chairman of the Appropriations Committee and the chairwoman of the Rules Committee, along with another 179 Members, including 21

Democrats. It was requested that any changes to pro-life riders would be allowed an up-or-down vote on the floor of the House.

I was joined in an amendment on this bill by Mr. DAVIS of Tennessee, Mr. SHULER of North Carolina, Mr. JORDAN of Ohio, Mr. STUPAK of Michigan, Mr. SMITH of New Jersey, Mr. COSTELLO of Illinois, Mr. PITTS of Pennsylvania, Mr. MARSHALL of Georgia and Mrs. BACHMANN of Minnesota. We simply requested that we strike the word ''Federal'' from the bill, saying no funds shall be made available to provide for abortions. That rule, or that amendment was not made in order by the rule.

Mr. FLAKE of Arizona has tried to substitute one of his amendments that were made in order for this amendment so that we could have a clean, up-or-down vote.

So the whole purpose of the motion to recommit that I intend to offer will be to get a clean, up-or-down vote on this issue.

Now, currently, the bill allows for public funds to be spent on abortions. It does limit Federal funds, but all this money goes into the same bank account. It is a bookkeeping exercise to try to sort it all out. It is impossible to sort it all out. What it means is there will be no prohibitions on abortions in the District of Columbia in this bill, and, in fact, tax dollars will be providing abortions in the bill. Regardless of whether it's Federal or local funds, they will occur.

Now, we know this has happened in the past. In 1996, there was an amendment passed called the Dornan amendment which restricted funds from providing abortions. Following that bill, once they were stopped, there was a study done by the Alan Guttmacher Institute. They found out that there was a 34 percent drop in abortions in the District of Columbia when these funds were restricted.

Now, I've heard the President say, and I have heard many people who are pro-choice say, that they are for reducing the number of abortions. This clearly will be a reduction in the number of abortions if you will oppose this, or if you will support this amendment and allow me a clean, up-or-down vote on the amendment that I'm joined with by many others.

Seventy percent of Americans, according to polling data, oppose using public funds for abortions. So, regardless of where you're at on the issue, certainly, those folks, those 70 percent of Americans need an opportunity for their voice to be heard on the floor of the House. They need an up-or-down, clean vote on whether we're going to take public funds to provide abortions or not.

If you think of it in human terms, there is a financial incentive that will be put in place, paid for by tax dollars, that will encourage women who are single parents, living below the poverty level, to have the opportunity for a free abortion.

If you take that scenario and apply it to many of the great minds we have today, who would we have been deprived of? Our President grew up in those similar circumstances. If that financial incentive was in place, is it possible that his mother may have taken advantage of it?

Clarence Thomas, Supreme Court justice, if those circumstances were in place, is it possible that we would have been denied his great mind?

The opportunity to have tax-funded abortions, a financial incentive, is something that I think most of us want to oppose in America. And it certainly deserves a clean, up-or-down vote.

So it's my intent to offer a motion to recommit that is clean that simply strikes the world ''Federal'' on page 143, line 8, and allows an up-or-down vote. Now if this is ruled out of order, I would like to encourage those of us here to please allow this vote, a clean vote up or down.

Mrs. EMERSON. I yield back the balance of our time.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. I think what this needs is not necessarily an up-or-down vote. It needs clarification. What the gentleman is doing is just using this device to bring up an issue, a very difficult issue that we deal with in this society that does not belong anywhere on this bill. The fact of life is that his amendment is out of order. But we will discuss that later at the proper time.

Let's be clear on what this bill does on that particular issue. For a long time, for as long as I can remember, this Congress, that side of the aisle, has been telling the people, the citizens of the Washington, D.C. what to do, not only on the issue of abortion, on the issue of needle exchange, on the issue of guns, on the issue of gay marriages. On whatever issue is important to go back home and say, I am strong on this issue, rather than do it in their districts, they do it on the District of Columbia. And so they stand up and they say, I'm strong on this issue. Yeah, you are in D.C. I'm strong on that other issue. Yes, you are, in D.C. I'm strong on this third issue. Absolutely, in D.C.

Well, D.C. is not a foreign country. D.C. is American citizens, residents of this Nation who, under some behavior, have been put down by that side year after year after year as something other than second-class citizens.

What my bill does, what our bill does is simply say this: There is now a ban on use of Federal funds for abortions in D.C. There is a ban on local tax dollars being used for abortion services. What I do is remove the local ban so that they can have their own debate and decide whether or not they're going to do it.

You assume they're going to do it. I don't know. They're going to debate that later. They may not do it. But the Federal ban stays in place.

So when you say we will now allow taxpayers dollars, no. The American taxpayer who pays Federal dollars will not have a single dollar be used in Washington, D.C., for abortion services. But it may be that the tax dollars paid by the local residents of D.C. may be used for that. But we don't know that.

So this is not, ladies and gentlemen, a vote on abortion or how you feel about that. It's another form of colonialism, and I know a little bit about that. It is about telling people in D.C. you're not equal to the rest of us. We will tell you what to do. You can't think for yourself.

I'm not the mayor of D.C. I'm not the city council of D.C. They have a mayor. They have a city council. But year after year, on issue, after issue, you pick unfairly on the people who live in the District of Columbia.

I know there are folks on both sides of the aisle who have very strong feelings about the issue of abortion. I only implore you to look at the issue and understand that you're not voting on whether abortions will be taking place in this country or not, or anywhere or not. There are abortions taking place in D.C. right now by those people that can have them. That hasn't stopped. These are services that could be granted to them if they wish to.

So I implore you, do not think about the issue of abortion, but think about the issue of rights of American citizens to conduct their own business and to govern themselves.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Financial Services and General Government Appropriations Act, 2010''.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mr. HOLDEN, 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. 3170) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes, pursuant to House Resolution 644, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 644, the question on adoption of the amendments will be put en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. TIAHRT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TIAHRT. In its current form I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Tiahrt moves to recommit the bill H.R. 3170 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 143, line 8, strike ''Federal''.

POINT OF ORDER

Mr. SERRANO (during the reading). Mr. Speaker, I make a point of order against the motion under clause 2 of rule XXI. Although the instructions in the motion propose to amend a legislative limitation permitted to remain, it does not propose to merely perfect that language, but adds further legislation.

The instructions would broaden the application of the provision to include the District of Columbia funds and would not be in order under clause 2 of rule XXI.

And I ask for a ruling from the Chair.

The SPEAKER pro tempore. Before making a ruling, the Chair will request that the Clerk continue reading the motion.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman's point of order has been made. Does anyone seek to be heard on the point of order?

Mr. TIAHRT. Mr. Speaker, I wish to be heard on the point of order.

The SPEAKER pro tempore. The gentleman from Kansas is recognized.

Mr. TIAHRT. Mr. Speaker, first of all, this is a restriction of funds on this amendment. So I think it should be considered as in order on that.

But further, we have a constitutional requirement to oversee the expenditure of funds in the District of Columbia. It has been said that we are sidestepping our responsibility, or overstepping our responsibility by becoming mayor and city council member for the District of Columbia. But, in fact, we have a constitutional requirement to deal with the finances of the District of Columbia.

We also have many people who have asked to have an opportunity to reduce the number of abortions. So in your point of order, it's very clear that since it's a restriction of funds, since we have had so many people ask for a clean vote on this, that I would urge the Speaker to make this motion to recommit in order so that we can have this clean, up-or-down vote on the restriction of funds on this spending bill.

The SPEAKER pro tempore. Does any other Member seek to be heard on the point of order? If not, the Chair is prepared to rule.

Under settled precedent, where legislative language is permitted to remain in a general appropriation bill, a germane amendment merely perfecting that language and not adding further legislation is in order, but an amendment effecting further legislation is not in order.

The amendment proposed in the instant motion to recommit offered by the gentleman from Kansas is unlike the amendment addressed in the precedent of May 25, 1959, recorded in Deschler's Precedents at volume 8, chapter 26, section 22.11, which was held in order as merely perfecting because it simply narrowed the sweep of a limitation in the bill.

Instead, the precedent of November 15, 1989, recorded in section 1054 of the House Rules and Manual, is more pertinent. Indeed, the 1989 precedent is controlling. In that situation, as here, a legislative provision applicable to Federal funds—a limitation adorned with legislative exceptions—was permitted to remain in the general appropriations bill including funding for the District of Columbia. An amendment striking the word ''Federal'' was held to broaden the legislative provision to address District of Columbia funds as well.

On these premises, the Chair holds that the amendment proposed in the motion to recommit—even if it had been considered in the Committee of the Whole—presents a violation of clause 2(c) of rule XXI. The point of order is sustained. The motion is not in order.

□ 1845

Mr. TIAHRT. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. SERRANO. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

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

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

RECORDED VOTE

Mr. TIAHRT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on the passage of the bill, if arising without further proceedings in recommittal, and a motion to suspend the rules on H. Res. 476.

The vote was taken by electronic device, and there were—ayes 225, noes 195, not voting 13, as follows:

[Roll No. 570]

AYES—225

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—195

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Culberson
Dahlkemper
Davis (AL)
Davis (KY)
Davis (TN)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Gordon (TN)
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam

Jones
Jordan (OH)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Lipinski
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Oberstar
Olson
Paul
Paulsen
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Barrett (SC)
Hensarling
Herger
King (IA)
Linder
Lucas
Markey (MA)
Pence
Scott (VA)
Sherman
Shuster
Sullivan
Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining on this vote.

□ 1901

Mr. DUNCAN changed his vote from ''aye'' to ''no.''

Mr. GEORGE MILLER of California changed his vote from ''no'' to ''aye.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. LATOURETTE. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Ohio will state his inquiry.

Mr. LATOURETTE. Mr. Speaker, this bill has the potential or it is causing some angst among a number of people, and so my question is, as a Member of the House who happens to be not pleased with the abortion language in the bill relative to the District of Columbia but who is tickled pink about the auto dealer language that's in the bill, how does such a Member resolve that? What procedure exists for such a Member to come to some accommodation?

The SPEAKER pro tempore. The Chair can affirm that on a question of adopting a motion or approving a measure, a Member may respond either in the affirmative, in the negative, or as present. A Member who favors a proposition votes ''aye.'' A Member who opposes a proposition votes ''no.'' A Member who wishes to abstain, whether for doubt or recusal or otherwise, might record as ''present.'' Each Member is his or her own counsel on how to resolve his or her response on a given question.

Mr. LATOURETTE. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his further inquiry.

Mr. LATOURETTE. Really, I guess I want to ask why is the ''present'' button yellow, but that's not my parliamentary inquiry.

The parliamentary inquiry is, that should the Member that finds himself in that conundrum now is going to push red or green choose to insert a statement into the RECORD, where exactly would that appear in the Record?

The SPEAKER pro tempore. It would appear with the debate on the question.

The question is on the passage of the bill. Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 219, nays 208, answered ''present'' 1, not voting 5, as follows:

[Roll No. 571]

YEAS—219

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castle
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Massa
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Minnick
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Woolsey
Wu
Yarmuth

NAYS—208

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Carney
Carter
Cassidy
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Culberson
Dahlkemper
Davis (AL)
Davis (KY)
Davis (TN)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Lamborn
Lance
Latham
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Mollohan
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Oberstar
Olson
Paul
Paulsen
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Buchanan

NOT VOTING—5

Barrett (SC)
Lucas
Pence
Perlmutter
Scott (VA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1910

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CELEBRATING BLACK MUSIC MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 476, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 476, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 15, as follows:

[Roll No. 572]

YEAS—418

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
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
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—15

Baird
Barrett (SC)
Boehner
Delahunt
Gohmert
Harman
Lucas
McHugh
Miller, Gary
Murtha
Pence
Radanovich
Scott (VA)
Serrano
Yarmuth

□ 1917

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

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: ''Celebrating the goals and ideals of 'Black Music Month'.''.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1018, RESTORE OUR AMERICAN MUSTANGS ACT

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111–212) on the resolution (H. Res. 653) providing for consideration of the bill (H.R. 1018) to amend the Wild Free-Roaming Horses and Burros Act to improve the management and long-term health of wild free-roaming horses and burros, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Mr. PERLMUTTER. Mr. Speaker, on roll call 571 on the passage of H.R. 3170, the Financial Services Appropriation, I was unavoidably detained. I would have voted ''aye.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. Res. 648

Mr. KAGEN. Mr. Speaker, I ask unanimous consent to withdraw my cosponsorship of H. Res. 648.

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

There was no objection.

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.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO DR. CONSTANTINE PAPADAKIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

Mr. SESTAK. I rise today to honor a true visionary, a world-class intellect, and a leader of the first order, Dr. Constantine Papadakis. The passing of this extraordinary man has left a void that extends beyond the Philadelphia region to all corners of our Nation and his beloved birth country, Greece.

Dr. Papadakis served for 14 years as president of Drexel University. This

tenure ranked him among the longest serving leaders in higher education today. Under Dr. Papadakis' direction, Drexel's total enrollment grew by more than 130 percent, to 21,000, and full-time undergraduates increased to more than 11,000 students.

Dr. Papadakis led the effort to create the Drexel University College of Medicine, Drexel University Earle Mack School of Law, Drexel Online, and the Center for Graduate Studies in Sacramento, California.

He also formed a partnership between Drexel University and the Pennsylvania Institute of Technology, an intellectual outreach initiative that will help untold numbers of young men and women realize their full potential. The Pennsylvania Institute of Technology's new scholarship program for veterans of the conflicts in Iraq and Afghanistan is another testament to the Papadakis legacy.

Beyond academia, Dr. Constantine Papadakis was a champion of local economic development. He helped create Select Greater Philadelphia. He was a founding member of the World Trade Center of Greater Philadelphia. He also served on the Schuylkill River Development Corporation Board.

During his tenure at Drexel University, Dr. Papadakis had the opportunity to meet with various foreign dignitaries. In 1997, then-President of the People's Republic of China visited Drexel University, where his son had earned his Ph.D.

Dr. Papadakis also had a private audience with Pope John Paul II in Rome during the canonization of St. Katherine Drexel, niece of University founder Anthony J. Drexel. More recently, Drexel University was host to the October, 2007, Democratic Presidential campaign debate.

Dr. Papadakis was born in Athens in 1946, and did not arrive in the United States until 1969. Since his arrival as a student, he has received more than 150 major awards and honors. In addition to these, Dr. Papadakis acknowledged that the greatest achievements of his life were his marriage of 39 years to the love of his life, Elina, and the birth of his bright and talented daughter, Maria, a 2008 Drexel graduate.

I ask that our Chamber and our Nation pause to acknowledge Dr. Constantine Papadakis, a master of business, engineering, and academia, and parenthood, who in every sense led the American Dream and created the conditions for untold thousands of others to do so as well.

SHANE DETWILER—SOLDIER, LAWMAN

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, a Texas lawman has been killed in the line of duty. He was from Baytown, Texas. Shane Thomas Detwiler was a sheriff's deputy in Chambers County and a remarkable family man. He was just 31 years of age.

Shane was killed Monday of this week while investigating another shooting at an area mobile home park. A meter reader reported shots were fired at her when she went to shut off the water service. Shane was shot and killed when he responded to the call at this mobile home. He was gunned down upon entering the mobile home. After a long standoff, the shooter, Gilbert Ortez, Jr., shot and killed himself. Over 100 explosives were later found in his residence.

Shane's wife, Trish Detwiler, said her husband especially loved spending time with their three kids—sons Audie and Aiden and their daughter Abigail. Trish is an English teacher at Barbers Hill High School. In fact, today some of her students who belong to the Future Farmers of America, the FAA, happened to be in town and came by and visited me.

Trish said Shane would get up late at night with the children and make dinner for the whole family every night.

Trish, along with Shane's parents, Tom Detwiler and Cheryl Railsback, said Shane had a sense of adventure and eagerness to try new things. He was a certified scuba diver and also he was about to tackle spearfishing.

Shane wasn't born in Texas, but he got there as fast as he could. Shane was born in Ohio in 1977, and moved to Texas when he was four years of age. He met Trish when they were both in the third grade at Cypress-Fairbanks Independent School District, which is north of Houston. Shane played soccer, was a Cub Scout, and played trumpet in the Cy-Fair High School Band.

Mr. Speaker, this is a photograph of Shane taken not too long ago.

Shane joined the United States Army when he was 17. His mom, Cheryl, had to sign the papers, but she said he really wanted to be a soldier. He rose to the rank of staff sergeant in the United States Army. He served in Korea in 1998 and 1999. When he got back home to Texas, he earned a bachelor's degree in criminal justice from Sam Houston State University in just 2½ years, graduating summa cum laude.

He became a Texas game warden. That's a photograph of him here in his game warden uniform. That happened in 2003. He earned the nickname ''Superman'' from his fellow game wardens because he excelled in everything he did.

In 2005, Shane left for a yearlong tour of duty in Iraq when his oldest boy was just 3 weeks of age. He served as a counterintelligence special agent for the 321st Military Intelligence Battalion. He earned the Bronze Star and the Global War on Terrorism Service Medal.

But after his tour in Iraq, Shane came home to Texas to his game warden job and then he became a Chambers County sheriff's deputy just 2 months ago. The job of a deputy with the Chambers County Sheriff's Department allowed him to spend more time with his family. He worked the night shift until just last month.

This young lawman's death is particularly tragic because he leaves behind such young children. Shane's family pastor, Scott Neal of Eagle Heights Fellowship, said it's been particularly heartbreaking. He said, ''I asked his wife how she was doing, and she said, 'Only my 4-year-old will remember who their father was.''' That's very sad.

Mr. Speaker, the men and women who serve this country as lawmen and soldiers make great sacrifices to guard the safety and security of our communities. They risk their very lives in that service every day. Their families make great sacrifices as well.

So today we pay tribute to the extraordinary young man called Shane, with so much life ahead of him and his young family who suffers the loss of a wonderful man.

This Nation and the State of Texas owe Shane and his family an immeasurable debt of gratitude for their sacrifice. My fellow Texan who also represents southeast Texas, Dr. Ron Paul, and I are deeply sorry for the loss of Shane. Tomorrow, Shane will be buried in Mont Belvieu Texas.

Mr. Speaker, Shane Detwiler wore the uniform of a soldier, he wore the uniform of a Texas peace officer, he fought bad guys in Iraq, and back home he fought them as well. He did double service protecting the people. He was quite a person. He was the best that America has.

And that's just the way it is.

□ 1930

HEALTH CARE

The SPEAKER pro tempore (Mr. KRATOVIL). Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, I rise today to commend the Energy and Commerce, Ways and Means and Education and Labor Committees for working diligently on America's Affordable Health Choices Act. This bill is a historic first step to moving towards providing affordable health care options for all Americans.

Comprehensive health care coverage will cost taxpayers initially. The current CBO estimate projects a government investment of $1 trillion over the next 10 years, but we must not forget that this investment in the health of Americans is not about the cost but about the savings for American families. According to CBO estimates, streamlining administrative costs may save Medicare $500 billion. Providing the public plan with the ability to negotiate for Medicare rates will increase those savings.

Advocates for laissez-faire economics have continually noted that competition drives down costs and spurs innovation. With the public plan, we are finally giving the government a tool to

reduce the costs of health care for Americans. For years, insurance companies have monopolized the market and have driven up costs for consumers. In many communities, the only available health option can impose astounding rates that consumers are forced to pay. The public plan will introduce fair price competition, forcing private insurers to keep apace with efficiency and with innovation. With the public plan, we offer Americans personal patient choice and the freedom to stay healthy.

The America's Affordable Health Choices Act provides 97 percent of Americans with health care options. However, border States, such as my own, California, will continue to experience many of the same problems in their busy hospitals. The State of California is home to 22 percent of the Nation's undocumented immigrants. It is true that many of these immigrants will continue to travel to Mexico for care, but they will also continue to clog emergency rooms, which will result in exorbitant costs due to emergency care. We cannot run down costs in States like California without addressing this issue. We must provide hospitals with a mechanism for recovering these costs.

In addition to the public plan, the House's Affordable Health Choices Act introduces improvements to both Medicare and Medicaid. Individuals and families with incomes at or below 133 percent of the Federal poverty level will be eligible for an expanded and improved Medicare. This will ensure that more children remain healthy. Improving rebates to seniors will help close the Medicare part D doughnut hole and will ensure that they do not have to decide between purchasing food or their medications.

This bill has taken many steps to improve Medicare and the care we provide to seniors. However, we must remember that improving care for seniors is not the same as long-term care. If California does not fix its budget crisis by August, residents will lose many Medicare and Medicaid benefits, such as home care for seniors and for the disabled. The House health care bill does not address this problem. Providing the option for home care is another way to reduce costs and to allow seniors to keep their freedom, and it is something we should strongly consider.

Again, America's Affordable Health Choices Act is certainly an impressive first step. We must be careful not to weaken a national public plan, and we must equally encourage our Senate colleagues to support a robust national public plan.

Though local co-ops or State-level systems may seem to offer savings and freedoms for the American people, they raise a host of problems. Duplicating public plans in various locales raises administrative costs. It creates too many levels of bureaucracy that are simply not necessary. Therefore, I support the House version of America's Affordable Health Choices Act. I truly hope this is the historic first step on the road to making health care for all Americans possible.

Mr. Speaker, I look forward to working with my colleagues on this issue.

EXONERATING LIEUTENANT COLONEL JOHN A. BROW AND MAJOR BROOKS S. GRUBER

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, tonight I am on the floor to express my thanks to the United States Marine Corps. On April 8 of 2000, the late Lieutenant Colonel John A. Brow and the late Major Brooks S. Gruber of Jacksonville, North Carolina, were the marine pilots of an M–22 Osprey that crashed in Marana, Arizona. The mishap occurred during a training mission as part of a test phase to determine the aircraft's operational suitability for the Marine Corps. Seventeen other marines were killed in the crash.

From that day until tonight, I have worked with many aviation experts in the Corps and outside the Corps who have helped me reach the conclusion that these pilots were not at fault for this crash. Unfortunately, many inaccurate reports have characterized the cause of the mishap as ''pilot error.''

To set the record straight, in 2009, I asked the Marine Corps to include in the official military personnel files of Lieutenant Colonel Brow and of Major Gruber a memo which exonerates them from responsibility for the mishap. The memo includes 17 facts regarding the crash, which were developed based on my review of official investigations and public records, as well as from extensive discussions with aviation experts. The evidence shows that the fatal factors in the crash were the aircraft's lack of a vortex ring state warning system and the pilots' lack of critical training regarding the extreme dangers of VRS onset in the Osprey.

Lieutenant Colonel Brow and Major Gruber and their families are dishonored by the assertion that the aircrew was at fault for this fatal crash.

Mr. Speaker, I am grateful that the Marine Corps has accepted the relevance of these facts. On February 20 of 2009, they included my memo in the personnel files of these two marines.

To finally bring this tragedy to a conclusion and to remove the stigma that has been unfairly attached to these two pilots, I've asked the Navy to do the right thing, as the Marine Corps did the right thing, and include this memo in the official safety investigation report on this mishap.

Mr. Speaker, at this time, I submit for the RECORD my letter to Rear Admiral Arthur J. Johnson, dated June 11, 2009, which includes my request and the 17 facts about the crash.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 11, 2009.

REAR ADMIRAL ARTHUR J. JOHNSON,
Commander, Naval Safety Center, 375 A Street, Norfolk, VA.

DEAR REAR ADMIRAL JOHNSON: Thank you for your response to my letter of April 21, 2009. Notwithstanding your regulations regarding the purpose of Naval Aviation Mishap Saftey investigations, I am convinced that the Memorandum of the Record (Memorandum) must be included in the AMB report and JAGMAN investigation as a matter of public record.

Over the last several years, numerous articles and stories referencing the April 8, 2000 crash of the V–22 Osprey have incorrectly identified Lieutenant Colonel Brow and Major Gruber as the cause of the accident and have brought unmerited mental hardship on their families. I outlined two of these incidents in my previous letter. As a reminder, the press release issued by the Marine Corps attributed the accident to the pilot's ''extremely rapid rate of descent.'' Statements such as this and the incomplete nature of the AMB report and JAGMAN investigation have formed the basis for the public's perception of the role of the pilots in this unfortunate accident and must be supplemented with clarifying language.

For example, the JAGMAN stated that the aircraft found itself in vortex ring state (VRS) condition with no apparent warning to the aircrew. It was not until after the accident that Naval Air Systems Command called for a new flight limitation, pilot procedures, and a cockpit warning system for VRS. Clearly, the record must reflect this reality.

Your response stated that safety investigations ''are conducted to determine root causes and identify corrective actions, not to assign blame or document accountability.'' In the case of the Osprey accident, the process of determining root causes and identifying corrective actions led to assigning blame to the pilot and co-pilot by outside organizations because the role of VRS has not been given its proper emphasis. If investigations undertaken after completion of the accident report place the root cause of the accident on other causes, there is reason to acknowledge that and include such a finding in the AMB report and JAGMAN investigation.

There were many subsequent investigations into the safety of the Osprey and the dangers of VRS. Therefore, the process of investigating this accident is not ''closed to outside influences.'' Insights gained after the completion of an accident report can appropriately be appended to an official safety or investigative report.

Everyone can appreciate the desire to close an official investigation. However, subsequent developments clearly demonstrate that the accident report was incomplete. There is a legitimate basis for correcting what was determined in order to promote public justice and remove the stigma attached to the pilot and co-pilot.

In discussions with experts within and outside of the military, additions to closed investigations happen frequently. If you do not agree to place the Memorandum in the AMB report and JAGMAN investigation, I request that you specifically identify whether any of the 17 facts contained in the Memorandum are inaccurate. Inclusion of the Memorandum in the Official Military Personnel Files of these brave Marines is insufficient.

Thank you for your service to our nation. I look forward to your response.

Sincerely,

WALTER B. JONES,
Member of Congress

Enclosure.

MEMORANDUM FOR THE RECORD

Based on my review of official investigations and public records regarding this mishap as well as extensive discussions with aviation experts, I, U.S. Congressman Walter B. Jones, have concluded that the fatal factor in the crash of an MV–22 Osprey on April 8, 2000 in Marana, Arizona was the aircraft's lack of a Vortex Ring State (VRS) warning system as well as the pilots' lack of critical training regarding the extreme dangers of VRS onset in the Osprey. I also believe the Marine Corps has blamed the mishap on the pilots' drive to accomplish the mission and a combination of aircrew human factors. Lieutenant Colonel Brow and Major Gruber and their families are dishonored by the assertion that the aircrew was in any way responsible for this fatal accident. Therefore, I request that the following findings be included in all official records relating to this mishap:

1. The fatal crash of an MV–22 on April 8, 2000, in Marana, Arizona, was not a result of air crew human factors or pilot error that can be attributed to the late Lieutenant Colonel John A. Brow or the late Major Brooks S. Gruber who competently and professionally performed their duties as United States Marine Corps aviators.

2. The fatal factor in the crash of an MV–22 on April 8, 2000, was the aircraft's lack of a Vortex Ring State (VRS) warning system and the Department of the Navy's failure to provide the pilots with critical training regarding the extreme dangers of VRS onset in the MV–22.

3. Because of inadequate High Rate of Descent (HROD) and VRS developmental testing, the pilots of the MV–22 involved in the accident on April 8, 2000, were not trained or able to recognize, avoid, or recover from VRS onset in the MV–22.

4. Had adequate HROD and VRS developmental testing been conducted prior to the Operational Evaluation of April 8, 2000, and had a VRS warning system been installed in the aircraft, Lieutenant Colonel Brow and Major Gruber would have been better able to avoid or recover from VRS.

5. LtCol Brow and Maj Gruber were in formation behind another MV–22. The lead aircraft had overshot its intended approach angle and therefore steepened the approach angle. Unaware of the extreme dangers of VRS onset in the MV–22, LtCol Brow and Maj Gruber slowed their airspeed and descended even quicker, to maintain position on the lead aircraft. Twenty three seconds prior to the crash, the co-pilot of the lead aircraft stated "If you want you can take it long if you need to or you can wave it off. It's your call. You're hanging dash two out there." The lead aircraft pilot decided to continue his rapid descent at a slow forward airspeed, clearly oblivious of the extreme dangers of VRS onset in the MV–22.

6. Numerous reviews and investigations following the mishap have documented that the pilots of the mishap aircraft were not provided with the necessary and critical knowledge and training to recognize, avoid or recover from the extreme dangers of Vortex Ring State (VRS) onset in the MV–22 and the potential for sudden loss of controlled flight in the MV–22 following VRS onset.

7. After the mishap, Naval Air Systems Command (NAVAIR) called for a thorough investigative flight test program to find the boundaries of VRS, characterize its handling qualities, and establish the basis for a new flight limitation, pilot procedures, and a cockpit warning system.

8. As a result of testing following the fatal accident, a visual and aural cockpit warning system was developed to alert the aircrew when the aircraft exceeded the NATOPS flight manual's rate-of-descent limit.

9. On July 27, 2000, the Marine Corps publicly announced in a press release that a combination of "human factors" caused the April 8, 2000 crash. The press release went on to implicate the mishap aircraft pilots by stating that "deviations from the scheduled flight plan, an unexpected tailwind and the pilot's extremely rapid rate of descent into the landing zone created conditions that led to the accident." The release also stated that "although the report stops short of specifying pilot error as a cause, it notes that the pilot of the ill-fated aircraft significantly exceeded the rate of descent established by regulations for safe flight." In this Official USMC press release, Marine Corps Commandant Gen. James L. Jones is quoted as saying: "the tragedy is that these were all good Marines joined in a challenging mission. Unfortunately, the pilots' drive to accomplish that mission appears to have been the fatal factor."

10. This clearly damaging language is inaccurate, based on the fact that at the time of the crash, adequate testing of the MV–22 in the High Rate of Descent/Vortex Ring State (HROD/VRS) regime had not been conducted, the MV–22 did not have a VRS warning system, and the pilots did not have adequate knowledge and training to recognize and avoid the extreme dangers of Vortex Ring State (VRS) onset in the MV–22 and the potential for sudden loss of controlled flight in the MV–22 following VRS onset.

11. According to the Government Accountability Office (GAO), the Commander, Operational Test and Evaluation Force's V–22 Operational Evaluation (OPEVAL) report indicated that the MV–22 "Naval Air Training and Operating Procedures Standardization (NATOPS) manual lacked adequate content, accuracy, and clarity at the time of the accident. Additionally, because of incomplete developmental testing in the High Rate of Descent (HROD) regime, there was insufficient explanatory or emphatic text to warn pilots of hazards of operating in this area. The flight simulator did not replicate this loss of controlled flight regime." Also, the preliminary NATOPS manual and V–22 ground school syllabus provided insufficient guidance/warning as to high rate of descent/slow airspeed conditions and the potential consequences.

12. The Judge Advocate General Manual (JAGMAN) Investigating Officer stated that "the fact that the aircraft found itself in VRS condition with no apparent warning to the aircrew, but also departed controlled flight is particularly concerning."

13. On December 15, 2000, after a second crash of the V–22 that year, then-Secretary of Defense Bill Cohen determined that the accident history of V–22 aircraft and other testing issues required an independent, high-level review of the program. He established a Blue Ribbon Panel to review the safety of the V–22 aircraft and to recommend any proposed corrective actions.

14. This panel was briefed by the Government Accountability Office (GAO) and the contents of this brief were incorporated into a subsequent GAO report. The GAO report cited concerns about the adequacy of development tests conducted prior to the aircraft entering the operational test and evaluation phase and that completion of these tests would have provided further insights into the V–22 Vortex Ring State phenomenon. In particular, the GAO found that developmental testing was deleted, deferred or simulated in order to meet cost and schedule goals.

15. The original plan to test the flying qualities of the flight control system included various rates of descent, speeds, and weights. This testing would have provided considerable knowledge of MV–22 flight qualities especially in areas related to the sudden loss of controlled flight following VRS onset. To meet cost and schedule targets, the actual testing conducted was less than a third of that originally planned." In addition, MV–22 pilots did not understand the optimum use of nacelle tilt to recover from VRS onset. In my opinion, this testing clearly could have prevented this tragic accident by providing the pilots the knowledge and training to either avoid or recover from VRS.

16. The GAO presentation also revealed that the JAGMAN Investigating Officer opined that the MV–22 Program Manager (PMA–275), Naval Aviation Training Systems (PMA–205) and the Contractor "needed to expedite incorporation of Vortex Ring State and Blade Stall warnings and procedures into the MV–22 NATOPS. The preliminary NATOPS manual and V–22 ground school syllabus provided insufficient guidance/warning as to high rate of descent/slow airspeed conditions and the potential consequences."

17. The GAO report also revealed that the Director, Operational Test & Evaluation (DOT&E) stated that "while the possible existence of VRS in the V–22 was known when flight limits for OPEVAL were established, the unusual attitude following entry into VRS was not expected." DOT&E goes on to say "thus, the first indication the pilot may receive that he has encountered this difficulty is when the aircraft initiated an uncommanded, uncontrollable roll."

As of this evening, I have not yet received a response to this letter. Again, I want to state that I wrote Rear Admiral Johnson on June 11 of 2009, and as of this time, I have not received a response. I am very disappointed.

I hope the Navy will follow the example of the Marine Corps and will help properly honor the sacrifices of these brave pilots who gave their lives in the service of their country.

With that, Mr. Speaker, I will ask God to continue to bless our men and women in uniform in Iraq and Afghanistan. I want to ask God, in His loving arms, to hold the families who have given a child dying for freedom in Afghanistan and Iraq, and I will ask God three times: Please, God; please, God; please, God; continue to bless America.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE EXPANDING POWER OF THE FEDERAL GOVERNMENT AND ITS INTRUSION INTO AMERICA'S BUSINESS

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. Mr. Speaker, unfortunately, here we go again—yet another attempt to expand the power of the Federal Government and to intrude further in America's business. Just like with cap-and-trade, which was forced upon Members without

proper consideration, here comes another bill from the Energy and Commerce Committee. This time it is H.R. 2749, the Food Safety Enhancement Act of 2009.

I do believe that our Nation has the safest food supply system in the world, and I also agree that we should continue to examine that supply system to make certain that we continue to improve upon it. However, H.R. 2749 will not make us a better food safety country. Instead, it will expand the Federal bureaucracy, and it will impose unnecessary costs on a struggling ag economy. This legislation represents a dramatic shift in Federal policy that could, just like cap-and-trade, devastate agriculture.

This legislation was considered by the Energy and Commerce Committee just a couple of weeks ago. Now, just like cap-and-trade, the Democratic leadership wants to bypass the expertise of the Committee on Agriculture and bring this bill to the floor, this time under a suspension of the rules—no further consideration, no markups by other committees of jurisdiction, no amendments, just a vote.

One provision of H.R. 2749 that is of particular concern is section 103. This section would require the U.S. Food and Drug Administration to set on-farm performance standards. For the first time, we would have the Federal Government telling our farmers and ranchers how to grow crops and raise livestock.

The cultivation of crops and the production of food animals is an immensely complex endeavor involving a vast range of processes. We raise a multitude of crops and livestock in numerous regions, using various production methods. Imagine if the government is allowed to dictate how all of that is done. Chaos will ensue. Unfortunately, that is what H.R. 2749 allows.

Those who have never been on a farm will be allowed to tell a producer how to conduct his or her operations. We will not improve food safety by allowing the Food and Drug Administration to tell our farmers what to do. We will improve food safety by allowing farmers and ranchers to do something that they and their ancestors have been doing for generations.

There are other problems with this bill as well—new penalties, recordkeeping requirements, traceability, registration mandates, user fees—all things that do nothing to prevent foodborne diseases and outbreaks but that do plenty to keep regulators busy and that increase costs.

I raised these concerns today in a hearing of the House Agriculture Committee, which was reviewing food safety. The witnesses representing the FDA tried to reassure the committee by telling us not to worry, that they knew what they were doing and that they would consult with the Department of Agriculture. However, the FDA has no expertise in crop and livestock production practices, and I have little confidence that the FDA will work with the USDA.

In fact, a recent example of the FDA's unwillingness to accept the expertise of the USDA was demonstrated this week. It involved another bill, H.R. 1549, which would restrict—in fact, eliminate—the use of animal antibiotics. H.R. 1549 would institute a ban on the nontherapeutic uses of antibiotics, which is another ill-conceived concept concerning a very complex issue. Yet we learned today that no consultation by the FDA has occurred with the USDA.

In a hearing earlier this week before the House Rules Committee, the FDA suddenly shifted its course and supported this ban. No new research or scientific analysis was presented. Again, apparently no consultation with the USDA occurred. So much for collaborating with the Department of Agriculture.

Mr. Speaker, we must stop rushing legislation through Congress without careful, thoughtful and complete consideration. Congress rarely gets things right when we have ample time to properly consider policy changes, but it never makes good decisions when rushed by arbitrary timetables. H.R. 2749 needs to be referred to the Committee on Agriculture to allow for necessary improvements to this food safety bill, improvements which will actually improve the food safety of our country and will not shut down agriculture.

We do not need FDA from farm to fork.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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WE NEED PATIENT-CENTERED HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. BOOZMAN) is recognized for 5 minutes.

Mr. BOOZMAN. Mr. Speaker, I share the views of my constituents in the Third Congressional District of Arkansas that we need health care reform. I believe all Americans deserve access to quality, affordable health care; but the one-size-fits-all experiment won't give hardworking Americans, like Melissa Swaim, the peace of mind that she and her family deserve when seeking medical treatment. Melissa is all too familiar with doctors offices. Her son requires special medical treatments every 3 months that her insurance helps pay for. She is grateful to have insurance help cut the cost of these beneficial procedures and told me if her family didn't have insurance, finding the money to cover the cost would be very difficult. But she would rather scrape her pennies together and make sacrifices on her own to pay for her son's health care rather than have someone else decide treatment on his behalf.

We need to preserve the doctor-patient relationship that Melissa and millions of Americans have learned to depend on. This allows patients to make choices that suit their individual requirements, not Washington bureaucrats. Politicians making decisions about our health care needs is a prescription for disaster. Instead of taking away health care choices, we need to be offering more opportunities for patients.

We need patient-centered health care that allows them to get the treatments and the care that they need when they need it. The Obama prescription will deny patients treatments and make them wait to get the treatments that they are allowed to receive. Recently my mother needed to have the battery changed in her pacemaker. My mom is 88 years old. She is doing very well and is a wise and caring mother, grandmother and great-grandmother to her family. With government-run health care, after taking $500 billion from the Medicare program to help pay for the new plan, it's not a given that she would have gotten the treatment when she needed it at the proper time. This is not the standard of care that I want; it's not the standard of care Melissa wants; and it's not the standard of care 90 percent of my constituents, who have taken my online survey about government-run health care, want.

We need a plan that reduces health care costs, expands access and increases the quality of care. Unfortunately the 1,018-page Obama proposal does not achieve these goals. We need to be asking some tough questions. We need to be asking the President, we need to be asking the authors of this plan such things as, Will this allow illegal immigrants, illegal aliens access to health care? There's nothing in the bill that says no. We need to ask about the elderly, people who in the past have enjoyed access to cataract surgery to restore their vision, access to artificial hips, artificial knees to increase their mobility in a timely fashion. Will this plan allow that sort of care to continue? Those are the things that we need to be working on, and certainly to try to cram this down the American public's throat in 2 weeks is not workable. Luckily we still have time to get this right. Let's work together and make patient care the top priority of our reform.

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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. FORBES) is recognized for 5 minutes.

(Mr. FORBES 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 California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER 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 Minnesota (Mr. PAULSEN) is recognized for 5 minutes.

(Mr. PAULSEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE COST AND DANGERS OF THE GOVERNMENT TAKEOVER OF OUR HEALTH CARE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. SCALISE) is recognized for 5 minutes.

Mr. SCALISE. Mr. Speaker, today in the Energy and Commerce Committee we started having hearings on President Obama and Speaker PELOSI's bill, the proposal to create a government takeover of our health care system. I think the components of this bill and some of the things that have been talked about need to be discussed here on this House floor because the bill itself will actually lead to rationing of health care for Americans across this country. The bill will absolutely raise taxes on every American in this country and every small business in this country. In fact, there are over $580 billion in new taxes in this bill. This bill was just filed earlier this week. The Congressional Budget Office hasn't even been able to do a full assessment of it. There was a meeting held yesterday in the Energy and Commerce Committee with the CBO. Unfortunately the chairman decided that that meeting would be held in secret. He did not allow the media to come in. He didn't allow the public to have access through the Internet or through television to see what the head of the CBO had to say. You know, maybe if somebody supports this government takeover, I can see why they might want to try to hide the details from the public because the details that start to come out are showing the true cost to the American people and the true dangers of going into this government takeover of our health care system. I think the people ought to know what those details are. I think when you're talking about a bill this massive, a bill that is so enormous, probably one of the biggest transformations of government—and in an administration that has had many, many attempts to try to take over different aspects of our lives, this may be the biggest one.

We have a chart right here that we've put together which actually shows the organizational structure of this new government takeover. If government is allowed to take over the health care system based on the bill that President Obama and the Speaker and her top lieutenants in this House and in the Senate have filed, this is the structure of what government-run health care would look like.

There are a number of points that I think are important to go through. You hear President Obama talking a lot about, if you have the health care you like, you get to keep it. Now that sounds great. I agree with that. The problem is, the bill that President Obama and Speaker PELOSI and others filed takes away your health care. It allows a government czar—and unfortunately they've created so many czars. The government is running the insurance companies. The government is running banks right now. The government is running car companies. And the government is not doing a real good job of it. And now the government wants to run the health care system in this country. If you look at this organizational chart, you will see a whole lot of Federal agencies interfering in the relationship between a patient and their doctor.

Now these are the people that are saying that the government won't tell you when you can go see your doctor. Everywhere in this organizational chart and everywhere in their thousand-plus page bill they're giving this new health care czar the ability and the power to interfere between the relationship of a patient and their doctor. If you like the health care plan you have, there's actual language in this bill that allows this health care czar that's created, it gives this government bureaucrat in Washington the power to tell your company, if you like your health care, the government can now take away, literally disqualify your company's health care plan from being eligible and force you onto this government-run plan. They have taxes that cover all different aspects of life. They tax businesses, $583 billion in taxes on working people in this country. There's actually—and this was verified yesterday by the Congressional Budget Office—$29 billion in new taxes on uninsured people. Now the real irony of that is, the real reason that they're bringing this bill—over 300 million Americans participate in health care today, and there is a number of uninsured people. Some people say the number is 45 million. Others have narrowed it down, when you remove the illegal aliens, when you remove people that just choose not to get health care who are eligible, the real number of uninsured people has been honed down to about 7 million people, and that's a number we should go address. Health care needs to be reformed, and there are a lot of bipartisan approaches to reform that system. But you reform something that's broke. You don't blow up the whole system that's working.

In America we've got probably the best medical care in the world. People who have government-run systems, like Canada, like England, the citizens that have the means actually come to America to get care because our system is so good, even with the flaws. So let's go address those flaws. But you don't set up a system like this, some Byzantine system of bureaucrats and czars that are going to tell you which doctor you can see, to take over our health care system. Unfortunately we have got a debate started; and hopefully the public gets involved in this because when you look at the taxes, literally $29 billion of taxes on uninsured people when the bill was supposed to be designed to address the uninsured. When you look at small businesses and the impact on small businesses and middle-class families, in the bill they literally allow taxes on people making less than $50,000. This is a bill that needs important debate. Hopefully people will look at the details, and we can defeat it.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE FORMER LIBERIAN REGIME OF CHARLES TAYLOR—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111–58)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency and related measures dealing with the former Liberian regime of Charles Taylor are to continue in effect beyond July 22, 2009.

The actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I

have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.
THE WHITE HOUSE, JULY 16, 2009.

HEALTH CARE FOR THE AMERICAN PEOPLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. My name is KEITH ELLISON; and I am appearing on behalf of the Progressive Caucus, which is again coming to the House floor to discuss a progressive vision for America, a vision of America that has a central focus of the American quality of life being better for all people, that has a central focus of the welfare of Americans being better than it was before. In the Progressive Caucus, Mr. Speaker, we have a set of values which say that yes, we can live in harmony with the planet Earth; yes, we can engage in activity that will allow all Americans to have health care; yes, we can have civil rights for all people; yes, America can be a party and a member in the global village in which we promote peace and in which we stand with nations who are struggling to emerge around the world.

The progressive vision for America, a progressive vision that says that the greatest points in our Nation's history were when we passed the law for civil rights for all people; a progressive vision where we said the Wagner Act, where workers will have rights, was a great moment in American history; a progressive vision where we put together the resources necessary to pull America out of the Great Depression and into a greater level of rights, a greater level of prosperity and a greater level of community.

Tonight we're talking about health care, and I hope to be joined by my colleague soon. But I just want to set out that this is the congressional progressive message; and if anybody wants to communicate with us, they can do so at cpc.grijalva.house.gov. It is very important that folks know how to get in touch with us. Mr. Speaker, this is the progressive message where we come every week on the House floor to talk about a progressive vision. Health care is the topic. Health care is the issue for the American people today. Health care is what everybody is talking about here on Capitol Hill, and this is the progressive message where we talk about a progressive vision for America.

Now I'm using these boards to help illustrate a point; but the main concept here, as we talk about the progressive vision for America's health care, we want to start out with a central idea; and that is, care should be the watchword. We should be talking about care, not who pays, not who doesn't pay. Care. We should not be talking about all the complicated mechanisms first. We'll get to that as it's time to talk about that and there will be a good and appropriate time to debate these more complicated issues.

But the first thing we start with, as we talk about a progressive vision, is care, health care. Care should be where we start. Care should be how we end. If we care for each other, as Americans, if we regard all Americans as essential and important, we will construct a health care system and bring forth health care reform which makes sense for everybody, which costs less than this system does now because this system is not driven by care. It's driven by something else, which I will get to in a moment. We also have to have in this health care reform package a public option. But when I use the word public option, what I really mean is a we're-all-in-this-together option. A public option is an option that says that, look, we will have a public option, together with private options, in which the public can say, look, I want to select that public option because it works for me and my family or my business, and that's what people can take advantage of. There will be private options in the system, in the exchange. But this health care reform starts with the idea of care and states that the public option, which will be included in this health care reform bill and is in the bill now, is really a we're-in-this-together option.

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That is what it is about. That is the point. That is what we are going for. And we will talk more about that later. But I think it is important that when people talk about a public option, we are talking about an option that is available for Americans to select which really says, we are not going to leave you out in the cold, you're not by yourself, this ownership society is not a you're-on-your-own society. In fact, it is a society in which we are all in this thing together. So, Mr. Speaker, as I said before, care is what drives our vision.

But the system, the status quo, has something else driving the vision. Health care reform means patients before profits. That is what health care reform means. Health care reform doesn't mean that there won't be profits. Of course, there will be. There will be private businesses on the exchange. There will be people making money. Doctors will continue to make good salaries, nurses as well; and other people who do good things for society will be compensated fairly, of course.

But the fact is we will not have these insurance companies that are not allowed to just charge anything they want and pay their CEOs anything they want. We will have something where patient care will be what is important in this health care reform system.

So, I want to talk tonight, Mr. Speaker, about exactly what health care reform must include. And so let me just get to this board, and then I have a chart which will simplify it. Mr. Speaker, I believe there are folks who want to make this thing complicated. They want to make it hard to understand, and people just sort of switch off their minds and say, well, it is really complicated, so I don't get it, and they seem to be talking bad about it, so I am just not going to plug in.

I believe Americans really, really want health care reform. And I want them to know what this health care reform bill is talking about. As I said, a progressive vision is a vision that makes ''care'' the operative phrase in health care and puts patients before profits, although profits are not out of the picture. They are still around. But patient care is really what is driving the conversation.

A health care reform bill must include guaranteed eligibility. No American will be turned away from any insurance plan because of illness or preexisting condition. Mr. Speaker, how many Americans are at home right now who are checking over their bills, who are perhaps anxiety ridden or maybe even in tears because they have just been dropped or denied coverage because of a preexisting condition?

I told a story last week, Mr. Speaker, about a dear friend of mine who called me aside at a community forum I had on health care in my hometown of Minneapolis, Minnesota. She said to me with tears in her eyes that she had a dilemma. She didn't know what to do. Her sister and her mom had succumbed to breast cancer. She thinks she is at risk. She knows that if she goes to get the test to find out, then she will be presumed to have a preexisting condition and could be dropped. But if she doesn't, and she does have the early stages of breast cancer, she will not be getting the care that she needs. So she gets the test now, she can be dropped for having a preexisting condition. If she doesn't get the test now, her breast cancer could be advancing. This is the situation that so many Americans are in today, and it is wrong.

The health care reform we are talking about, guaranteed eligibility, no American will be turned away from any insurance plan because of illness or preexisting condition, meaning that insurance companies just can't insure the people who are well and the people who never make claims. They have to insure everybody, comprehensive benefits.

The new public plan, this is the you're-not-on-your-own plan, will cover all essential medical services including preventative, maternity, mental health and disease management programs. This is comprehensive benefits. This is different from some of those plans you get that is a good plan for health care only it doesn't cover anything, only it has a high deductible, high co-pay, high premium and doesn't offer any real coverage, and this is excluded, that is excluded, doesn't cover this, doesn't cover that. That is not the kind of plan we are talking about.

Comprehensive benefits, affordable premiums, co-pays and deductibles, as I just said they got a certain version of health care out there now that the private market has coughed up where they have high co-pays, high premiums, high deductibles, meaning if you go to the doctor, you got to pay a lot, you got to pay a lot out of your check every 2 weeks or every month when you get paid; and then if you need a procedure, you got to cough up a lot of your own personal money because they don't cover everything or even nearly everything.

So, participants will be charged fair premiums and minimal co-pays and deductibles for preventative services. So that means if you want to stay healthy by doing preventative health care, that option will be available to you.

Subsidies. Individuals and families who do not qualify for Medicaid or SCHIP but who still need assistance will receive income-related Federal subsidies and keep health insurance premiums affordable. So we are not going to leave anybody out. Even people who are the lower income scale and have to have health care, have to be able to go and see a doctor, have to be able to get preventative services; and this will be covered.

So health care reform, guaranteed eligibility, no exclusion for a preexisting condition, comprehensive benefits, a good plan that covers things that you need, affordable premiums, co-pays and deductibles and subsidies for people who need them.

So this is a chart that we developed, Mr. Speaker, to try to make it simple for folks, because it is complicated. It is our job in Congress to try to boil this stuff down and make it digestible. And so we came up with this little chart to try to talk about what is going on. Let's just say, here is the path to health care for all. Up here at the top of the box, Mr. Speaker, you got every American.

What the plan will yield is basically three of these bubbles that you will fit into. One of them is employer-based insurance. You have heard President Obama say, if you like your health care, keep it. That is what that is. If you like your health care, keep it. It is exactly what you have now if you have employer-based health care, but it is going to cost less. There will be no more discrimination for preexisting conditions. There will be no discrimination for age or gender. And we will have a medical loss ratio of 85 percent because 85 percent of the premiums must go to patient care. So they won't be able to just stuff their pockets with those $100 million salaries some of these health care insurance companies CEOs make.

This is a lot like we have now, only we will have improvement because of cost, because of the medical loss, what is known as the ''medical loss ratio'' and because of the banning of the exclusion for preexisting conditions. Then also we have public programs that exist now, Medicare, Medicaid, SCHIP, still available to children, seniors and families below the poverty line. This will still be there. This is not going anywhere. We are going to have Medicare, we are going to have Medicaid, and we are going to have SCHIP. That is still there.

What is going to be new, Mr. Speaker, is a health care insurance exchange. This is going to be new. This bubble is going to be kind of new. And it is going to go into effect in a few months perhaps after we pass the bill, perhaps as much as 12 months; but it will be counted in months.

Who is eligible for the health care insurance exchange? Individuals and small businesses will be able to go into the exchange. And what will be on the exchange? Private insurance plans that people can purchase, and what you will have there is a public option.

Now, people who go into the health care exchange will be subsidized for up to 400 percent of the poverty level. That means if you are at the poverty level times four, you take that income you have at the poverty level times four, if you make 400 percent of the poverty level, meaning you make well over the poverty level but still you don't have enough to afford health care, you can receive some sort of subsidy to make sure that you can afford coverage.

Then, you can go into the exchange, and you might be able to pick your policy because the policies will be standardized, and you will be able to pick one, be it a public plan or a private plan. And you will be able to get your health care policy picking the one that you want, guaranteeing that you will have choice, guaranteeing that you will have options and you will be able to select based on your needs. We are going to revisit this chart in a moment, Mr. Speaker, because it is important to go back to it.

So I just wanted to say that tonight what we want to do with this Progressive hour is talk about helping folks to understand the health care reform plan, helping folks to understand what the public option is. As I said before, the public option should be understood. It is something that is going to help you, something that means that this is our commitment to each other, like Social Security is our commitment to each other, like other important public programs are a commitment to each other, our roads are a commitment to each other. It is what we all do together to make sure people can make it. This is what the public option represents.

So, Mr. Speaker, many in Congress, the House and Senate, believe that any significant health care reform package must include a robust public option. We have seen leaders, brave and courageous legislators like RUSS FEINGOLD in the Senate and BERNIE SANDERS and CHUCK SCHUMER in the Senate over in the other body talking about the importance of a public option. But here in the House we have heard the same commitment from some great leaders like JOHN LEWIS, LOIS CAPPS and Congresswoman PINGREE from Maine, who is new to this body, all making important commitments to support a public option, on both sides, of course. We heard the President talk about the public option as well.

So we have people in all three, in both Houses and in the President's Office, talking about the public option. We have talked a little bit about what it means. But let me just elaborate on that a little bit. What it means at its heart is it means giving the uninsured the option to enroll in a public health care plan that is sort of like Medicare. That is what it means at bottom, giving the uninsured the option, the choice, the choice to enroll in a public health care plan like Medicare. A public insurance option would compete. We are talking competition here, Mr. Speaker. We are not talking about not competing. We are talking about competing.

Under the system we have now, we don't have much competition. But with a public option, we will have some competition. And this public option will compete on a level playing field with private health insurers, and the uninsured individuals would get a chance to choose which plan is best for them.

If you look at the health care market today, and you go into a given area, everybody knows that one or two firms dominate in that particular area, maybe three. Sometimes you just really don't have any options at all, Mr. Speaker. And so we have a lack of insurance right now, a lack of a competition now; and what we need to do is get some real competition.

Why is having a public health care option important? There are many reasons, but here are a few. A broad number of research and a broad spectrum of research has confirmed that a public health insurance option is a key component of cost containment. To drive down the cost of health care, you need a public option, because what it does is it introduces more competition, lower administrative expenses and drives cost-saving innovation. Some folks don't know that our health insurance industry right now is exempt from antitrust legislation and doesn't really have to compete. But a public option will drive them to competition, which is a good thing.

Also, need for a public option, according to research from the Commonwealth Fund, the net administrative cost for Medicare and Medicaid are 5 and 8 percent respectively. These are plans, Medicare and Medicaid, which already drive reasonable cost down so that the folks who participate in these programs are not being charged for a bunch of stuff that they don't need. They are getting low administrative costs.

Now I just want to say that I have been joined now by one of my favorite

colleagues, DONNA EDWARDS, who by the way, is a pretty good softball player, that is an aside, but Congresswoman EDWARDS is here. She represents a district in Maryland. And let me just give her a chance to sort of jump in on this important conversation going on in Congress right now.

Congresswoman EDWARDS, how are you doing tonight? Let me yield to you.

Ms. EDWARDS of Maryland. Thank you for yielding. Good evening, Mr. ELLISON. It is good to be here with you this evening. And I just want to say a few words because I don't have a lot of time, and I know you're really holding the fort here talking about the importance of health care to all Americans, the importance of a public plan option that really covers all Americans, gives them a choice of their doctors and what do they want for their services.

I just want to say the U.S. health care system is really one of the most expensive systems in the world. We know that. We spend about $2.2 trillion each year on health care services and products. At the same time, 46 million Americans are uninsured, and a whole bunch of others, 80 percent who have insurance, are actually from working families. They have insurance, but it is not enough, and it is not the right kind of coverage, and premiums are going up, and deductibles are going up. And it has become really an unaffordable system for American families.

Almost half of all personal bankruptcies are attributed to medical debt. I had that experience myself. I almost went bankrupt because I had a huge health care bill. I couldn't pay it. I got very, very sick, and I needed a choice. Fortunately, I was able to pay that off and then end up getting good insurance. But the reality is that when that happens, it can almost cripple a family. I don't want any other family to have to face the kind of choices I did about whether to take care of myself and my son or to pay for health care coverage.

□ 2015

And, at the same time, we also know that sometimes people make the choices. Do I buy my medications? Do I go see my doctor when I'm sick, or do I wait till I'm really sick? Those are choices that are unacceptable.

And let's look at the practices of our insurers. I mean, you know what happens. An insurer will say to you something like, well, you know, you've been a victim of domestic violence, and so we're not going to cover that and the cost of that because it's a pre-existing illness. I bet a lot of people across the country don't know that there are health insurers that deny coverage because of a circumstance of domestic violence. It's hard to believe that, and yet it's true, because it's considered a pre-existing condition.

And so we need not just a public option, we need one that's robust. We need one that says to insurance companies, here are the dos and the don'ts. Let's take care of the American people, and let's give them some choices.

Eighty percent of Americans have health insurance, and so that means that most people that you run into in your schools, your communities, your neighborhoods, your workplaces have health insurance. But for so many people, it's completely inadequate to do the task.

I think again about another situation of an insurer where my son actually had a little bit of an accident. He went up, he came down on his head. He needed to have an MRI. We talked to the insurance company. And what did they say to us? You couldn't go to the 24-hour MRI center; you had to wait and get that coverage in an emergency room. And it turns out that the emergency room was more expensive than getting the same examination that was a critical examination ordered by a doctor in an MRI facility. And so these choices don't make sense for the American public.

And as I said, Mr. ELLISON, you know, premiums are going up. Premiums have gone up 114 percent from 1999 to 2007. And that's greatly outpacing incomes in this country. And so the high costs, what are they doing? They're crippling the American middle class. They're crippling working families, they're crippling businesses.

Most of the small business people I know actually want to be able to provide health care coverage, good health care coverage for their employees. But I'll tell you, if you're trying to provide health care coverage and you're suffering the cost of $10,000 and $20,000 per employee for health care, you can't stay in business like that. And so we want to give small business, all business, a helping hand with making sure that they can provide affordable and low-cost coverage to their employees.

We want to make sure that people who are unemployed and maybe uninsured or underinsured have coverage. We want to make sure that there's a standard set of benefits that everyone should enjoy so you get the advantage of preventive care, diagnostic treatments ordered by your physician.

We want the patient and the doctor to have control of their coverage, not the patient and the insurer, not the doctor and the insurer, nobody in between, not the government or anybody else in between, but the doctor and the patient. And then we want to make sure that doctors are paid so that they can make a viable practice, so that they can engage in the kind of primary and preventive care that we think is most important to preserving and protecting our health and our quality of health over a long time.

And so I'm excited, actually, about where we are right now. I mean, I am so heartened because I think we've learned a lot over the years. And this time the American people aren't just going to get a promise, they are going to get the kind of health care they deserve. And so we should all be both excited and proud to prepare to cast a vote for the American people, for small businesses, for working families, for the uninsured, for the underinsured, for all Americans. It is the most that we can do for the American public.

And I'll have to tell you, I cannot wait to cast my vote for a public plan option that is robust, that covers all Americans, that ensures what I call the three C's. You know, we want lower costs, we want quality care, and we want continuity of care. It shouldn't matter whether you have this job or that job or another job. You keep your health care coverage. And when we cast that vote for the American people, they're going to stand with us because it's the right thing to do.

And so it's so good to be here this evening in this House, in the People's House, saying that at last, on health care, we are going to do what's right by the American people.

And I yield back.

Mr. ELLISON. Will the gentlelady yield to a question, perhaps?

Congresswoman EDWARDS, we've been hearing a lot of rhetoric about this health care plan. This health care plan, which I agree with you, we need to be excited about it because this is a great and propitious moment in America. But we've been hearing detractors. We've been hearing this government-run health care, all this kind of stuff. Have you heard this kind of rhetoric before? And should anyone listen to it?

I yield to the gentlelady.

Ms. EDWARDS of Maryland. Well, I thank the gentleman. And I've heard the rhetoric before. But I tell you, it rings hollow on somebody who has not had health care and who's also had really good health care coverage. And so, you know, I think the detractors, we know who they are. They're all the vested interests who are making a boatload of money off of the American people while they don't have health care. And so we have to just stop that.

It's really a pretty simple formula. I think the American people really get that. I think the American people understand that. And we want quality care, and we want to lower cost for everyone, and we want to make sure that we engage in the social responsibility that we have for all of those who, at some time or another, might find themselves uninsured or underinsured.

And so the detractors actually don't have anything good to say, and so they want to try to kill our opportunity, and a meaningful opportunity for the American people for health care reform.

And I think that those of us who know what the problem is, who understand what the solution is, who believe that we have to have a public option that competes with the private insurers, we know that that kind of competition in the marketplace will lower cost. And so we've got to, you know, zone out the detractors and focus on delivering health care reform for the American people.

Mr. ELLISON. If the gentlelady would yield, I hope the gentlelady doesn't mind me asking her a few other questions.

My next question is, why do you think that it's been reported that the detractors to health care reform are spending up to $1.2 million a day here to lobby Congress?

I'd yield to the gentlelady. Why are they spending so much money?

Ms. EDWARDS of Maryland. Well, you know, I don't like this mix of money and politics. And what it says to me is that somebody with that skin in that game stands a lot to lose, and so that means that the detractors out there know that if the cost of doing business for them is to spend that $1.2 million or $3 million every day to fight against health care reform because they know that without reform they get to make billions of dollars off the backs of the American people. And so no more to that.

The American people are pretty smart about this. I know the people out in my congressional district, the Fourth Congressional District in Maryland, understand health care. Many of them work and they have health care coverage. But they know that they're being burdened by increased premiums and deductibles. They know that there are insurance companies and bean counters and people on a telephone who stand between them and their doctor and good medical care.

They know that they have family members, young people like my son, getting ready to come out of college, will lose his health care coverage that's covered by his parents and will be on his own. Those young people need to have health care coverage. We know that they don't believe that they're ever going to get sick or injured. But that's not true.

And so we have an opportunity here to fight all of those interests. And you know what I say? Stop advertising. You know, we don't need to advertise for good health care reform. We don't need to advertise for pharmaceuticals that benefit us if that's a decision that our doctors make. And yet billions of dollars are spent in that industry. Millions and millions of dollars spent in lobbying against reform. And so that is a clear message to the American people that those detractors do not stand on the side of health care reform.

Mr. ELLISON. I agree with the gentlelady, and couldn't agree more. And I want to thank her for making the point she's made.

We've been joined by Congressman HANK JOHNSON from the great State of Georgia. And we're talking health care reform tonight. The Progressive Caucus offering a progressive vision to care for Americans. And we were just speaking a moment ago about how we need a robust public option; that we're excited about the possibility to pass health care for Americans. This is a 60-year debate. Some people go back to 1994. But we all know this debate goes back way before that.

This is an opportunity, equal to passing, in my view, civil rights legislation, equal to passing environmental protection legislation, equal to making a leap forward for the benefit and welfare of all Americans.

And I guess my question to you, and I don't want to tailor what you want to share with us tonight, Congressman, but I do just want to see if I could get your views on why, for example, the Washington Post reported that the Nation's largest insurers, hospitals, medical groups, have hired more than 350, 350 former government and staff members and retired Members of Congress in hopes of influencing colleagues in opposition to health care reform to the tune of about 1.4, I'm reading now, I was going from memory before, $1.4 million a day. Why would they do such a thing, unless they thought that this was a reasonable cost of doing business?

Does the Congressman have any views?

I yield to the gentleman.

Mr. JOHNSON of Georgia. Thank you Congressman ELLISON. And I want to also recognize my great freshman colleague, when we came in—now we're all sophomores—Ms. DONNA EDWARDS, who's been a real champion on this, as you have, Mr. ELLISON.

And Mr. Speaker, I just want to respond. It is a civil rights issue. It's just not racial. It is a matter of demographics. It's a matter of who has insurance and who does not. And you'll find, looking at it, you'll find that most poor people and most, at this point, I would venture to argue, middle class people have no health insurance coverage.

And so the question is, after spending $780 billion in a Wall Street bailout, do we have the will to handle and to address this civil rights issue that is so fundamental to our country?

And to me it's mind-boggling. We just heard reports of Goldman Sachs hitting the jackpot for $3 billion in profits over the last quarter, of the taxpayers' money. And people want to know, well how much does this health care plan cost?

Well, I'm going to tell you, it's going to cost us a whole lot more if we do nothing, like my colleagues on the other side, if we do nothing, it's going to cost us a whole lot more. You know why? Because health care costs are going to continue to skyrocket through the roof.

In 2005, a study by Families USA and the Center for American Progress showed that the cost of treating the uninsured added $330 to the average individual plan in Georgia, and $900 for the average family plan. That's close to $1,000, Mr. Speaker, every year. And high costs are what block access to health care because people don't have the insurance coverage to be able to become healthy individuals.

And certainly, for our economy, Mr. Speaker, we can't have a majority of the people in this country sick with some kind of a chronic illness that, if left untreated, will kill them, and that, if there were preventive measures to keep those chronic diseases from happening, or if there were some treatment regimens to address and arrest these chronic diseases, then you would find that the American people would be ready to, our children would be ready to, go to school and learn and become great individuals who carry our economy into the 21st century. And that's simply one of the items that we're addressing here.

Are we going to just continue to do business as usual, tax cuts for the rich and famous and wealthy, as is advocated by my friends on the other side? Are we going to continue to do that?

We see where that has left us. We see where we are now, and we're in a bad situation.

□ 2030

And so we've got to take some important steps to address it, and people didn't—the same folks who supported the Wall Street bailout, now they're talking against our investing in the lives of people in this country who should be in a position to save us money by having—everyone having health care, that demand will drive down expenses in and of itself.

Mr. ELLISON. So I thank the gentleman.

If the gentleman yields back, I just want to do a very quick update for the folks who may have just tuned in. We're talking about health care reform tonight with the Progressive Caucus, and the health care reform must include guaranteed eligibility. That means no American will be turned away from any insurance plan because of an illness or preexisting condition.

The bill also includes comprehensive benefits. This is what we need to have. This is what the bill offers: affordable premiums, copays, and deductibles. Participants will be charged fair premiums, minimal copays, and subsidies of families who do not qualify for Medicaid or SCHIP but still need assistance.

What this bill calls for—and I think it's important, and I hope my colleagues agree—is to try to make this thing simple so that people can get a grip on it. The path to health care for all, under the proposed bill, what would happen is under these three bubbles, if you have employer-based health insurance now, you will be able to keep that, but you will have certain things that control costs, including no more discrimination for preexisting conditions, no discrimination for gender, for issues like that.

Also medical-loss ratio, 85 percent, so that at least 85 percent of the premiums must go to patient care. People who have public programs now such as SCHIP or Medicare or Medicaid can keep their program if they qualify. And there won't be much that they have to worry about. It will be pretty much how it is now.

But then there will be this exchange which is new. And who will qualify for the exchange? People who are the uninsured—individuals and small businesses. And they will be subsidized for up to 400 percent of the poverty level. And within this exchange will be a public plan, and there will be private plans which have standardized benefits which they will have to compete for and will drive down costs.

The fact is, it's not complicated. It's not that difficult. Of course, the bill has a lot of pages because there are a lot of things to consider. But the fact is that this is not a difficult thing, and we're going to be working to make sure people understand it.

I would also like to just mention that change is necessary. Change is necessary, and there will be some pay-fors. The fact is only 1.2 percent of American households will have to pay the American surcharge for health care reform. That leaves about 98 percent of American households who will not pay any surcharge.

And people who are blessed to be at that top, tip-top part of the income scale, I really believe, as good Americans who care about their fellow countrymen and -women, that they would not mind helping to cover the costs of health care. I think it's an act of patriotism, and I think it's a good act of social responsibility to say that if we, the top 1.2 percent, have been able to benefit from the massive tax cuts that have benefited this group of people over the last number of years, that now that the country needs health care insurance, now that it's not given up a substantial part of their income, that they would be able to contribute this.

But I think it's important to talk about the fact that under this bill, a family making up to $350,000—which is a pretty good amount of money—in adjusted gross income will not owe any surcharge at all. And a family making $500,000 a year in adjusted gross income will contribute about $1,500 to help reduce cost and provide access to affordable health care for all.

The fact is it's important to try to keep on talking about what the bill calls for so people will understand it.

We've been very fortunate to be joined by JOHN HALL, who is out front on nearly every progressive issue. Let me welcome the gentleman and yield to him so he can get in this conversation.

Mr. HALL of New York. Thank you and your colleagues for spreading the word about this health care plan, which will include, for the first time in the United States, a public plan, a public option, a patient option, as some call it, so that all Americans will have access to some kind of coverage.

I just wanted to follow up on what you were just saying in terms of what a family of making, say, adjusted gross income of half a million dollars a year will be paying. It's important to recognize that the average American family is already paying an estimated $1,100 a year in extra premiums to cover those 47 to 50 million uninsured who walk into emergency rooms, walk into trauma centers with the flu or where the child is sick or with a sprained ankle, something that should be handled by primary care physicians. But because they don't have health insurance, they go to the ER instead, and those bills don't get paid. And the costs get spread over the rest of the population, and all of us wind up with higher premiums as a result. We're paying more than any other country in the world.

In fact, 16.2 percent of our GDP is going to pay for health care, but we're not getting the best results. We're not at the top in terms of lifespan. In terms of infant mortality, we're not even close to the top. And I think that it's also important to realize that, first of all, this plan is still being tweaked. The bill is still being worked on.

There are those who have questions about one aspect or another. I'm particularly, in my district, concerned that small businesses be protected as well as possible. Although many small businesses have come to me, including the chambers of commerce in my district have come to me and said the number one issue for their member businesses is health care; the cost is spiraling out of control, the cost of providing health care to their employees. They want to do it. They're just going to be broken by doing it.

But the other question I hear is, well, a couple of things. I hear some people say, and they've heard this from TV, from the ads that are running already against this, I don't want the government between me and my doctor. Well, neither do I. But I also don't want your insurance between you and your doctor, and that's the situation we have now.

People say, I don't want rationing. We already have rationing. People say, I want to have my choice of doctor. You don't. If you have an HMO, they give you a list of doctors, and if you're not in the system, you know, you wind up paying for yourself and filing for reimbursement. And good luck, it won't be the same rate if you do get it at all.

But the main myth that I would like to dispel is the idea that the government can't run a health care program well. This isn't going to be government-run health care. It's going to be a standard set of plans, the exchange into which any business or any individual can go and choose from among private choices, and one of those choices will be the public option.

But just think about our military, for instance. All of the many members of the military and folks I know who work at West Point, which is in my district, are covered by TRICARE. TRICARE is a single-payer, government-funded, one-source health care plan. Same goes—Medicare is another one, and the Veterans Administration. There are certainly problems with veterans getting into the system. Once they're in, they're very happy. Matter of fact, don't talk to a veteran about taking away their VA care because most of them, once they get that card that's so portable—it goes anywhere in the country. Their records pop up instantly on computer.

So, there are several examples already of—my parents are quite happy with their Medicare coverage. They buy supplemental sometimes if they need it, and that option would be available under the bill that we're talking about.

But I mainly just wanted to thank you and add my voice to the chorus of those that are saying it's time for this change to happen for us to join the rest of the G–20, the rest of the industrialized, developed world in having some kind of universally available, accessible health care.

Mr. ELLISON. Now let's hear from the Congresswoman from Maryland, Ms. EDWARDS.

How do you react to these claims?

Ms. EDWARDS of Maryland. I thank the gentleman.

I was listening to my colleagues, Mr. HALL and Mr. JOHNSON, and I want to say particularly something about that the critics charge that we don't want government running health care and government is going to choose your doctor.

I grew up in the United States Air Force. My father was in the military. So when we were young children and had to get health care coverage, we called, made an appointment, got the tonsils checked, got whatever medication was needed and went home. We saw primary care physicians. It's a government-provided system.

My father on his retirement was in the VA system, got excellent coverage through the VA system. My brother retired from the United States Air Force, excellent service and care through the VA system. Those are government-provided systems. Medicare. Medicare is one of the most efficient health care systems that we have.

And so what are we talking about here?

The critics can say what they want, but they know that when it's Medicare or veterans' coverage or coverage through these systems that people get quality care, that it's low cost, that it's a very efficient system.

Now, do we need to make some changes and tweaks? Absolutely. And you know what? In this bill that we are going to be voting on, those tweaks and changes are made to Medicare, to reform it so that it actually saves taxpayers money.

So I just thank my colleagues for pointing out that while government can provide the mechanisms for health care, you still get to choose your doctor. Under a private system, you choose your doctor. Under the public system, you will choose your doctor, and then you can decide what works best for you. And that's the beauty of this.

For people who believe in the marketplace, they need to believe in a public plan option because the public plan

option is all about making the marketplace work for the American people, making it work for health care.

So I thank my colleagues because I think that we are going to do something very special for and with the American people, and at the end of the day, we will celebrate because all of us will have quality, affordable, and accessible health care.

And as I close, I want to say to the gentleman, as well, that quality and affordable and accessible health care can't be just for that top 1 percent. It has to be for the other 99 percent. And the same choice that I get here in the United States Congress for my health care where I can look at an array of plans and make a choice we want to deliver to all of the American people.

Mr. ELLISON. I thank the gentlelady for yielding back.

Let me now go to the gentleman again from Georgia. And I actually have a question I would like to pose to the gentleman, although the gentleman will talk about whatever he wants.

And the question that I would like to pose to the gentleman is: Is this thing that we're embarking on, this health care reform plan which includes the public option, historically, is this a small thing or is this a big deal? Is this a time for rejoicing? Is this a big moment in history that people should be excited about?

I yield to the gentleman.

Mr. JOHNSON of Georgia. Like I said earlier, to quote you, this is a civil rights issue, and 100 years from now people will be looking back and seeing what a fundamental change in the delivery of health care in this Nation was accomplished by the 111th Congress.

And so we cannot continue as things have gone in the past—17.7 percent of Georgians do not have health insurance, and those that do, their premiums have increased 88 percent since the year 2000. This is a big number that cannot be sustained, Congressman ELLISON, and we just simply must do what is right. And I will feel proud about being on the right side of this issue, along with my fellow Members of the Congressional Black Caucus.

You know, we've got rising bankruptcies across the Nation; 62 percent of those involve medical bills that have resulted from a catastrophic illness or even just—not even catastrophic, but an illness, and more people going into bankruptcy because of this. Bankruptcy courts are overwhelmed with new bankruptcies.

I would like to also address this issue of small businesses. As small business is defined by the broadest definition, which means basically any individual with as little as $1 of small business income, those people will not be impacted by a health care surcharge whatsoever. In fact, 96 percent of small businesses will not have to pay any surcharge at all, and those that make basically $250,000 or less, they won't pay anything.

□ 2045

If you make over $250,000 in payroll, then you would have, I believe it's $500, those employers who don't offer health insurance would have to pay about $500 per year, and it goes on up. The folks that make $1 million or more would sustain a responsibility of—it's close to $1 million a year, like $900,000 a year. If you have payroll, you're going to pay that much.

And so those are the same folks who got the tax breaks back in 2001, a cut in their capital gains taxes with more spending in this Congress by my colleagues on the other side of the aisle which caused the humongous deficits that we are experiencing today, and we have nothing to show for them except for the people suffering.

Mr. ELLISON. I want to thank the gentleman. Again, this is the Progressive Caucus coming with our weekly progressive message on the floor tonight with three progressive leaders who have been speaking up for health care reform.

Let me turn now to Congressman HALL for a moment. We've only got about 10 minutes left. So I'd like to see the three colleagues share this time equally, and I don't need much time to close, but I'd like the public to hear, Mr. Speaker, from these three leaders in our Congress, and I guess I will just hand it right on over to Congressman HALL.

Mr. HALL of New York. Thank you, Congressman ELLISON, and I'll just tell you a brief story about my mother who was on a trip to the Slovak Republic with my dad and my brother, the priest, going back to see her great grandparents' hometown. And she's a very friendly person, talkative, and as she was leaving a restaurant one night, she turned around to say good-bye and thanks in Slovak—by the way, the language came back to her when she was there—and she tripped and fell down the stairs of this restaurant and broke her right femur just below the hip. And it was too much pain for her to get on the airplane and fly back to the United States and have her leg repaired here.

So she went into a hospital in a little town in what was Czechoslovakia back when her relatives lived there and now is the Slovak Republic, a post-Soviet country that we think of as a backward nation. Probably most Americans who think of the Slovak Republic think of a backward nation.

She went in the hospital, spent 2 weeks, had pins put in through the marrow of her leg to hold the bones in alignment, plate put in the side of it, screws put in. It's an elaborate operation. Spent 2 weeks in the hospital, and at the end of that time, my father went down to the office of the hospital and asked if he could pay the bill because they were leaving to get on the plane to go home. And the administrator said, What bill? Send us a postcard, tell her to do her exercises, and have a good trip.

Now, I'm not sure that we're going to be able to do that, certainly not for, you know, every visitor to this country, but we ought to certainly try to do that for our own people, for those who can't afford it. For people who can afford it, they can pay for it. The people who can afford the insurance, they can buy it. For those who can't afford it because they're living at or below the poverty level, then we have found ways and are still addressing ways to fund that.

But for the first time in this country we will do what Israel, Canada, the Slovak Republic, Sweden, Holland, France, Taiwan, you can read on the list of all our allies and all of the industrialized developed countries in the world what they do for their citizens and that is make sure that every one of them can go to bed at night and have that certainty, not worrying that they or their children might get sick or injured and not be covered by some kind of health care.

Mr. ELLISON. I want to thank the gentleman, and that was a very important story for us as we wind down, and now I turn to the gentlelady from Maryland, Congresswoman EDWARDS.

Ms. EDWARDS of Maryland. I thank the gentleman for yielding.

You know, each time Mr. HALL has spoken, he reminds me of something else, and I have to tell you, I, too, left my appendix in Spain in a clinic, but I didn't get a bill. Now, that is not what we're doing here, but we are doing something really important for the American people.

And I believe that the strongest health care reform that we can pass out of this Congress also embraces a robust public plan option that gives people choice, that's competitive in the marketplace, a bill that makes certain that we don't have exclusions for preexisting conditions like domestic violence or any other so-called preexisting condition.

And so I think that, in order to meet the test for real reform, we have to have a system in which patients choose their doctor, doctors and patients choose their care, and insurers and government bureaucrats alike stay out of those decisions.

And so I say to the American public, we're ready to cast a vote for real reform, and so let's bring on the choice, let's bring on the competition, and let's bring on the care for patients.

Mr. ELLISON. I thank the gentlewoman, and let me yield to the gentleman from Georgia.

Mr. JOHNSON of Georgia. I thank Congressman ELLISON.

We're having or they are having a TEA party outside one of my district offices on Friday, and I would venture to speculate that many of those people who will come don't have health insurance or recently lost their health insurance and they are frustrated. They feel like this is going to cost them some money, but actually, when you stop and think about it, some folks have only the choice of going into the emergency room when their illness becomes so dire that the family makes

them come, and that's the only health care that they have.

But with this bill, with a strong public option, those folks will be able to choose whether or not to be enrolled in that program or not. And if so, then they will get coverage for their medical throughout their lives. And that's exactly what we need in this country because this plan that would enable a public option will keep the insurance companies honest because it will be competitive, and so we're talking about lowering the cost of health care, taking some of that 88 percent of health insurance, rising cost, off the backs of the middle class.

Mr. ELLISON. Well, let me thank the gentleman, and let me remind everybody that this is the Progressive message, the Progressive Caucus coming together; and I just want to leave us with this.

Mary from Minneapolis says, My daughter needed her wisdom teeth out. At the time with insurance we were told to pay $375 and we did. Then we got billed over a thousand. Resubmitted, eventually the amount was reduced to 750. In the meantime, my husband had no paycheck.

Her second story was, she had calcium deposits in her back which make it difficult for her to walk, and yet she's having to delay her treatment until such time that it gets to be an emergency.

There are health care nightmare stories all across America. This Democratic Caucus is hearing the cries of the American people and bringing forth reform, with a bill that includes a robust public option, will stop people being dropped and denied for preexisting conditions; and we hope, Mr. Speaker, that people all over America talk about the fact that hope is on the way, change is on the way.

And I'm looking forward to pushing green on this bill, just like my colleague from Maryland talked about, feeling good about this change that's coming. Not that we don't have some tweaks to do, but, hey look, any tweak is nothing compared to the hope that this bill represents to the American people.

So, Mr. Speaker, I want to thank you and the Congress.

LIFE AND THE HEALTH CARE REFORM BILL

The SPEAKER pro tempore (Mr. MAFFEI). Under the Speaker's announced policy of January 6, 2009, the gentleman from Louisiana (Mr. FLEMING) is recognized for 60 minutes as the designee of the minority leader.

Mr. FLEMING. Mr. Speaker, we're going to be spending the next hour, I and my colleagues are going to be talking about issues that are really on the forefront right now of debate.

We've been talking for weeks and will continue to talk about health care reform; but as these bills are rolling out of committee, we're learning new facts that are, I think, disconcerting to many of us, particularly those of us who are of the pro-life persuasion. So we're going to be talking this evening about the subject of life. We're going to be talking about abortions, preventing abortions, the up and down and the frequency of abortions. We may even get into end-of-life issues because all of these are relevant, of course, to what's going on with the health care debate today in Washington.

I want to start out with the first slide and notice it says from 1973 until the Hyde amendment was passed in 1976, Federal taxpayers were paying for 300,000 abortions per year, even though abortion was never mentioned in the original Medicaid statute. Think about that. There was no provision for abortions to be paid for under the Medicaid statutes, and yet 300,000 abortions per year were being provided, all at taxpayers' expense. How can this happen? How can this happen in America where something is being paid for, something that is unconscionable for, at least today, over 50 percent of Americans, and yet it's paid for by taxpayers?

You know, it's interesting in the abortion debate, some of us are definitely against abortions. We call ourselves pro-lifers. There are those who are in favor of abortions. They, of course, call themselves pro-choice. But the interesting thing about this matter, many of those who call themselves pro-choice actually say that they would like to see fewer abortions, perhaps even no abortions if it could be done, even though they would prefer that there not be a law against that. In fact, a recent study showed that 69 percent of Americans are against taxpayer-funded abortions.

So you have many different issues here. You have whether or not there should be abortions in the first place. You have the issue of those who even want to leave it to the mother would rather not see abortions, and then many Americans who really see no problem with the taking of life, don't want to have to pay for it, at least not through their taxes, of course.

But you know, it's very interesting that, again, from 1973 until the Hyde amendment was passed, there were 300,000 abortions per year. In 1976, something very interesting happened. The Hyde amendment was attached to an appropriations bill, and it prevented any further taxpayer funding of abortions except in the unusual case such as rape, incest, the health of the mother, of course; and we've seen a tremendous dip in the number of abortions. And, again, this slide illustrates the fact I mentioned a moment ago, 69 percent of Americans oppose taxpayer funding for abortions. That's a vast, vast majority of Americans.

We go to slide three. Abortion advocates are using health care reform to advance a hidden agenda. And here's a quote from Wendy Chavkin, who's former board chair of Physicians for Reproductive Health and Choice, obviously a pro-abortion advocate. She says, Public option—and that's referring to the current bills that are before us today, that is, the option of choosing a public plan, a government-run health care system—public option is key to the health reform, and using medical standard of care in language, instead of listing reproductive services that will siphon off votes, is key to this.

□ 2100

And what is she referring to? Well, if we talk about reproductive care, that of course implies reproductive services, including abortions.

Well, if we just leave it to the medical standard of care and let someone else define that standard of care, then what we really end up with is a standard of care out there that can be dictated to all that means, of course, abortion services.

So, really, what are we getting to in this entire debate and discussion? We're going to be getting into the weeds here in just a moment with my colleagues. But the bottom line is that if, according to the courts and according to the rules that can be provided by the administration, if abortion is not explicitly excluded under taxpayer funding, under Medicaid, any kind of single-payer, government-run health plan, if it is not specifically excluded, then it is included. Let me repeat that. If it is not explicitly excluded, it is included.

What does that mean? It means that it is a de facto mandate. The courts over and over have judged that if Congress does not say it's not to be paid for, it is considered a standard of care and therefore will be covered.

Again, I want to give you another quote here from the National Abortion Federation, which, ''supports health care reform as a way to increase access to comprehensive reproductive health care, including abortion care for all women.''

So, you see, the pro-abortion people are using this to advance their own goals, and that is to get the number of abortions back up again. I don't understand how that is in any way a desirable goal, but it's obvious they're doing that.

So what we're seeing here is a history that the more accessible abortions are—that is the easier they can be provided, and certainly for free without any costs—the fewer barriers there are, the more abortions there are going to be.

Now I have a quote from Barack Obama, our President. He says, Well, look, in my mind, reproductive care is essential care, basic care. So it is at the center, the heart of the plan that I propose. Insurers are going to have to abide by the same rules in terms of providing comprehensive care, including reproductive care that's going to be absolutely vital.

It's very clear where our President is going with this. Again, between the judicial branch and the executive

branch—the judicial branch, of course, in courts—again and again saying if Congress does not exclude it, it is included, and then a President who feels very strongly that it should be included, then it's going to be there unless we do our job and we amend this bill and exclude it. It has been attempted on the Senate side and failed. And certainly we're going to try.

This bill, of course, equals the largest expansion of taxpayer-funded abortion in history. In fact, I would say that it stands to increase the number of abortions greater than any time in history since Roe v. Wade. So we're really on the edge of another giant leap in terms of abortions.

I'm going to end my originating comments here with this, and that is many of you may recall when our President was asked, When does life begin? And what was his response to that? He said, as a candidate for the President of the United States, he said, Well, that's above my pay grade.

Well, I ask rhetorically, What is a higher pay grade than being the President of the United States? If he can't decide when life begins, then who do we go to? And that's going to be perhaps a matter of debate tonight.

I'm a physician. I can say very clearly and without hesitation that life begins at conception. It's a biological truth. It's biological fact. There's no way to argue around that. Many have tried. Some say that, Well, it's at the point of viability. But that, of course, is a moving target. Babies are surviving younger and younger in gestation.

So, as we go forward in the debate tonight, we certainly want to include all these issues relative to abortion.

My colleague JOE PITTS, Congressman PITTS, who has been at the forefront of the abortion debate for many years, really brings a lot of experience to us tonight. I want to recognize the gentleman and certainly give him the opportunity to use as much time as he may desire.

Mr. PITTS. I thank the gentleman. I appreciate your overview and scheduling this hour over this so-called health reform and the abortion connection because this health care reform plan contains a hidden abortion mandate that the American people don't even realize is there.

It will mean that health care insurers will be forced to cover abortions. It will mean that taxpayer money will be used to subsidize abortions. Both a mandate and a subsidy against the moral objections of millions of pro-life Americans under the proposed health care reform bill which we're considering now in the Energy and Commerce Committee, on which I sit. And we began opening statements today. We will begin markup tomorrow. And it will continue next week for 3 more days.

Virtually under this bill every individual would be required to have health care that meets what they call minimum benefit standards.

Now, the bill does not design these minimum benefit standards, but instead it establishes a new government health board called the Health Benefits Advisory Committee. This committee is chaired by the Surgeon General and, in concert with the Secretary of Health and Human Services, will issue binding decrees on what is and is not considered a minimum Federal benefit standard.

There is absolutely no doubt, as the gentleman from Louisiana stated, that this process will result in mandated coverage of abortion, along with Federal subsidies for such coverage, unless Congress explicitly excludes abortion services.

When talking about health care reform, the gentleman mentioned President Obama himself stated that reproductive care is essential care, basic care. And Secretary Clinton just recently clarified that, ''Productive health includes access to abortion.''

History has demonstrated, as he pointed out, that unless abortion is explicitly excluded, administrative agencies and the courts will mandate it. We have seen this time and time again. The Federal Medicaid statute was silent on the issue of abortion, but the administration and the courts deemed abortion on demand to be mandated coverage. And, as a result, over 300,000 abortions a year were paid for with taxpayer funds before it was stopped.

In 1979, Congressman Henry Hyde asked the Indian Health Services where they found their authority to pay for abortions. They responded, ''We would have no basis for refusing to pay for abortions.'' In both of these cases, explicit exclusions had to be added to ensure that taxpayers would not have to continue to pay for abortions.

And so every year when Labor and HHS that covers Medicaid is adopted, we have to adopt the Hyde amendment. It's an annual event.

Under this bill, any individual who does not have a plan that meets the minimum benefit standards, they will be forced to pay an additional 2½ percent penalty. Tax penalty. Any employer who does not provide coverage to his employees that meets these standards will pay up to an additional 8 percent tax penalty.

And so that means all premium payers and taxpayers in America who do not want a plan that pays for abortion will be penalized for it. In addition to mandating this coverage for abortion, the bill will also provide massive subsidies for abortion.

The bill both authorizes and appropriates funding for premium subsidies. So we won't have to appropriate money in the future if we pass this bill. And without explicit language to clarify that taxpayer dollars cannot and should not fund abortion, massive subsidies for premiums and cost-sharings will be used to pay for abortions against the moral objections of, as I have said, millions of pro-life Americans.

The issue here is simple: Americans should not be forced to have their tax dollars pay for abortion. And that's why I'm going to offer amendments in the Energy and Commerce Committee in the markup to eliminate the mandate, to eliminate the subsidies, and also to keep the bill from preempting State laws.

This bill is basically an end run to establish FOCA—Freedom of Choice Act. All the pro-life community knows what that is. This bill would preempt all State laws that would interfere with this bill and access to abortion.

We should not be forced to be unwitting participants as the abortion industry uses this law to mainstream the destruction of human life into Americans' health care industry. Health care is about saving and nurturing life, not about taking life. Abortion is not health care. And this bill seeks to establish that.

The majority of Americans, as was pointed out, do not support public funding for abortion, use of their taxpayers dollars for abortion, and they should not have this abortion coverage forcefully thrust upon them.

And so with that, I thank the gentleman for scheduling this hour. It's very important that we alert the public as to what is coming down the pike in the next couple of weeks so they can get involved and express their views to their Members so that they reflect their views here on the floor.

Mr. FLEMING. If the gentleman would allow, I'd like to ask a question. Congressman PITTS, are you saying then that perhaps the other side of the aisle, the pro-choice or the pro-abortion folks, are really piggybacking onto a bill that has nothing to do with abortion in order to reach their goals, their aims that they perhaps have been trying to attempt for many years?

Mr. PITTS. They know, in response to the gentleman, they know that if the bill is silent on the issue of abortion, they will control who's appointed to the Benefits Advisory Committee. And they have expressed their intent, from the President on down to all the organizations who have lobbied for this health care bill, that they intend that abortion will be a basic essential service.

And so they're relying on that advisory committee, on the Secretary of Health and Human Services, on the courts, on the administrators to guarantee that this will be provided. Friends, this is the big battle for our time. This is the greatest civil rights issue of our generation. And if we lose this battle, it's over.

Now is the time for all citizens to weigh in if they don't want their tax dollars used to set up this massive abortion scheme that's coming through this bill.

Mr. FLEMING. Well, I thank the gentleman for his comments and certainly will be happy to discuss this further as we go along this evening.

Again, I want to underscore and emphasize the comments here that, as the

gentleman says, abortion is not health care. In fact, I would say the taking of innocent life is not health care. In fact, as a physician I have a sworn honor not to take life, of course unnecessarily, and certainly innocent life; only to do so if it of course protects other life, such as in the case of perhaps an ectopic pregnancy, if you will, or a mother who's bleeding to death. When there's no viability of the fetus or the embryo to begin with, that's a life-saving measure.

But elective abortion—that is what this is. That is not health care. That is taking innocent life. And there is no way—in as many ways as we have tried to debate this, no one has ever been able to come up with a solid response to that argument that killing the unborn baby at any stage in life beyond conception is and always will be the taking of innocent life.

□ 2115

Well, this is an extremely interesting debate. I want to turn to my friend from the Corn State of Iowa, STEVE KING, Congressman KING. I know he is itching to add some very important comments, so I yield to my friend.

Mr. KING of Iowa. I thank the gentleman, the doctor from Louisiana, for organizing this Special Order this evening, and I thank my colleagues who have come to the floor to stand up for life and to make this argument, Mr. Speaker, before the American people tonight here on the floor of the House of Representatives.

I think, first and foremost, Dr. FLEMING made the point of this profound question, of this question about: When does life begin? It's a question that I will not hear answered from over here on this side of the aisle where we find so many people who are promoting the idea of compelling all Americans, including pro-life Americans, to fund abortions in this country under all circumstances and also in foreign lands. Many of those votes have gone up on this floor.

I'll lay out how I deal with this from time to time when I've gone into a school auditorium to visit with students and when I've had the principal hand me the cordless microphone and say, They're yours for 50 minutes or for whatever time there might be.

In that conversation, I'll ask them to ask themselves two questions. I'll say, You're young people, and you're establishing your principles and your values for life, and these are profound questions that you'll be asked. So the first question I'll ask is:

Is all human life sacred in all of its forms? Do you believe in the sanctity of human life?

They'll look at each other a little bit. Some will understand it instantly, and some of them won't understand it at all, and for others, it will soak in a little bit. Then I explain it:

Is your life sacred? Is the life of the person next to you sacred? Are the lives of your families, of your brothers, of your sisters, of your parents, of your aunts and your uncles, of the people in your classes, and of your closest friends sacred? Do you believe in the sanctity of human life?

They come to a unanimous position. They look around and say yes. They realize that their families, their friends, their neighbors—that every human life on this planet is a sacred, unique creation from God. When they come to that conclusion—and it's always unanimous in the gymnasium or in the auditorium or wherever it might be—then I ask them:

Now that you've answered the first question of whether you believe in the sanctity of human life and now that you've all said ''yes'' and ''amen,'' the next question then is: At what instant does life begin?

Dr. FLEMING has said, and I agree, that life begins at the instant of conception and that you have to choose an instant because, otherwise, it's a moving target, and otherwise, it's guesswork with sacred human life. So it's throughout that 9 months of gestation, and it came to me this way:

When my first son was born, my first child, I held him in my arms, and I just looked upon a miracle, and I thought, How could anyone take this child's life at this moment, at this moment shortly after his birth? But then I asked myself the question, What is unique about this? What would be different about his life the moment before he was born? He's still a child. He's still a unique creature from God. So I just quickly rationalized back through that period of time of those 9 months that he'd been forming, and there is no instant there that you could pick as the time and say, well, he was a human being, a sacred human being at this point, but not a moment earlier. So you have to choose an instant that life begins, and the only instant that exists in the whole process is at fertilization, conception.

So I asked those students then another question, which was: What if someone walked by the door to this gymnasium, which was full of these students, and stuck a gun through the door and looked the other way away from them and pulled the trigger and ran down the hallway and the security people chased him down and captured him outside and cuffed him? Now you'd all be safe except for what might have happened.

Did he kill somebody or didn't he?

They looked at each other, and they said, Well, we don't know. I said, That's my point, but if there is a dead body in the gymnasium, he killed somebody. Whether he knows or whether you know, it's still a fact, and he's still guilty of murder, of premeditated murder.

So it isn't a matter of saying, Well, I don't know for sure, so I'm just going to go ahead and err and have an abortion. It's a matter of that precise line and of thinking of that precise moral question. I'm not casting aspersions or blame or guilt on anyone. I'm just asking young people to think about this. I'm asking adults to think about this. I have never found anyone who I've debated this issue with—and there have been many—who can respond to those questions. If they're asked the first question—is human life sacred in all of its forms?—and if they say ''yes,'' as we all do, then there is no escaping the fact that that human life begins at the instant of conception. That is at the core of this debate.

Here we have a Congress that seems to have political power and support and campaign contributions that flow into the coffers of, at this point, a majority of the Members in the House of Representatives. I've watched Members gravitate towards their power base and put up the votes that flatter the people who show up at their fund-raising events.

I will never forget the night we had the vote here in early 2007 on the Mexico City language. The gentleman from New Jersey, whom we'll hear from in a moment, offered that amendment. I was over about that far back, and as CHRIS SMITH said, We won the debate and we lost the vote. Over on this side, there were 30 or so who were jumping up and down, clapping, cheering and hugging each other. If I'd been closer, I could have told you whether they'd had tears of joy, but they were elated that they had defeated our effort to block Federal funding for abortions in foreign lands.

I looked at that, and I thought, How could anyone have it in his heart to exhibit such joy at funding abortions and at the end of life of innocent babies in foreign lands? First, I don't think that was their joy. Tonight, I did. As I think it over, no, it was more that they believed that they had landed a blow against the political opinions of the people here of most of us on this side of the aisle and of about a good 30 pro-lifers on the other side of the aisle. Political opinions? These are profound, deeply held moral convictions that are tied and rooted in our religions as well. That's what this discussion and this debate are about.

When I see language that comes out that sets up, essentially, a mandatory national health care plan that has no exemption in for abortion or for the funding of abortion, if it's not an explicit exclusion, as the gentleman said, then we know by deep and long experience that there will be federally funded abortions.

By the way, I don't believe there's a conscience clause in all of these hundreds of pages in the bill either, and President Obama would not allow a conscience clause. He has opposed that along the way. He has appointed as his Office of Legal Counsel a young lady who has been a strong advocate for abortion and who has argued a number of cases for the National Abortion Rights Action League. It looks like the Senate is poised to confirm a justice to the Supreme Court who has a fairly

significant record in advocating for or in coming down with decisions that enable more and more abortions.

We need to draw a bright moral line. Laws that we pass in this Congress are laws that are rooted in the moral foundation of our people, and if we see that 51 percent of the people in America characterize themselves as pro-life—and that's the number that we're looking at here tonight—and if you slice and dice that and if you go on up the line and if you define ''pro-life'' as, maybe, someone who makes an exception for the life of the mother and then as someone who makes exceptions for rape and for incest and maybe as someone who makes an exception and says we should not do partial birth abortion, you get almost up to 100 percent. Hardly anybody believes that you should take a baby who is almost born and draw their brains out while they're struggling for life. We put an end to that in this Congress, and it was a struggle to do so, and it was twice before the United States Supreme Court.

I've seen numbers that take us all on up into the 70th and higher percentile of self-professed pro-life people, depending on how you define it. Yet when we have 69 percent of the people in this country that argue you should not use taxpayers' dollars to fund abortions—and certainly I'm among those, and I think we're unanimous in that—that is big debate. It's a profound debate. It goes to the heart of the moral core of the people of the United States of America. I am grateful that the gentleman from Louisiana, who has demonstrated a lifetime as a practitioner in the health care industry and who understands this clearly, has brought this issue to the floor, and I stand united with you.

I yield back.

Mr. FLEMING. Mr. PITTS.

Mr. PITTS. I want just to highlight something that the gentleman from Iowa said. I think this is really a good way to explain it.

When does a baby's life have value?

Now, we know no one in this Congress would kill a 1-month-old baby or a 2-week-old baby, but if you could make life a line and put that dividing line at birth, what makes a baby that is 2 weeks old any more valuable than a baby who is 2 weeks before birth? What makes a 1-month-old baby any more valuable than one who is a month before birth? What makes a 3-month-old baby more valuable than a 3-month premature baby? If you go back on that line, when on that line does this baby's life begin to have value?

Those of us who hold the sanctity of life, I think, would believe that, from the moment of conception, as a little embryo, that that small, tiny human being has value. We know that its blood type is different than its mother's. It couldn't receive a blood transfusion from its mother. It probably couldn't receive a skin graft from its mother. In fact, by about 9 to 10 weeks, 11 weeks, which is when most abortions are done, that little baby has its fingerprints that are completely unique from any other individual's ever born. It has dream patterns on its brain waves. It sucks its thumb. If you put a light intrautero, it will hold up its hand and will turn its head. It feels pain. It is a little, unique individual in a little life support system that is not very big, but it is certainly just as valuable as any other baby. That's why we speak up for these little ones who can't speak for themselves.

They are subject to the most gruesome, horrific procedure known to mankind. I remember the chairwoman of the Feminists for Life speaking to a group of us. She said abortion is the most violent form of death known to mankind and that abortion always has two victims—one dead, one wounded. One is the baby and one is the mother. She said an abortion breaks a woman's heart, and there are a lot of people who have suffered from this, and we need to do something about that.

I thought your illustration was really right on. It's a good way of illustrating why we're speaking up tonight for these little unborn children and for their moms.

I yield back.

Mr. FLEMING. Reclaiming my time, before I go to the gentlelady, I wanted to follow up on that, on the perspective of having unique fingerprints, for instance.

You know, at the moment of conception, that baby has a DNA pattern that is unique unto history. No one has ever had the same DNA pattern. No one ever will have the same DNA pattern, and that does make that a unique human being, but here is something else to ponder, I think:

Why is it that we think so differently about the born child versus the unborn child when there may only be a few-days' difference? I've thought about this and have pondered this. It is a unique capability that human beings have, which is to dehumanize. We have the ability to dehumanize other human beings. I can give you some great examples.

Look at Nazi Germany. Millions of Jews and Poles and others were exterminated because they were not thought to be truly human, but a human cannot do this to his own species unless he thinks one is a subhuman or a nonhuman. Look, of course, at the days of slavery. How could we have the Founding Fathers of our country think in terms of freedom for all and yet enslave our fellow man? The only way to do it is to think of those people as not being human.

That is the reason that people today can abort children, even to the point of partial late-term abortion, which is to think of them as nonhumans, and I think that's something that we really have to reassess in our lives—certainly our religious values. My values as a Christian suggest that a life is a life. Think of all the George Washingtons and the Abraham Lincolns and the Einsteins who are being aborted every day, people who could add so much to our future.

Anyway, we have a lot to cover, and I want to thank the gentlelady from North Carolina, VIRGINIA FOXX. She is about the most hardworking Congressperson I know up here, and I always like to turn to her for valuable advice on things, so I yield to the gentlelady.

□ 2130

Ms. FOXX. Thank you, Dr. FLEMING. I appreciate you organizing this Special Order tonight and the comments of my colleagues from Pennsylvania. My colleague from Iowa and you have both been very eloquent tonight. I won't try to add a lot to the really terrific comments that you all have made, but I did want to come and lend my support to this Special Order tonight and say that I certainly share with you the horror of the fact that this bill is going to be the largest expansion of taxpayer-funded abortion in history. We spoke out against it in the Rules Committee. We've been speaking out against it for days but to no avail. And I was thinking also about what you were saying a few minutes ago about dehumanizing. I think that one of the big concerns that I have and that many people are having in the debate that we've been having with health care funding and with the attempt by the Obama administration and Speaker PELOSI to turn our health care in this country upside down, the greatest health care system in the world, to turn it upside down and have it be given over to government control is the great fear that many of us have about rationing care and the fact that we are concerned that the attitude toward abortion, which has permeated our colleagues on the other side, is going to be extended to other people in our culture, particularly to the elderly. And I agree with you. It doesn't take much to go from not recognizing the humanity of an unborn child to not recognizing the humanity of someone with a handicap or a challenge, a physical challenge, to not recognizing the worth of an older human being. I think that is a great fear that many of us have in our country.

I was thinking about the rules process. Being the newest member of the Rules Committee and going through the appropriations process for the first time, we have been protesting for the last 3 weeks the way the majority has handled rules and the way it's handled amendments. We have been closed out from being able to offer amendments that would put folks on the record for how they feel, not just about this issue, which I think is by far one of the most important issues we're dealing with in this Congress, but on lots of them. Today we had 11 amendments from our colleague JEFF FLAKE. I voted for every single one of those amendments because it cut pork-barrel spending and earmarks. However, the argument from our colleagues on the other side is that

there isn't enough time to have an open rules process because they want to get through appropriations right away; and yet if we had an open rules process, we could have put some of the amendments that have been put together by you, Congressman PITTS and others—one dealing with access to abortion, for example. Again, we know that this bill that you have been talking about is going to require abortion clinics in communities that don't want abortion clinics. We know that 85 percent of communities in this country do not have them, yet this bill is going to mean that there are going to have to be abortion clinics or abortion providers made available in those communities; and the reason we were told that we couldn't offer these amendments to try to stop these things was because there wasn't enough time.

The other point I would like to make is, this afternoon the Rules Committee met; and we are going to deal with a bill that is not at all needed right now. But it's going to deal with opening up more Federal lands to wild horses and donkeys. Yet we are passing legislation that is going to result in the deaths of millions of unborn children. People are saying to me, What has happened to our country? I am frightened to death for our country and the direction in which it is going. And I think there are very few things that will point out the inconsistencies in the way people around here talk about things and what they actually do than to say, We took up the time in the Rules Committee today; and we're going to have on the floor tomorrow a rule which is going to deal with that issue about wild horses and wild donkeys; and yet we don't have the time to debate whether or not we want to take money from people who are strongly morally opposed to abortion and allow abortions to be done with our taxpayer money. So I believe the American people are waking up. I just hope they come out with a strong voice and say, This is not what I want my country to be doing.

Mr. FLEMING. I thank the gentlelady for those comments. Of course very adroit, to the point, essential and important; and it also speaks to the process that we're going through in which these really weighty debates, weighty issues are being ignored and much more trivial issues are focused on here in this body. Again, we're talking this evening about the pro-life issues and the potential, if this bill passes, the ObamaCare, the single-payer health care reform plan that's coming out of the House and the Senate as well and the fact that just simply by not addressing the issue of taxpayer-funded abortions is actually allowing for them and providing for them through what is really a de facto mandate process.

With that, I want to recognize my friend CHRIS SMITH from New Jersey. Congressman SMITH has taken a point on pro-life issues so often. We have so much, of course, to thank him for in this respect. And with that, I yield to the gentleman.

Mr. SMITH of New Jersey. Dr. FLEMING, thank you very much for your leadership. It is so reassuring in so many ways having a distinguished medical doctor like yourself leading the fight, as you have done so ably, and to have some of our other docs who are speaking out so eloquently on behalf of the most fundamental human right of all, and that is the right to life. I find it appalling—and I know you do and our colleagues who are here tonight—that unborn children and the preciousness and the innate value of their lives is so easily cast aside by this Congress, regrettably by the abortion President, President Obama, who has systematically, since he has taken office, through policy reversal, through policy reinterpretation and through legislative proposals that he has made, including one that passed today that will force taxpayers to pay for abortion on demand in the District of Columbia. And we know when that happens, there will be more abortions, and the tragedy of that is beyond words. Young boys and girls who will never taste the sunshine, never see the light of day, never enjoy the everyday happiness, joy and challenges that all of us face. Their lives will have been snuffed out, killed in a very—as JOE PITTS just said a moment ago—a violent procedure, as you know so well as a medical doctor, of dismembering a child. I hope the American people finally at long last rip away the facade, the veil of secrecy that has so enveloped the abortion issue all of these years, whereby children are hacked to death by the abortionist, poisoned, as you know so well, with chemical poisons that effectuate the death of a fragile innocent body, a little child who wants to live and yet he's killed.

Mr. FLEMING. If I might reclaim just for a moment, if the gentleman will yield. In the late-term abortions—I've never seen one, but my understanding is that a trocar is inserted into the womb, into the skull of the baby, and the brains are sucked out, among many other things. Here we are concerned about waterboarding, and yet these kinds of techniques are done on our innocent children.

Mr. SMITH of New Jersey. I would also point out that this Congress almost 4 years ago passed legislation, got 250 votes in favor of legislation that I offered, cosponsored by Mr. PITTS and many other colleagues, that basically said that unborn children feel pain. The evidence is overwhelming, at least from the 20th week on and probably before. And while this hacking maneuver, the D&E abortion is occurring, the child in that first few minutes of that gruesome, brutal decapitation—but it starts with arms and legs—suffers and feels excruciating pain. And as Dr. Sunny Anand has said, who is one of the pioneers in anesthesia for unborn children for benign reasons, surgeries and fixing children or at least helping to ameliorate spina bifida and other problems, you have to give anesthesia to these children or they feel it. Well, the abortionist has no such concerns and brutally kills the child.

□ 2140

Let me just say a couple of points, and again, we have got to ask the questions, and Americans really have to ask the question, why the rush to enact Mr. Obama's exceedingly expensive, complex and potentially ruinous restructuring plan without the benefit of comprehensive hearings on it and a thorough vetting of the actual bill text, rushing right to a markup before the Americans can look at it and decide what are the consequences, short, intermediate and long term to the legislation?

ObamaCare, as we now are seeing so clearly, is the greatest threat ever to the lives and the well-being of unborn children since Roe v. Wade itself legalized abortion right up to the moment of birth. We have made serious, modest but serious, attempts that have passed at the State and Federal level to mitigate abortions' reach by denying Federal funding, by putting in things like women's right-to-know laws, parental notification, waiting periods, all of which have lessened and reduced the number of abortions. All of that is at risk right now with this ObamaCare recommendation.

Despite Mr. Obama's oft-repeated statement that he wants to reduce abortion, just last week he told that to the Pope, a couple weeks before that to a big audience at Notre Dame University, and he says it over and over again. Well, words should have meaning. They should have consequences and actions should comport with those words. And in this case, they are diametrically opposed. He says one thing and does precisely the opposite.

The ugly truth is that if his so-called health care reform care bill, if enacted, will lead to millions of additional deaths to children and millions of mothers will be wounded. Even the pro-abortion Guttmacher Institute has found that between 20 and 35 percent of Medicare-eligible women who would choose abortion carry their pregnancies to term when public funding is not available.

I remember when Henry Hyde was told, and it was like a revelation, the great Henry Hyde, the human rights leader, the finest orator perhaps ever in the history of this institution and the Hyde amendment author that proscribes Federal funding for abortion in the Medicaid program, when he learned that, by this extrapolation, that it was really true that millions of kids had survived because of his legislative leadership, and JIM OBERSTAR who was there that day and helped craft that legislation of the Hyde amendment in the 1970s, Henry Hyde had a big tear in his eye, knowing that there were kids walking all across America, now some of those kids, young adults, having

their own children because the money wasn't there to facilitate their violent death.

Henry Hyde and all of us who have been part of this know that because of these efforts, uphill as they are, children will survive, and mothers will avert this irreversible decision. ObamaCare opens the spigot of public funding and does more to facilitate abortion than any action since Roe, and this is the big issue. And I hope every American realizes, despite all of the cheap sophistry that is being thrown about here, what is at the core of this is an abortion promotion and the facilitation of it and spending for it.

Despite the fact that a majority of Americans don't want to fund abortion, and every poll shows that, the Obama-Dingell-Kennedy bill will force every taxpayer and premium payer in the United States to pay for and facilitate every abortion in the country.

ObamaCare will absolutely mandate abortion on demand, even in private insurance plans, which will lead to many more abortions. On April 2, Secretary Sebelius admitted that most private plans ''do not cover abortion services except in certain instances.'' That radically changes under ObamaCare. The legislation vests new, and you have gotten into this, Doctor, new huge, sweeping powers into an Obama-appointed committee that will be crafted after the legislation is signed into law, establishing essential health benefits all plans must include.

That is the dirty little secret about this bill. They are waiting until after it is all inked and signed by the President, and then these so-called experts will say, this is what every minimum plan needs to have in it, and we have no doubt whatsoever that abortion will be in the mainstay of what they provide.

NARAL's president has said, If indeed we can advance a panel or commission, then I'm very optimistic about reproductive health being part of the entire package. In 2007, Mr. Obama told Planned Parenthood, Reproductive care is essential care, we are absolutely in favor of reproductive care. But then as Hillary Clinton said in response to a question I posed at the Foreign Affairs Committee, she said, of course, reproductive health includes access to abortion.

So they use word games to cloak and stealth it. But the bottom line is that what they are talking about is abortion on demand.

Pro-abortion organizations believe they are on the verge of the biggest expansion of abortion ever. The president of the Religious Coalition for Reproductive Choice said, Let there be no mistake, basic health care includes abortion service.

ObamaCare will also exponentially expand the number of abortion mills in this country by requiring that any insurance provider contract with essential community providers. And guess what? Planned Parenthood, which itself does over 300,000 abortions every year, a staggering loss of children's lives, many of those children are from adolescents, young minor girls who get abortions there, often without parental notification or consent, on June 17 billed itself in a media blitz as essential community health care providers.

So they will be integrated with the health care insurance companies and a number of clinics which have dwindled and gone down over the years, as well as doctors willing to commit these grizzly acts will grow because there will be a mandate from Uncle Sam, from the White House and from this Congress if this is allowed to happen.

So I just want to say to my colleagues one last thing. In the early 1980s I was the prime sponsor of the Federal funding ban under the Federal Employees Health Benefits Program. We had a very big floor fight in this battle. We won it. President Reagan signed it into law, and the government plan that I'm in, and I suspect all of you are in, and many government employees, if not all, but most, all of a sudden did not provide for abortions.

In the first year, when President Clinton had his Presidency, and the Democrats controlled the House and the Senate, we lost that rider in the Treasury-Postal appropriations bill. The Clinton administration swung into action and ordered all of the insurance companies to carry abortion. There was no language in the bill, no pro-life language, no pro-abortion language, no language, but that meant they could order, just like they did with the Hyde amendment under President Carter in the 1970s that necessitated the Hyde amendment in the first place.

So let me say to my colleagues on the Democratic side, and perhaps those on the Republican side who haven't really gotten it yet, if there is no language in here proscribing abortion, explicit language, it will be there. The Benefits Advisory Committee will order it, and as we have found with public funding, no language equals abortion subsidization, which leads to a significant skyrocketing of abortions in this country.

We want fewer abortions. We want to affirm life and love them both, mother and child. So I thank you, Dr. FLEMING, for giving us this opportunity to hopefully alert the American people that the abortion industry is looking really, in a very quick way, in a hurry-up offense, to take the most offensive acts against children, innocent children, and with their taxpayer dollars, yours and mine.

I yield back, Dr. FLEMING.

Mr. FLEMING. Well, thank you to the gentleman, Mr. SMITH, from New Jersey, for your truly passionate, eloquent statements. It is obvious, Congressman, that you have a deep passion that sits on your heart very heavily. And it is one of the things that is deeply distressing for you and for many of us here in this body.

Just to reframe, again, what our discussion is and what we are really talking about, we are not really debating abortion. That has been debated endlessly, and everyone knows where we are. What we are debating is a tremendous Federal expansion of abortions that will occur with this bill. Why? Not because there is a single word, no language at all that says there must be, but simply from an absence of language. And what that means is, and it is because of the courts and the administration, it is just the way the law works around here, but just suffice it to say if it doesn't exclude it, it includes it. And that means that you, the taxpayer, and those paying premiums, will be paying for the abortions of others, whether you like it or not.

We are also represented tonight by another New Jersey Congressperson, Congresslady SCHMIDT, who has probably run more marathons than the rest of the body put together. And obviously her physique reflects that fact. So she has a lot to bring to us when it comes to the discussion of health, and we are really anxious to hear about that. So with that, I would like to yield to the gentlelady.

Mrs. SCHMIDT. Thank you, Dr. FLEMING.

I am actually not from New Jersey, but my husband was raised there. I'm from Ohio. And I'm very proud of that because I'm from the area where the right-to-life movement was actually born under the direction of Dr. Jack and Barbara Wilke. I'm also the Chair of the Congressional Women's Pro-Life Caucus, and I truly believe that our movement is at its best when we speak for those populations that are most vulnerable. We all believe that human life is sacred, and we are the female voices for the fight for life here in Congress.

□ 2150

Our movement has made great strides in creating a culture of life. A recent Gallup poll shows that a majority of Americans do consider themselves pro-life. And a recent Zogby poll said that 69 percent of respondents support the Hyde amendment to prevent taxpayer dollars from funding abortions under Medicaid. Most Americans, I truly believe, feel that abortion should be rare and we should be looking for ways to reduce the number of abortions performed.

Unfortunately, the massive health care bill that this House is considering seeks to take us in the opposite direction. Unless amended, this bill will mandate abortion coverage for nearly every insurance plan in America, because—as has been stated before and I'll state it again—if abortion mandates are not specifically excluded, the courts will rule that they must be included.

The coming days and weeks are the most important, I believe, for the pro-life movement since Roe v. Wade. As

our Congress, this body, takes up comprehensive health care reform, I believe we the pro-life group in this body must mobilize and ensure that our voices are heard so that our Nation's voices are heard. Because if we don't act, every American will be forced to pay for these services, whether through their premiums or taxes. Abortion rates have fallen over the last 30 years, but if we fail to act, I wholeheartedly believe we will see abortion rates skyrocket.

Health care, you know, Dr. FLEMING, and you know this all too well—you took that oath—is about saving lives. It's about providing our help, our love, our compassion, our prayers to the young women who need it. Health care reform should be about finding ways to do that better, not mandating coverage that we all agree will not do that. We should be doing things to make abortion rare. After all, everyone, including that unborn child, deserves the right to life.

Dr. FLEMING, thank you so much for bringing this to the attention of this body and of the American people. You are a great American and hopefully you will save a life because of this action.

Mr. FLEMING. I thank the gentlelady for yielding back, and I apologize, from Ohio instead of New Jersey. I'm getting my Schmidts and my Smiths mixed up this evening. Briefly in the final moments, I want to pitch back to Mr. SMITH from New Jersey.

Mr. SMITH of New Jersey. Dr. FLEMING, thank you and say to my friend from Ohio, thank you for that extraordinarily eloquent statement, as usual.

Mrs. SCHMIDT. Thank you very much.

Mr. SMITH of New Jersey. Let me just make a couple of points, Doctor. The abortion industry is seeking a bailout. This is the abortion bailout bill and it needs to be seen as that. The number of abortions are going down because of ultrasound and because of educational efforts. This would mandate private insurers to cover abortion—and public as well—expand venues, the killing centers, to do abortions.

But there's something that I would like your take on. The former director of the National Abortion Federation has said that the number of abortions are going down, also, because there are physicians who either can't or won't perform this, quote, essential service in her view. The American Medical News reported that abortion is a matter of choice in this country, not only for women but for physicians as well. All over the country most physicians are choosing not to do it. The San Francisco Chronicle has said those who run abortion clinics, even in large cities, say that recruiting doctors is now their most serious problem. To which we say, thank God that doctors are doing what the Hippocratic oath has told them and admonished them to do.

I would like your take on that.

Mr. FLEMING. I appreciate that. We're going to be running out of time and I'm going to give you a brief response to that. When I was in the Navy, I had a friend who was an OB–GYN who specifically refused to do abortions. He said it was against his conscience. He retired and went into the local town nearby to go into practice and his practice began a little slow and soon within months he became the most prolific abortionist in town.

So in answer to your question, the reason why so many people, or those who have done it in the past have done it, it's obvious. It's money. It's a very lucrative trade. But on the other hand in the medical communities, in the communities at large, there's been tremendous social pressure against that. As a result, I think many have decided it isn't worth the money.

This has been a wonderful hour. I do thank my colleagues for visiting and adding so many wonderful comments. We could spend another couple of hours on this.

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

CLEAN ENERGY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Ohio (Mr. BOCCIERI) is recognized for 60 minutes.

Mr. BOCCIERI. Thank you, Mr. Speaker.

It's an honor to be in this Chamber, in this body, to talk about an issue that is so important to our country. I'm so happy to be joined by my colleague Steve Driehaus from Cincinnati, a fellow Ohioan, and my good friend and neighbor in the Longworth Building, TOM PERRIELLO from Virginia.

Tonight we're going to have a very spirited dialogue about clean energy and about the American Clean Energy and Security Act that passed this Chamber and the necessity of enacting this legislation very soon as it pertains to our national security.

With that, let me begin by suggesting this, my friends. In this Congress, we were elected to represent the people of Ohio and Virginia collectively here with my colleagues, but to represent the interests of the United States in much broader terms. And after having spent 15 years in the United States Air Force as a C–130 pilot flying all over the world, to 60 different nations, visiting places I never dreamed I would see, seeing people, meeting people I never dreamed I would meet and doing things that I never dreamed that I would do, it only takes one trip outside the borders of the United States to understand how good we have it here. And when you think about all the blessings that this country has been given in terms of the abundance of natural resources, in terms of the opportunity to write our own destiny, we are truly a blessed nation. And I say this because we find ourselves at a crossroads in our history as it pertains to energy.

Now we have 3 percent of the world's population but we consume nearly 40 percent of the world's natural resources. The United States has a very big demand, whether it's electricity, whether it's our dependence on foreign oil, or whether it's our overreliance on other fossil fuels that make this country very dependent on international geopolitical forces.

I've got to tell you, what specifically concerns me with respect to our energy policy is the fact that 60 percent of our oil comes from overseas. Sixty percent. And 40 percent comes from the Middle East, where we find our military engaged in two wars on two different fronts in a region that has an abundance of oil but a lack of democracy and a lack of attention to humanitarian interests and a democracy that works for the people.

So while we become very dependent on overseas supply of oil, we find ourselves now at a crossroads. We were elected, and we're freshman Members here, it's our first term serving in this august body, but I will tell you this, that we will be judged by two measures. We will be judged by action or inaction, and now is the time to take action for our national security, to create jobs in this country that cannot be outsourced and to make sure that we move away from our dependence on foreign oil. It's in this spirit that I look for a robust conversation about how this protects our national security.

I will yield to my colleague from Ohio.

□ 2200

Mr. DRIEHAUS. Thank you very much, Congressman BOCCIERI, and I would agree that this is about action versus inaction.

From 1994 until 2006, the Republican Party ruled the Congress. They ruled the House of Representatives, and they were at the root of the inaction. This energy crisis didn't sneak up on us. This health care crisis didn't sneak up on us. The housing bubble and the financial crisis didn't sneak up on us. We could have done something. We could have done something about our reliance on foreign energy. We could have done something about health care. We could have done something about the financial institutions. But my colleagues on the other side of the aisle, rather than act, they chose not to act. So I agree wholeheartedly that we will be judged on what we are willing to do for this country.

I have a couple of observations about the bill that we passed, and I have never seen so much information—misinformation, on a bill in my life as I saw on this one.

My colleagues on the other side of the aisle—who are chatting—were spreading rumors. They were spreading rumors about costs of $4,000 a year in tax increases on the energy bill.

Now, I don't know about you, but I talked to my energy friends back home. I talked to my friends at Duke Power, and they suggested that the potential increases, if there are increases—and I would argue that those

increases are going to be offset by savings and they're going to be offset by job creation—but they were spreading misinformation about the cost of this bill; yet it went on and on and on and on.

And then they talked about the fact that no one had read the bill as they searched the Chamber for an amendment that sat right in front of them. Their leader came to the floor with the very amendment and went through page by page that he had earmarked, clearly having had time to read the bill.

The fact of the matter is we have been discussing our reliance upon foreign oil. We have been discussing energy for years.

Mr. KING of Iowa. Will the gentleman yield?

Mr. DRIEHAUS. No.

Mr. KING of Iowa. The gentleman made an allegation, and I would be very happy to respond to that. I appreciate it if the gentleman would yield.

Mr. DRIEHAUS. I'm talking about the misinformation.

Mr. KING of Iowa. That's what I hear, and that challenges the integrity of some of the Members. I asked the gentleman to kindly yield. It's a courtesy that's commonly offered.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. BOCCIERI) controls the time.

Mr. BOCCIERI. It is up to the gentleman from Cincinnati if he would yield.

Mr. DRIEHAUS. No, I won't yield. I have heard misinformation after misinformation come to this floor, and the American people deserve the truth. They deserve the truth.

PARLIAMENTARY INQUIRY

Mr. KING of Iowa. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Ohio will suspend. The gentleman will state his parliamentary inquiry.

Mr. KING of Iowa. Mr. Speaker, is it inappropriate under the rules of the House to challenge the mendacity of any of the Members in this House?

Mr. DRIEHAUS. Mr. Speaker, point of clarification. I am challenging the facts.

Mr. KING of Iowa. Mr. Speaker, I made a proper parliamentary inquiry.

The SPEAKER pro tempore. The gentleman's remarks did not target any individual Member.

Mr. KING of Iowa. I'm sorry, Mr. Speaker. I can't hear you.

The SPEAKER pro tempore. The gentleman's did not target any individual Member.

Mr. KING of Iowa. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. KING of Iowa. The gentlemen from Ohio alleged intentional misinformation on the part of members of my conference, and that, I believe, challenges the mendacity of Members of this Congress.

The SPEAKER pro tempore. The gentleman's remarks did not specify any individual Member.

Mr. KING of Iowa. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. KING of Iowa. Is it the ruling of the Chair that the gentleman from Ohio can challenge the mendacity of a Member provided he doesn't name them specifically?

The SPEAKER pro tempore. Members are reminded not to engage in personalities.

Mr. KING of Iowa. Mr. Speaker, I think everybody gets the message here.

The SPEAKER pro tempore. The gentleman from Ohio is recognized.

Mr. BOCCIERI. Mr. Speaker, I want to yield to the gentleman and my colleague from Cincinnati to finish his remarks.

Mr. DRIEHAUS. I will further clarify it for my colleagues on both sides of the aisle that I believe there was gross exaggeration engaged in on the debate with regard to energy. And the attempt wasn't to solve a problem. The attempt was to scare the American people. They scared the American people rather than addressing the problem, rather than taking on the problem. The attempt was to scare the American people, to scare the American people and suggest to them that this was some type of massive tax increase when, in fact, this is about the energy security of the United States of America. That's what this bill is about. And that's what we had the courage to do.

It is about the job creation for our State of Ohio. It is about job creation and clean energy and new energy jobs across the United States, and it is about ensuring the energy security for our children and future generations. And that's the courage that it took to pass this bill rather than letting it go, letting it go, taking the ostrich approach of sticking your head in the sand and ignoring the problem.

So I appreciate the opportunity to speak, Mr. BOCCIERI.

Mr. BOCCIERI. Thank you for those comments.

And there is very clearly misinformation out there. I have had a number of inquiries into my office, both here in Washington and back in the district in Ohio, that have clearly been misrepresented of what the bill actually stands for and what it actually means.

And with that, I will yield to my friend and colleague and neighbor in the Longworth Building, the gentleman from Virginia (Mr. PERRIELLO).

Mr. PERRIELLO. Thank you very much, Mr. BOCCIERI.

It's very easy to focus on the normal misinformation and all of the bad news that people expect from politics, but what we miss in that is this tremendous opportunity, the excitement of this moment. We are betting on America again. We're betting on innovation. We are better at this than any other country on Earth.

And the fact of the matter is I'm sick and tired of going to the gas pump and knowing that my hard-earned dollars are going to support petrol dictators overseas instead of American innovation back at home. Sometimes you have to put America ahead of Ahmadinejad, and this is one of those moments.

We can make a choice that America will be at the forefront of the clean energy economy. This is our time. Both parties, for the last couple of decades, have had a disastrous strategy on international trade and other things that have sold the middle class and the working class of this country down the road.

It is time to reinvest in America again, and the new energy economy is a big part of that. We are one of the only countries in history that have been funding both sides of a war. Under President Bush's Department of Defense in 2003, they wrote the risk of abrupt climate change should be elevated beyond a scientific debate to a U.S. national security concern.

We spent $357 billion last year on foreign crude oil, 2.3 percent of our GDP. That's the bad news. But the good news is we are getting ahead on this now. And this bill helps create the incentives to reward success, to reward leadership instead of continuing to reward failure and reward the lack of innovation that we've seen in recent years.

And with your discretion, Mr. BOCCIERI, I would like to brag on south side Virginia for a second.

My part of the country has been hurting. We've had 20 percent unemployment in parts of my district. We've been hit hard by the exporting of manufacturing jobs, textile, furniture, tobacco farming. But we're now hearing phrases like ''first in the Nation,'' ''best in the Nation,'' moducraft homes, the first and best on energy-efficient modular homes.

Red Birch, a truck stop owner who turned his truck stop into the front lines of the freedom fight for energy independence by developing the first farm-to-fuel closed-loop system, not only is he keeping those dollars in America, he's keeping them in the community. When you go to that truck stop to buy a high cetane premium diesel fuel, 92 cents on every dollar stays in the community. Moducraft homes, Red Birch, Windy Acres, these are things to be proud of.

And let me mention one other thing, Mr. BOCCIERI. I don't care whether a good idea comes from the Democratic Party or the Republican Party. I only care that it's a good idea. And the fact is you wouldn't know it from this debate, but cap-and-trade was a Republican idea. The tradable permit scheme was invented and produced under the first President Bush in the effort to combat acid rain.

□ 2210

One of the most efficient and effective environmental laws ever created

under the leadership of Bill Riley at the EPA and the first President Bush, tradable permits were a smart Republican idea that said we can use the free market and capitalism to drive that innovative edge and that competition.

It's something that Senator MCCAIN and the former Senator Warner and others have supported as being the right mix of a national security solution using free-market strategies.

So this was a Republican idea that was good enough for this country until Democrats also supported it, and this is what Americans are sick of. They're sick of the idea that we're going to put scoring political points ahead of patriotism and problem-solving.

The fact is this was about putting the best ideas on the table to solve what is one of our leading national security threats, one of our leading economic threats, and get America right back on to the cutting edge.

It's a great thing that we've done. We've stood up to the special interest groups, and for once, in a few years, we're going to be able to start supporting an energy economy that's creating jobs right here in America and selling that technology all around the world.

Mr. BOCCIERI. I appreciate the gentleman from Virginia's comments, and he is exactly right on. A good idea doesn't have to be a Democrat or Republican idea. It's an American idea. And while we may disagree about some of the approaches, let's look at and revisit some of the comments of some of the leading leaders who ran for the Presidency last year and talked about how climate change and our dependence on foreign oil is a matter of national security.

Let's visit the Presidential candidate for the Republicans last year, JOHN MCCAIN, who I incidentally flew out of Baghdad, is a man of honor and integrity, and this is what he has to say: It's cap-and-trade. There will be incentives for people to reduce greenhouse gas emissions. It's a free-market approach. Let me repeat that: it's a free-market approach. The Europeans are doing it. We did it in the case of acid rain. Look, if we do that, we will stimulate green technologies. This will be a profit-making business, and it won't cost the American taxpayer. It won't cost the American taxpayer. JOE LIEBERMAN and I introduced a cap-and-trade proposal several years ago which would reduce greenhouse gases with a gradual reduction. We did the same thing with acid rain. This works. It works.

Mr. DRIEHAUS. Will the gentleman yield?

Mr. BOCCIERI. I will.

Mr. DRIEHAUS. This goes back to the question of action versus inaction, and the question is, If you don't embark down this road, if you don't address the energy crisis, if you don't work toward a system of cap-and-trade, what's the alternative? And the alternative is simply this:

The EPA comes out with rules cracking down on utilities and emitters of carbon, which would in fact be a massive tax, a massive government mandate on utilities and manufacturers, killing jobs, raising rates for businesses, raising rates for residential consumers. Instead, the choice we made, the choice for action was about using a free-market approach to incentivize job creation, to incentivize creativity, just like we did with telecommunications.

We now have the opportunity to do the same with energy. We believe in the American economy. We believe in the innovation that can be released through the use of a free-market system like cap-and-trade. That's why we went down this road, and that's why we chose to act

Mr. BOCCIERI. Let me just expound on the gentleman's remarks there.

I believe that this truly is about our national security, and I'm going to go over some facts here in just a moment. But back to revisiting what some of our colleagues have said running for President. Mike Huckabee really summed it up best when he said, A nation that cannot feed itself, that cannot fuel itself or produce the weapons to fight for itself is a nation forever enslaved.

And he further added, So it's critical that for our own interests economically and from a point on national security we commit to becoming energy independent, and we commit to doing it within a decade. Within a decade. We went to the Moon in less. We can do this in less than a decade. We have to take responsibility in our own house before we can expect others to do the same in theirs. It goes back to my basic concept of leadership. Leaders don't ask others to do what they are unwilling to do themselves.

This gentleman was right on with his remarks. I yield to the gentleman from Virginia.

Mr. PERRIELLO. Well, you know, Mr. Huckabee is a great man of faith, and I was meeting with a number of evangelical leaders today, and they were talking about the frustration they've had with some people in the pews about the seriousness of this issue. And they say, you know, some people get so caught up on whether climate change is a partisan issue, whether this is about some Democratic conspiracy theory to tax or whether it's some Republican denial of scientific evidence.

And the evangelical leaders were saying to me that do you realize over the next 10 years 250 million of God's children in Africa could be denied access to water because of the effects of climate? How willing are we to roll the dice on this uncertainty to do nothing, to accept inaction when we know that our national security demands it, when we know that our innovation and our job creation demands it, when we know that our conscience demands it, when so many of those who had nothing to do with creating the problem, the most vulnerable amongst us, 250 million in Africa alone could be denied that access to water?

Mike Huckabee has been a leader on this. He's talked about the importance of climate, as has JOHN MCCAIN, as has Sarah Palin and others.

The reality is, we all know how important this is, but somehow in this body here we can get lost in scoring political points for the next election instead of doing what's right for our country and for our economy. You served in uniform, and we appreciate that service, and once again, here we're doing what we need to do to keep this country safe and to keep it strong.

Mr. BOCCIERI. I cannot agree with my gentleman and neighbor as he so eloquently suggested that this is about the faith that we have in our own innovation, the faith that we have in our own country and our own people to come up with ideas that can make our country stronger in the long run. And let me revisit some of what our faith leaders have said.

Billy Graham said that the growing possibility of destroying ourselves in the world with our own neglect and excess is tragic and very real.

Pope Benedict said, The brutal consumption of creation begins where God is not. I think, therefore, that true and effective initiatives to prevent the waste and destruction of creation can start only where creation is considered as beginning with God. Particularly, attention must be paid to the fact that the poorest countries are likely to pay the heaviest price for ecological deterioration.

Pat Robertson said, I have not been one who believed in global warming, but I tell you, they are making a convert out of me. It is getting hotter and the ice caps are melting and there is a buildup of carbon dioxide in the air. We really need to address the burning of fossil fuels because if we are contributing to the destruction of the planet, we need to do something about it.

Dr. Rick Warren, author of ''The Purpose Driven Life'' said, We cannot be all that God wants us to be without caring about the Earth.

Now, our faith leaders are telling us, our national security folks who are in charge and responsible for our national security are saying it, the Congress has spoken, that this is a matter of national security, creating jobs here at home, jobs that cannot be outsourced and moving away from our dependence on foreign oil.

Let me touch on just a few points before I yield back to my friends.

Eighty percent of the world's reserves of oil are in the hands of governments and their respective national oil companies. Sixteen of the world's 20 largest oil companies are state-owned. We import 60 percent of the world's oil. We know that we're going to, with the Senate version of this bill, we're expanding exploration and drilling right here in America in the Gulf of Mexico, knowing that that's not going to be enough to sustain our 20 million barrels that we consume every day. We

only have 3 percent of the world's oil reserves, but we can consume 25 percent of the world's oil. It is very clear that we have to move away from our dependence on oil.

One last point before I yield to my colleague from Ohio. The largest consumer of oil in this country, the largest consumer of oil in this country is not the American. It's the Department of Defense. The United States Department of Defense consumes more oil than some countries overseas. In fact, it consumes more oil than Greece in 1 year. So our Nation is dependent on 60 percent of that oil coming from overseas sources, from Venezuela, from Mexico, from Saudi Arabia in particular, which is one of our largest producers and suppliers of oil, and this makes our country and puts our country in a compromising position.

I yield to the gentleman from Ohio.

□ 2220

Mr. DRIEHAUS. I appreciate that, Congressman. I think it begs the question: Do we want the future of this country dependent upon the innovation of the American worker; do we want the future dependent upon green energy and new technologies that will be driven by the American people; or do we want to rely upon and depend upon the sheikhs in Saudi Arabia, as we do today and as we have in the past?

Our dependency is growing, not declining. This bill provides us an opportunity for a future, a destiny controlled by Americans, controlled by the American worker, and unleashing the innovation of the American worker.

I was dismayed during this debate when I heard critics suggest that maybe we shouldn't go first. Maybe shouldn't lead. That we should wait for others—maybe developing countries, maybe others in Asia to lead before we move forward. I don't know when we became a Nation of followers. I am not of that belief.

I believe the United States of America has led time and time again for this vote on issues of freedom, on issues of democracy, on issues of economic innovation. And we should be the leaders on new technology when it comes to energy. We need to lead and we should set an example for the globe.

I am not one to follow the examples of countries on the other side of the world suggesting to us what we should be doing on our energy policy. We should be leaders. And we need to restore our place as leaders when it comes to energy.

Mr. BOCCIERI. I couldn't agree with the gentleman from Ohio more. I think that he speaks with passion and conviction about what this means and what stake we have in making certain that we move away from our dependence or foreign oil.

I yield to the gentleman from Virginia.

Mr. PERRIELLO. I think the gentleman from Ohio makes a great point. These people aren't climate skeptics, they're America skeptics.

We all come from manufacturing areas in this country that led the world. And we sat by while both parties let that manufacturing go overseas.

We have a chance to be the first to craft carbon capture and sequestration technology. We have a chance to lead on nuclear and lead on biofuels and bio refineries. And this isn't just about switching from one fuel to other. It's: Who's going to make those wind turbines? Who's going to make those batteries for those hybrid cars that could free us from this dependence on foreign oil? Who's going to make those?

Do you want to buy them from China or do you want to sell them to China as they are building what will become the biggest auto consumer market in the world.

I want to build them here. And those climate skeptics or America skeptics want to sit on the sidelines and let all that technology and let all that manufacturing happen overseas. We are better than that. We can lead. We can do this better than anyone else. We can out-innovate. We are better entrepreneurs. We will do that.

But we don't do it by sitting on the sidelines. We don't do it by making easy choices and waiting for others to lead. We do it by putting solutions above special interests, by putting this country first—even if it means an unpopular vote, and going out and explaining to the American people that this is why this is going to be great for our country and great for our region.

I am proud that we have put ourselves back in a position to lead. That's what the American people deserve. I yield back.

Mr. BOCCIERI. I couldn't agree with you more, Congressman PERRIELLO.

Before I yield to my good friend from northeast Ohio, Congressman RYAN, who's joined us tonight, let me just revisit two more of these quotes from our colleagues who ran for President and suggested that American innovation, American entrepreneurship, and American ideas are stronger than our dependence on oil overseas.

Mr. Giuliani, a fellow Italian, he said, We need to expand the use of hybrid vehicles, clean coal, carbon sequestration. We have more coal reserves in the United States than they have oil reserves in Saudi Arabia. This should be a major national project. This is a matter of our national security.

We went on: Mitt Romney said, There are multiple reasons for us to say we want to be less dependent on foreign energy and to develop our own sources. That's the real key. Of course, additional sources of energy here, as well as more efficient use of energy. This will allow the world to have less oil being drawn out from the various sources it comes without dropping the prices to a high level. It will keep people, some of whom are unsavory characters, from having an influence on our foreign policy.

RON PAUL, who we serve with here in this Chamber, said, True Conservatives and Libertarians have no right to pollute their neighbor's property. You have no right to pollute your neighbor's air, water, or anything, and this would all contribute to protection of all air and water.

Mr. Gingrich said, The concept of reducing the amount of carbon emissions over the next 50 years is a totally sound concept.

These are not Democrats saying this. These are Republicans who are standing with us tonight in spirit, I know, saying that this is about our national security, saying that this is about geopolitical balance, and this is about creating jobs here in our country.

I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. I appreciate it. I want to take off on what the gentleman from Virginia was saying. I was reading an article the other day. In China, 400,000 people a year die from air pollution. And if you look at the history of China, you will see that they have periods where there is a very tumultuous uprising within the country. And if you can read the tea leaves here, you will see that at some point China and the people of China will demand clean air. There's no question about it. And they're using dirty coal. I mean, it's dirty. And those of us who have been there recognize—with the Olympics especially—how many months ahead of time they had to stop letting people drive cars into the city and everything else.

So the point that the gentleman from Virginia was making is that this is an opportunity for us. And some people say, Well, China and India aren't going to do this, so why are we going to do it? Let them not do it. Let us jump ahead. My goodness gracious, it would be like saying, you know, the Soviet Union is not going to continue their space program back in the Sixties. Great. We'll jump ahead of you.

That's basically what we have here. And we have an opportunity to seize this moment and then begin to develop this technology, invest this money, get our manufacturing going here in the United States, and export—things we have been talking about in our district for a long time.

When are we going to manufacture? When are Americans going to make things again? When are we going to export? This is the opportunity. And the same people that call on the talk radio that say, When are we going to make things again, are the same people that are against the cap-and-trade bill because the dots aren't connected here.

This is the opportunity. Take the $700 billion that we're shifting abroad, focus it on the United States, revitalize manufacturing, and export this stuff, because China at some point is going to recognize they're wasting a lot of energy, their people aren't as healthy, their people are dying because of this, and they're going to want them to be healthy. So that's one point I wanted to make.

The other point I want to make is, Congressman BOCCIERI and I, Mr.

Speaker, were on a radio show a few days ago and a gentleman called in who had some business issues, other issues, but he says, I like the alternative energy stuff.

So I asked him what he did. He makes the technology, manufactures the products that go into the scrubbers that go into the power plant and go into the steel mills to keep the air clean.

And here is a businessman in Youngstown, Ohio, who had, I think he said, 70 employees, who's manufacturing these scrubbers that were a result of the Clean Air Act. Because of the Clean Air Act, there's someone in Youngstown making these products.

I think it's important for us to let everyone know this is opportunity for us. These are jobs that are going to be revitalizing communities in all of our districts.

Mr. DRIEHAUS. Just to back up the gentleman's point, China is moving down that road. They're not waiting. The week after the vote, Jim Rogers, the CEO of Duke Energy, went to China. And he went to China to check out the carbon sequestration that they're currently employing on new Chinese coal-burning power plants. Because the Chinese aren't waiting. The Chinese are moving ahead with new technology.

So we have a choice. We have an opportunity. Do we want to continue with business as usual and just sit still as China moves forward, or do we want to be at the cutting edge, do we want to be leading when it comes to new energy technology?

This is an opportunity. We need to seize that opportunity. And this legislation allows the free market to do that. So that's what this is about. This is about creating jobs and creating an economic future for the United States.

Mr. PERRIELLO. In many ways, if I may, it's also a chance to reward the people who are already innovative. In my district, I have poultry farmers coming who want to turn the waste into energy; not only energy, but produce a low-sulfur fertilizer that's even better for our aquifers and our Bay.

I have dairy farmers who want to take the manure from their farms and turn that into energy. What's stopping them? We aren't on the cutting edge of smart-grid technology. We don't have the technology in place, and we don't have the incentives that this provides.

What this does is give a profit motive to people for doing the right thing. I think we have had far too much in our financial system and elsewhere of rewarding people for failure, rewarding people for irresponsibility. For once, we have a system that's going to reward everyone, from the homeowner to the capitalist, for doing the right thing.

□ 2230

Again, I know I'm surrounded by folks from Ohio, but I can't say enough about the people——

Mr. RYAN of Ohio. You're so lucky. Do you have any idea how lucky you are?

Mr. PERRIELLO. Hey, you know, my grandparents grew up outside of Toledo, Ohio, in Sylvania, but we're from Virginia, and I will tell you that we have farmers ready to do this. Like you all, we have a lot of manufacturing plants that have shut down. We have hardworking people who are ready to go to work, and they would love nothing more than to have a job and to have a job that's making this country safe, that's keeping our country safe. Now you've done that in uniform. This is a chance for every worker to be part of that effort of national security, and we're fired up to do it.

Mr. BOCCIERI. People are asking, What does this mean for the average consumer? What does this mean for the average Ohioan and Virginian? This is what it's going to mean: When you roll into a fuel station someday, you're going to have a choice between traditional gasoline, traditional oil. You're going to have a blended fuel that may be ethanol-based or cellulose-based. You may have an opportunity where you plug in your electric hybrid or where you drive by the gas station all together because you have a fuel cell that allows you to get 100 miles to the gallon.

Now, how is that for American innovation? How is that for opportunity? How is that for standing up for the innovation, entrepreneurship, and for the longevity of American ideas and thinking? That's what this bill does, and that's what this idea is. It's of moving away from our foreign dependence and reliance on overseas oil to make our economy drive.

Let me just say this: In my district, we are researching fuel cell technology. We are very close to having some sort of prototype ready to go. They're researching this with the Department of Defense at Stark State Technical College, Community College. We have the opportunity there to be leaders in Ohio. We also have the opportunity to do research at the Ohio State Agriculture Research and Development Center. That is in Wayne County, in my congressional district, that right now is using anaerobic digesters like you were talking about. Imagine this: I know Congressman RYAN—whose birthday it is today. Happy birthday.

Mr. RYAN of Ohio. What does that have to do with anaerobic digesters?

Mr. BOCCIERI. You may be too young to remember.

It was when I was standing in line with my father, waiting for oil in the 1970s. I remember seeing that movie Back to the Future. The professor comes in. He has a DeLorean, and he opens up the trash can and starts jamming in waste—garbage—into his DeLorean to fuel his engine. Now think about this: What they're doing at this research center is taking sewage sludge. They're taking manure from dairy farms, and they're adding 20 percent biomass—a busted up watermelon from the supermarket, cooking grease from the local restaurant. Just by adding that 20 percent biomass, they're increasing the BTUs by 50 percent of that compressed natural gas. They're actually selling it back to the grid.

This German CEO who was doing this research, Schmack Industries, suggested this: He said, You Americans are doing in 2 years what it took Germany 20 years to do, and we have 3,800 of these anaerobic digesters that are actually producing energy—compressed natural gasses that light our cities.

The city of Canton is getting ready to—or is thinking about building an incinerator for its sewage sludge. Could you imagine if they turned that into renewable energy and if they actually created compressed natural gas and sold it to the utility or if they heated some homes or if they turned on some lights in the city? This is the type of innovation that has driven America to be one of the great producers of wealth that we are.

Mr. RYAN of Ohio. If the gentleman would yield.

Mr. BOCCIERI. Sure.

Mr. RYAN of Ohio. I don't know if anyone followed when Barack Obama was in Russia, but there was a deal made and struck where—Exxon is, obviously, doing business there, and they are opening up a refinery somewhere in New England to process the oil coming back from Russia.

So this is what we're trying to get away from. This is what this energy bill is all about. We can't get in the position where, yeah, it may be over the next 5 to 10 years where this is something that needs to happen for the transition. This is an example of the road we don't want to go down, the road relying on Vladimir Putin's Russia for oil for the United States. You know, the American people don't want that. That's not good geopolitics. That's not good for our manufacturing base. That's not good for a variety of reasons that are all pretty obvious to anybody who has blood running through their heads right now. You know, this is pretty basic stuff here. We don't want to rely on Russia for our oil.

The other point is, whether it's in Cincinnati, in Virginia, in Canton, in Akron or in Youngstown, we have these manufacturing facilities that are just sitting here. In my district, there's a company called Parker-Hannifin. It's a big company in Cleveland and in Youngstown. They have 1,000 workers, steelworkers. They make the hydraulics that go into the back of, you know, waste management—you know, garbage trucks. They do the hydraulics. These same hydraulics go into windmills.

We have a specialty steel company called Thomas Steel, in Warren, that has about 300 workers. They make a decent wage. Their specialty steel goes in the solar panels. We have a company called Roth Brothers in the Youngstown area. There's a new wind cube

that you can put on top of big buildings in downtown areas that will generate wind. You plug it right into the building, right into the grid, to generate energy that can turn and face the wind and that can really harness all of the wind no matter what the direction change. This is right in Youngstown. They said, If this wind cube takes off, we'll hire 100 people like that.

So we have it here. It's not so much new business—although, there will be a piece of that. It's also about the businesses that we already have, those that can grow and that can manufacture. They're good-paying jobs. They're steelworkers. You know, they're people who can make some money and who can revitalize the middle class again.

Mr. BOCCIERI. Let's address something that's important to all of our States—to both of our States that we're discussing here presently. It's the use of coal. We've heard a lot of talk from those, at least from the detractors of this bill who have now somehow fallen off their plateau of suggesting that this is about national security, who are suggesting that coal-intensive States are going to be disproportionately hurt. That is completely false.

We have worked together to make sure that coal, which is the most abundant and cheapest source of energy that we have in this country, is going to be used for a long, long time. Right now in Ohio, we are investing in some very, very awesome opportunities for job creation. The company Babcock & Wilcox is researching right now using pure oxygen and pulverized coal and mixing it in these huge burners to make near zero emission burners. They capture this carbon, and then they inject it back into the wells, into the very wells from which we're drilling for oil, to push out those last remaining drops of oil.

I have a chart here—and I'm not going to get into the technical parts of it—but those scientists who may be watching and listening to us tonight can refer to this because it is very important that we understand that we will continue to use coal. This is carbon capture sequestration. The bill provides $180 billion for this type of innovative research that is going to be the next generation of coal use.

In the 1940s, when the United States of America bombed the Ploesti Romania oil fields, we essentially cut off the oil for Germany. What did they do? They quickly transitioned to a synthetic fuel, which is a derivative of coal. We're testing this right now at the Wright-Patterson Air Force Base in Ohio. We're testing blended fuels on our military aircraft. We're testing the new fuels that are going to drive the innovation of tomorrow and that are going to make our country stronger.

I yield to the gentleman from Virginia.

□ 2240

Mr. PERRIELLO. I wanted to pick up on something that Congressman RYAN said which is to cull out what I call paper tiger patriotism, this ability to talk tough about Chavez, Ahmadinejad and Putin until you actually have to do something about it. It's one thing to give speeches against these guys on the floor, but then to not have the guts to vote for the very policies that will cut them off at the knees. Here we are at one of the most crucial moments in Iran's history, where we have people risking their lives in the streets of Tehran; and then people in this body will stand up and vote for the very policies that keep a petro-dictator in place. This is about crushing that paper tiger patriotism and putting in its place the courage that American people deserve because we do, in our core, have it in us to lead in all of these areas.

This is an unprecedented renaissance for clean coal technology. It's the first bill in a generation that actually opens up opportunities for nuclear at the same time that we see wind, solar and biofuel. But we also know that the cheapest energy is the energy you never have to buy in the first place because of energy efficiency technologies. And that's what we can see through smart grid technology, through the advanced battery manufacturing. This is our chance to crack that technology for the whole world in the same way we did when we had the guts to go to the Moon.

This really is one of those moments. And I go back to the point where you started, Mr. BOCCIERI, which is, why was this idea good enough for Republicans when it was their idea but as soon as we started to support it, they ran away from it as cap-and-trade? Cap-and-trade was something the Republicans should be proud to have come up with. The first President Bush was a great conservationist, a true conservative, who understood the challenge of acid rain, the challenge of the Earth's summit and other things, that this was a time for America's leadership heading into the 21st century. We need to focus on, what are the ideas that keep us safe and keep us strong, not what are the ideas that score us points for the next election cycle. I think all of us came in and changed elections because people were sick and tired of that. These are the kinds of solutions the American people deserve.

Mr. BOCCIERI. You are right. Mr. Speaker, I will remind the folks listening tonight that Teddy Roosevelt said that the welfare of each of us is dependent upon the welfare of all of us and that in a moment of decision, the worst thing that we can do is nothing. What is the cost of doing nothing? We're going to continue to be dependent on foreign oil. Maybe it rises from 60 percent to 80 percent. Maybe we don't create the jobs that we need to right here in our country that can't be outsourced, like a nuclear reactor. Congressman RYAN always talks about the 8,000 manufactured components that go into making a windmill. You know, these are the types of jobs and the types of innovation that makes our country stronger.

Mr. DRIEHAUS. I will just go back to the analogy of telecommunications. If you remember, it wasn't more than a decade or two ago when you were paying exorbitant rates on your long distance bills; there were a very limited number of channels on TV. And then through the Telecommunications Act, we made sure that we allowed for innovation and competition. We allowed for the cable companies and the telephone companies to use those same broadband lines. We required that to happen. And now today broadband is across the country. We have the potential today to unleash that same type of innovation that was unthought of 20 years ago in telecommunications; but we all know it today, as people send IMs, as people e-mail each other—that wasn't thought about 20 years ago—the hundreds of TV stations that you get on cable TV. I don't think we can begin to imagine the innovation that we are going to see over the next several decades in the field of energy because of the steps of this House, because of the steps of this Congress, the courage to move us from the status quo toward energy security for the future and unleashing the innovative nature of the American people.

Mr. RYAN of Ohio. If the gentleman would yield, if you just think about the history of this country—and I don't want to get corny—but there has never been a scenario where we have said as a country, we want to do something, and it's not happened. I mean, let's be honest. Because of the system of government that we have, because of all the DNA that happens to be in our great country, because of people having the courage to get on a boat with no money, and all that DNA, all that courage that it took to get here is here now; and it's been replicating itself. There is something special about whether it's World War II or it's storming the beaches of Normandy or it's going to the Moon or it's getting out of the Depression or it's that we need to be educated or the number of patents that we get. Whatever it may be, we have the ability to do this. And I think when you look at this policy in particular, the energy policy, the more I read about it, the more I like it. And when people say, Well, how is it going to work? I get excited about explaining it to them because here we are in northeast Ohio where we have all this manufacturing, and it has been dead for 30 years. We've not had any opportunities coming down the pike, like clean energy, in 30 years. This is something that is so exciting for so many people because they recognize that—I think it's 400 tons of steel that go into a windmill or 8,000 component parts that go into a windmill, and the Midwest being the Saudi Arabia of wind, and the Southwest being the Saudi Arabia of solar. My goodness gracious, what an opportunity. We can't let this

slide by. We capture it. We take advantage of it. We make it work for us. That's what we do as Americans, and this is an opportunity for us to do that and to grow all of these companies. Putin, be gone. Chavez, be gone. Middle East sheiks, be gone. We're going to take care of our own business here.

Mr. BOCCIERI. Let's revisit the three pillars of this legislation. Number one, create jobs in our country that cannot be outsourced; number two, that it's about national security, moving away from our dependence on foreign oil and other energy sources; making sure that we have those homegrown energy jobs right here in our country. Those are the three pillars of this legislation. When we think about the two largest countries that market natural gas, it is Iran and Russia, when if we invested in the technology that we recently just talked about, anaerobic digesters and the like, we talk about these different opportunities, we can actually create natural gas and harvest natural gas from our part of the country. This is important that we understand that moving away from dependence on imported sources of energy is going to make our country stronger.

So national security, creating jobs, moving away from our dependence on foreign oil, that's what this legislation is about. That's what this opportunity is about. And I believe in the innovation and entrepreneurship of Americans. I believe in our success as a country when we challenge each other to think outside of the box, to move ahead. And if we just allow ourselves to be bogged down by the fear of the past and bogged down by those detractors who are now saying, this is not the right time—well, when is the right time? When is the right time, when we have 80 percent of our oil coming from overseas? When is the right time, when energy costs are through the roof? Now is the time because our country can make these investments and create jobs here.

Mr. RYAN of Ohio. I would just like to say, I don't think anybody here is anti-nuclear. I think we all recognize how important this is as a part of our portfolio. There is no one here who is against coal. We represent Virginia and Ohio and think it's a good way to do it. That's why there's $180 billion in here to figure out how to make it clean and make it work for us. We're not saying that there's only one specific way to do this. We recognize you may need to drill a little bit, you may need to take advantage of nuclear and coal and all this. But look at the advantage. We have $700 billion going to these other countries that could be coming here, revitalizing the United States of America, and I think that's important for us to remember.

And lastly, because I think we're winding down, and I want these guys who are a lot smarter than me to be able to talk, our friends on the other side, who have been so critical, had control of this government, had control of the House, had control of the Senate, had control of the White House. Their energy policy was nonexistent. It was more subsidies for oil companies, more subsidies for the big power companies, and got us to where we are today. Which means over the last 8 years, an increase of $1,100 just in gas prices for the average family. And the same group of people who thought that cutting taxes for the top 1 percent was somehow going to be to the benefit of all hasn't worked. We've got two wars going on, and a war our friend has served in here. That's $1 trillion dollars, $3 trillion when you factor in the costs of the veterans' health care. That's not a good energy policy of us having to go over, getting into the middle of the desert and getting ourselves in this sticky web of politics in the Middle East. Why are we doing that?

□ 2250

We don't have to do that anymore. And that is what is at the heart of this bill, and I think that is the magic of this bill, rely on the innovation, the spirit of the American people and reduce our dependency on all those other countries.

Mr. BOCCIERI. I agree with you, Congressman RYAN, and this is the time to do it. We have about 6 minutes remaining. I would like to yield each of the gentlemen at least a minute or two.

Happy birthday, Congressman RYAN.

Mr. PERRIELLO. First of all, your reference to back to the future, he also says that where we are going, we don't need roads. And as a member of the Transportation and Infrastructure Committee, I have to take issue with that. But otherwise, I support the amendment.

On a serious note, every one of us here, I believe, is also a supporter of the Second Amendment. We are pro-freedom people. And what you described before is about the freedom for me to go to the gas pump without having to support petro-dictators because of that decision. It is the ability to buy a car with a battery that is manufactured here in the United States. That is the kind of freedom that we believe in.

This is also about honor and integrity. And part of integrity means being true to your word. I just want to say that I think this is about rising above partisanship in the way that you said. Sarah Palin wrote an op-ed recently bashing the cap-and-trade bill. But there is a quote from her in the campaign where she was asked, Do you support capping carbon emissions? And she said, I do, I do. You have a quote from JOHN MCCAIN. These are leaders. These are leaders who understood when they were ready to lead that this is what it looked like.

It looked like taking on the biggest national security challenges we face and doing so using the free market and the innovation that makes America great. If those ideas made sense then, they need to make sense now when you have to make the tough votes to do what is right for our country.

I think it is a very exciting time for America. It is an exciting time for south side Virginia. I believe we are on the cusp of a great, new economic revolution, full of innovation that is going to bring those jobs back to the United States. I'm proud to be part of it. I think we will look back on this and be very, very proud.

Mr. BOCCIERI. So let me get this straight. This is about jobs that can't be outsourced, about our national security and moving away from our dependence on foreign oil. JOHN MCCAIN said it. He said it. He was introduced to a cap-and-trade bill three times. Three times, he said it is a free-market approach that will stimulate green technologies, a free-market approach. And he said that this is a matter of our national security. That is what this legislation is about.

It is so important that we enact this very soon so that we can move away from our dependence on these foreign sources of energy.

I will yield to the gentleman from Ohio.

Mr. DRIEHAUS. I appreciate the opportunity, Congressman BOCCIERI, to be here tonight with you. And I think there is a reason that you see four relatively young Members of Congress standing here talking about the future of energy in the United States. We all have a vested interest in this. We all understand how important this issue is for our future and the future of our kids.

We sat on the sidelines for far too long, as the other side did nothing, as Congressman RYAN explained. They had an opportunity to act when it came to energy policy, creative energy policy that would move us forward into the next generation, but they failed to do it. We have been elected to take responsibility and to move forward on critical issues that are impacting our families today and will impact them in the future. That is what we are doing on financial services. That is what we are doing on energy. That is what we are doing on health care.

On energy, this bill takes us down that road for ensuring a future of prosperity for our children. It is the right thing to do for the country today. It is the right thing to do for our children tomorrow.

Mr. BOCCIERI. Well, let me just wrap by saying this: this is about jobs in our country that can't be outsourced. It is about our national security. And it is about moving away from our dependence on foreign oil.

We have set up a free-market approach, one that is supported by both, or was supported by both, Democrats and Republicans before we introduced it and passed it, but one that is a free-market approach with no taxes that invests in regional opportunities for States like Ohio and Virginia to make

certain that we have an energy policy that works for this country.

I flew wounded and fallen soldiers out of Baghdad. And it is very clear that we have two fronts over in the Middle East, in Afghanistan and Iraq and a much broader region because of the oil that that area produces. This is about making our Nation stronger. We have to do this now. The Department of Defense realizes this, and that is why they are testing alternative fuels. We can make that innovation. We believe in the American people. That is what this bill is about.

Mr. RYAN of Ohio. I just want to add, the answer that our friends on the other side have given when we said, increase the Pell Grant, no; increase minimum wage, no; change the energy policy, no; change health care policy, no; add a stimulus bill that is going to keep people working, no.

That is not leadership, and this is bold stuff that we are trying to do. We are trying to lead the country. At the end of the day, that is going to pay off for everyone. I yield back.

Mr. BOCCIERI. You're exactly right, Congressman RYAN. We are going to be judged by two measures in this Congress, two measures, by action or inaction. And I am so happy that we had this opportunity to speak tonight on clean energy and our national security.

SETTING THE RECORD STRAIGHT

The SPEAKER pro tempore. 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. Mr. Speaker, I appreciate the privilege to be recognized here on the floor of the House. I would remark that the common courtesy here is to yield. And I'm happy to yield to the gentlemen who are here if we could carry on this dialogue with or without that particular yielding. I know it is only four to one, so it would be an interesting engagement that could take place.

I have to correct a few things on the RECORD. One of them is, as the gentleman from Ohio challenged the mendacity of the Republicans, who had said that there is a $4,000 increase on a payroll, that is exactly the number you get if the payroll is $50,000 and you tax it at 8 percent. That is in the bill, Mr. Speaker, and that is a precise number, and that is what I sought to offer that could have been injected in for an open dialogue.

But we do deal with the facts. It is hard to get those facts when you have a bill that is drafted and a bill that has to be drafted to match a CBO number. The Congressional Budget Office came out with an estimate of a $1 trillion health care plan, and we found out that the Congressional Budget Office came out with that number without having read the bill, Mr. Speaker.

So we are poised to go down a path by tying a blindfold around our eyes and charging off into the abyss of socialized medicine with a $1 trillion price tag, a little less than that, that is slapped upon a bill that nobody has yet, well, I suppose some now have completely read, but the Congressional Budget Office did an estimate on the cost of this socialized medicine policy over the telephone with the staff of the committee of the Democrats, not even a bipartisan staff.

And that is how we make policy in the United States of America? And it is adequate to stand here on the floor and utter platitudes about what your political philosophy might be?

I think it is interesting that I get to hear the quotes from Republicans, JOHN MCCAIN, on cap-and-trade. Well, I can think of the time pretty recently that would have been after this particular quote that we saw a few moments ago, the time I most emphatically agreed with JOHN MCCAIN, and that is when he said that President Obama has more czars than the Romanovs. That was something that I think illustrated part of the big picture that we should be talking about.

This is a government that is out of control. It is overreaching. It is creating the nationalization of industry after industry in this country. It is breathtaking, the scope of the reach of this White House that is supported by the Democrats in the House and in the Senate. And who would have thought—let's just say if we just roll back in our memory and our mind's eye back to election day in November of 2008, what if somebody would have said, now you're ready to go to the polls, think about what you're going to do. Because if you elect President Obama, he is going to go in and nationalize three huge investment banks, the large insurance company, AIG, Fannie Mae and Freddie Mac, General Motors and Chrysler. All of these huge eight entities all wrapped up together will all be controlled, if not controlling interest, in the hands of and in control of the White House.

Then he is going to manage those by appointing 32 czars, and this will be hundreds of billions of dollars. And the idea will be that the economic stimulus plan is going to be FDR's New Deal on steroids.

□ 2300

And now, never mind that if one goes back and reads the data from the 1930s from that Great Depression—there was nothing great about what people had to go through during that decade of the 1930s. But if one goes back and reads the data and tries to index it back to the actions of the New Deal and this Keynesian economics of borrowing money and trying to actually replace private sector jobs with government jobs is what was going on in the New Deal—the CCC camps, the WPA, and the list of these acronyms went on. But what it did was it created a lot of debt, and it delayed the recovery that would have come from the private sector of the economy. It competed directly with the private sector.

One of those examples would be the Tennessee Valley Association where there was private-sector investment that was prepared to go in and develop just what the TVA turned out to be. And FDR went in and stomped on the private sector and grew a government instead.

This is what was the model for President Obama.

So he set forth—and he told us on a day on or about February 10, 2009, he said that FDR didn't go far enough, that he lost his nerve. He got worried about spending too much money. If he hadn't gotten worried about spending too much money, the economy would have recovered. But he didn't spend enough money and, therefore, along came World War II first and became the largest stimulus plan ever.

I don't take issue with the last part of that statement. I just take issue with the prediction that the New Deal would have worked if FDR would have spent a lot more money.

This President hasn't lost his nerve. He is spending a lot more money. And if there is any doubt in anybody's mind about whether Keynesian economics and spending borrowed money to dump it in and grow government at a time of economic crisis actually heals up the economy—there isn't any doubt in my mind because I've read the data. In fact, I went through every newspaper from the crash of the stock market in 1929 until the Japanese attacked Pearl Harbor on December 7, 1941, reading for the economic news so I could understand what people were living through during those days of the stock market crash and the deep, long trough of the Great Depression and then the shock of the attack on Pearl Harbor that launched us into a world war.

I wanted to understand what that was like for the people that lived during that period of time. But I couldn't find evidence that the New Deal was a good deal on any kind of a broad scale, small little place as it was. It bought some friends, sure, but I couldn't find evidence that the New Deal worked. And economists that have gone back and studied that era can't show you the data that indicates the New Deal worked.

But if anybody wonders, they can study this era 25 years from now when it will be clear—there won't be any question about, no more arguments can be brought up. No future President will be able to say of President Obama, Well, his stimulus plan would have worked but he just lost his nerve and didn't spend enough money.

This President has not lost his nerve. He has spent way too much money, and he has nationalized eight huge entities. He's landed blow after blow against the private sector, the free-market economy that is the engine that drives this economy, and it sets the economy for the world, blow after blow.

And they'll look back at this and they will say, $700 billion in TARP, $787 billion in the stimulus plan, untold

hundreds of billions of dollars shoveled out the door of the U.S. Treasury to prop up businesses that don't necessarily go through the appropriations process here in Congress, the blank check of Tim Geithner is being spent. And all of that going on, and this President has the audacity—remember, he wrote a book with ''audacity'' in the title. This is a President with a lot of audacity. And the audacity now to float the trial balloon to call for another economic stimulus plan when this one is only partly spent and less than half of it—and we don't really know what those numbers are. It's being trickled out and it doesn't impact on our economy, and sometimes strung out over a number of years.

But yet it was an act of desperation to get it before this Congress and pass it quickly because they had to have it to save us from a financial meltdown. But they didn't really use the bill in the fashion they said. Neither did they use the TARP bill in the fashion that they said.

And so this urgency to prevent a meltdown was more what I see in the pattern of legislation brought through this Congress. It's the urgency of bringing this thing through this Congress before the American people figure out what's going on, pass it quickly and get it out of the way so it comes out of the public eye. And while that's going on, load up another one, put another round in the chamber and fire another one down through the floor of the House of Representatives and on over to the Senate, another destructive missile that brings down the economy in this country, the culture in this country, the spirit of the people in this country. This has been an all-out assault on Americanism that I have seen in the months that we have had here.

The statements made on this floor that need to be corrected, other than the erroneous statement that a Republican had made a—just implied at least a willful misstatement. This President's plan and the health care, health insurance plan that's being debated in this Congress today and tomorrow, has in it an 8 percent tax on payroll, on the employer, on the employer's payroll, if he doesn't provide health insurance for his employees.

So, an 8 percent tax. When you just think about how that works, let's just say there is an employee that's making $50,000 a year and there is not a health insurance policy. You can talk about the question of whether that's right or wrong. But in any case, there is not a health insurance policy.

Under the Obama plan, there would be an 8 percent tax on that payroll, 8 percent of $50,000 is $4,000, precisely the number that the gentleman from Ohio objected to applies perfectly to a $50,000 payroll, which is not that unusual in the United States, and it's becoming far and far more common.

So to take issue with a statement that's clearly factual I believe is misinformation itself.

And the argument that we are sending—the other gentleman from Ohio, Mr. RYAN, said that $700 billion is going to those other countries. And the real number—and he's referring to the importing of petroleum products from foreign countries. And there were statements made last year that we were sending $700 billion to foreign countries to buy their petroleum.

Well, those statements that were going out over the media caused me to be curious enough that I actually ran the numbers to find out, and the real number is this: that over that period of time, over—this was the middle of last summer in about July, and in fact July 11 would be the date that this statement was initially made. The actual moneys expended to purchase imported petroleum, that's natural gas and oil and other products that come from oil wells, in their entirety, the actual money that we sent overseas during that period of time from July 11 of 2009 to a year prior to that, that 12-month period of time, was $332 billion, Mr. Speaker. Not $700 billion. $332 billion.

But we know July 11 was also the peak day for the highest price for oil and gas. That's when our gas hit the highest price at the pumps, and that's about the same time that crude oil by the barrel hit the highest price.

So one could then, last July 11, a year ago July 11, extrapolate what we would import if we imported the same number of gallons: $700 billion. If you work it out and take the gallons and multiply it times the highest prices we had, which was on July 11 of 2008, and carry that forward, you come with a number projected of $726 billion. But we never imported $726 billion because the oil prices plummeted some weeks after that and we saw our gas prices go from $4 and change a gallon and they dropped to nearly $2 a gallon in a short period of time. That was moving up to the election in November.

So at this point, if you look at the most recent data, the number hasn't quite reached $400 billion in the amount of imported petroleum that we have paid for.

It's still too much, Mr. Speaker, and we can be independent with our energy. And we should work in that direction and build the infrastructure that allows us to be independent. But we should also do it on real data and real facts.

And as the other gentleman spoke about two wars going on—this is pretty interesting to me—the lament is still there that we're engaged in two wars. These are conflicts that were—let me say this: Afghanistan was certainly thrust upon us. And the Iraq situation is this: President Obama was elected—at least in part—because he aggressively criticized President Bush for going into Iraq and for not having an exit strategy.

Well, Mr. Speaker, this House needs to know and the American people need to know that Bush had an exit strategy. It was a strategy that said we're going to provide victory and we're going to establish a stable government in Iraq that reflects the will of the Iraqi people. That's what's been achieved there. It really can't be argued today, Mr. Speaker, as to whether who won the war in Iraq. Al Qaeda is defeated in Iraq. They can't mount a military operation that's there.

□ 2310

American deaths in Iraq, as sad as they are, and every one of them is an individual tragedy and every one of them is an honorable patriot, and we need to keep them all in our prayers, as well as their families. It's been a high sacrifice, but it's also been a noble endeavor, and those that we have lost in Iraq in the last year through accidents have been almost exactly equal in number to those that we have lost to combat, which says that a soldier, sailor, airman, marine that's serving in Iraq today has roughly an equal risk of being injured or killed in the rollover of a Humvee on one of the Iraqi roads as they do at the hands of the enemy. And those numbers are getting—it's looking better and better each week that goes by, more stability in Iraq.

And the exit strategy that President Bush devised in Iraq was what I said: win the war; establish a stable, moderate government in Iraq that reflects the will of the people. And so when we listened to the criticism that came from the other side of the aisle here and when Speaker PELOSI first was sworn in and received the gavel as Speaker of the House of Representatives, that was the 110th Congress. We're in the 111th now. That took place in January of 2007.

From that moment on, there commenced a series of votes here on the floor of the House that were designed to unfund, underfund or undermine our troops in Iraq. They, had they passed, and some of them singularly, but many of them in their aggregate portion would have brought about a defeat in Iraq as opposed to the victory that's been achieved.

That's what's taken place in this Congress, efforts that undermine our troops. Still, our troops prevailed and still President Bush had the will to order the surge, and still after the surge was executed to the fashion that it brought about the result we see today. President Bush negotiated this so that we could not be giving up a victory that has been so costly and so nobly earned.

And I did look him in the eye on this subject matter, and I know that he was preparing this country to sustain the victory that was being achieved at the time. And President Bush negotiated the SOFA agreement, the status of forces agreement, and it was signed last fall. The Bush status of forces agreement was signed last fall, and we find ourselves in the ironic situation today, Mr. Speaker, of having a President of the United States who was elected, at least in part, for criticizing

his predecessor for not having an exit strategy in Iraq.

But President Bush had an exit strategy, and it's on paper and the irony is President Obama is executing President Bush's exit strategy to the letter of the SOFA agreement. It's on paper. It's there. It's a matter of fact and a matter of action, and it can't be argued. It's just simply ignored because these are the people over here that wouldn't acknowledge that President Bush could do good unless they could put a quote up there that they might think would support their cause.

So the quotes from JOHN MCCAIN come up in the same way. They criticized JOHN MCCAIN all last fall. Now they put his quote up here on the floor and they argue, why don't Republicans listen to JOHN MCCAIN. Well, Democrats wouldn't listen to JOHN MCCAIN. If they had, they would have voted for him and we'd have a different situation in the world today.

Let's see, the Tehran situation and the nuclear endeavor of the Iranians is another thing that just befuddles me. As I listened to the debate in the previous hour, how it is that they're arguing that we have, let me see, we're on the cusp, as the gentleman from Virginia said, we're on the cusp of a great economic revolution. This economic revolution, the green revolution, I guess, all of these green jobs that are going to be created because they passed cap-and-tax on the American people out of the House of Representatives.

And we think they're going to get their jobs back after the next election. The American people know better than this. They understand that when you call it cap-and-trade that it is truly cap-and-tax. What they do is cap the amount of energy that you're able to access in the United States and identify which forms you can and can't have, and they tax the living daylights out of what you do get.

All energy in America will be more costly because of cap-and-tax that passed out of this House, and how anybody can think that we're on the cusp of a great economic revolution because we're taxing energy is way beyond me.

The basic principles of business are things that I had to learn when I started a business, Mr. Speaker. And so just think of this as a legal pad, and you sit down with a little calculator and you draw a line through the middle of the paper, top to bottom. On one side, you list all of your expenses. On the other side, you list your income. You add up your expenses and you add up your income. You take the total income and you subtract the total expenses, and that's your profit. Probably never heard that described here on the floor of the House before, that simple accounting principle of total income minus total expenses is profit. On some of your expenses, of course, are taxes and the overhead and the things that people don't think about that people in business have to do.

So if any business that you have, if you're running a flower shop, a barbershop, an ethanol plant, if you're manufacturing wind generators, if you're running a gas station, if you have an operation with a dozen carpenters working out of there with hammers and wheelbarrows, all of these things going on, this energy tax is going to make your business—it's going to cost you more.

So over on that column on the pad that you write down on your business expenses, when you see that they have passed cap-and-tax on you and you look at the cost of your electricity and your heating gas—and let's see, the natural gas you might use in your manufacturing and your diesel fuel you put into your trucks and your heavy equipment and the fuel oil that you might heat with and the cost of the coal that might be generating the electricity, all of those things add up, and they're all part of the expenses of a business. And so if energy gets more expensive, so does the cost of running your business get more expensive; and the more energy intensive it is, the higher the increase as a percentage of your overall expenses and the harder it is to find some profit on the other side.

And we are on the cusp of a great economic revolution because this Congress can increase the cost of our energy? It takes energy to do anything that we want to do. It takes energy to heat a cup of coffee. I go over to my office and push the button and make a pot of coffee, they're burning natural gas to generate some electricity to create enough heat that I can have a cup of coffee. It was coal, but Speaker PELOSI switched that around in our power plant here, and because there was a real concern that the coal that was burning was putting carbon dioxide up into the atmosphere and contributing to global warming and she became Speaker, she concluded that we would get away from that and we were going to be a carbon neutral Capitol complex.

So Speaker PELOSI ordered that the power plant be converted over from coal to natural gas, and so that was done. And some reports show that it doubled the cost of our energy, and I haven't actually analyzed the numbers. I have to take that at face value. It's a summary report. It may or may not have been doubled. It could have been more or less. But the cost of our energy went up, we do know that; and still the calculation was that we were putting too many tons of CO_2 in the air annually.

So the Speaker, being true to her commitment to saving the planet, true to her commitment, she then went on the board of trade to purchase some carbon credits. These would be like, well, selling intentions I guess, or indulgences is a better word for it. So you could go on the board and buy carbon credits and they're indulgences for the carbon CO_2 you put into the atmosphere, and it's supposed to be offset by somebody else's behavior because you've reached your limit of being able to limit the CO_2 emissions you have here.

So I tracked that; $89,000 spent on the board of trade to pay indulgences for the CO_2 emissions that take care of this Capitol Building, and somebody had to go sequester some carbon that they weren't sequestering before, change their behavior to help the planet. This is the equation. Some of the money went to no-till farmers in North Dakota, farmers union farmers. In fact, I think that was the exchange that was used. Now, we don't have any evidence that these farmers just started a no-till because they got a check that was a contribution to encourage them to do that.

□ 2320

It's more likely they were with no-till farmers and they were just simply rewarded for something they were doing anyway. So we can't determine that there was any carbon that was sequestered out of that behavior.

And then the balance of the money went to a coal-fired generating plant in Chillicothe, Iowa. Now that's a curious thing, Mr. Speaker. Think about how this works, that the Speaker of the House concludes that there is too much CO_2 emitting in the atmosphere because of the coal-fired power plant that feeds this Capitol complex, and so she switches it over to natural gas because there's less emissions from natural gas.

At the time, she said that because natural gas is not a hydrocarbon. Well, that didn't last but a day or so, and she finally discovered it was.

So I'm not quibbling with her lack of technical understanding of how this works. Her conviction is clear; her understanding is not. The power plant was converted from coal to gas, and then still the emissions of CO_2 continued, and we had to get to this zero emissions because we were going to be a model for the country.

So that money went to Chicago, $89,000, and they brokered it through the exchange and paid some no-till farmers in North Dakota and the balance of the money went to Chillicothe, where we're really interested to find out what happens at a coal-fired generating plant that you can pay them to sequester some carbon, or let's say diminish the effect of carbon in the atmosphere.

So I went to visit that plant. It's a well-run plant run by good people. It's an outstanding company. I've met with their CEO and had engaging conversations. When I visited that day, I stood in the shed that had big bails of switchgrass in it. And there was expensive equipment that was in there that was designed to pick up and put these big round bales—these are 1,500-pound bales—so that high in diameter, 7 feet or so in diameter.

And there was designed—I didn't see this actually happen: Put them on a conveyer belt, run them through a hammer mill, blow them out through a tube, and blend this ground-up

switchgrass in with the coal that they were using to generate electricity.

That was the plan. And what I saw was—well, switchgrass hay that had sat there for 2 years—and nobody had burned any switchgrass in 2 years. They had tried it, experimented with it. They didn't have any data on what they'd learned from burning the switchgrass. But, in any case, they stopped doing it so it must not have been a particularly lucrative endeavor.

But they got a check cut by the taxpayers and signed by Speaker PELOSI—this is figuratively, we understand—because they had diminished the CO_2 in the atmosphere sometime a couple years earlier.

That's what cap-and-trade is. That's brokering these imaginary credits that don't create anything exception imaginary sequestration of carbon, which in somebody's imagination turns a thermostat down on planet Earth.

And of the people that advocate this, the aggressive, vocal proponents of cap-and-tax that think the Earth is going to be destroyed if we don't go through with their legislation, not one of them can explain the science. Not one of them can debate the science on the floor of the House. I'd be happy to do that. I have offered that many times. If somebody is convicted on the science and they want to come down, I'd be happy to yield. Schedule some Special Orders from now until the cows come home so we can talk about this science. But it is an embarrassment, the science that's underneath this.

I don't take so much issue with the science as I do with the economics. They're wrong on the science. They're completely wrong on the economics. And people that can get it that wrong, it should be no surprise they could get it so wrong when it comes to a health care plan.

But here's a couple of things I want to run through as I observe the gentleman from Texas has arrived to lend a hand with this endeavor.

What do I have that's entertaining here? Let me just pull this one out. There's so much material in this Congress, it's amazing that one can get this done in a few short hours of Special Orders.

This mouse has been kind of hard to hold down. He stands on his head once in a while.

This is, Mr. Speaker, the saltwater marsh harvest mouse. He has been decreed to be a species that needs special help from the taxpayers of America. We need to have a stimulus plan that's going to jump us out of the deep hole we're in. So, of all the places that we could put money to grow this economy, where could it do the most good?

I allege, and others alleged back during this process of the stimulus plan, that Speaker PELOSI had set up an earmark in there of $32 million. Well, the allegations came back, No, that's not true. That can't be. There isn't any earmark there. The Speaker wouldn't do that. There's a statement that was put out by the Speaker's Office that said no.

So what we really end up with now is, we find out yes, it is in there; it's just not $32 million. It's $16.1 million. The saltwater marsh harvest mouse.

This little pet project right here, this cute little guy, has finally arrived to get his particularly special earmark.

And if we look at what Speaker PELOSI said, she said, I don't want to have legislation that is used as an engine for people to put on things that are not going to do what we are setting out to do, which is to turn this economy around.

I don't think I want to read the rest of that.

You're going to turn the economy around by dumping $16.1 million into the salt water marsh harvest mouse, this pet project that everybody promised that I made this up. It wasn't in the bill. Now it's there and no one can refute it, this cute little earmark.

So think of this little guy here. The least they could do is just notch his ear a little and put an earmark in that little pet project, that salt water marsh harvest mouse. It's going to get $16.1 million taxpayer dollars.

That's not as wise an investment as the $89 million that was wasted buying the carbon credits to be the little microcosm model of what they're doing with the cap-and-tax bill on us. We've got a great big model on what they're going to do to us, all Americans, on this socialized medicine plan that looks to me like it took HillaryCare and wrote in large, in Technicolor, and in 3D.

So, as I take a deep breath, I'd be very happy to yield to my good friend, the judge from Texas, Judge GOHMERT, so much time as he may consume. I know he will use it wisely.

Mr. GOHMERT. Well, in this body, wise is such a relative term. I appreciate my friend yielding. But wisdom seems to be in short supply. I may not have it, but I know it when I see it. I'm not seeing it being utilized in this House, in this Congress these days—not with the salt water harvest mouse.

And I come bearing news. Of course, my friend from Iowa knows, Mr. Speaker knows, there are 14.7 million jobless Americans right now. If it weren't for the suffering that's going on right now in America, some of the things we were doing would just be comical.

But we just had a job fair. I had a couple in my district. On the one hand, when you have a function and lots of people come, you're really excited people turn out. This is great. But when you realize each one of these represents somebody who has lost a job and they're hurting and their family is hurting, it breaks your heart.

Then, when I saw cars line up for blocks, people coming to a job fair, looking for jobs, from people who do manual labor to airline pilots to engineers, I mean just the full spectrum looking for jobs, it breaks your heart because you know they're hurting, you know they're suffering.

There are 14.7 million jobless Americans right now. The unemployment rate now climbing up over 9½ percent. We have got a trillion-dollar deficit, we find out this week. And there are some indications that we haven't gotten a report recently as we should have from the OMB because maybe somebody is trying to stifle it because it may be that we're way over a trillion-dollar deficit.

We already set the record this year under this President and this Speaker with the kind of deficit that's been run. We know that there's been 2 million jobs lost since President Obama's stimulus package.

I know people here will recall we weren't given a chance to read the stimulus bill because we were told that if we waited another day, more people would lose their jobs. So you guys can't read the stimulus bill. Some of us wanted to.

Some of us, like me, read the bailout bill. And that's why we knew this was not something, no matter what kind of pressure was brought to bear, not something we could vote for. But we couldn't read the stimulus bill because everyday people were losing their jobs.

□ 2330

So you can't read it. Just pass it because we were told that this will start working immediately. So it was rushed through, passed through this House without our doing any kind of diligence, much less due diligence. Then the President sat on it for 4 days until he went to Colorado to have a photo-op to sign it.

What happened to all of those people who would have lost their jobs every day if we had taken the time to read the stimulus bill?

Now we hear much later, well, nobody expected it to work immediately. Well, that's what you said. You said it was going to work immediately. In fact, the President said, not only was it going to go to work immediately, but we've heard just in recent days that it has done its job. Now we find out it hasn't done its job. People are still losing their jobs every day. So 2 million jobs have been lost since that stimulus was passed, the stimulus that we were not allowed a chance to read or to amend. It was not done properly.

Mr. KING of Iowa. If the gentleman will briefly yield.

Mr. GOHMERT. Certainly.

Mr. KING of Iowa. Reclaiming my time, there is also a number out there of about 6.8 million people who no longer qualify for unemployment who are still looking for jobs. So, of that 14.7 million, we can add another 6.8 million to that. The number is well over 20 million people who are looking for work in the United States of America. The direction is going the wrong way.

I'd again yield to the gentleman.

Mr. GOHMERT. I appreciate the gentleman's comment and for yielding back, but I come bearing news.

I believe my friend from Iowa, Mr. Speaker, has seen the schedule for tomorrow. We got that tonight. Well, the schedule has a bill on it that is going to be taken up. Let's see. I'm looking for the formal name of the bill, but basically, it's welfare for wild horses. We're going to vote on that tomorrow.

We've got people who are losing their jobs every day—devastating households, devastating people—and the bill coming to the floor tomorrow is welfare for wild horses. That's why I say, if it weren't for how serious this is in knowing that real Americans are out there hurting and are having problems with their own habitat, this would be comical. You're going to spend $700 million on welfare for wild horses. In fairness, there's an even late-breaking report that says, well, actually, we're thinking, by the time the smoke clears and by the time all is said and done, it may only be as much as $2 million in welfare for wild horses. This is what's in the bill.

We will conduct a wild horse census every 2 years. Yes, the Constitution requires that we have a census for people every 10 years, but in the wisdom of this body or lack thereof, depending on your perspective, we've decided we need a 2-year census to deal with the wild horses.

This bill will also provide enhanced contraception. Now there will be a fun job. We were told by this administration that there were going to be green jobs. I don't know if that will be a green job or just what color it will be, but we're going to provide enhanced contraception. That's in the bill, enhanced contraception, and there will be birth control for the wild horses.

Mr. KING of Iowa. Reclaiming my time, I just can't go on further with this thought process until you can go into a little more detail on what that means. I am totally confused on that legal language in the bill.

I would yield to the gentleman from Texas.

Mr. GOHMERT. Well, ''enhanced contraception'' means we're going to help the horses control the process by which little horses are created. I know it's late, you know, 11:35 here on the east coast, but there could be little children watching out in California, and I'd rather not get more descriptive on the process of how those wild horses are created and on how this enhanced contraception will keep them from creating little wild horses.

Mr. KING of Iowa. Reclaiming my time, would there be a reason why just regular contraception wouldn't be adequate?

I would yield.

Mr. GOHMERT. As my friend from Iowa knows, we don't do things halfway in this Congress. If we're going to provide contraception for wild horses, it will be enhanced. That's what we want to do.

Mr. KING of Iowa. Being from Texas, the gentleman has ''enhanced everything'' in Texas. Do they have enhanced contraception in Texas?

Mr. GOHMERT. I was not aware of us in Texas having enhanced contraception, certainly not for wild horses.

It doesn't stop there. It will be interesting to find out from the studies how many green-, brown-, whatever colored jobs these will be that will be created to help the horses with their little contraception issues.

In addition, we are going to provide an additional 19 million acres of public and private land for wild horses, and we're going to have $5 million within the bill for repairing horse damage to the land. So that will be interesting.

Then also, before any Americans can adopt these wild horses, there are millions in this bill to allow for the home inspections of potential homes that may wish to adopt these wild horses. If you want a wild horse, we're not going to trust you to have a wild horse until we do a home inspection to allow us to check on you. You have to let Big Brother come into your home to see if yours is a fit place for these wild horses.

Now, the thing that really gets me here—again, if it weren't so serious and if people weren't losing their jobs as we speak and if there weren't people hurting, this would be comical. I do know I'll get some nasty letters from people: How could you seem so insensitive about the wild horses and about their needs for enhanced contraception?

The fact is that this is going to be voted on tomorrow. It will be debated on the floor. We haven't been allowed to read, to amend or to deal with some of the most pressing issues in this country with habitats for Americans. Americans are losing their habitats right and left in this country as they lose their jobs, and we're worried about the wild horses.

The thing that came to my mind for people, Mr. Speaker, who may be listening is: when you get on an airplane, one of the first things they do is walk you through the safety instructions. One of the things they tell you is, in the event of an emergency and in the event of a loss of cabin pressure, an oxygen mask will drop down for each passenger. Then they tell you to put your own mask on first. You may have a small child, and you may want to first put it on your child, but unless you put your own mask on first, you may not be able to help the child. Put your own mask on first. Save yourself, and then you'll be able to save others around you.

□ 2340

So I thought about that example with application to what's been going on in Congress. You know, if we do not save Americans, save their jobs, save their habitats, then how in the world will there be an American government left to help the wild horses? You want to help the environment, you want to help wild horses? Save the country first. Once the country is saved, then we can get around to saving the wild horses and helping them with enhanced contraception. But until we save this country from bankruptcy and people from losing their homes, we are not going to be able to help anybody, not the wild horses and not their enhanced contraception needs. Those wild horses will be devastated when this country goes bankrupt, and we can't help anybody, much less a wild horse.

Mr. KING of Iowa. Reclaiming my time, and I'm adding to the cause here. There are some things that need to be known about the wild horses before we have the great wild horse debate here in Congress tomorrow. One is, I feel like it may not be a good idea to read these bills if it brings out this kind of thing, but we have to talk about it, and there is some data that we need to think about. That is, there's been a concerted effort to determine in a way that we couldn't sell any horses any longer in the United States of America that might end up on the dinner plate of somebody in Belgium or France. So what that does is, it took the price out of horses; and it took them from $500, $600 a head on down to them being essentially worthless. So the people that have horses that I know say, If you have three horses in your pasture, you'd better lock your gate because if you don't, you might have five in there tomorrow morning. People are dumping horses, turning them loose on the range. The population of horses are going up because there is not a market to cull those horses out of the herd to manage them. So you end up with hungry, starved horses wandering around; and it takes an act of Congress to deal with the horses because they wouldn't allow the horse owners to manage them. They took the asset value out of horses in a very large way. I did the math on this. I can't go back and memorize the whole formula; but I can tell you the conclusion of it, which would be extra horses are in this country because they have been barred from being sold and sent off for human use. Those numbers of horses, if you figure the half-life of a horse at about 10 years, it accumulates an extra million horses in America, a million horses running around here; and we're going to count them every 2 years, which seems really ridiculous to me. But if you calculate what a horse will eat and how many acres it takes to feed a horse—not everybody can have a horse. They don't have enough acres in order to do that—but it works out to be those extra million horses eat enough feed to consume what can be grown on enough acres that we could, instead, produce a billion gallons of ethanol on the acres that those million horses would be chewing the grass down to the nubbins on.

So it is going to be an interesting debate tomorrow. I think I had better go back and read the bill tonight myself. I find it an incredulous piece of language that has been brought up. I've got myself vetted on—we've done horses. We've done the salt water marsh harvest mouse here, the $16.1

million earmark for the Speaker to take care of her neighbors by San Francisco with these little earmark pet projects.

There is another project here that is a huge project, and that is this new health care plan that has emerged. I came prepared to talk about it a little bit. This big, huge health care plan that—it was too expensive when the first estimates came out, and so the Speaker was critical of the Congressional Budget Office's estimates, and those estimates miraculously were reduced somewhat, we think, because some language got changed in the bill. This $1.5 trillion or so CBO estimate went down to just a little under $1 trillion. Well, now we can afford this. You know, I always thought too, if I want to buy something, if I can get it down below $1 trillion, it's not so bad. It is like buying a loaf of bread. If it's $900-and-some billion, it isn't nearly as bad as $1-plus trillion. So I find out that that CBO estimate, made by the Congressional Budget Office, these professionals that calculate the costs of the legislation, they usually either do it for committee Chairs first and somebody else over months and months, if you can get it done. But the Congressional Budget Office had not read the bill either. We have a score on this massive growth of bureaucracy that takes over one-sixth or one-seventh of our economy, and the costs that are projected from it that come from the nonpartisan, highly professional Congressional Budget Office come out of there not with them reading the bill and analyzing it and a putting formulas in place that can be tracked back, but by being on the telephone with the Democrat committee staff to negotiate down to a number that would be low enough that they think they could fund the bill and sell it. We think that this bill is going to cost two or three or more times higher than the estimate that's there. But the part that hits me the hardest and the most is this piece down here.

Now when you look at this flow chart, all of these that are white are existing bureaucracies. The colored ones are newly created by the bill that are linked in with existing bureaucracies. There is much to be said about each one of these because they are huge and intimidating. But this one here is the one I would ask, Mr. Speaker, that the American people focus on. These are the traditional health insurance plans. They exist. And there's some number I saw the other day, it was around 1,300 different companies selling health insurance in America. That's a lot of competition. Those that survive the insurance czar—I don't know if he actually exists today, but there are 32 of them, and it doesn't take long to create another one—these existing insurance companies that have 70 percent of the people pleased with the health care plan that they have, these qualified health benefit plans would be the plans that are approved by Obama's insurance czar. So we wouldn't have the same competition that we have today, not the same policies we have today. We would only have the policies that are permitted under the bill, policies that would require that they fund abortion, policies that would require mental health, policies that would require little or no deductible and little or no copayment plan because they have to be written in such a way that the newly created government plan, this public health plan over here in the second purple circle, that the government could compete. So what we would have would be all of these private plans here that exist today. When President Obama says, ''If you like your current plan, don't worry. You get to keep it,'' well, you get to keep it for a little while; but if it doesn't exist any longer or if it changes because the government has said that these insurance companies can't write their preferred policy in the way they want, but they have to write it the way the insurance czar says it would be written, or if we subsidize this insurance plan over here, the newly created public health plan, if the government subsidizes that, the premiums will be lower than they will be in the private sector. The premiums won't reflect the risk, but it will push out and crowd out and kill the private insurance market. It's just a fact that that's what happens, Mr. Speaker. I can give the clearest example of how this will and can work. There was a time when people bought flood insurance in this country from a private provider, insurance companies created, in part, for the purposes of that property and casualty insurance. So if your home was flooded, you could be compensated, and you would pay the premium according to the risk. The government decided to get into the flood insurance business. Now they're in the flood insurance business. They sell flood insurance. They actually require you to buy flood insurance in some cases before you can get a mortgage on a property. The flood insurance program that exists now has a couple of unique things about it. First, it has crowded out all of the private sector. As near as I can determine, there is not a single company in America that's selling flood insurance. I asked the question today at a conference, What if I want to start out a company and sell flood insurance to the people that are out there in the lowlands that need that coverage? I asked the question rhetorically; and I got the answer, There is no prohibition towards starting a flood insurance company or an existing company from expanding their services into flood insurance. The prohibition is, the Federal Government is in the business. They have cornered 100 percent of the market. There isn't anybody competing against them, and we know that government can't do anything as efficiently as the private sector can—or hardly anything. So the circumstances are this: The flood insurance account is $18 billion in the red. That's a deficit that comes out of the taxpayers, and that represents how much below the cost of doing business the flood insurance is. That's what government does. So if we can have a viable and relatively healthy flood insurance program in the private sector that existed years ago and the Federal Government comes in and competes directly, like it did with crop insurance too, by the way, they crowd out the private providers, and they put in the government program, and pretty soon there's nobody there but government.

□ 2350

That is what will happen here. And if anybody thinks that the President's promise that if they like their insurance plan, their health care plan, they get to keep it, they just don't lose it the day the bill is signed. And they won't get to make that decision because the insurance company may have to fold up and sack up their bats that day or a month or a year later.

Even those private providers that will last for a while will still have to adjust their premiums accordingly. And when they do that, they won't be able to compete with the federally subsidized plan, and you will see employers that will drop the private carrier here and adopt the public plan here because it will be cheaper.

We saw Walmart take a position this past weekend that they supported an employer-mandated health insurance plan. Now, it doesn't necessarily mean they support this monstrosity here. But is President Obama going to tell Walmart thanks for the support of the concept that he is promoting, but you can't sign up on the public plan because some of your employees might want to keep the policy they have?

The President can't make that promise, and we ought to know it, just like he couldn't promise that he was going to create or save X million jobs. The language about ''saving'' always was the word that let him slip away. You can never prove that somebody saved 3.5 million new jobs unless you get down below 3.5 million existing jobs, then he didn't save the 3.5 million anymore. This is a big crux in this problem.

Also there is a tax that goes on the payroll of 8 percent. I spoke about that earlier. We need to understand what is in here and what this does. It tears asunder the private sector and replaces it with a public sector. It is socialized medicine. It is HillaryCare writ large.

I will be happy to yield to the gentleman from Texas if he is in a position to vent himself a little further in the next 5 minutes.

Mr. GOHMERT. Absolutely, and I do appreciate my friend for yielding.

The takeover of health care by the government will be not just figuratively, but literally, a death knell for so many in America, because the only way socialized medicine has been able to work ever is by putting people on

lists, rationing health care, having more general practitioners, getting rid of so many specialists that have made such great strides forward, and then people dying on the list waiting to get health care.

That is where we are headed. And it breaks my heart to know so clearly where this goes and what will happen.

The way that some of this is being pushed is with class envy and creating this friction among Americans that used to be so much the antithesis of what being an American was. But that has been fracturing America. We are Americans. We need to get rid of being hyphenated Americans and go back to being Americans.

Mark Levin was here on the Hill earlier today, and in his great book, ''Liberty and Tyranny,'' he has a quote from Ronald Reagan. And it has so much application today. He said, and this was a quote from Reagan, ''How can limited government and fiscal restraint be equated with lack of compassion for the poor? How can a tax break that puts a little more money in the weekly paychecks of working people be seen as an attack on the needy? Since when do we in America believe that our society is made up of two diametrically opposed classes—one rich, one poor—both in a permanent state of conflict and neither able to get ahead except at the expense of the other? Since when do we in America accept this alien and discredited theory of social and class warfare? Since when do we in America endorse the politics of envy and division?''

That is what is being driven here. And as my friend knows, some months back I said instead of throwing money at Goldman Sachs, AIG and that kind of thing, how about letting people keep a little of their own money in their own paychecks, let them have their own withholding back for even a couple of months, and you'll see stimulus that was never seen. That wasn't listened to by this administration or this House majority. And we are paying a severe price. And I yield back.

Mr. KING of Iowa. I thank the gentleman from Texas, and I thank the Speaker for his indulgence this evening and for recognizing us. I just point out that we disagree with the philosophy that is being driven by the White House. We are free-market people that believe in constitutional rights and the spirit of the American people. We will emerge triumphant, however long it takes.

I thank you, Mr. Speaker, and I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BORDALLO (at the request of Mr. HOYER) for today until July 22 at 2 p.m. on account of official business in district.

Mr. PENCE (at the request of Mr. BOEHNER) for today on account of the funeral of a close personal friend.

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today until 3 p.m. 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. SESTAK) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. SESTAK, 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. POE of Texas, for 5 minutes, July 23.

Mr. JONES, for 5 minutes, July 23.

Mr. MCCOTTER, for 5 minutes, July 17.

Mr. BOOZMAN, for 5 minutes, today.

Mr. PAULSEN, for 5 minutes, today.

Mr. FRANKS of Arizona, for 5 minutes, July 17.

Mr. SCALISE, for 5 minutes, today.

(The following Member (at her request) to revise and extend her remarks and include extraneous material:)

Ms. WATSON, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 509. An act to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, and for other purposes; to the Committee on Veterans' Affairs.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Friday, July 17, 2009, at 9 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 111th Congress, pursuant to the provisions of 2 U.S.C. 25:

JUDY CHU, California, Thirty-Second.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2674. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2010 entitled, ''Authority to Extend Eligibility for Enrollment in Department of Defense Elementary and Secondary Schools to Certain Additional Categories of Dependents''; to the Committee on Armed Services.

2675. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2010 entitled, ''Air Force Academy Athletic Association''; to the Committee on Armed Services.

2676. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2010 entitled, ''Authority to Order Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve to Active Duty to Provide Assistance in Response to a Major Disaster or Emergency''; to the Committee on Armed Services.

2677. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2010 entitled, ''Authority to Order Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve to Active Duty to Provide Assistance in Response to a Major Disaster or Emergency''; to the Committee on Armed Services.

2678. A letter from the Secretary, Department of Defense, transmitting a quarterly report on withdrawals or diversions of equipment from Reserve component units for the period of January 1, 2009 through March 31, 2009, pursuant to Public Law 109-364, section 349; to the Committee on Armed Services.

2679. A letter from the Deputy Chief of Staff, Department of the Army, transmitting the Department's annual report on recruiting incentives for fiscal year 2008, pursuant to Public Law 109-163, section 681; to the Committee on Armed Services.

2680. A letter from the Secretary, Department of Commerce, transmitting the annual report on the Emergency Steel Loan Guarantee Program for fiscal year 2008, as required by Section 101(i) of Chapter 1 of Pub. L. 106-51; to the Committee on Financial Services.

2681. A letter from the Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting the Department's fourth annual Homeless Assessment

Report for 2008; to the Committee on Financial Services.

2682. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the President's bimonthly report on progress toward a negotiated solution of the Cyprus question covering the period April 1, 2009 through May 31, 2009, pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended , and in accordance with Section 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

2683. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective May 24, 2009, the 15% Danger Pay Allowance for USG personnel serving in Banja Luka and Other, Bosnia-Herzegovina, has been eliminated based on improved conditions, pursuant to 5 U.S.C. 5928; to the Committee on Foreign Affairs.

2684. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

2685. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed technical assistance agreement to include the export of technical data, defense services, and defense articles to Russia, Sweden, Hong Kong and Kazakhstan (Transmittal No. DDTC 038-09); to the Committee on Foreign Affairs.

2686. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to Section 3 of the Arms Export Control Act, as amended, detailing a possible unauthorized end-use of U.S. defense articles by the Government of Egypt; to the Committee on Foreign Affairs.

2687. A letter from the Architect of the Capitol, transmitting the Semiannual Report for the period October 1, 2008 through March 31, 2009 prepared by the Office of Inspector General of the AOC; to the Committee on Oversight and Government Reform.

2688. A letter from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2689. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting response to the report to Congress from the Office of the Inspector General of the Corporation; to the Committee on Oversight and Government Reform.

2690. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Trade Agreements — Costa Rica and Peru (DFARS Case 2008-D046) (RIN: 0750-AG31) received July 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2691. A letter from the Chairman, Federal Labor Relations Authority, transmitting the Authority's fiscal year 2008 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

2692. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2693. A letter from the General Counsel, Selective Service System, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2694. A letter from the Office of the Inspector General, transmitting copy of the final report on the Architect of the Capitol (AOC) Network Penetration Test (Report No. 09-AOC-13); to the Committee on House Administration.

2695. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on applications for delayed-notice search warrants and extensions during fiscal year 2008, pursuant to 18 U.S.C. 3103a(d); to the Committee on the Judiciary.

2696. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from Standard Oil Development Company, Linden, New Jersey, to be added to the Special Exposure Cohort (SEC), pursuant to 42 C.F.R. pt. 83; to the Committee on the Judiciary.

2697. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from Santa Susana Field Laboratory-Area IV, to be added to the Special Exposure Cohort (SEC), pursuant to 42 C.F.R. pt. 83; to the Committee on the Judiciary.

2698. A letter from the Administrator, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1839-DR for the State of Tennessee, pursuant to Public Law 110-329, section 539; to the Committee on Transportation and Infrastructure.

2699. A letter from the Administrator, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1837-DR for the State of Mississippi, pursuant to Public Law 110-329, section 539; to the Committee on Transportation and Infrastructure.

2700. A letter from the Administrator, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1838-DR for the State of West Virginia, pursuant to Public Law 110-329, section 539; to the Committee on Transportation and Infrastructure.

2701. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Memorandum of justification for the President's waiver of the restrictions on the provision of funds to the Palestinian Authority, pursuant to Public Law 111-8, section 7040(d); jointly to the Committees on Foreign Affairs and Appropriations.

2702. A letter from the Administrator, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1833-DR for the State of Georgia, pursuant to Public Law 110-329, section 539; jointly to the Committees on Homeland Security, Transportation and Infrastructure, and Appropriations.

2703. A letter from the Administrator, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1836-DR for the State of Alabama, pursuant to Public Law 110-329, section 539; jointly to the Committees on Homeland Security, Appropriations, and Transportation and Infrastructure.

2704. A letter from the Administrator, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1834-DR for the State of Arkansas, pursuant to Public Law 110-329, section 539; jointly to the Committees on Homeland Security, Appropriations, and Transportation and Infrastructure.

2705. A letter from the Administrator, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1835-DR for the State of Alabama, pursuant to Public Law 110-329, section 539; jointly to the Committees on Homeland Security, Appropriations, and Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 1196. A bill to authorize the Chief Administrative Officer of the House of Representatives to carry out a series of demonstration projects to promote the use of innovative technologies in reducing energy consumption and promoting energy efficiency and cost savings in the House of Representatives (Rept. 111–210). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 1604. A bill to amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections; with an amendment (Rept. 111–211). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN. Committee on Rules. House Resolution 653. Resolution providing for the consideration of the bill (H.R. 1018) to amend the Wild Free-Roaming Horses and Burros Act to improve the management and long-term health of wild free-roaming horses and burros, and for other purposes (Rept. 111–212). Referred to the House Calendar.

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. HODES:

H.R. 3230. A bill to establish within the National Science Foundation the Innovation Inspiration school grant program, and for other purposes; to the Committee on Science and Technology.

By Ms. ROS-LEHTINEN (for herself, Mr. GARRETT of New Jersey, Mr. PENCE, Mr. MCCOTTER, Mr. HOEKSTRA, Mr. BACHUS, Mr. BUYER, Mr. YOUNG of Alaska, Mr. PRICE of Georgia, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mr. ROYCE, Mr. ROHRABACHER, Mr. HENSARLING, Mrs. MYRICK, Mr. WOLF, Mrs. BLACKBURN, Mr. KIRK, Mr. LINDER, Mr. LOBIONDO, Mr. TERRY, Mr. PLATTS, Mr. SHUSTER, Mr. BISHOP of Utah, Ms. GINNY BROWN-WAITE of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. NUNES, Mr. MCHENRY, Mrs. BACHMANN, Mr. BUCHANAN, Mr. LAMBORN, and Mr. BROUN of Georgia):

H.R. 3231. A bill to refund United States taxpayer dollars expended on the Durban Review Conference, and for other purposes; to the Committee on Foreign Affairs.

By Ms. KILROY (for herself, Mr. SHERMAN, Ms. SUTTON, Ms. FUDGE, Mr. BOCCIERI, Ms. SPEIER, and Mr. GRAYSON):

H.R. 3232. A bill to amend the Emergency Economic Stabilization Act of 2008 to require

certain warrants held by the Secretary of the Treasury to be sold at public auction upon the repayment of the associated assistance provided under the Troubled Asset Relief Program; to the Committee on Financial Services.

By Mrs. LUMMIS (for herself and Mrs. KIRKPATRICK of Arizona):

H.R. 3233. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to limit the annual cost of appropriation earmarks and to make them more predictable, equitable, and transparent; to the Committee on Rules, and in addition to the Committee on the Budget, 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 Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 3234. A bill to establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, 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. SCHAUER:

H.R. 3235. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the use of ethanol in tetra ethyl ortho silicate (TEOS) production; to the Committee on Ways and Means.

By Mr. BARRETT of South Carolina:

H.R. 3236. A bill to require the Secretary of Homeland Security to complete at least 700 miles of reinforced fencing along the Southwest border by December 31, 2010, and for other purposes; to the Committee on Homeland Security.

By Mr. CONYERS (for himself and Mr. SMITH of Texas):

H.R. 3237. A bill to enact certain laws relating to National and Commercial Space Programs as title 51, United States Code, ''National and Commercial Space Programs''; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself and Mr. HINOJOSA):

H.R. 3238. A bill to increase access to adult education to provide for economic growth; to the Committee on Education and Labor, 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 Mrs. KIRKPATRICK of Arizona (for herself and Ms. LORETTA SANCHEZ of California):

H.R. 3239. A bill to require the Secretary of Homeland Security, in consultation with the Secretary of State, to submit a report on the effects of the Merida Initiative on the border security of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Foreign Affairs, 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. SMITH of New Jersey (for himself, Mr. POE of Texas, Mr. MOLLOHAN, Mr. SENSENBRENNER, Mr. WOLF, Mr. INGLIS, Ms. LORETTA SANCHEZ of California, and Mr. FORTENBERRY):

H.R. 3240. A bill to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, the Judiciary, and Oversight and Government Reform, 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 Mrs. MALONEY:

H.R. 3241. A bill to amend the Child Nutrition Act of 1966 to provide vouchers for the purchase of educational books for infants and children participating in the special supplemental nutrition program for women, infants, and children under that Act; to the Committee on Education and Labor.

By Mrs. MALONEY (for herself, Mr. MURPHY of Connecticut, and Ms. BALDWIN):

H.R. 3242. A bill to improve the health of women through the establishment of Offices of Women's Health within the Department of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. SARBANES (for himself and Mr. GALLEGLY):

H.R. 3243. A bill to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay; to the Committee on Oversight and Government Reform.

By Mr. SCHIFF:

H.R. 3244. A bill to amend title 18, United States Code, to establish the transfer of any nuclear weapon, device, material, or technology to terrorists as a crime against humanity; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, 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. SCOTT of Virginia (for himself, Ms. JACKSON-LEE of Texas, Ms. WATERS, Mr. CONYERS, Mr. RANGEL, Mr. NADLER of New York, Ms. ZOE LOFGREN of California, Mr. PIERLUISI, Mr. WEINER, Mr. COHEN, Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. GRIJALVA, Mr. PAUL, Mr. MORAN of Virginia, Ms. NORTON, and Mr. QUIGLEY):

H.R. 3245. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act regarding penalties for cocaine offenses, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, 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. LARSON of Connecticut:

H. Res. 651. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. LARSEN of Washington (for himself, Mr. INSLEE, Mr. DICKS, Mr. BAIRD, Mr. HASTINGS of Washington, Mrs. MCMORRIS RODGERS, Mr. REICHERT, Mr. SMITH of Washington, Mr. MCDERMOTT, and Mr. REHBERG):

H. Res. 652. A resolution recognizing the 150th anniversary of the Pig War crisis; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida (for himself, Mr. HOYER, Mr. WEXLER, Mr. FALEOMAVAEGA, Mr. ISSA, Mr. CARSON of Indiana, Mr. MCMAHON, Mr. DINGELL, Mr. BUTTERFIELD, Mr. MEEKS of New York, Mr. PAYNE, Mr. CLYBURN, Ms. WATSON, Ms. WASSERMAN SCHULTZ, Mr. TANNER, Ms. LORETTA SANCHEZ of California, Mr. MEEK of Florida, and Ms. ROS-LEHTINEN):

H. Res. 654. A resolution honoring the Organization for Security and Cooperation in Europe Mediterranean Partners for Cooperation and for other purposes; to the Committee on Foreign Affairs.

By Mr. LUJÁN (for himself, Mr. TEAGUE, and Mr. HEINRICH):

H. Res. 655. A resolution recognizing the historical significance of the city of Santa Fe; to the Committee on Oversight and Government Reform.

By Mr. WITTMAN:

H. Res. 656. A resolution supporting the goals and ideals of ''National Inflammatory Skin Disease Awareness Month''; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 4 of rule XXII,

116. The SPEAKER presented a memorial of the Legislature of the State of Montana, relative to Senate Joint Resolution 15 EXPRESSING SUPPORT FOR THE DECISION BY THE UNITED STATES FISH AND WILDLIFE SERVICE TO DELIST THE GRAY WOLF AND URGING THE MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO DEFEND THE DECISION TO DELIST THE GRAY WOLF AGAINST ANY LEGAL CHALLENGE; to the Committee on Natural Resources.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Ms. JACKSON-LEE of Texas.

H.R. 39: Mr. OLVER and Mr. BLUMENAUER.

H.R. 48: Mr. MCCOTTER.

H.R. 147: Mr. KUCINICH and Mr. MURPHY of Connecticut.

H.R. 197: Mr. BURGESS and Mr. GRIFFITH.

H.R. 442: Mr. SULLIVAN and Mr. BLUNT.

H.R. 444: Mrs. MCCARTHY of New York, Ms. HIRONO, Mr. ACKERMAN, and Mr. SALAZAR.

H.R. 564: Mr. HONDA and Ms. ESHOO.

H.R. 610: Mr. GRAYSON.

H.R. 682: Mr. THOMPSON of California.

H.R. 690: Mr. PASCRELL.

H.R. 836: Mr. PAULSEN, Ms. MATSUI, Mr. KLINE of Minnesota, and Mr. LEWIS of California.

H.R. 855: Mr. WALZ, Mr. RADANOVICH, and Mr. GRAYSON.

H.R. 1020: Mr. CLEAVER.

H.R. 1034: Mr. LEE of New York and Mr. JONES.

H.R. 1058: Mr. GERLACH.

H.R. 1067: Mr. BONNER.

H.R. 1074: Mr. HOEKSTRA, Mr. SULLIVAN, and Mr. AUSTRIA.

H.R. 1101: Mr. FILNER.

H.R. 1103: Mr. GRAYSON.

H.R. 1132: Mr. ROGERS of Michigan, Mr. CHANDLER, Ms. PINGREE of Maine, Mr. BOCCIERI, Mr. STUPAK, Mr. FLEMING, Mr. LATTA, Mrs. MCMORRIS RODGERS, and Mr. BISHOP of Utah.

H.R. 1158: Ms. MATSUI.

H.R. 1250: Mr. SHIMKUS, Mr. KIRK, Mr. DRIEHAUS, Mr. PAUL, Mrs. MYRICK, and Mr. DAVIS of Alabama.

H.R. 1255: Mr. MCCAUL.

H.R. 1351: Mr. LARSEN of Washington and Mrs. MCMORRIS RODGERS.

H.R. 1441: Mr. CLEAVER and Mr. PASTOR of Arizona.

H.R. 1458: Mr. MAFFEI and Mr. SCALISE.

H.R. 1468: Mr. CARTER, Mr. MARCHANT, Mr. OLSON, and Mr. CONAWAY.
H.R. 1479: Mr. PAYNE.
H.R. 1520: Ms. BALDWIN.
H.R. 1522: Mr. CONNOLLY of Virginia and Mr. MURPHY of Connecticut.
H.R. 1547: Mr. BACHUS and Mr. GOODLATTE.
H.R. 1548: Mr. CAMPBELL.
H.R. 1618: Ms. SCHWARTZ and Mr. HEINRICH.
H.R. 1621: Mr. TIAHRT.
H.R. 1639: Mr. FILNER and Mr. BISHOP of New York.
H.R. 1798: Mr. PAUL.
H.R. 1826: Mr. KIND.
H.R. 1829: Ms. MCCOLLUM and Mr. ABERCROMBIE.
H.R. 1831: Mr. TIAHRT, Mr. INSLEE, Mr. TIBERI, Mr. COLE, and Mr. HEINRICH.
H.R. 1887: Mr. RAHALL and Mr. MOORE of Kansas.
H.R. 1894: Mr. GOHMERT.
H.R. 1969: Mr. COBLE.
H.R. 1977: Mr. GRAYSON.
H.R. 2000: Mr. STARK, Mr. FILNER, Mr. DICKS, Mr. PASTOR of Arizona, and Mr. LARSEN of Washington.
H.R. 2024: Mr. COHEN.
H.R. 2030: Mr. WU, Mr. OLVER, and Mr. DRIEHAUS.
H.R. 2035: Mr. CHILDERS.
H.R. 2058: Mr. FRANK of Massachusetts.
H.R. 2084: Mr. PASTOR of Arizona.
H.R. 2124: Mr. GOODLATTE and Mr. KIND.
H.R. 2129: Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 2137: Mr. MCGOVERN, Mr. OLVER, and Mr. COHEN.
H.R. 2176: Mr. ARCURI.
H.R. 2181: Mr. GRIJALVA.
H.R. 2213: Mrs. MALONEY.
H.R. 2245: Mr. GALLEGLY.
H.R. 2296: Mr. BROUN of Georgia, Mr. HODES, Mr. HIGGINS, and Mr. SULLIVAN.
H.R. 2328: Mr. TONKO and Mr. BARTLETT.
H.R. 2350: Mr. HIMES and Mr. LATHAM.
H.R. 2419: Mr. BLUMENAUER and Mr. CONNOLLY of Virginia.
H.R. 2427: Mr. KUCINICH.
H.R. 2447: Mr. MURPHY of New York.
H.R. 2452: Mr. MEEK of Florida and Mr. FLEMING.
H.R. 2474: Ms. WATERS and Ms. LEE of California.
H.R. 2478: Mr. CARSON of Indiana.
H.R. 2492: Mrs. MALONEY.
H.R. 2499: Ms. DEGETTE.
H.R. 2523: Mr. SALAZAR.
H.R. 2529: Mr. BACHUS.
H.R. 2553: Mr. ELLSWORTH.
H.R. 2558: Mr. MCGOVERN and Mr. RYAN of Ohio.
H.R. 2578: Mr. ISRAEL.
H.R. 2648: Mr. HILL and Mr. VISCLOSKY.
H.R. 2681: Mr. PIERLUISI.
H.R. 2698: Mr. BOREN and Mr. BRADY of Pennsylvania.
H.R. 2699: Ms. JACKSON-LEE of Texas, and Mr. BRADY of Pennsylvania.
H.R. 2733: Mr. KLEIN of Florida.
H.R. 2743: Mr. BOUCHER, Mr. MORAN of Virginia, Mr. SNYDER, Mr. CARTER,
Mr. TIERNEY, Mr. CUMMINGS, Mrs. MILLER of Michigan, Mr. THOMPSON of California, Ms. DEGETTE, Mrs. BLACKBURN, Mr. CARDOZA, Ms. SCHAKOWSKY, Mr. ROSKAM, Mr. WALZ, Mr. POLIS of Colorado, and Mr. COHEN.
H.R. 2773: Mr. PAYNE.
H.R. 2891: Mr. FRANK of Massachusetts and Mr. WELCH.
H.R. 2927: Mr. COBLE.
H.R. 2941: Ms. VELÁZQUEZ and Mrs. DAVIS of California.
H.R. 3003: Mr. SARBANES.
H.R. 3017: Mr. LYNCH.
H.R. 3018: Mr. POE of Texas.
H.R. 3042: Mr. FARR and Mr. GRIJALVA.
H.R. 3074: Ms. MCCOLLUM.
H.R. 3076: Mr. CONYERS and Mr. ISRAEL.
H.R. 3092: Mr. COHEN, Ms. MATSUI, and Mr. BERRY.
H.R. 3094: Ms. JACKSON-LEE of Texas.
H.R. 3167: Mr. HOEKSTRA, Ms. FALLIN, Mr. PENCE, Mr. CONAWAY, Mr. SHADEGG, Mr. ISSA, Mr. GINGREY of Georgia, Mr. FLAKE, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mrs. BACHMANN, Mr. PITTS, and Mr. GARRETT of New Jersey.
H.R. 3173: Ms. BEAN and Mr. MCCOTTER.
H.R. 3200: Mr. KILDEE.
H.R. 3202: Ms. SCHAKOWSKY, Ms. EDWARDS of Maryland, and Mrs. NAPOLITANO.
H.R. 3226: Mr. SMITH of Texas, Mr. BISHOP of Utah, Ms. GINNY BROWN-WAITE of Florida, Mr. COBLE, and Mr. BARTLETT.
H.J. Res. 42: Mr. CASSIDY and Mr. HALL of Texas.
H.J. Res. 56: Mr. CARSON of Indiana, Mr. GUTIERREZ, Mr. KIRK, Ms. ZOE LOFGREN of California, and Mr. SOUDER.
H. Con. Res. 49: Mr. CASSIDY, Mr. HARPER, and Mr. MOLLOHAN.
H. Con. Res. 51: Ms. FUDGE, Mr. LATOURETTE, Mr. PASCRELL, and Mr. PETERS.
H. Con. Res. 70: Mr. TURNER.
H. Con. Res. 87: Mr. KIRK and Mr. PETERSON.
H. Con. Res. 128: Mr. THORNBERRY.
H. Con. Res. 163: Ms. BORDALLO, Ms. NORTON, Ms. ZOE LOFGREN of California, Ms. CASTOR of Florida, and Ms. EDWARDS of Maryland.
H. Res. 55: Mr. LATHAM.
H. Res. 111: Ms. JACKSON-LEE of Texas.
H. Res. 185: Mr. TURNER.
H. Res. 199: Mr. TIBERI.
H. Res. 288: Mr. INSLEE, Mrs. LUMMIS, and Mr. BROWN of South Carolina.
H. Res. 397: Mr. HARPER.
H. Res. 416: Mr. AL GREEN of Texas.
H. Res. 459: Ms. BORDALLO, Ms. CORRINE BROWN of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. FOSTER, Mr. GRAYSON, Mr. HELLER, Mr. HENSARLING, Mr. JORDAN of Ohio, Mr. LIPINSKI, Mr. MANZULLO, Mr. MCCARTHY of California, Mr. MCCAUL, Mr. MCHENRY, Mr. PAYNE, Mr. QUIGLEY, Ms. SCHAKOWSKY, Mr. SHUSTER, Mr. SESTAK, and Mr. SHIMKUS.
H. Res. 487: Mr. STUPAK.
H. Res. 512: Mr. HIGGINS.
H. Res. 550: Mr. AL GREEN of Texas.
H. Res. 557: Mr. KLINE of Minnesota.
H. Res. 574: Mr. BAIRD.
H. Res. 586: Mr. HONDA, Mr. MCGOVERN, Ms. BORDALLO, and Mr. CONYERS.
H. Res. 593: Mr. BLUMENAUER, Mr. STARK, and Ms. SPEIER.
H. Res. 599: Mr. CAPUANO, Mr. DELAUNT, Mr. OLVER, Mr. MCGOVERN, Ms. SHEA-PORTER, and Mr. FRANK of Massachusetts.
H. Res. 615: Mr. HUNTER, Mrs. BACHMANN, Mr. MCCAUL, Mr. CULBERSON, Mr. ROONEY, Mr. BROUN of Georgia, and Mr. STEARNS.
H. Res. 619: Mr. PUTNAM and Mr. SMITH of Texas.
H. Res. 630: Mr. JACKSON of Illinois and Ms. WATERS.
H. Res. 639: Mr. COBLE.

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 NICK J. RAHALL II, or a designee, to H.R. 1018, the Restore Our American Mustangs Act, 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 FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 648: Mr. KAGEN.