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No. 149

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
October 15, 2009.

I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House Representatives.*

### PRAYER

Rev. David Ferrell, Calvary Tabernacle, Perth-Andover, New Brunswick, Maine, offered the following prayer:

Lord, I stand before You today and honor You as King of Kings and Lord of Lords. I ask Your forgiveness for human error and weakness.

I thank You for these leaders that You have put in place as a check and balance to the direction of our great Nation. I pray that they be empowered with boldness and courage as they represent their constituents.

I pray for Your guidance over today's proceedings and that Your wisdom rest on these elect for all future decisions they will face.

Remind us that when we don't know what direction to take, we can entrust Your hand and word to direct us.

I thank You for a strong United States and for the individuals who have answered the call to serve in this great House of Representatives.

I pray Your blessings be on this place from now and forevermore.

In Jesus' name, amen.

### THE JOURNAL

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

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

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

### PLEDGE OF ALLEGIANCE

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

Mr. MICHAUD 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 bills and agreed to a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 692. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

S. 1694. An act to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

S. Con. Res. 46. Concurrent resolution recognizing the benefits of service-learning and expressing support for the goals of the National Learn and Serve Challenge.

### WELCOMING REV. DAVID FERRELL

The SPEAKER pro tempore. Without objection, the gentleman from Maine, Congressman MICHAUD, is recognized for 1 minute.

There was no objection.

Mr. MICHAUD. Madam Speaker, Pastor David Ferrell has been an active,

compassionate, and inspiring minister for over 21 years. It is truly an honor to welcome him to the House of Representatives.

David is currently a pastor at the Calvary Tabernacle in Perth-Andover, New Brunswick, an educator at the University of Maine at Presque Isle, and a man who has served in a variety of religious capacities. Many have benefited from his wisdom and compassion. He has traveled far and wide speaking at conferences from Maine to North Carolina, from Quebec to Pakistan.

I applaud the pastor for his many accomplishments, his thirst for knowledge, and his unending desire to help people. I wish him the best as he continues to be a positive force in this community.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

### RECESSION OVER FOR GOLDMAN SACHS

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

Mr. DEFAZIO. Madam Speaker, all across America unemployed Americans, struggling small businesses heaved a sigh of relief today because we know the recession is over. Goldman Sachs reported profits of \$3.19 billion. They are on track to pay bonuses of over \$20 billion, \$700,000 average per employee. The recession is over for Goldman Sachs.

Of course, there is a little problem with this whole equation. Over the last year, they have received over \$60 billion in taxpayer subsidies. Hmm, that

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

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



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happens to be about five times their projected profits and three times what they are going to pay out in bonuses.

They got \$13 billion from AIG after we gave AIG \$80 billion to pay off bad debts. They changed into a bank-holding company magically, but are exempt from bank-holding company rules, and got another 50-or-so billion dollars of subsidies out of the Federal Treasury.

What a wonderful system this is. They are creating tremendous wealth. They are an engine of growth. They have recovered from the recession. All hail Goldman Sachs.

#### DEMOCRATS PLAN TO PAY FOR HEALTH CARE REFORM ON BACKS OF PATIENTS

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

Mr. GINGREY of Georgia. Madam Speaker, the Democrats plan to pay for health care reform on the backs of my patients, many of whom are now senior citizens. Our seniors have suffered tremendously since the recession began. Their 401(k)s are now 201(k)s.

However, my Democratic colleagues don't think seniors have paid enough this year. Now they are asking our seniors to foot the bill for health insurance reform by cutting the Medicare program by \$500 billion.

These cuts will result in seniors losing benefits under Medicare Advantage, programs such as vision, dental, hearing, and even annual checkups, Madam Speaker. These cuts will result in longer wait times and make it harder for senior patients to find a doctor that will see them at all. Worst of all, these cuts will ensure it will be harder to fix Medicare, which it surely will, in 7 years.

Madam Speaker, my patients must not be used to foot the bill for health care reform.

#### HONORING OKLAHOMA'S SUPERINTENDENT OF EDUCATION, SANDY GARRETT

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

Mr. BOREN. Madam Speaker, I rise to honor one of Oklahoma's most respected political leaders, Sandy Garrett.

Born and raised in my hometown of Muskogee, Oklahoma, Sandy Garrett has been Oklahoma's superintendent of public instruction for the past 19 years. As chief executive officer of the State Department of Education, Superintendent Garrett has led the implementation of major education reforms such as Oklahoma's Education Reform Act of 1990, the Federal No Child Left Behind Act of 2001 and the Achieving Classroom Excellence Act of 2005.

In 2006, she was re-elected overwhelmingly for the fifth time. Super-

intendent Garrett is the only woman in Oklahoma history to hold the office.

Her strong character and steady leadership have served, and continue to serve, multiple generations of Oklahoma school children.

Sandy Garrett, because of your commitment to public service, Oklahoma continues to be a great State to live and work in.

#### SENIORS WILL SEE REDUCED BENEFITS UNDER NEW HEALTH CARE PLAN

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

Mr. ROE of Tennessee. Madam Speaker, as a doctor, I see the health care reform debate a little differently than many of my colleagues. When people talk about cost savings and different health care plans, they are really talking about access to care for my patients. There is an immediate and long-term problem for patients' access under the Democrats' plan.

In the near term, 20 percent of our seniors will see reduced benefits. It's not credible to say that we are not cutting Medicare benefits when, in fact, we are. These so-called reforms seem incredibly short-sighted to me in light of the fact that they will decrease access to care.

Over the longer term, H.R. 3200 will force further cutbacks in care as cost savings fail to materialize. Why am I so confident of this outcome? Because I heard the same promises, the same predictions to my patients under TennCare, our State's Medicaid experiment that failed spectacularly. Care was rationed and enrollment for the program was closed, and that hurt our patients. We simply cannot allow these cutbacks to harm patient care.

I urge all Members to go back to their districts and talk to their doctors and patients. I think they will hear a different story and remedy for our health care system than the one the Democrats are trying to prescribe.

#### CLEAN MONEY, CLEAN ELECTIONS

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

Mr. ARCURI. Madam Speaker, across the country, hardworking Americans are tightening their belts and pinching pennies in order to provide for their families, as well as working to improve our economy. While the issues of health care and the economy dominate our attention, as they should right now, we should still be mindful of the importance of campaign finance reform.

Campaign finance reform is a necessity if we are going to truly have a democracy that allows individuals to enter the political forum based on their skills and acumen rather than on their bank accounts.

In the last decade, an alliance of advocacy groups, the Fair Elections Coalition, has been working to implement a public campaign finance system on the State level known as Clean Money, Clean Elections. Already, some form of Clean Money, Clean Elections is law in seven States, and over 200 State officials have won their races using this system.

As a Member of Congress, we need to remember that we serve the people of this country based on issues, not dollars. I would ask that my colleagues join me as we push towards reforming the campaign finance system across the board.

#### HEALTH COSTS HIGH BECAUSE WE HAVE \$800 BILLION OF WASTE IN SYSTEM

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

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, health care costs are not high because people have health insurance. They are high because we have \$800 billion of waste in the system. Now our friends in the Senate are proposing to increase taxes on health insurance.

When workers such as ironworkers and steelworkers and communication workers and the IBEW negotiate their pay package, they work to make sure that their health care plan is covered. Too often now they find that they don't take a raise because their health insurance is going up in cost. They worked to have lower copays, lower deductibles, to have vision, dental, mental health services, among others.

But now we are talking about taxing these plans. What we need to do is figure out ways we can actually lower health care costs instead of discouraging people from having health insurance.

After all, isn't this what we are supposed to be trying to do? The communication workers alone are being told that these new proposals may cost their workers about a thousand dollars more per year in taxes.

This is the wrong approach. It's not good health care. As someone who has practiced in the health care field, I am telling you, it's bad medicine.

#### EXPAND TAX CREDIT FOR FIRST-TIME HOMEBUYERS

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

Mr. MITCHELL. Madam Speaker, I rise today on behalf of thousands of constituents in my district who are still struggling to cope with the housing crisis.

Arizona consistently ranks among the Nation's top three States in foreclosures. As a former mayor and a homeowner, I recognize the negative impact foreclosures have on home values and neighborhoods.

Earlier this year, as part of the American Reinvestment and Recovery Act, we took an important step forward. We passed a temporary \$8,000 tax credit for first-time homebuyers.

The good news is that tax credit has worked. Closer to home, in the Phoenix metropolitan area, according to at least one recent survey, home sales have reached 9,614 in June, up 11 percent from May.

However, I believe we need to expand this credit to make it available to any American who wants to buy a home, not just first-time homebuyers. As the expiration of the current homebuyer tax credit approaches, I want to encourage my colleagues to consider supporting legislation to expand and extend the homebuyer tax credit.

#### MEDICARE PATIENTS WILL LOSE QUALITY OF CARE

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

Mr. BROUN of Georgia. Madam Speaker, I practiced medicine, general medicine, in the State of Georgia for almost four decades. The American people need to understand if the House bill or the Senate bill is passed into law, my patients and physicians like me all across this Nation are not going to be able to give the kind of health care to their patients that they are today.

Medicare patients are going to lose the quality of care that they are getting today. Tens of thousands of people are going to lose their private insurance. The cost is going to go up for everybody in this country.

The quality of care is going to go down. It's going to be too costly. We are going to be all forced on the government bureaucrat-run health care system, and the American people need to know that, Madam Speaker.

#### HONORING THE RETIREMENT OF ED GRIER

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to honor Ed Grier, who served as the president of Disneyland Resort in my district for 3 years, before his retirement this October 9.

Ed is a 20-year veteran the Walt Disney Company; and he served in a variety of roles, from senior auditor at Walt Disney World to the executive managing director of Walt Disney Attractions in Japan. But for the last 3 years, we have been lucky enough to have him in Anaheim.

His hard work has continued to make Disneyland one of our Nation's top tourist attractions. In fact, in 2008, while most attractions were hurting, Disneyland hosted 14.7 million visitors

and generated substantial revenue for our local businesses and for our cities. In addition, Disney is Orange County's largest private employer, with about 20,000 employees.

During Ed's tenure, the resort began a \$1 billion expansion of Disney's California Adventure and constructed the company's first west coast timeshare units at the Grand Californian Hotel, which opened last month.

In addition Ed joined the Orange County community by serving as a board member for the Children's Hospital of Orange County. Ed's skill and leadership will be missed, and I wish him the best of luck in his future endeavors.

□ 1015

#### CONGRATULATING SCOTT McCRERY, EAGLE SCOUT

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

Mr. FLEMING. Madam Speaker, for 20 years, the Honorable Jim McCreery represented Louisiana's Fourth Congressional District. It is an honor to directly follow former Congressman McCreery and represent the great people of northwest Louisiana.

Earlier this week, former Congressman McCreery's son, Scott, received his Eagle Scout award, the highest award given in scouting. Scott's Eagle project was a rather ambitious undertaking. He organized nearly 50 volunteers to remove debris from the historic grounds of Mount Vernon, home of George Washington. The debris covered an area the size of two football fields. In addition to being an eyesore, it also represented a fire hazard to the mansion. Some of the debris Scott and his volunteer corps gathered was used to build habitat for the wildlife that lives on the property.

Scott began his scouting journey in Shreveport 10 years ago when, as a Tiger Cub, he joined the Cub Scout pack at South Highlands Elementary School.

I congratulate Scott McCreery on this prestigious award.

#### TRIBUTE TO BOBBY L. HAYDEN

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

Mr. GRIFFITH. Madam Speaker, I rise today to honor a friend, Mr. Bobby Hayden, a scholar, a soldier, a community advocate and a family man.

Bobby Hayden, who resides in my district, was one of the first African Americans on a Presidential Honor Guard. He took the first watch over President Kennedy's body. He became active in our community and has added a great deal to his alma mater, Alabama A&M.

As a middle and high school teacher, Bobby has spent decades of his life shaping the lives of north Alabama's

youth. He has been at the forefront of many activities, specifically working to preserve historical landmarks in the Tennessee Valley.

Mr. Hayden is a dedicated Alabama A&M alumnus, a Bulldog, and has held several positions in the college alumni association. He was inducted into the Alabama A&M Sports Hall of Fame and currently serves as the secretary for the Hall of Fame Association.

It is a privilege for me to mention his name on the floor, as he has gone somewhat unrecognized as one of the first African Americans on President Kennedy's Honor Guard, standing with the family through the ordeal.

#### HONORING ARMY SPECIALIST JACOB SEXTON

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

Mr. PENCE. Madam Speaker, sometimes our heroes fall on foreign soil, and sometimes they come home and fall, but we honor their service and their sacrifice all the same.

Madam Speaker, I rise with a heavy heart to mark the sudden passing of a hero from my home State of Indiana and to honor his service and his life. Army Specialist Jacob Sexton, a combat veteran of conflicts both in Iraq and Afghanistan, tragically passed away while on leave from his overseas duties earlier this week.

A native of Farmland, Indiana, Jacob graduated from Monroe Central High School, and like many men in the Sexton family, Jacob chose to wear the uniform.

Jacob served with Alpha Company, 2nd Battalion, of the 151st Infantry Regiment in the Indiana National Guard. Those who served with him remember a selfless soldier who was quick to volunteer for difficult assignments.

A Humvee driver while in Iraq, he took on dangerous positions, often leaving himself exposed to IED and small-arms attacks. As an infantryman in Afghanistan, Jacob saw firsthand the perils of combat, but he faced those perils with courage.

Those close to Jacob noted that the stresses of combat and long deployments seemed to have little effect on his infectious personality. However, after this week's tragic events, it is painfully clear that Jacob Sexton was deeply affected by his experiences in uniform and on deployment.

While his loss leaves far too many questions unanswered, I believe it is yet another reminder of the special care our heroes need and deserve, those who defend freedom, when they come home.

Heroes like Army Specialist Jacob Sexton are the pride of their family and our Nation's most treasured citizens. Jacob's family, his parents, Jeff and Barbara; his brothers, Joshua, Jeremiah and Jared; and all those who

served with him, know that you have our deepest condolences, the gratitude of the people of Indiana, and you shall remain in the hearts of a grateful Nation forever.

#### OBSTRUCTING HEALTH CARE REFORM

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

Ms. DELAURO. Madam Speaker, let me tell an old story relevant to our current health care debate.

One day, a frog was hopping by a river when he came upon a scorpion. The scorpion asked if the frog would carry him across. The frog said, No, you will sting me. The scorpion replied, No, if I stung you, we would both drown. What is the point of that?

So the frog put the scorpion on his back and waded into the river. Halfway across, he felt a sudden sting and his body went numb. Scorpion, why did you do that? Now we will both die. Said the scorpion, It is my nature.

Today, the health insurance industry refuses to cover basic maternity care for four out of five women, while charging them higher premiums. It kicks women out of hospitals within hours of a mastectomy. No industry in history that profits from a broken system has ever moved to reform that system.

After faking support for health care reform for months, why did the health insurance industry on Monday suddenly try to sting us with a flawed and incomplete cost analysis of a health care plan? The same reason they fight to prevent competition through a strong public option, and the same reason many of my Republican colleagues have done nothing but obstruct reform. It is their nature.

#### SUPPORT THE AMTRAK SECURE TRANSPORTATION OF FIREARMS ACT

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

Mr. REHBERG. There aren't many things that are more important to the foundation of the West than trains and guns. In Montana, both still have a profound impact on our frontier identity. But these pillars of Western culture find themselves on opposite sides of the fence because of Amtrak's ban on the transportation of legal firearms on its trains.

The Second Amendment doesn't derail the right to bear arms if you happen to be on a train. We allow the transportation of firearms in cars and on commercial airlines, but Amtrak's ban on firearms remains in effect, even as it continues to receive massive Federal subsidies.

The Amtrak Secure Transportation of Firearms Act would force Amtrak to end its ban on firearms once and for all. I hope my colleagues will join me

in sponsoring this important legislation, because the Second Amendment protects you whether you travel by horse, plane, truck or train.

#### SENIORS AND HEALTH CARE REFORM

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

Mrs. DAHLKEMPER. Madam Speaker, I rise today to support health care reform for our seniors. Our senior citizens deserve reform that will lower their medical expenses and provide the highest quality care available. Our health care reform legislation closes the prescription drug doughnut hole which forces seniors to reduce their prescription drug use, that is, not use lifesaving medications, by an average of 14 percent.

The House's health care reform legislation will help guarantee our seniors access to their doctors by eliminating the 21 percent pay cut doctors are facing for Medicare reimbursements. Without this health care reform, 40 percent of our doctors say they will have to reduce the number of Medicare patients they see. Our seniors deserve better than that. They deserve reform that will keep them in good health at a manageable cost.

I urge my colleagues to support quality health care reform for our Nation's seniors.

#### RECOGNIZING THE 25TH ANNIVERSARY OF BREAST CANCER AWARENESS MONTH

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

Mr. BUCHANAN. Madam Speaker, I rise today to recognize the 25th anniversary of Breast Cancer Awareness Month. Breast cancer is the leading cause of cancer deaths in women between age 40 and 59. We have all been touched by it with family or friends.

In my home State of Florida, an estimated 12,000 new cases of breast cancer in women will be diagnosed this year. However, if detected early enough, it can be successful in treating the disease.

To this end, I am proud to be a co-sponsor of the EARLY Act, a bill introduced by my fellow Florida colleague, Debbie Wasserman Schultz. She has been a leader. She has got a courageous story that she shares with many. This act, her bill, is an education campaign, it is a public awareness campaign, and it will have a huge difference on women in the future. So I really respect her leadership on this.

In my congressional district, I am proud to say, I thank the leadership. We have been active, our employees and our businesses, over the last 10 years. Working together, it makes a big difference. I would like to just say, we need to continue to educate our families and friends on this bill.

#### IN MEMORIAM OF U.S. ARMY SERGEANT JOSHUA KIRK

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

Ms. SHEA-PORTER. Madam Speaker, it is with a heavy heart that I rise today to honor the life of Sergeant Joshua Kirk. Sergeant Kirk was tragically killed in Afghanistan on October 3.

On Tuesday morning, I attended his funeral at St. Michael's Church in Exeter, New Hampshire. There were so many relatives and friends in attendance for a somber and moving ceremony. His wife, Megan, a native of Exeter, and his daughter, Kensington, have lost a husband and father, and this Nation has lost a hero.

Sergeant Kirk selflessly put himself in harm's way in service to America. He and his family are owed a debt of gratitude.

Sergeant Kirk, a native of Maine, joined the United States Army in 2005. He was on his second tour of duty in Afghanistan when his base was attacked by insurgents on October 3. Kirk and seven of his courageous fellow soldiers, all based out of Fort Carson, were killed during the long battle.

Sergeant Kirk's memory lives on with his wife, daughter, mother and sisters. We will always remember his sacrifice, and theirs, and we are forever grateful for their patriotism and service to America.

#### AMNESTY ENCOURAGES ILLEGAL IMMIGRATION

(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, two recent surveys, one of Mexicans and one of Americans, addresses policies that encourage illegal immigration. The first, from Rasmussen, reveals that 56 percent of U.S. voters surveyed believe the policies of the Federal Government encourage people to enter the United States illegally. Also, 64 percent believe law enforcement officers should conduct surprise visits at locations where illegal immigrants seek employment.

The second, from Zogby, reveals that 56 percent of people in Mexico think granting legal status to illegal immigrants in the United States would encourage more illegal immigration to America. Of Mexicans with a member of their immediate household in the United States, two-thirds—two-thirds—said a legalization program would make people they know more likely to go to America illegally.

Madam Speaker, these are more reasons to oppose amnesty for those in the country illegally.

#### PROVIDING AFFORDABLE HEALTH CARE FOR YOUNG ADULTS

(Mr. TONKO asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. TONKO. Madam Speaker, on Tuesday, Speaker PELOSI announced an important new addition to the health insurance reform package. Young adults will be able to remain on their parents' health insurance plans until their 27th birthday.

Young adults make up one-third of the entire uninsured population, numbering 13.7 million. Only 53 percent of young adults are even eligible for employer-based insurance, and 51 percent do not have health coverage through their jobs.

Young adults have the highest rate of injury-related emergency department visits and 15 percent have a chronic health condition. Half are overweight or obese, 9 percent have been diagnosed with depression or a related condition, and the highest prevalence of human papilloma virus, which has been linked to cervical cancer, is among women age 20-24. Young adults experience six preventable deaths each day due to lack of health insurance.

This is clearly an age group that needs health insurance. But young adults are among those least likely to have access to coverage. Allowing them to remain as a dependent on their parents' health insurance plans will bring quality health insurance within reach for millions of young adults.

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#### THE SCORE: AMERICAN FLAG 1— FLAG POLICE 0

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

Mr. POE of Texas. Madam Speaker, the Oak Parks Apartments in Albany, Oregon, this week decided to ban American flags. The apartment manager said American flags might offend somebody in the community, so she issued a dictate: fly Old Glory, and you get evicted. American flag sticker on your car in the parking lot? Not allowed. No Stars and Stripes flying from a motorcycle or a car.

So the American patriots living there fought back. They said anyone offended by their American flags would have to just get over it. They started flying flags everywhere. One mom put an American flag poster in her son's window. He is fighting in Iraq, wearing the flag on his shoulder. One lady just walked around the complex every day waving the flag.

These people did not give in. They were offended by the flag police. You see, the Constitution protects their right to display the flag as free speech. And yesterday the apartment manager backed off. Flying Old Glory is okay again, even if it offends the politically correct apartment owner.

So, congratulations to these American patriots. The score: American flag 1—flag police, zero.

And that's just the way it is.

□ 1030

#### PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Mr. HASTINGS of Florida. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 829 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 829

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes. The conference report shall be considered as read. All points of order against the conference report and against its consideration are waived. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Florida. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Florida (Mr. DIAZ-BALART), and all time yielded during consideration of the rule is for debate only.

##### GENERAL LEAVE

Mr. HASTINGS of Florida. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 829.

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

There was no objection.

Mr. HASTINGS of Florida. I yield myself such time as I may consume.

Madam Speaker, House Resolution 829 provides for consideration of the conference report to accompany H.R. 2892, the Department of Homeland Security Appropriations Act of 2010. The rule waives all points of order against the conference report and against its consideration. The rule provides that the conference report shall be considered as read. And finally, the rule provides that the previous question shall be considered as ordered without intervention of any motion, except 1 hour of debate and one motion to recommit, if applicable.

This conference report appropriates over \$42 billion in funds necessary to protect the American people and enhance our national security. Through terrorist threat mitigation, natural disaster response, and immigration enforcement, this appropriations bill provides the funding to fulfill the many essential responsibilities of a range of important governmental agencies, from the Coast Guard to FEMA to Customs and Border Protection to the Transportation Security Administration.

Particularly critical in this legislation are the partnerships established with State and local communities to prepare for and protect against a range of emergency situations, including natural disasters and acts of terrorism and violence. The funding provided for emergency response resources demonstrates the need for collaboration among Federal, State, and local governments in providing for effective security. It's worth noting a few of the major initiatives contained in this conference report.

This legislation helps secure our borders by providing over \$10 billion for Customs and Border Protection, including funding for over 20,000 Border Patrol agents, which represents an increase of 6,000 agents since 2006. In addition, this report extends authorization of the E-Verify program for 3 years, under which employers are able to check the legal status of their workers. This legislation provides the funding to operate and improve the existing E-Verify program.

Ensuring the safety and security of our Nation's infrastructure is a critical part of this legislation. This conference report provides the necessary funding to the Transportation Security Administration and the Coast Guard to protect our Nation's vast transportation network, including airports, seaports, subways, trains, and buses. With this funding, the TSA will be able to improve explosive detection equipment at airports, and the Coast Guard will be able to replace aging ships and aircraft, which is much needed, modernizing a force that is essential to our national security.

Madam Speaker, I have always praised the Federal Emergency Management program for the fine work they do in helping distressed communities. In my home State of Florida, we are frequently plagued with natural disasters, including hurricanes and flooding. These disasters profoundly impact Florida's residents, particularly when so many individuals and families experience severe damage to their homes and communities.

I'm pleased with the funding levels indicated in this report for the firefighter grants, flood map modernization, predisaster mitigation, and emergency food and shelter programs. I know that the men and women at FEMA work hard and are dedicated to relieving the plight of Americans faced with the hardships of natural disasters.

At the same time, I've never been shy about making my voice heard on matters important to my constituents and all residents of Florida and our Nation that experience disasters. I have been outspoken on the need for FEMA to improve temporary housing.

I'm also pleased to have included language in this bill requiring the Florida Long Term Recovery Office, located in Orlando, to remain open. And a footnote there, Representatives ALAN GRAYSON and SUZANNE KOSMAS are deserving of a lot of consideration from

us for that action that I, along with ROBERT WEXLER and others, began quite some time before they came to Congress. In order to enhance communication and relief operations, this is necessary in the event of a natural disaster.

Madam Speaker, I do want to address the provisions in this report relating to the detainees at Guantanamo Bay. I know that this body has been very focused on this matter, as rightly we should be, as President Obama has committed his administration to close the detention facility at Guantanamo by January of 2010. This conference report prohibits current detainees from being transferred to the United States, except to be prosecuted, and then only after Congress receives a detailed plan on the risks involved, the legal rationale for their transfer, and a notification from the Governor of the affected State.

This is all well and good, but the language in this bill, while a good step forward, is not going to solve the problem of what to do with the hundreds of individuals we have detained, and those in the future that we may have to detain, whether they are detained at Guantanamo or Bagram Air Base in Afghanistan or any other facility where they may be detained by the United States.

The debate over Guantanamo, in my opinion, is missing the larger picture, and that is a need to reform our entire detention policy. As I have maintained, the problem is policy, not the place. Without a system of justice to deal with suspected terrorists, wherever they are held, we are left with a broken system that has been a significant recruiting tool for al Qaeda and other groups which threaten our Nation's security. We need to deny them that image of America.

We need a judicial process that accomplishes at least three things: Number 1, protects our national security by holding and prosecuting those who have committed crimes or who pose an imperative threat to our country; number 2, upholds international standards of human rights; and 3, strengthens our Nation's image as a country that upholds the rule of law and does not resort to arbitrary justice, even while under threat.

This appropriations season has, so far, brought forth a number of bills, almost all with language relating to Guantanamo and a whole lot of that "not in my backyard" stuff. At some point soon, we're going to need to move beyond trying to legislate this matter into appropriations bills and, instead, deal with what is necessary, and that is, new policies and guidelines to bring our national security needs in line with our historic national values.

I'm pleased to have introduced H.R. 3728, the Detainment Reform Act, which will move us forward on this matter, and I urge my colleagues and the President and his administration to give some vent to supporting this ef-

fort, revising it, or doing what is necessary in order for this bill or others to establish the policy that's needed for detaining individuals who would be imperative threats or conduct themselves in a criminal manner against this Nation.

Madam Speaker, ultimately, the conference report before us today provides the necessary funding for the Federal, State, and local agencies, programs and efforts that will protect our Nation.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I'd like to thank my good friend and fellow co-chairman of the Florida Congressional Delegation, Mr. HASTINGS, for the time. I yield myself such time as I may consume.

Madam Speaker, several years ago I had the distinct privilege to bring to this floor, first, the rule bringing the legislation to the floor that created the Department of Homeland Security, and then the first rule for a Department of Homeland Security appropriations bill. Since then, the Department of Homeland Security has begun to mature. It has improved the process for which it was created, the oversight of and coordination of many departments related to the safety of the Nation.

As we know, the department was created in the wake of the attacks of September 11, 2001, to help mobilize and to organize the government to the best of its ability to secure the homeland from further terrorist attacks, to protect the Nation's borders, and to prepare for natural disasters. And thanks to our new concerted approach, I think we've made key investments to secure the United States from further terrorist attacks.

□ 1045

But clearly we must not let our guard down.

Just a few weeks ago, we heard about a disrupted terrorist attack in New York City. The Attorney General of the United States has called the plot, "one of the most serious in the United States since September 11, 2001." That is why I am pleased that the underlying legislation provides the Department with the tools and resources that it needs in order to continue to help to protect the Nation from other terrorist attacks. We must not lose our focus. We must continue our efforts to protect the United States from deadly attacks.

This legislation will provide much-needed funding to help secure our borders, with \$800 million for Southwest border investments, over \$3 billion for the Border Patrol, including over 20,000 Border agents, an increase of more than 50 percent since 2006.

The State that I am honored to represent, Florida, has seen, as my dear friend has pointed out, its share of natural disasters, from Hurricane Andrew in 1992 to the series of very disastrous back-to-back hurricanes in the middle

of this decade. That is why having a prepared and professional staff at FEMA, ready to coordinate disaster preparedness, response, recovery and mitigation efforts, is of vital importance to Florida.

I am pleased the conference report will provide FEMA and the new FEMA administrator—we Floridians are very proud of him, Craig Fugate—the resources needed to help in the aftermath of any natural disaster, whether it's a hurricane in Florida, an earthquake in California, or the flooding in the Midwest.

The terrorist attacks of September 11 heightened concerns regarding aviation security. In response, Congress passed the Aviation and Transportation Security Act of 2001. That legislation established a Federal screener workforce and required the screening of all checked baggage using explosive detection systems, EDS. EDS machines can quickly determine if a baggage contains a potential threat. If a weapon or explosive is detected, the machines alert security officers so they can manage the baggage appropriately.

Funding and reimbursement for EDS installation, however, continues to be a serious concern. Miami International Airport, which is in my congressional district, has incurred over \$78 million in in-line EDS terminal modification costs and continues to seek reimbursement for the Federal share of those costs. I am pleased that this conference report provides \$778 million in discretionary funding to purchase and install EDS at airports. Those funds will help reimburse Miami International Airport and other airports in their efforts to complete EDS installations.

Our Nation's maritime industry contributes approximately \$750 billion to the gross domestic product each year. Florida has some of the largest ports in the country. The Port of Miami serves as the primary maritime gateway to Latin America and the Caribbean. It is a strategic hub for international commerce throughout the hemisphere, and obviously it is the cruise ship capital of the world.

Since 9/11, the Port of Miami has faced unprecedented security costs due to the expense of complying with Federal security mandates. While ports across the Nation are facing similar challenges, the problem at the Port of Miami is particularly serious. Annual operating security costs at the Port of Miami have increased from just over \$4 million in 2001 to over \$20 million today.

The legislation we are bringing to the floor provides \$300 million in grants to assist ports in enhancing their security measures to prevent, detect, and respond to possible terrorist attacks.

So I wish to thank Chairman PRICE and Ranking Member ROGERS for their clearly bipartisan work on this conference report that makes critical investments in the priorities facing the Department of Homeland Security, including securing our transportation

systems, strong border security, a well-prepared and able FEMA, and so much more.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased and privileged at this time to yield 5 minutes to the distinguished gentlewoman from New York, the distinguished Chair of the Committee on Rules and my good friend, Ms. LOUISE SLAUGHTER.

Ms. SLAUGHTER. I thank my colleague for yielding.

Madam Speaker, there are few things that say more about our country and our trust in the public's right to know than the Freedom of Information Act. It is one of the most powerful statements of openness and transparency that we have. It affords ordinary people the ability to peer behind the curtains of power and see inside the many bureaucracies that define the Federal, State and local governments in this country. It is a symbol for all, that despite anything else that our government does in the name of the people, there should be no secrets.

Over the years, FOIA laws have been used for a wide range of purposes. FOIA helped us to discover the ugly truth about the use of Agent Orange in Vietnam, Laos, and Cambodia during the 1960s. And FOIA was also used to uncover data showing that Ford Pintos were built with serious dual system defects that made them more prone to fire and explosions.

In some ways, FOIA is simply a reminder to the public that there is an avenue to pursue if they believe the government is keeping a secret. At the heart of FOIA is the concept that the people's right to know is more important than the government's desire to keep things secret.

The FOIA laws in this country have enabled reporters and citizens from all spectrums access to information that otherwise might never see the light of day. Signed into law by President Johnson in 1966, the FOIA laws allow for the full or partial disclosure of information and documents with only a narrow list of important exemptions.

And so it was with some dismay when I learned recently that the House and Senate conferees on the Homeland Security appropriations bill had slipped in a provision that gives the government the option of making old photos of detainee abuse exempt from the FOIA laws.

This case has already followed a lengthy path beginning with a lawsuit filed by the ACLU against the Pentagon. Last spring, when it appeared that the lawsuit might go against the government, the administration responded by asking some Members of the House and Senate to insert language into the legislation to make sure that the photos stay secret.

Joining the ACLU against the Pentagon was the American Society of News Editors, the Associated Press, Cable News Network, Inc., the E.W.

Scripps Company, Gannett Co., Inc., the Hearst Corporation, Military Reporters and Editors, the National Press Club, NBC Universal, Inc., The New York Times Company, the Newspaper Association of America, the Newspaper Guild—CWA, the Radio-Television News Directors Association, the Society of Professional Journalists, The Washington Post, and me.

Never mind that the photos in question likely have very little value given that a similar set of photos showing the abuse were released under the Bush administration. Despite some complaints that releasing photos would place service men and women in danger, the fact is there was absolutely no increase in violence or attacks after the previous detainee photos were released. I assume that if we were to release the new photos, the result would be the same. Americans were simply able to find out what was being done in their name.

Many observers argue that releasing the photos was actually a clear break from the abuses of the past and a signal to our allies and to everyone else that the days of this type of detainee mistreatment were over and that the United States is willing to come to terms with past practices. Indeed, we have said so.

In June, I and other House leaders prevailed and the FOIA exemption was dropped from the legislation. However, the conferees, apparently under direct orders, quietly put it back into the bill this month. It's hard for me to express how disappointed I am with that decision. I am sorry because I believed that we had turned a page from the cloud of suspicion and secrecy that marked the previous administration. It runs so counter to our principles and stated desire to reject abuses of the past.

The FOIA laws in this country form a pillar of our First Amendment principles. It is unfortunate, given that this administration promised that openness and transparency would be the norm. We should never do anything to circumvent FOIA, and I believe our country would gain more by coming to terms with the past than we would by covering it up.

I hope the President will follow judicial rulings and consider voluntarily releasing these photos so we can put this chapter in history behind us.

Mr. HASTINGS of Florida. Madam Speaker, I especially appreciate the remarks of the distinguished woman, the Rules Chair, Ms. SLAUGHTER, and echo her sentiments.

I am now pleased to yield 3 minutes to my colleague from the Rules Committee, a good friend, JARED POLIS of Colorado.

Mr. POLIS. I would like to thank my colleague from Florida for the time, as well as Chairman PRICE for his leadership in bringing the fiscal year 2010 Homeland Security appropriations bill to the floor. It reflects the hard work of Chairman PRICE over the past year, and I am grateful that I have the op-

portunity to comment on the committee's efforts here today.

I want to reiterate the gratitude that I first expressed towards Chairman PRICE and his staff during our colloquy earlier this year with Congresswoman ROYBAL-ALLARD regarding alternatives to detention.

This bill is about security and stability. One of the issues that we raised the profile of is alternatives to detention, a less costly way of detaining noncriminal immigrants.

There really is a human rights crisis right in our own midst in this Nation. We are holding over 30,000 noncriminal aliens, people like you and me. They lack documentation, but they have committed no criminal crime. They might have been speeding, been picked up from a speeding ticket; they could have been in the wrong place loitering at the wrong time.

And you and I and every other taxpayer are putting them up to the tune of \$130 a day, average cost \$30,000. Many of them remain in detention for 6 months, 9 months. I had the opportunity to visit a detention facility in Aurora, Colorado. I talked to people who had been there a year and a half, a year and a half away from their families, a year and a half at taxpayer expense.

I would like to applaud the Obama administration for supporting alternatives to detention. Our bill funds alternatives to detention at \$70 million, lowers cost using ankle bracelets, more humane, allowing people to remain with their families, \$30 a day average cost. This provides a glimpse of what we can accomplish if we work together.

It also underlines the critical importance of passing comprehensive immigration reform. If we can pass comprehensive immigration reform, I know that in future versions of the Homeland Security bill we can save money and have a more humane bill and focus the bill on Homeland Security where it should be focused, which is keeping our Nation safe, not as a back door to dealing with the failures of our broken immigration system.

Thank you, Chairman PRICE, for your leadership in bringing the FY 2010 Homeland Security Appropriations bill to the floor. It reflects your hard work over the past year and I am grateful that I had the opportunity to support the committee's efforts to get here today. I want to reiterate the gratitude that I first expressed towards you and your staff during our colloquy with Congresswoman ROYBAL-ALLARD on detention alternatives earlier this year.

This bill is about security and stability. It furthers the need to secure our borders by guaranteeing the stability of our immigration services' contributions. It provides the funding necessary to continue America's leadership in providing a safe home for both Americans and all future Americans.

Thus, \$122 million above 2009 levels is provided to U.S. Citizenship and Immigration Services for its important work. Examples of such important work that will be carried on thanks to this bill are many: \$50 million goes to process refugee applications and asylum

claims so that our Nation may continue to admit those in greatest need; \$11 million expands immigrant integration and outreach to help with pressing need once these immigrants are lawfully admitted; and \$5 million ensures the naturalization of immigrants serving in our armed services.

Funding for detention beds as well as language requiring their maintenance ensures that immigrants will be humanely accommodated while their cases are adjudicated. And more importantly, \$70 million goes to Alternatives to Detention—to expand this program nationwide. This steers us in the right direction—a direction of commonsense, cost-saving, and humane measures. It provides a glimpse into what we can accomplish if we continue to work together toward comprehensive immigration reform.

This bill only asks our immigrants one thing—to embrace our cherished tradition of the rule of law in the pursuit of freedom. As a result, this bill provides 3-year authorization extensions for all the immigrants that make ours a greater nation. From religious workers who strengthen our social fabric, to investors who create much-needed jobs while increasing overall credit availability, to rural-serving doctors, to refugees, all are covered in the FY 2010 Homeland Security bill.

While many provisions in this bill greatly improve our detention policies, there is still much to be done and I look forward to a concrete plan for the closing of our Guantanamo Bay facilities.

I once again thank Chairman PRICE and I look forward to working with you and your staff in the future.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I very much appreciate the contributions during this debate, enlightening our colleagues with regard to the merits of the legislation that we are bringing to the floor today.

You know, one of the, I think, most interesting aspects of the American representative democracy is that we differ from other representative democracies probably because our two parties are, in effect, great coalitions. We have a two-party system by virtue of that; both parties represent different coalitions of thought on numerous issues.

□ 1100

So it's interesting that today, for example, while my friend and the distinguished chairwoman of the Rules Committee expressed an opinion contrary to the position maintained by the President of the United States on an important issue—and I think it's appropriate to do so—I commend the President of the United States for his position with regard to the release of detainee photos.

The legislation before us codifies the President's decision to allow the Secretary of Defense to bar the release of detainee photos. I commend the President because, obviously, his leadership and support on that aspect has been decisive in the inclusion of that provision in this legislation.

So our system is unique. This constant manifestation of our two great coalitions is fascinating to me as a stu-

dent of comparative politics. It is another reason I am so proud of this body—the great sovereign Congress of the United States which represents the most sovereign and the freest people in the world, the American people.

Madam Speaker, over the last few months, the American people have written and called their Members of Congress or they've made their opinions known at meetings throughout the Nation. They've asked their Members of Congress whether they will pledge to read bills before they vote on them. The reason is, I think, that people were outraged after finding out that the majority leadership forced Congress to vote on a number of sweeping and expensive bills without giving Members time to understand or to really even read the bills.

I remember a very glaring example of that when we on the Rules Committee were faced with an entire new bill on this legislation that was known as cap-and-trade, which in effect became a manager's amendment to the legislation at 3 o'clock in the morning, and a few hours after that, we were here voting on it. We were forced to vote on the final so-called "stimulus" bill, on the omnibus appropriations bill and, as I mentioned, on that cap-and-trade bill with less than 24 hours to read them—in some instances, as I mentioned before with regard to cap-and-trade, much, much less than 24 hours. Many people believe that that is no way to run the House, and many constituents are rightly upset.

A recent survey found that over 80 percent of Americans believe that legislation should be posted online and in final form and should be available for everyone to read before Congress votes on legislation. You would think, Madam Speaker, that this would really not be an issue as the distinguished Speaker is on record as saying, "Members should have at least 24 hours to examine bills and conference reports before floor consideration." It's even on her Web site. Yet, often, the majority leadership have refused to live up to their pledge.

That is why a bipartisan group of 182 Members of this House has signed a discharge petition to consider a bill that would require that all legislation and conference reports be made available to Members of Congress and to the general public for 72 hours before they are brought to the House floor for a vote.

So, today, I will be asking for a "no" vote on the previous question so that we can amend this rule and allow the House to consider that legislation—House Resolution 544, a bipartisan bill by my colleagues and friends, Representatives BAIRD and CULBERSON.

I know that Members are concerned that this motion may jeopardize the Department of Homeland Security's Appropriations conference report, but I would like to make clear that the motion I am making provides for the separate consideration of the Baird-Culberson bill within 3 days so that we

can pass the conference report today funding the Department of Homeland Security. Then, once we are done, we would consider House Resolution 544.

Having said that, I yield back the balance of my time.

Mr. HASTINGS of Florida. I yield myself such time as I may consume.

Madam Speaker, the men and women of the numerous agencies under the Homeland Security umbrella are dedicated and hardworking public servants who deserve the full support of this body. We have a responsibility to provide them with the funds necessary to perform activities essential to protecting our country—preparing for emergencies, mitigating natural disasters and defending against acts of terrorism and violence.

I commend our colleagues on both sides of the aisle on the Appropriations Committee with reference to discharging their functions. I especially commend Subcommittee Chair PRICE and the work that he and his committee have done. As well, I commend the distinguished chairman of the Homeland Security Committee, BENNIE THOMPSON from Mississippi, and the extraordinary Members who serve with him in that capacity.

As I've discussed before, Madam Speaker, I hope this body will move beyond the debate of whether or not to close Guantanamo and, instead, will work to develop comprehensive detainment policies that uphold Federal law and the United States Constitution, that uphold human rights and international law.

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

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

AMENDMENT TO H. RES. 829 OFFERED BY MR. DIAZ-BALART

At the end of the resolution, insert the following new section:

SEC. 2. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit

which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

(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. HASTINGS of Florida. 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 on the resolution.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 829, if ordered; and adoption of House Resolution 800, if ordered.

The vote was taken by electronic device, and there were—yeas 243, nays 173, not voting 16, as follows:

[Roll No. 780]

YEAS—243

Abercrombie	Engel	Markey (CO)
Ackerman	Eshoo	Markey (MA)
Adler (NJ)	Etheridge	Marshall
Altmire	Farr	Massa
Andrews	Fattah	Matheson
Arcuri	Filner	Matsui
Baca	Poster	McCarthy (NY)
Baldwin	Frank (MA)	McDermott
Barrow	Fudge	McGovern
Bean	Giffords	McIntyre
Becerra	Gonzalez	McMahon
Berkley	Gordon (TN)	McMorris
Berman	Grayson	Rodgers
Berry	Green, Al	McNerney
Bishop (GA)	Green, Gene	Meek (FL)
Bishop (NY)	Grijalva	Meeks (NY)
Blumenauer	Gutierrez	Michaud
Boccheri	Hall (NY)	Miller (NC)
Boren	Halvorson	Miller, George
Boswell	Hare	Mitchell
Boucher	Harman	Moore (KS)
Brady (PA)	Hastings (FL)	Moore (WI)
Bralley (IA)	Heinrich	Moran (VA)
Bright	Herseth Sandlin	Murphy (CT)
Brown, Corrine	Higgins	Murphy (NY)
Butterfield	Hill	Murphy, Patrick
Capps	Himes	Murtha
Capuano	Hinchey	Nadler (NY)
Cardoza	Hinojosa	Napolitano
Carmahan	Hirono	Neal (MA)
Carson (IN)	Hodes	Oberstar
Castor (FL)	Holden	Obey
Chandler	Holt	Oliver
Childers	Hoyer	Ortiz
Chu	Inslee	Pallone
Clarke	Israel	Pascarella
Clay	Jackson (IL)	Pastor (AZ)
Cleaver	Jackson-Lee	Payne
Clyburn	(TX)	Perlmutter
Cohen	Johnson (GA)	Perriello
Connolly (VA)	Johnson, E. B.	Peters
Conyers	Kagen	Peterson
Cooper	Kanjorski	Pingree (ME)
Costa	Kaptur	Polis (CO)
Costello	Kennedy	Pomeroy
Courtney	Kildee	Price (NC)
Crowley	Kilpatrick (MI)	Quigley
Cuellar	Kilroy	Rahall
Cummings	Kind	Rangel
Dahlkemper	Kirkpatrick (AZ)	Reyes
Davis (AL)	Kissell	Richardson
Davis (CA)	Klein (FL)	Rodriguez
Davis (IL)	Kosmas	Ross
Davis (TN)	Kucinich	Rothman (NJ)
DeFazio	Langevin	Roybal-Allard
DeGette	Larsen (WA)	Ruppersberger
Delahunt	Larson (CT)	Rush
DeLauro	Lee (CA)	Salazar
Dicks	Levin	Sanchez, Linda
Dingell	Lewis (GA)	T.
Doggett	Lipinski	Sanchez, Loretta
Donnelly (IN)	Loeb sack	Sarbanes
Doyle	Lofgren, Zoe	Schakowsky
Driehaus	Lowe y	Schauer
Edwards (MD)	Lujan	Schiff
Edwards (TX)	Lynch	Schrader
Ellison	Maffei	Schwartz
Ellsworth	Maloney	Scott (GA)

Scott (VA)	Sutton
Serrano	Tanner
Sestak	Taylor
Shea-Porter	Teague
Sherman	Thompson (CA)
Shuler	Thompson (MS)
Sires	Tierney
Skelton	Titus
Slaughter	Tonko
Smith (WA)	Towns
Snyder	Tsongas
Space	Van Hollen
Speier	Velázquez
Spratt	Visclosky
Stupak	Walz

Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—173

Aderholt	Franks (AZ)	Minnick
Akin	Frelinghuysen	Moran (KS)
Alexander	Gallely	Murphy, Tim
Austria	Garrett (NJ)	Myrick
Bachmann	Gerlach	Neugebauer
Bachus	Gingrey (GA)	Nunes
Baird	Gohmert	Nye
Barrett (SC)	Goodlatte	Olson
Bartlett	Granger	Paul
Barton (TX)	Graves	Paulsen
Biggert	Griffith	Pence
Bilbray	Guthrie	Petri
Bilirakis	Harper	Pitts
Bishop (UT)	Hastings (WA)	Poe (TX)
Blackburn	Heller	Posey
Blunt	Hensarling	Price (GA)
Boehner	Herger	Putnam
Bonner	Hoekstra	Rehberg
Bono Mack	Hunter	Reichert
Boozman	Inglis	Roe (TN)
Boustany	Issa	Rogers (KY)
Brady (TX)	Jenkins	Rogers (MI)
Broun (GA)	Johnson (IL)	Rohrabacher
Brown (SC)	Johnson, Sam	Rooney
Brown-Waite,	Jones	Ros-Lehtinen
Ginny	Jordan (OH)	Roskam
Buchanan	King (IA)	Royce
Burgess	King (NY)	Kingston
Burton (IN)	Kingston	Kirk
Buyer	Kirk	Kline (MN)
Calvert	Kline (MN)	Kratovil
Camp	Kratovil	Lamborn
Campbell	Lamborn	Lance
Cantor	Lance	Latham
Capito	LaTourette	LaTourette
Carter	Latta	Lee (NY)
Cassidy	Latta	Lewis (CA)
Castle	Lee (NY)	Linder
Chaffetz	Lewis (CA)	LoBiondo
Coble	Linder	Lucas
Coffman (CO)	LoBiondo	Luetkemeyer
Cole	Lucas	Lummis
Conaway	Luetkemeyer	Lungren, Daniel
Crenshaw	Lummis	Davis (KY)
Culberson	Lungren, Daniel	E.
Davis (KY)	E.	Mack
Deal (GA)	Mack	Manzullo
Dent	Manzullo	Marchant
Diaz-Balart, L.	Marchant	McCarthy (CA)
Diaz-Balart, M.	McCarthy (CA)	McCaul
Dreier	McCaul	McClintock
Duncan	McClintock	McCotter
Ehlers	McCotter	McHenry
Fallin	McHenry	McKeon
Flake	McKeon	Mica
Fleming	Mica	Miller (FL)
Forbes	Miller (FL)	Miller (MI)
Fortenberry	Miller (MI)	Miller, Gary
Foxx	Miller, Gary	

NOT VOTING—16

Boyd	McCollum	Ryan (OH)
Cao	Melancon	Scalise
Carney	Mollohan	Schock
Emerson	Platts	Stark
Hall (TX)	Radanovich	
Honda	Rogers (AL)	

□ 1133

Messrs. JOHNSON of Illinois, CONAWAY, and Ms. GRANGER changed their vote from "yea" to "nay."

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

(By unanimous consent, Mr. HOYER was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. HOYER. Ladies and gentlemen, we had hoped to do an additional appropriation bill, but the subcommittee has not yet reached agreement. As a result, I wanted to let Members know that when we finish the business that is scheduled for today, which includes the water bill that we will be considering later today after the Homeland Security bill, we will then not plan to be here on Friday. I know that disappoints all of you.

It does disappoint me because I'm very focused, and we are working very hard with the Senate to try to get the appropriations bills done individually. I'm not a fan of omnibuses. I don't think anybody here is either. But as a result of being unable to move the Interior appropriation bill, my view was that originally we had scheduled the water bill for tomorrow, but it is our belief that we can consider both of them today which would then not require Members to be here on Friday.

You can lodge your complaints to me later.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

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

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

Mr. LINCOLN DIAZ-BALART of Florida. 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 239, nays 174, not voting 19, as follows:

[Roll No. 781]

YEAS—239

Ackerman	Cleaver	Fattah
Adler (NJ)	Clyburn	Fliner
Altmire	Cohen	Foster
Andrews	Connolly (VA)	Frank (MA)
Arcuri	Conyers	Fudge
Baca	Cooper	Giffords
Baldwin	Costa	Gonzalez
Barrow	Costello	Gordon (TN)
Bean	Courtney	Grayson
Becerra	Crowley	Green, Al
Berkley	Cuellar	Green, Gene
Berman	Cummings	Griffith
Berry	Dahlkemper	Grijalva
Bishop (GA)	Davis (AL)	Gutierrez
Bishop (NY)	Davis (CA)	Hall (NY)
Blumenauer	Davis (IL)	Halvorson
Boccheri	Davis (TN)	Hare
Boren	DeFazio	Harman
Boswell	DeGette	Hastings (FL)
Boucher	Delahunt	Heinrich
Brady (PA)	DeLauro	Herseth Sandlin
Braley (IA)	Dicks	Higgins
Brown, Corrine	Dingell	Hill
Butterfield	Doggett	Himes
Capps	Donnelly (IN)	Hinchey
Capuano	Doyle	Hinojosa
Cardoza	Driehaus	Hodes
Carnahan	Edwards (MD)	Holden
Carson (IN)	Edwards (TX)	Holt
Castor (FL)	Ellison	Honda
Chandler	Ellsworth	Hoyer
Childers	Engel	Inslee
Chu	Eshoo	Israel
Clarke	Etheridge	Jackson (IL)
Clay	Farr	

Jackson-Lee (TX)	Miller (NC)	Schauer
Johnson (GA)	Miller, George	Schiff
Johnson, E. B.	Minnick	Schrader
Kagen	Mitchell	Schwartz
Kanjorski	Moore (KS)	Scott (GA)
Kaptur	Moore (WI)	Scott (VA)
Kennedy	Moran (VA)	Serrano
Kildee	Murphy (CT)	Sestak
Kilpatrick (MI)	Murphy, Patrick	Shea-Porter
Kilroy	Murtha	Sherman
Kind	Nadler (NY)	Shuler
Kirkpatrick (AZ)	Napolitano	Sires
Kissell	Neal (MA)	Skelton
Klein (FL)	Oberstar	Slaughter
Kosmas	Obey	Smith (WA)
Kucinich	Olver	Snyder
Langevin	Ortiz	Space
Larsen (WA)	Pallone	Speier
Larson (CT)	Pascrell	Spratt
Lee (CA)	Pastor (AZ)	Stupak
Levin	Payne	Sutton
Lewis (GA)	Perlmutter	Tanner
Lipinski	Perriello	Taylor
Loeb sack	Peters	Teague
Lofgren, Zoe	Peterson	Thompson (CA)
Lowe y	Pingree (ME)	Thompson (MS)
Lujan	Polis (CO)	Tierney
Lynch	Pomeroy	Titus
Maffei	Price (NC)	Tonko
Maloney	Quigley	Tsongas
Markey (CO)	Rahall	Van Hollen
Markey (MA)	Reyes	Velázquez
Marshall	Richardson	Visclosky
Massa	Rodriguez	Walz
Matheson	Ross	Wasserman
Matsui	Rothman (NJ)	Schultz
McCarthy (NY)	Roybal-Allard	Waters
McDermott	Ruppersberger	Watson
McGovern	Rush	Watt
McIntyre	Ryan (OH)	Waxman
McMahon	Salazar	Welch
McNeerney	Sánchez, Linda	Wexler
Meek (FL)	T. Sanchez, Loretta	Wilson (OH)
Meeks (NY)	Sarbanes	Woolsey
Michaud	Schakowsky	Wu
		Yarmuth

NAYS—174

Aderholt	Dreier	Lummis
Akin	Duncan	Lungren, Daniel
Alexander	Ehlers	E.
Austria	Fallin	Mack
Bachmann	Flake	Manzullo
Bachus	Fleming	Marchant
Baird	Forbes	McCarthy (CA)
Barrett (SC)	Fortenberry	McCaul
Bartlett	Fox	McClintock
Barton (TX)	Franks (AZ)	McCotter
Biggett	Frelinghuysen	McHenry
Bilbray	Gallely	McKeon
Bilirakis	Garrett (NJ)	Mica
Bishop (UT)	Gerlach	Miller (FL)
Blackburn	Gingrey (GA)	Miller (MI)
Blunt	Gohmert	Miller, Gary
Boehner	Goodlatte	Moran (KS)
Bonner	Granger	Murphy, Tim
Bono Mack	Graves	Myrick
Boozman	Guthrie	Neugebauer
Boustany	Harper	Nunes
Brady (TX)	Hastings (WA)	Nye
Bright	Heller	Olson
Broun (GA)	Hensarling	Paul
Brown (SC)	Herger	Paulsen
Brown-Waite,	Hoekstra	Pence
Ginny	Hunter	Petri
Buchanan	Inglis	Pitts
Burgess	Issa	Poe (TX)
Burton (IN)	Jenkins	Posey
Buyer	Johnson (IL)	Price (GA)
Calvert	Johnson, Sam	Putnam
Camp	Jones	Rehberg
Campbell	Jordan (OH)	Reichert
Cantor	King (IA)	Roe (TN)
Capito	King (NY)	Rogers (AL)
Carter	Kingston	Rogers (KY)
Cassidy	Kirk	Rogers (MI)
Castle	Kline (MN)	Rohrabacher
Chaffetz	Kratovil	Rooney
Coble	Lamborn	Ros-Lehtinen
Coffman (CO)	Lance	Roskam
Cole	Latham	Royce
Conaway	LaTourette	Ryan (WI)
Crenshaw	Latta	Schmidt
Culberson	Lee (NY)	Schock
Davis (KY)	Lewis (CA)	Sensenbrenner
Deal (GA)	Linder	Sessions
Dent	LoBiondo	Shade g
Diaz-Balart, L.	Lucas	Shimkus
Diaz-Balart, M.	Luetkemeyer	Shuster

Simpson	Thompson (PA)	Westmoreland
Smith (NE)	Thornberry	Whitfield
Smith (NJ)	Tiahrt	Wilson (SC)
Smith (TX)	Tiberi	Wittman
Scott (GA)	Turner	Wolf
Scott (VA)	Upton	Young (AK)
Serrano	Walden	Young (FL)
Sestak	Wamp	

NOT VOTING—19

Abercrombie	McCollum	Radanovich
Boyd	McMorriss	Rangel
Cao	Rodgers	Scalise
Carney	Melancon	Stark
Emerson	Mollohan	Towns
Hall (TX)	Murphy (NY)	Weiner
Hirono	Platts	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1141

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.

Stated for:

Ms. HIRONO. Madam Speaker, on rollcall No. 781, had I been present, I would have voted "yea."

Mr. MURPHY of New York. Madam Speaker, on rollcall No. 781, had I been present, I would have voted "nay."

Mrs. MCMORRIS RODGERS, Madam Speaker, on rollcall No. 781, I was unavoidably detained. Had I been present, I would have voted "nay."

EXPRESSING SYMPATHY FOR THE CITIZENS OF THE PHILIPPINES DEALING WITH TROPICAL STORM KETSANA AND TYPHOON PARMA

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 800, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALDOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 800, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. CONNOLLY of Virginia. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 415, noes 0, not voting 17, as follows:

[Roll No. 782]

AYES—415

Abercrombie	Baca	Becerra
Ackerman	Bachmann	Berkley
Aderholt	Bachus	Berman
Adler (NJ)	Baird	Berry
Akin	Baldwin	Biggett
Alexander	Barrett (SC)	Bilbray
Altmire	Barrow	Bilirakis
Andrews	Bartlett	Bishop (GA)
Arcuri	Barton (TX)	Bishop (NY)
Austria	Bean	Bishop (UT)

Blackburn Fortenberry Lofgren, Zoe  
 Blumenauer Foster Lowey  
 Blunt Foxx Lucas  
 Boccieri Frank (MA) Luetkemeyer  
 Bonner Franks (AZ) Luján  
 Bono Mack Frelinghuysen Lummis  
 Boozman Fudge Lungren, Daniel  
 Boren Gallegly E.  
 Boswell Garrett (NJ) Lynch  
 Boucher Gerlach Mack  
 Boustany Giffords Maffei  
 Brady (PA) Gingrey (GA) Manoney  
 Brady (TX) Gohmert Manzullo  
 Braley (IA) Gonzalez Marchant  
 Broun (GA) Goodlatte Markey (CO)  
 Brown (SC) Granger Markey (MA)  
 Brown, Corrine Graves Massa  
 Brown-Waite, Grayson Matheson  
 Ginny Green, Al Matsui  
 Buchanan Green, Gene McCarthy (CA)  
 Burgess Griffith McCarthy (NY)  
 Burton (IN) Grijalva McCaul  
 Butterfield Guthrie McClintock  
 Buyer Gutierrez McCotter  
 Calvert Hall (NY) McDermott  
 Camp Halvorson McGovern  
 Campbell Hare McHenry  
 Cantor Harman McIntyre  
 Capito Harper McKeon  
 Capps Hastings (FL) McMahan  
 Capuano Hastings (WA) McMorris  
 Cardoza Heinrich Rodgers  
 Carnahan Heller McNeerney  
 Carson (IN) Hensarling Meek (FL)  
 Carter Herger Meeks (NY)  
 Cassidy Herseth Sandlin Mica  
 Castle Higgins Michaud  
 Castor (FL) Hill Miller (FL)  
 Chaffetz Himes Miller (MI)  
 Chandler Hinchey Miller (NC)  
 Childers Hinojosa Miller, Gary  
 Chu Hirono Miller, George  
 Clarke Hodes Minnick  
 Clay Hoekstra Mitchell  
 Cleaver Holden Moore (KS)  
 Clyburn Hoyt Moore (WI)  
 Coble Honda Moran (KS)  
 Coffman (CO) Hoyer Moran (VA)  
 Cohen Hunter Murphy (CT)  
 Cole Inglis Murphy (NY)  
 Conaway Inslee Murphy, Patrick  
 Connolly (VA) Israel Murphy, Tim  
 Conyers Issa Murtha  
 Cooper Jackson (IL) Myrick  
 Costa Jackson-Lee Nadler (NY)  
 Costello (TX) Napolitano  
 Courtney Jenkins Neal (MA)  
 Crenshaw Johnson (GA) Neugebauer  
 Crowley Johnson (IL) Nunes  
 Cuellar Johnson, E. B. Nye  
 Culberson Johnson, Sam Oberstar  
 Cummings Jones Obey  
 Dahlkemper Jordan (OH) Olson  
 Davis (AL) Kagen Oliver  
 Davis (CA) Kanjorski Ortiz  
 Davis (IL) Kaptur Pallone  
 Davis (KY) Kennedy Pascarell  
 Davis (TN) Kildee Pastor (AZ)  
 Deal (GA) Kilpatrick (MI) Paul  
 DeFazio Kilroy Paulsen  
 DeGette Kind Payne  
 Delahunt King (IA) Pence  
 DeLauro King (NY) Perlmutter  
 Dent Kingston Perriello  
 Diaz-Balart, L. Kirk Peters  
 Diaz-Balart, M. Kirkpatrick (AZ) Peterson  
 Dicks Kissell Petri  
 Dingell Klein (FL) Pingree (ME)  
 Doggett Kline (MN) Pitts  
 Donnelly (IN) Kosmas Poe (TX)  
 Doyle Kratovil Polis (CO)  
 Dreier Kucinich Pomeroy  
 Driehaus Lamborn Posey  
 Duncan Lance Price (GA)  
 Edwards (MD) Langevin Price (NC)  
 Edwards (TX) Larsen (WA) Putnam  
 Ehlers Larson (CT) Quigley  
 Ellison Latham Rahall  
 Ellsworth LaTourette Rangel  
 Engel Latta Rehberg  
 Eshoo Lee (CA) Reichert  
 Etheridge Lee (NY) Reyes  
 Fallon Levin Richardson  
 Farr Lewis (CA) Rodriguez  
 Fattah Lewis (GA) Roe (TN)  
 Filner Linder Rogers (AL)  
 Flake Lipinski Rogers (KY)  
 Fleming LoBiondo Rogers (MI)  
 Forbes Loebach Rohrabacher

Rooney Shuler Towns  
 Ros-Lehtinen Shuster Tsongas  
 Roskam Simpson Turner  
 Ross Sires Upton  
 Rothman (NJ) Skelton Van Hollen  
 Roybal-Allard Slaughteur Velázquez  
 Royce Smith (NE) Visclosky  
 Ruppersberger Smith (NJ) Walden  
 Rush Smith (TX) Walz  
 Ryan (OH) Smith (WA) Wamp  
 Ryan (WI) Snyder Wasserman  
 Salazar Souder Schultz  
 Sánchez, Linda Space  
 T. Speier Waters  
 Sanchez, Loretta Spratt Watson  
 Sarbanes Stearns Watt  
 Schakowsky Stupak Waxman  
 Schauer Sullivan Weiner  
 Schiff Sutton Welch  
 Schmidt Tanner Westmoreland  
 Schock Taylor Wexler  
 Schrader Teague Whitfield  
 Schwartz Terry Wilson (OH)  
 Scott (GA) Thompson (CA) Wilson (SC)  
 Scott (VA) Thompson (MS) Wittman  
 Sensenbrenner Thompson (PA) Wolf  
 Sessions Thornberry Woolsey  
 Sestak Tiahrt Wu  
 Shadegg Tiberi Yarmuth  
 Shea-Porter Tierney Young (AK)  
 Sherman Titus Young (FL)  
 Shimkus Tonko

NOT VOTING—17

Boehner Gordon (TN) Platts  
 Boyd Hall (TX) Radanovich  
 Bright Marshall Scalise  
 Cao McColium Serrano  
 Carney Melancon Stark  
 Emerson Mollohan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1149

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.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON THE JUDICIARY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Judiciary:

OCTOBER 14, 2009.

HON. NANCY PELOSI, Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Judiciary Committee, effective October 14, 2009. It was an honor to serve you and Chairman Conyers as a member of this prestigious committee.

I look forward to continuing to serve on the Foreign Affairs and Financial Services Committees in the 111th Congress.

Sincerely,

BRAD SHERMAN,  
 Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Madam Speaker, by direction of the Demo-

cratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 834

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

(1) COMMITTEE ON THE JUDICIARY.—Ms. Chu (to rank immediately after Mr. Quigley).

(2) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Ms. Chu.

Mr. LARSON of Connecticut (during the reading). Madam 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 gentleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3612

Mr. BROUN of Georgia. Madam Speaker, I ask unanimous consent to remove Congressman SAM JOHNSON of Texas as a cosponsor of H.R. 3612.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Mr. PRICE of North Carolina. Madam Speaker, pursuant to House Resolution 829, I call up the conference report on the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 829, the conference report is considered read.

(For conference report and statement, see proceedings of the House of October 13, 2009, at page H11195.)

The gentleman from North Carolina (Mr. PRICE) and the gentleman from Kentucky (Mr. ROGERS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. PRICE of North Carolina. 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 the conference report to accompany H.R. 2892.

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

There was no objection.

Mr. PRICE of North Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased to present the conference report for the Department of Homeland Security appropriations for fiscal year 2010. This agreement provides \$42.78 billion for the Department, \$2.64 billion, or 7 percent, above the fiscal year 2009 level.

I want to thank the distinguished ranking member, Mr. ROGERS, for his advice and counsel and help in making this a better bill, and also his staff for working so closely and constructively with us. I want to highlight the work of all staff on both sides of the aisle who have helped us present such a strong legislative product to the Congress.

This is a critical year for the Department of Homeland Security, as it has weathered its first leadership transition with the new administration, in the midst of a global economic recession. I commend the Department's new leadership on its strong efforts to enhance our Nation's security posture and its willingness to reach out to Congress to make adjustments and to promote change when needed.

This conference report, carrying the seventh annual appropriation for the Department since its inception, addresses the needs and challenges that this still-young Department faces. It also represents a considered approach to funding critical domestic security requirements and other core departmental missions within a bipartisan consensus on fiscal responsibility.

Madam Speaker, one can make an argument for increasing funding for many of the programs contained in this report. When discussing homeland security, worst-case scenarios often abound, as do advocates for fixating on one threat while downplaying others.

Our obligation, by contrast, is to take a balanced, realistic approach, to weigh risks carefully, and to set priorities and make prudent investments in smart, effective security. I believe this conference agreement supports the Department's efforts to focus on the highest priorities for protecting our country and to prevent, prepare for, and respond to legitimate threats, whether natural or man-made.

To conserve time, Madam Speaker, I will highlight just a few items in the proposed agreement, items I believe are of interest to all Members.

First, the conference agreement provides the resources to support the readiness of our State and local partners, our first responders out on the front lines. This includes \$810 million for firefighters, \$887 million for the Urban Areas Security Initiatives grants and \$340 million for emergency managers. It also includes over \$900 million to strengthen FEMA's operational response capabilities and to enhance the agency's emergency management mission.

The conference agreement includes \$1.5 billion for more effective efforts by

U.S. Immigrations and Customs Enforcement to identify and remove illegal aliens who have committed crimes, a priority we share with the President and Secretary Napolitano. Of this total, \$200 million furthers development of the Secure Communities Program, which offers a productive approach for Federal immigration agents to work closely with State and local law enforcement, while maintaining the distinction between the traditional Federal role of enforcing immigration law and the local role of prosecuting criminal violations.

The conference agreement includes \$800 million for infrastructure and technology to secure the border, with an emphasis on developing technological surveillance and improving tactical communications so our Border Patrol can make smart use of its resources to police an expansive border. It includes \$40 million to minimize adverse environmental impacts of border infrastructure and operations, and maintains strong oversight requirements to ensure the Secure Border Initiative delivers as promised.

The conference agreement provides a total of \$7.66 billion for the Transportation Security Administration to improve aviation security and efficiency. Two areas of note are over \$1 billion available to deploy explosives detection systems at airports throughout the country that have less capable and slower screening systems, and \$122 million for air cargo security so TSA can meet the August 2010 deadline for screening 100 percent of cargo in the hold of passenger planes.

This conference agreement continues to take steps to increase the Coast Guard's contribution to national security, including protection of our waterways and those who use them and stemming the flow of illegal drugs into this country. Overall, this bill includes \$10.14 billion for the Coast Guard, \$170 million more than the administration requested. Most of this increase is to purchase materials for a new national security cutter and to complete the refurbishment of a heavy icebreaker that will help secure America's interests in the Arctic. It also boosts support for the existing fleet, making investments above the administration's request for backlogged vessel maintenance.

The conference agreement includes nearly \$400 million for DHS cybersecurity programs, 26 percent above fiscal year 2009, to ramp up our protections for governmental computer networks and to bring on more professionals with cybersecurity expertise. In addition, DHS will be able to initiate new efforts to help those responsible for critical infrastructure and other private networks, reducing their vulnerability to cyberattacks.

Also, the conference agreement includes \$11 million to promote legal paths to U.S. citizenship by expanding the successful immigration integration program of U.S. Citizenship and Immigration Services.

The conference agreement includes \$1.1 billion for departmental operations, up \$90 million or 17 percent above fiscal year 2009, to improve DHS management and make it more cost-effective, to secure sensitive information, and to ensure that contractors are overseen by trained government professionals, not by other contractors.

The agreement provides \$221 million to continue efforts to safeguard international commerce and to prevent the use of cargo containers to carry or deliver weapons. This includes an increase of \$12.5 million, or 8 percent, above fiscal 2009 to build on the Secure Freight Initiative and Container Security Initiative, as well as funding to sustain programs targeting high-risk cargo and shippers. DHS is also required to submit a realistic strategy for achieving effective cargo and supply chain security.

To ensure that DHS can adequately protect public safety in its efforts to identify and prepare for biological or agricultural threats, the conference agreement requires DHS to conduct a thorough risk assessment to determine requirements for safe operation of the National Bio and Agro Defense Facility scheduled for Manhattan, Kansas.

□ 1200

It calls for the National Academy of Sciences to provide an independent evaluation of the Department's safety, planning, and mitigation efforts in connection with this project.

In addition, the conference report extends authorizations for the E-Verify program and for visas for physicians serving in rural areas, religious workers, and investors, each of these by 3 years. These are all short-term solutions until comprehensive immigration reform can be considered by the authorizing committees and by the Congress.

Finally, I want to discuss two items that have been raised repeatedly, the release of photographs and videos of individuals detained by U.S. Armed Forces since 9/11, and restrictions on the administration's ability to transfer detainees from Guantanamo Bay Naval Station to the United States or elsewhere in the world.

On the first topic, the conference report codifies the President's decision to allow the Secretary of Defense to bar the release of detainee photos for a period of 3 years.

On the second topic, the conference report establishes strict safeguards on the movement of Guantanamo's detainees, and if the administration chooses to address their cases in U.S. courts, this legislation ensures that that will be done with due consideration, planning, and forethought.

It prohibits current detainees from being released into the United States or any U.S. territory. It allows the transfer of a detainee to custody inside the United States only for the purpose of prosecuting that individual and only after Congress receives a plan detailing

the risks involved and a plan for mitigating such risks, the cost of the transfer, the legal rationale and court demands, and a copy of the notification provided to the governor of the receiving State 14 days before a transfer, with a certification by the Attorney General that the individual poses little or no security risk.

Our bill also prevents current detainees from being transferred or released to another country, including freely associated states, unless the President submits to the Congress 15 days prior to such transfer the name of the individual and the country the individual

will be transferred to, an assessment of risks posed and actions taken to mitigate such risks, and the terms of the transfer agreement with the other country, including any financial assistance.

It requires the President to submit a report to Congress describing the disposition of each current detainee before the facility in Guantanamo Bay can be closed. It bars the use of funds to provide any immigration benefits to Guantanamo detainees, other than to allow them to be brought to the U.S. for prosecution, and it mandates the inclusion of all detainees on the TSA

No Fly List. These are provisions that have been supported on a bipartisan basis in Appropriations Committee markups and on the floor of this House.

Madam Speaker, the conference report before us today represents hard work in a cooperative and bipartisan spirit. It invests in critical government efforts designed to keep the American people safe. I strongly support the proposed agreement, and urge my colleagues to do the same.

Madam Speaker, I include the following for the RECORD:

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)  
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
<b>DEPARTMENT OF HOMELAND SECURITY</b>						
<b>TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS</b>						
Departmental Operations						
Office of the Secretary and Executive Management.....	123,456	160,760	117,727	149,268	147,818	+24,362
Office of the Under Secretary for Management.....	191,793	337,990	153,790	307,690	254,190	+62,397
Emergency appropriations.....	200,000	---	---	---	---	-200,000
Office of the Chief Financial Officer.....	55,235	65,530	60,530	63,530	60,530	+5,295
Office of the Chief Information Officer.....	272,169	338,393	281,593	338,393	338,393	+66,224
Analysis and operations.....	327,373	357,345	345,556	347,845	335,030	+7,657
Subtotal, Departmental Operations.....	1,170,026	1,260,018	959,196	1,206,726	1,135,961	-34,065
Office of the Federal Coordinator for Gulf Coast Rebuilding.....	1,900	2,000	2,000	2,000	2,000	+100
Office of Inspector General						
Operating expenses.....	98,513	127,874	111,874	115,874	113,874	+15,361
Emergency appropriations.....	5,000	---	---	---	---	-5,000
(transfer from Disaster relief).....	(16,000)	---	(16,000)	(16,000)	(16,000)	---
Total, Office of Inspector General (including transfers).....	119,513	127,874	127,874	131,874	129,874	+10,361
Total, title I, Departmental Management and Operations.....	1,291,439	1,389,892	1,089,070	1,340,600	1,267,835	-23,604
Appropriation.....	(1,070,439)	(1,389,892)	(1,073,070)	(1,324,600)	(1,251,835)	(+181,396)
Emergency appropriations.....	(205,000)	---	---	---	---	(-205,000)
By transfer.....	(16,000)	---	(16,000)	(16,000)	(16,000)	---
<b>TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS</b>						
U.S. Customs and Border Protection						
Salaries and expenses.....	7,600,052	7,619,842	7,612,571	8,072,423	8,061,487	+461,435
Harbor maintenance fee collection (trust fund)....	3,154	3,226	3,226	3,226	3,226	+72
Emergency appropriations.....	206,200	---	---	---	---	-206,200
Subtotal, Salaries and expenses.....	7,809,406	7,623,068	7,615,797	8,075,649	8,064,713	+255,307
Automation modernization.....	511,334	462,445	462,445	462,445	422,445	-88,889
Border security fencing, infrastructure, and technology (BSFIT).....	775,000	779,452	732,000	800,000	800,000	+25,000
Emergency appropriations.....	100,000	---	---	---	---	-100,000
Air and Marine Interdiction, Operations, Maintenance and Procurement.....	528,000	505,826	513,826	515,826	519,826	-8,174
Emergency appropriations.....	5,000	---	---	---	---	-5,000
Construction and facilities management.....	403,201	678,633	682,133	316,070	319,570	-83,631
Emergency appropriations.....	420,000	---	---	---	---	-420,000
Fee accounts.....	(1,448,145)	(1,432,000)	(1,432,000)	(1,432,000)	(1,432,000)	(-16,145)
Total, Customs and Border Protection.....	(12,000,086)	(11,481,424)	(11,438,201)	(11,601,990)	(11,558,554)	(-441,532)
Appropriations.....	(9,820,741)	(10,049,424)	(10,006,201)	(10,169,990)	(10,126,554)	(+305,813)
Emergency appropriations.....	(731,200)	---	---	---	---	(-731,200)
Fee accounts.....	(1,448,145)	(1,432,000)	(1,432,000)	(1,432,000)	(1,432,000)	(-16,145)

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)  
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
<b>Immigration and Customs Enforcement</b>						
Salaries and expenses.....	4,927,210	5,348,000	5,313,193	5,360,100	5,342,134	+414,924
Emergency appropriations.....	66,800	---	---	---	---	-66,800
Federal protective service.....	640,000	---	1,115,000	---	---	-640,000
Offsetting fee collections.....	-640,000	---	-1,115,000	---	---	+640,000
Automation modernization.....	57,000	110,000	105,000	85,000	90,000	+33,000
Emergency appropriations.....	20,000	---	---	---	---	-20,000
Construction.....	5,000	---	11,818	---	4,818	-182
<b>Total, Direct appropriations.....</b>	<b>5,076,010</b>	<b>5,458,000</b>	<b>5,430,011</b>	<b>5,445,100</b>	<b>5,436,952</b>	<b>+360,942</b>
Fee accounts.....	(299,000)	(318,000)	(318,000)	(304,800)	(304,800)	(+5,800)
<b>Total, Immigration and Customs Enforcement.....</b>	<b>(5,375,010)</b>	<b>(5,776,000)</b>	<b>(5,748,011)</b>	<b>(5,749,900)</b>	<b>(5,741,752)</b>	<b>(+366,742)</b>
Appropriations.....	(4,989,210)	(5,458,000)	(5,430,011)	(5,445,100)	(5,436,952)	(+447,742)
Emergency appropriations.....	(86,800)	---	---	---	---	(-86,800)
Fee accounts.....	(299,000)	(318,000)	(318,000)	(304,800)	(304,800)	(+5,800)
<b>Transportation Security Administration</b>						
Aviation security.....	4,754,518	5,310,850	5,265,740	5,233,328	5,214,040	+459,522
Emergency appropriations.....	1,000,000	---	---	---	---	-1,000,000
Aviation security fees - offsetting collections.....	-2,320,000	-2,100,000	-2,100,000	-2,100,000	-2,100,000	+220,000
Other fees - offsetting collections (nonadd).....	(-275)	(-19,600)	(-2,700)	(-19,600)	---	(+275)
<b>Total, Aviation security (net).....</b>	<b>3,434,518</b>	<b>3,210,850</b>	<b>3,165,740</b>	<b>3,133,328</b>	<b>3,114,040</b>	<b>-320,478</b>
Aviation security capital fund.....	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---
Surface transportation security.....	49,606	128,416	103,416	142,616	110,516	+60,910
Transportation Threat Assessment and Credentialing....	116,018	191,999	171,999	171,999	171,999	+55,981
Fee accounts.....	(40,000)	(28,000)	(44,900)	(28,000)	(47,620)	(+7,620)
Transportation security support.....	947,735	1,004,580	992,980	999,580	1,001,780	+54,045
Federal Air Marshals.....	819,481	860,111	860,111	860,111	860,111	+40,630
<b>Total, Transportation Security Admin. (gross)...</b>	<b>7,977,358</b>	<b>7,773,956</b>	<b>7,689,146</b>	<b>7,685,634</b>	<b>7,656,066</b>	<b>-321,292</b>
Offsetting fee collections.....	(-2,320,000)	(-2,100,000)	(-2,100,000)	(-2,100,000)	(-2,100,000)	(+220,000)
Aviation security capital fund.....	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---
Fee accounts.....	(40,000)	(28,000)	(44,900)	(28,000)	(47,620)	(+7,620)
<b>Total, Transportation Security Admin. (net).....</b>	<b>5,367,358</b>	<b>5,395,956</b>	<b>5,294,246</b>	<b>5,307,634</b>	<b>5,258,446</b>	<b>-108,912</b>
<b>United States Coast Guard</b>						
Operating expenses.....	5,854,925	6,216,188	6,240,523	6,256,788	6,223,888	+368,963
Overseas deployment and other activities.....	139,503	---	241,503	241,503	241,503	+102,000
(By transfer - contingent emergencies).....	---	(241,503)	---	---	---	---
Defense function.....	340,000	340,000	340,000	340,000	340,000	---
<b>Subtotal, Operating expenses (incl. transfers)..</b>	<b>6,334,428</b>	<b>6,797,691</b>	<b>6,822,026</b>	<b>6,838,291</b>	<b>6,805,391</b>	<b>+470,963</b>
Environmental compliance and restoration.....	13,000	13,198	13,198	13,198	13,198	+198
Reserve training.....	130,501	133,632	133,632	133,632	133,632	+3,131
Acquisition, construction, and improvements.....	1,494,576	1,383,980	1,347,480	1,597,580	1,537,080	+42,504
Emergency appropriations.....	98,000	---	---	---	---	-98,000
Alteration of bridges.....	16,000	---	10,000	4,000	4,000	-12,000
Emergency appropriations.....	142,000	---	---	---	---	-142,000
Research, development, test, and evaluation.....	18,000	19,745	19,745	29,745	24,745	+6,745
Health care fund contribution (permanent indefinite appropriation).....	257,305	261,000	261,000	261,000	261,000	+3,695
<b>Subtotal, U.S. Coast Guard discretionary.....</b>	<b>8,503,810</b>	<b>8,367,743</b>	<b>8,607,081</b>	<b>8,877,446</b>	<b>8,779,046</b>	<b>+275,236</b>
Retired pay (mandatory).....	1,236,745	1,361,245	1,361,245	1,361,245	1,361,245	+124,500
<b>Total, United States Coast Guard (including transfers).....</b>	<b>9,740,555</b>	<b>9,970,491</b>	<b>9,968,326</b>	<b>10,238,691</b>	<b>10,140,291</b>	<b>+399,736</b>
Appropriations.....	(9,361,052)	(9,728,988)	(9,726,823)	(9,997,188)	(9,898,788)	(+537,736)
Emergency appropriations.....	(240,000)	---	---	---	---	(-240,000)
Overseas deployment and other activities....	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
(By transfer - contingent emergencies).....	---	(241,503)	---	---	---	---

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)  
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
<b>United States Secret Service</b>						
Salaries and expenses.....	1,408,729	1,485,609	1,457,409	1,482,709	1,478,669	+69,940
Emergency appropriations.....	100,000	---	---	---	---	-100,000
Acquisition, construction, improvements, and related expenses.....	4,225	3,975	3,975	3,975	3,975	-250
<b>Total, United States Secret Service.....</b>	<b>1,512,954</b>	<b>1,489,584</b>	<b>1,461,384</b>	<b>1,486,684</b>	<b>1,482,644</b>	<b>-30,310</b>
<b>Total, title II, Security, Enforcement, and Investigations (including transfers).....</b>						
Appropriations.....	32,248,818	32,363,455	32,160,168	32,648,099	32,444,887	+196,069
Emergency appropriations.....	(29,951,315)	(32,121,952)	(31,918,665)	(32,406,596)	(32,203,384)	(+2,252,069)
Overseas deployment and other activities....	(2,158,000)	---	---	---	---	(-2,158,000)
(By transfer - contingent emergencies).....	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
(Fee funded programs).....	---	(241,503)	---	---	---	---
<b>(Total).....</b>	<b>(1,787,145)</b>	<b>(1,778,000)</b>	<b>(1,794,900)</b>	<b>(1,764,800)</b>	<b>(1,784,420)</b>	<b>(-2,725)</b>
<b>TITLE III - PROTECTION, PREPAREDNESS, RESPONSE AND RECOVERY</b>						
<b>National Protection and Programs Directorate</b>						
Management and administration.....	51,350	44,577	44,577	44,577	44,577	-6,773
Infrastructure protection and information security....	806,913	918,166	883,346	901,416	899,416	+92,503
Federal Protective Service.....	---	1,115,000	---	1,115,000	1,115,000	+1,115,000
Offsetting collections.....	---	-1,115,000	---	-1,115,000	-1,115,000	-1,115,000
U.S. Visitor and Immigrant Status Indicator Technology	300,000	356,194	351,800	378,194	373,762	+73,762
<b>Total, National Protection and Programs.....</b>	<b>1,158,263</b>	<b>1,318,937</b>	<b>1,279,723</b>	<b>1,324,187</b>	<b>1,317,755</b>	<b>+159,492</b>
Office of Health Affairs.....	157,191	138,000	128,400	135,000	139,250	-17,941
<b>Federal Emergency Management Agency</b>						
Management and administration.....	743,378	744,719	750,619	752,219	703,769	-39,609
Defense function.....	94,059	107,481	93,881	107,481	93,881	-178
(Transfer from Disaster Relief).....	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
<b>Subtotal, Management and administration (including transfers).....</b>	<b>943,037</b>	<b>902,200</b>	<b>934,580</b>	<b>909,700</b>	<b>903,250</b>	<b>-39,787</b>
<b>Grants and Training:</b>						
State and local programs.....	3,105,700	3,867,000	2,836,000	3,067,200	3,015,200	-90,500
Emergency appropriations.....	330,000	---	---	---	---	-330,000
Firefighter assistance grants.....	775,000	---	810,000	810,000	810,000	+35,000
Emergency appropriations.....	210,000	---	---	---	---	-210,000
Emergency management performance grants.....	315,000	---	330,000	350,000	340,000	+25,000
<b>Subtotal, Grants and Training.....</b>	<b>4,735,700</b>	<b>3,867,000</b>	<b>3,976,000</b>	<b>4,227,200</b>	<b>4,165,200</b>	<b>-570,500</b>
Radiological emergency preparedness program.....	-505	-265	-265	-265	-265	+240
United States Fire Administration.....	44,979	45,588	45,588	45,588	45,588	+609
Disaster relief.....	1,400,000	2,000,000	2,000,000	1,456,866	1,600,000	+200,000
(Transfer to Management and administration).....	(-105,600)	(-50,000)	(-90,080)	(-50,000)	(-105,600)	---
(Transfer to Inspector General).....	(-16,000)	---	(-16,000)	(-16,000)	(-16,000)	---
<b>Subtotal, Disaster Relief (including transfers)</b>	<b>1,278,400</b>	<b>1,950,000</b>	<b>1,893,920</b>	<b>1,390,866</b>	<b>1,478,400</b>	<b>+200,000</b>
<b>Disaster assistance direct loan program account:</b>						
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
Direct loan subsidy.....	295	295	295	295	295	---
Flood map modernization fund.....	220,000	220,000	220,000	220,000	220,000	---
<b>National flood insurance fund:</b>						
Salaries and expenses.....	49,418	52,149	52,149	52,149	38,680	-10,738
Flood plain management and mapping.....	107,181	107,320	107,320	107,320	107,320	+139
Offsetting fee collections.....	-156,599	-159,469	-159,469	-159,469	-146,000	+10,599
National predisaster mitigation fund.....	90,000	150,000	100,000	120,000	100,000	+10,000

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)  
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Emergency food and shelter.....	200,000	100,000	200,000	175,000	200,000	---
Emergency appropriations.....	100,000	---	---	---	---	-100,000
Cerro Grande fire claims (rescission).....	-9,000	---	---	---	---	+9,000
<b>Total, Federal Emergency Management Agency (including transfers).....</b>						
Appropriations.....	7,602,906	7,234,818	7,370,118	7,088,384	7,112,468	-490,438
Emergency appropriations.....	(6,987,906)	(7,234,818)	(7,386,118)	(7,104,384)	(7,128,468)	(+140,562)
Rescissions.....	(640,000)	---	---	---	---	(-640,000)
By Transfer.....	(-9,000)	---	---	---	---	(+9,000)
Transfer out.....	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
Transfer out.....	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
<b>Total, title III, Protection, Preparedness Response and Recovery (including transfers)...</b>						
Appropriations.....	8,918,360	8,691,755	8,778,241	8,547,571	8,569,473	-348,887
Emergency appropriations.....	(8,303,360)	(8,691,755)	(8,794,241)	(8,563,571)	(8,585,473)	(+282,113)
Rescissions.....	(640,000)	---	---	---	---	(-640,000)
By transfer.....	(-9,000)	---	---	---	---	(+9,000)
Transfer out.....	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
Transfer out.....	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
<b>TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES</b>						
<b>United States Citizenship and Immigration Services</b>						
Salaries and expenses.....	101,740	364,000	298,000	135,700	224,000	+122,260
Immigration examination fee account.....	(2,495,186)	(2,451,884)	(2,451,884)	(2,451,884)	(2,451,884)	(-43,302)
Fraud prevention and detection fee account.....	(31,000)	(38,348)	(38,348)	(38,348)	(38,348)	(+7,348)
H-1B Non-Immigrant Petitioner Fee Account.....	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	---
<b>Total, U. S. Citizenship and Immigration Services Fee funded programs.....</b>	<b>(2,640,926)</b>	<b>(2,867,232)</b>	<b>(2,801,232)</b>	<b>(2,638,932)</b>	<b>(2,727,232)</b>	<b>(+86,306)</b>
	(2,539,186)	(2,503,232)	(2,503,232)	(2,503,232)	(2,503,232)	(-35,954)
<b>Federal Law Enforcement Training Center</b>						
Salaries and expenses.....	246,530	245,356	239,356	244,356	239,356	-7,174
Acquisition, construction, improvements, and related expenses.....	86,456	43,456	43,456	43,456	43,456	-43,000
<b>Total, Federal Law Enforcement Training Center</b>	<b>332,986</b>	<b>288,812</b>	<b>282,812</b>	<b>287,812</b>	<b>282,812</b>	<b>-50,174</b>
<b>Science and Technology</b>						
Management and administration.....	132,100	142,200	142,200	143,200	143,200	+11,100
Research, development, acquisition, and operations....	800,487	826,191	825,356	851,729	863,271	+62,784
<b>Total, Science and Technology.....</b>	<b>932,587</b>	<b>968,391</b>	<b>967,556</b>	<b>994,929</b>	<b>1,006,471</b>	<b>+73,884</b>
<b>Domestic Nuclear Detection Office</b>						
Management and administration.....	37,500	39,599	39,599	37,500	38,500	+1,000
Research, development, and operations.....	323,200	326,537	376,537	326,537	324,537	+1,337
Systems acquisition.....	153,491	---	---	10,000	20,000	-133,491
<b>Total, Domestic Nuclear Detection Office.....</b>	<b>514,191</b>	<b>366,136</b>	<b>416,136</b>	<b>374,037</b>	<b>383,037</b>	<b>-131,154</b>
<b>Total, title IV, Research and Development, Training, and Services.....</b>	<b>1,881,504</b>	<b>1,987,339</b>	<b>1,964,504</b>	<b>1,792,478</b>	<b>1,896,320</b>	<b>+14,816</b>
<b>Fee funded programs.....</b>	<b>(2,539,186)</b>	<b>(2,503,232)</b>	<b>(2,503,232)</b>	<b>(2,503,232)</b>	<b>(2,503,232)</b>	<b>(-35,954)</b>
<b>TITLE V - GENERAL PROVISIONS</b>						
<b>Enacted provisions:</b>						
Sec. 547: REAL ID Grants.....	50,000	---	---	---	---	-50,000
Sec. 547: REAL ID Information sharing and verification system.....	50,000	---	---	---	---	-50,000
Sec. 549: Rescission, TSA undistributed carryover.	-31,000	---	---	---	---	+31,000

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	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Sec. 550: Rescission of unobligated balances, A&O.	-21,373	---	---	---	---	+21,373
Sec. 551: Rescission of unobligated balances, Coast Guard.....	-20,000	---	---	---	---	+20,000
Sec. 603(a) Rescission of emergency funding, FEMA Disaster Relief.....	-100,000	---	---	---	---	+100,000
Sec. 603(b): FEMA State and local programs, emergency appropriations.....	100,000	---	---	---	---	-100,000
Sec. 609: Federal share of disaster assistance, emergency appropriations.....	---	---	---	---	---	---
Subtotal, enacted provisions.....	27,627	---	---	---	---	-27,627
Sec. 535: Fraud prevention and detection programs.....	---	---	---	---	---	---
Rescission of unobligated balances:						
Sec. 573: Trucking Industry Security Grants.....	---	---	-5,572	-5,500	-5,572	-5,572
Sec. 574: Analysis and Operations.....	---	---	-2,203	-5,000	-2,358	-2,358
Sec. 575: Infrastructure protection and information security.....	---	---	-5,963	-8,000	-8,000	-8,000
Sec. 576: Science and Technology.....	---	---	---	-7,500	-6,944	-6,944
Sec. 577: Domestic Nuclear Detection Office.....	---	---	---	-8,000	-8,000	-8,000
Sec. 578: TSA research and development.....	---	---	---	---	-4,000	-4,000
Sec. 579: Coast Guard AC&I.....	---	---	---	---	-800	-800
Sec. 580: Counterterrorism Fund.....	---	---	---	---	-5,600	-5,600
Sec. 551: ICE, Construction.....	---	---	---	-7,000	---	---
Total, title V, General Provisions.....	27,627	---	-13,738	-41,000	-41,274	-68,901
Appropriations.....	(100,000)	---	---	---	---	(-100,000)
Emergency appropriations.....	(100,000)	---	---	---	---	(-100,000)
Rescissions (including emergencies).....	(-172,373)	---	(-13,738)	(-41,000)	(-41,274)	(+131,099)
Grand total, Department of Homeland Security....	44,367,748	44,190,938	43,978,245	44,287,748	44,137,241	-230,507
Appropriations.....	(41,306,618)	(44,190,938)	(43,750,480)	(44,087,245)	(43,937,012)	(+2,630,394)
(Discretionary).....	(40,069,873)	(42,829,693)	(42,389,235)	(42,726,000)	(42,575,767)	(+2,505,894)
(Mandatory).....	(1,236,745)	(1,361,245)	(1,361,245)	(1,361,245)	(1,361,245)	(+124,500)
Emergency appropriations.....	(3,003,000)	---	---	---	---	(-3,003,000)
Overseas deployment and other activities....	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
Rescissions.....	(-81,373)	---	(-13,738)	(-41,000)	(-41,274)	(+40,099)
(By transfer - contingent emergencies).....	---	(241,503)	---	---	---	---
(By transfer).....	(121,600)	(50,000)	(106,080)	(66,000)	(121,600)	---
(Transfer out).....	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
Fee funded programs.....	(4,326,331)	(4,281,232)	(4,298,132)	(4,268,032)	(4,287,652)	(-38,679)
Aviation security capital fund.....	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself such time as I may consume.

Let me begin by sincerely thanking Chairman PRICE for his partnership during this 2010 appropriations cycle. Through the transition in administrations, the very late submission of the 2010 budget request and the truncated appropriations process, he has been fair and respectful and has been willing to listen to our concerns and accommodate the minority's interests where possible. So I want to thank the chairman for his friendship and his ability to work with everyone to write the best possible bill.

This subcommittee, Madam Speaker, since its inception in 1993, has a long-standing tradition of bipartisanship, a tradition that stands in stark contrast, I might add parenthetically, to the exclusionary tactics of the House's Democrat leadership that trounced the rights of the minority and stifled debate during floor consideration of the House bill.

But in spite of some of that partisan mischief, I am truly grateful for Chairman PRICE's efforts to maintain the long-standing comity that has defined this Chamber's appropriation process, as well as Chairman OBEY's work to move this vital spending bill towards completion.

So I am thankful that we were able to hammer out an agreement in conference, for the most part. After all, the safety and security of our Nation's citizens should be the number one priority of the Congress. This urgency is underscored by the recent terrorism cases being investigated in Colorado, New York, Texas, Illinois and North Carolina, as well as the persistent acts of terrorism and violence by radical extremists overseas.

What this terrorist activity tells me is that real security demands persistent commitment. Eight years after 9/11 and 6 years after the Department was created, we must remain vigilant in addressing every threat and every vulnerability. I am pleased to see the conference report is willing to honor that commitment by properly resourcing our homeland security needs.

While I can't say that I agree with everything in the conference report, I think it represents a fairly reasonable compromise on most of our homeland security priorities. However, there is a notable provision that I must respectfully take issue with that the chairman has referred to.

Section 552 of this conference report permits the terrorists detained at Guantanamo Bay to be brought to the U.S. for purposes of prosecution. Since the President announced the decision to close Guantanamo some 9 months ago, we have seen nothing, Madam Speaker, no plan, in spite of the requests of this Congress, this subcommittee, this committee, no plan, no idea of how to dispose of the detainees remaining there, and no legal ra-

tionale for the prosecution, sentencing and incarceration of these terrorists wherever.

Instead, those detainees who pose a minimal security threat have been shuttled off to other foreign countries by way of backroom deals, leaving hundreds of suspected terrorists potentially bound for American soil because no one else in the world will let them be brought to their soil. Apparently we have tried, to no avail.

So I for one see no reason why we should afford enemy combatants who have been caught on the battlefield battling American soldiers, to allow them the same constitutional rights as American citizens or the same due process even as criminal defendants in the civilian courts of the U.S., and I see no reason why these terrorists can't be brought to justice right where they are in Cuba before military tribunals, as we have in the past there. In fact, we know military tribunals work. We have completed three tribunals and convicted and sentenced terrorists right there in Gitmo.

It is clear that the majority of Members in this Chamber and in the Senate agree with this point of view, given the clear passage of the motion to instruct two weeks ago in this body, and the Senate's near unanimous adoption of a total prohibition of detainee transfers to this country with the passage of their Defense appropriations bill just last week. Both bodies have spoken by huge majorities: Keep these detainees off sacred American soil.

This is a critical issue that I think we must get right, so I am disappointed that the conferees did not follow the convincing and bipartisan votes that both Chambers have taken over the past few weeks and deny these terrorists access to the United States.

Now, having said all that, and in spite of my opposition to the section on the Gitmo detainees, I believe the base of this conference agreement will go indeed a long way towards the protection of our great country.

I once again thank Chairman PRICE for his consideration of our concerns and all of his good work throughout the year on this very important bill.

I reserve my time.

Mr. PRICE of North Carolina. Madam Speaker, I yield 2 minutes to our valued colleague from New York (Mrs. LOWEY), a member of the subcommittee.

Mrs. LOWEY. Mr. Speaker, I rise in support of the conference report, and I want to thank our chairman, Chairman PRICE, for his strong leadership on this bill.

Assistance for our first responders is one of the most effective tools to protect our homeland, as evidenced by the Federal Government and the New York Police Department's discovery of the plot to bomb the city's subways last month. The bill provides \$4.17 billion to invest in that partnership, including the Urban Area Security Initiative, the only grant program for high-risk cities.

The conference report increases funding for it by \$50 million.

All too often our brave first responders have to rely on communications methods that resemble the time of Paul Revere. The conference report provides \$50 million for new technology through the Interoperable Emergency Communications Grant, which I fought very hard with the chairman to create.

To help prevent illicit radiological material from entering New York, the bill provides \$20 million for securing the cities, the same level for equipment procurement as in FY 2009, and I look forward to working with the chairman and the subcommittee to ensure that the program is fully implemented.

In addition to aiding our first responders, the bill tackles a number of pressing issues, including providing \$1.5 billion to identify and remove dangerous criminal aliens, bolstering border security with more than 20,000 Border Patrol agents, and securing our airports and transit system by providing \$678 million more than in FY 2009 for the Transportation Security Administration.

So I thank the chairman and the ranking member for their work on this bill, and I urge my colleagues' support.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the very distinguished ranking member of the Homeland Security authorization committee in the House, the gentleman from New York (Mr. KING).

Mr. KING of New York. Madam Speaker, I thank the distinguished ranking member for yielding, and at the outset I want to commend Ranking Member ROGERS and Chairman PRICE for the outstanding job they have done on this bill. I certainly intend to vote for it. I will vote for it. I must say, however, there are three specific problems, three areas where I do have questions.

Number one is on the Secure the Cities program, which is essential to protect New York City from radiation, dirty bomb attacks. This House by an overwhelming margin approved an amendment by Congresswoman CLARKE and me which would have put \$40 million in the bill for that. Instead, in conference that was reduced to \$20 million. This is a shortfall which I believe can have damaging impact.

Secondly, on the issue of Guantanamo, I concur in everything that Ranking Member ROGERS has said. To me, it is wrong to bring terrorists, enemy battlefield combatants, to our shores for any purpose, even to stand trial, especially to stand trial, because I believe they should be tried in military tribunals.

Again, I bring up the issue of New York City, where I am certain a number of these will be brought. Those who were involved in the 9/11 attacks will be brought to the Southern District of New York. To me, this is a timebomb

waiting to happen, to have those terrorists in New York City for a protracted period of time before, during and after their trial.

Thirdly, on the issue of the firefighter grants, the President cut them by 70 percent. I know the committee put money back in, but the level was still lower than it was last year. This, I believe, is going to impact negatively on fire departments throughout our country.

Having said that, Madam Speaker, this is a fine bill. I look forward to supporting it. I thank the committee for the way they approached it in a bipartisan way. As Congresswoman LOWEY said, our Nation is under threat. There are threats every day. They have targeted various cities throughout our country. This bill goes a long way towards resolving that.

But, again, on the issues of Secure the Cities, Guantanamo and the firefighter grants, I do have real issues, real concerns. Having said that, I support the bill.

Mr. PRICE of North Carolina. Madam Speaker, I yield 2 minutes to another fine member of our subcommittee, the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN of New Jersey. I thank the chairman.

Madam Speaker, I rise today in support of the conference agreement on the 2010 Department of Homeland Security appropriations bill. I want to thank our distinguished chairman, Chairman PRICE, and our distinguished ranking member, Mr. ROGERS, for their outstanding leadership on this bill, and my colleagues on the subcommittee for their outstanding work.

First, I would like to remind my colleagues that I come from one of the most densely populated regions in the most densely populated State in the United States, northern New Jersey. This area contains many high-risk terrorist targets. So I understand, as do my constituents, how vitally important this funding is to our region's and our Nation's security.

The bill provides, for example, our first responders with excellent resources for the training, equipment and personnel we need to keep our communities safe.

□ 1215

It includes \$60 million for emergency operations centers, \$810 million for local fire departments, and \$950 million to protect high-risk urban areas from terrorist attacks. It provides \$300 million for port security grants to stop the flow of illegal drugs from coming into this country. It also increases resources for our Customs and Border Protection by over \$10 billion to combat drugs and weapons smuggling.

In closing, Madam Speaker, this bill, the Fiscal Year 2010 Department of Homeland Security Appropriations bill, honors the commitment we made to provide our first responders with the best training and equipment available

to keep our ports safe and our borders safe and all of our citizens safe from the terror that lurks out there by individuals still seeking to do us harm.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to one of the hardest working members of this body and a valued member of our subcommittee, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. I want to thank Chairman PRICE.

The members of our subcommittee have a good personal working relationship. One of the things I enjoy most about this wonderful committee on appropriations is that there are no real partisan differences between us. We always work together for the good of the country. We have always worked together without regard to our party label. And this subcommittee, in particular, is one that has worked well together to protect the country from a very severe terrorist threat that we know we all face since 9/11.

I want to thank the chairman and our ranking member for the support that this committee has given to our Border Patrol; for Immigration and Customs Enforcement funding; for Operation Stone Garden, a very successful program that allows cooperation between local law enforcement agencies on the border and our border patrol. That program has been a great success.

My good friends CIRO RODRIGUEZ and HENRY CUELLAR, we've worked together very successfully in Texas in implementing Stone Garden, as well as a program called Operation Streamline that the country needs to know is working very well. If you cross the Texas border between Lake Amistad and Zapata County, you will be arrested, you will be prosecuted, you will be deported. And as a result, the crime rate has dropped by over 70 percent in Del Rio. We've seen a 60 percent drop in the crime rate in the Laredo sector. The local community, which is 96 percent Hispanic, loves this program. What mom or dad wouldn't like their streets safer? As a result of simply using existing law and a little additional resources and using the good judgment, the good sense and the good hearts of uniformed law enforcement officers on the border, we have secured the border in Texas, and with the help of the chairman and the committee members, we're working to expand that up and down the border.

There are many great, good things about this bill, but one very serious concern that I have that Mr. ROGERS has already expressed is that this bill puts into law a policy that has never, in the history of this country, been followed, and that is that as soon as the President issues a plan to Congress for the disposition of the prisoners in Guantanamo, 45 days after the President submits that plan, this bill explicitly authorizes the prosecution of enemy soldiers in U.S. courts. Now, that's unprecedented.

And my good friend Mr. RUPPERSBERGER, whom I've worked

with before on so many good causes, we all in this House voted to make sure that we would not bring enemy soldiers to the U.S. for prosecution, giving them all the constitutional rights as if they were captured on the streets of New York or Los Angeles. We voted not to bring these prisoners from Guantanamo to be incarcerated in U.S. jails.

The security question is one thing, but the one that really concerns me is the fact that this bill gives explicit authorization. For the first time in American history, we will, if we pass this legislation as it is, be authorizing what we now know is going to be the policy of this President for U.S. soldiers, for the first time in history, to be police officers. Our soldiers in the field, in addition to trying to protect themselves and their friends, are going to have—

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

Mr. ROGERS of Kentucky. I yield the gentleman another 1 minute.

Mr. CULBERSON. Never before in our history have American soldiers had to worry about protecting the chain of evidence. Never before in history have American soldiers had to worry about whether or not they were reading the Miranda rights to enemy soldiers captured on foreign battlefields. Now, this bill makes that explicit. In fact, Chairman OBEY's fact sheet that he has issued on his Web site says this bill prohibits the transfer of Guantanamo detainees except for legal proceedings.

Now, anyone standing in a U.S. court in front of a U.S. judge is given all the protections of the U.S. Constitution. Now, that is what concerns me more than anything else is that we are explicitly changing—this is a monumental change in American policy. We cannot and should not burden our soldiers in the field with having to worry about the U.S. constitutional rights of enemy soldiers.

Do you think Sergeant York read Miranda warnings or was worried about the constitutional rights of the Germans that he captured during World War I? Do you think that the brave men who landed on Omaha Beach were worried about the constitutional rights of the Nazis at Omaha Beach or Normandy? I mean, this is an extremely important point that we have to raise, and we need to make sure that all the Members of the House are aware of it.

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

Mr. ROGERS of Kentucky. I yield the gentleman another 1 minute.

Mr. CULBERSON. In fact, during the subcommittee hearing, during the conference committee meeting, my good friend, the chairman, Mr. PRICE, made it clear that this is the policy of the majority that's going to bring these—you'll want to bring these enemy soldiers to the United States to be prosecuted in U.S. courts.

That means that these enemy soldiers will be clothed in the protection

of the U.S. Constitution. That means that enemy soldiers, these terrorists, can lawyer up at U.S. taxpayer expense. They're going to be given Miranda warnings. U.S. soldiers are going to have to protect the chain of evidence, just like a police officer on the streets of Los Angeles or New York, and make sure that the chain of evidence is protected, that all their rights are protected, and that we have to prove beyond a reasonable doubt that these enemy soldiers committed whatever it is crime that they're going to be prosecuted for.

Let me remind the Congress that in 1942 a number of German terrorists landed on the beaches of Long Beach and in Florida. In June of 1942, they were prosecuted in military tribunals—the U.S. Supreme Court ruled that's the proper way to handle enemy soldiers captured on a foreign battlefield—and they were executed by the end of August 1942.

It is unacceptable to put this burden on U.S. soldiers. It's a monumental and unacceptable change in American policy. We cannot let enemy soldiers lawyer up at taxpayer expense.

Mr. PRICE of North Carolina. Madam Speaker, I yield 3 minutes to another valued subcommittee colleague, Mr. RUPPERSBERGER of Maryland.

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

Mr. RUPPERSBERGER. Madam Speaker, I stand in strong support of the Homeland Security Appropriations Conference Report for FY 2010. The security of our Nation is clearly our top priority. And this bill dedicates more money for homeland security when compared to 2009 levels.

Homeland security is not a Democratic or Republican issue. It is USA first—our community, our families, and our country. I want to thank Chairman PRICE and Ranking Member ROGERS, as well as our friends in the Senate, for their bipartisan and bicameral efforts in crafting this conference report. And I'd like to speak about two key issues, two key components in this bill: the Coast Guard and cybersecurity. But before I do that, I have to respond to my friend JOHN CULBERSON's comments. I disagree with his comments.

Number 1, as far as prisoners are concerned, if, in fact, there are prisoners that are so dangerous that would hurt our country, I would much rather have us control those prisoners. If we need to bring them to the United States of America to try them, I have more confidence in our court system and our prison system than some of the countries they go back to where they could escape and come back and do harm to our citizens. That's step one.

The second thing I disagree with my friend about is the issue about Miranda rights in theater. Now, those of us who have been to Iraq and Afghanistan know that that is not the case. It started when a friend of mine—I am on the

Intelligence Committee—another Mr. ROGERS came back and said that he got information that soldiers were having to give Miranda warnings to people, to the enemy. That is not the case. We've had hearings. I've done my own due diligence. That is not what our men and women are required to do. So let's get the facts straight. Let's get the politics off the table, and let's talk about this Homeland Security bill, how it affects and protects our country, our families, and that is very important and relevant.

Now, the Coast Guard. The Coast Guard of the United States of America, since 1790, has been a critical part of our Nation's defenses. They handle everything from water rescues, as an example, in the Baltimore harbor, which I represent, to drug interdictions off our Nation's coast. Since 9/11, the Coast Guard has been asked to do even more. They have stepped up to the plate and kept watch on our Nation's waterways to keep our country safe.

I support the \$3.8 billion for the Coast Guard included in this legislation. This is more than \$275 million above the 2009 level. I am proud to represent the Coast Guard Yard at Curtis Bay in Congress in my district. The yard is in my district near the Port of Baltimore. The men and women of the yard do an excellent job maintaining and repairing the entire Coast Guard fleet.

Now I want to get to the issue of cyber. The second thing, and one of the most important issues that we're dealing with as far as national security, is cyberattacks. I would support \$283 million to address the growing threats to our Nation's networks. Our Nation's networks control much of what we do every day. They power our computers and our cell phones. They power the electrical grid that allows us to turn the lights on and the classified military and intelligence networks that keep our country safe. It's all too easy to use basic Internet hacking techniques to wreak havoc on our Nation's information infrastructure. Imagine if the Bank of America was suddenly cyberattacked.

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

Mr. PRICE of North Carolina. I yield the gentleman an additional 30 seconds.

Mr. RUPPERSBERGER. Fifty-nine million customers in 150 countries would suddenly be unable to access their accounts, their debit cards or their money, credit cards. It would cripple the economy. Think of what an attack would do to our electrical grid system, our security, our national security.

This threat is real. We must shore up our defenses. We must ensure that the Federal Government, the private sector, and our citizens beef up our cybersecurity efforts. This funding for cybersecurity will be a step in the right direction.

Mr. ROGERS of Kentucky. I yield such time as he may consume to the

very distinguished ranking member of the full Appropriations Committee in the House, Mr. LEWIS of California.

Mr. LEWIS of California. Madam Speaker, at the end of the bill, Mr. ROGERS of Kentucky will be presenting a motion to recommit that addresses the issue of detainees at Guantanamo Bay, Cuba. This motion to recommit is very much designed to implement that which was the motion to instruct that so successfully passed the other day. It passed the House by a vote of 258-163, and I presume that the vote will reflect that pattern when we go to the motion to recommit. But first let me thank the gentleman for the time.

Mr. Chairman, in many ways, this conference report represents both the best and the worst of this Chamber's storied history. On the one hand, this conference report typifies the type of work that can result from strong bipartisanship. We are most certainly at our best when our very capable Members work together in the professional manner that we've seen with Chairman PRICE and Ranking Member ROGERS. So I congratulate the two of them for producing what is essentially a very well-balanced piece of legislation that will undoubtedly improve the safety and security of this great Nation.

However, this conference report also represents some of the worst in terms of partisan maneuvering. The language contained in section 552 pertaining to Guantanamo Bay detainees is a result of a last-minute mystery insert by the majority of language that was not in either the House or the Senate bill.

□ 1230

With this language, Chairman OBEY and the Democratic leadership are trying to establish Congress' de facto position on Gitmo detainees. And that position, in my view, is regrettably weak as well as flawed. To permit enemy combatants to come to the United States for the purpose of prosecution is a misguided and is potentially a very dangerous decision. Terrorists should not be treated like common criminals in the Federal court. These detainees are enemies of the State, and should be treated as such by being held and brought to justice right where they are: in a very well-established judicial facility at Guantanamo.

Both the House and the Senate have cast clear, bipartisan votes over the last 2 weeks that made it very clear where Members and the American people are on this issue. They do not want these terrorists brought to the United States for any reason. It is regrettable that the Democrat leadership's flawed position on Guantanamo Bay detainees casts a shadow over what is otherwise a bipartisan, well-crafted conference report that will provide key resources for our security.

I appreciate the very, very good work of Chairman PRICE and Ranking Member ROGERS on this measure, but take considerable exception to Democrat leadership's insertion on Guantanamo Bay detainees.

Mr. PRICE of North Carolina. Madam Speaker, I would like to yield 2 minutes to one of our hardest working subcommittee members, Mr. FARR of California.

Mr. FARR. Thank you very much, Mr. Chairman, for yielding. I appreciate the opportunity to address the House on the DHS appropriations bill.

I want to just first say at the outset, I am really surprised to hear, kind of shocked to hear, that they are taking an appropriations bill and trying to make it into something that it isn't. We stand here year after year passing these appropriation bills, pointing out that you cannot legislate on an appropriations bill, you cannot make legal policy; it is about spending the money and the ways to spend that money, not on inventing new law.

This bill does not deal with how you treat prisoners in Guantanamo Bay. We ought to get over it and know that it doesn't do that. What this bill does do, though, is address a lot of other issues, one of which is very important to this country. They're talking about how to keep those prisoners out of our jails and out of our prisons. Frankly, there are some States that would love to have the revenue; they know that their court system can handle it. But that's not the emphasis of this bill because what we really are trying to address is the biggest industry of all in this country, which is tourism.

Tourism relies on a lot of people from a lot of countries coming into this country. Just a few weeks ago, the entire House voted for a travel initiative bill to allow the United States to go out and advertise to get more tourists in here, and there wasn't one single vote against it. So we do want to attract these people to spend money and come to our country. And we need the facilities when they come in, the facilities to give them visas when they go down to apply for those visas and certainly when they enter.

And one of the great things about this bill is it sets up the Western Travel Initiative, which essentially appropriates money into 46 of the busiest border ports—these could be airports, harbor ports, the kind of ways in which people come into this country from abroad—to facilitate getting them through all the security and getting them through the customs and so on. That is a very important investment in the biggest industry in this country with the biggest payoff to our local communities.

So I want to point out some of the real positive things in here. This also allows for a tracking of all these visitors through the status indicator technology.

There are a lot of good things in this bill. I urge a "yes" vote on the appropriations bill and a vote against any motion to recommit.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well while another Member is under recognition.

Mr. PRICE of North Carolina. Madam Speaker, may I inquire as to how much time is available on both sides.

The SPEAKER pro tempore. The gentleman from North Carolina has 10½ minutes remaining; the gentleman from Kentucky has 13½ minutes remaining.

Mr. PRICE of North Carolina. Madam Speaker, I would like to yield 2 minutes at this point to the distinguished chairman of the authorizing committee with whom we work very closely, Mr. THOMPSON of Mississippi.

Mr. THOMPSON of Mississippi. Thank you very much, Mr. Chairman.

Madam Speaker, I appreciate the opportunity to speak in support of the conference report on H.R. 2892, the Department of Homeland Security Appropriations Act.

The funding provided in this package would help ensure the Department of Homeland Security, under the leadership of Secretary Janet Napolitano, will have the resources it needs to execute all its missions.

DHS has a lot to do, from deterring, detecting and responding to terrorism to rescuing wayward boaters, to pre-positioning disaster resources. H.R. 2892 gives DHS the \$42.7 billion it needs to fulfill its mission.

With respect to border security, the bill makes significant new investments to enhance border security along the southern and northern borders. I am particularly pleased that the bill provides \$72.6 million to increase personnel and provide new equipment in the Southwest Border Counterdrug Initiative, which dedicates resources to target the flow of guns and bulk cash that fuel border violence.

This bill also provides \$1.5 billion to support targeted, smarter immigration enforcement. These funds will expand critical programs such as Securing the Communities, which identifies and removes the most dangerous and violent criminal aliens on our border.

I support the new resources the legislation appropriates to transportation security, including funds for air cargo and surface transportation security.

Chemical security is another area of critical infrastructure that garnered significant attention in this bill. It provides \$100 million in funding to DHS to support the coordination and management of regulating high-risk chemical facilities and brings the size of the C-FATS regulatory staff to 250.

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

Mr. PRICE of North Carolina. I yield the gentleman an additional 30 seconds, Madam Speaker.

Mr. THOMPSON of Mississippi. Madam Speaker, in closing, I urge the passage of this important legislation because it makes the necessary investment in security and resilience to pro-

tect Americans from future threats and catastrophic incidents, natural or man-made.

Mr. PRICE of North Carolina. Madam Speaker, I reserve.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to a hard-working member of our subcommittee, the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I want to thank the gentleman from Kentucky for his hard work and the diligence that went forth in putting this bill together. However, Madam Speaker, today I cannot vote for this bill unless the motion to recommit passes because of my concern about what is going to happen with these prisoners at Guantanamo.

So I would suggest to all the Members this is a very serious concern to our country. It's a very serious concern to this fight on terrorism throughout the world. And I believe that we should show our unity and vote for the motion to recommit. And if that motion to recommit passes, then I will be happy to vote for this bill, which I think for the most part is a good bill with that exception.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself the balance of the time.

In closing, I regret that this bipartisan and well-balanced conference report contains permission to bring Guantanamo Bay detainees onto American soil.

At the conclusion of today's general debate, I intend to offer a motion to recommit that will give this Chamber the opportunity to once again voice its will to the conferees just as it did 2 weeks ago by way of a clear and convincing bipartisan vote.

I appreciated your overwhelming vote then, and I ask the Members once again to register your objection to bringing these enemy combatants, caught in battle with American soldiers, onto America's sacred soil.

The conferees ignored our instructions of 2 weeks ago, which prohibited detainees from being released, transferred, or detained in the United States for any reason, period. My motion today will have the same effect as the language Members voted for then and has the same effect as what the Senate voted for 93-7.

This motion will keep these terrorists off American soil, out of our Federal civilian courts, and in a place that is far more appropriate, given their status as enemy combatants apprehended on a battlefield with American soldiers.

This motion will correct the flaw in the conference report's language and aligns the will of Congress with that of the U.S. Senate as reflected by the strong bipartisan votes on this issue over the last 2 weeks in both bodies of the Congress.

I would hope Members would join me in supporting this motion so that we can further improve and strengthen this critical conference report.

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

Mr. PRICE of North Carolina. Madam Speaker, I yield myself the remainder of our time.

Madam Speaker, I rise once again to urge colleagues to support this carefully worked out conference report. And since no debate is permitted on the motion to recommit, I do wish to say a few words about the motion and strongly urge its rejection.

The motion to recommit would derail \$42.8 billion in Homeland Security investments, investments in critical efforts to protect the American people from the threat of terrorist attacks and natural disasters, and to secure our borders, ports and skies.

The motion to recommit would reopen the compromises made with the Senate that allowed us to provide \$2.5 billion in additional resources for our homeland security efforts.

My colleagues should make no mistake, this motion to recommit will dissolve our conference and kill the bill. Now, that should be reason enough for voting against the motion, but let me talk about the substance of the motion as well, because I do want to make certain that Members understand what we're dealing with.

The motion to recommit would dismantle the agreement that we on the majority side had with the minority in our full committee, which was passed by a large bipartisan vote in the House as a whole. In listening to our colleagues debate today, you would hardly understand that. But as a matter of fact, they readily agreed, eagerly agreed, in the markup in the Appropriations Committee that of course there should be an exception for bringing detainees to this country for prosecution if that was determined to be the best way of dealing with their case. I think it's fair to say that no matter what President was in the White House, he or she would insist on this flexibility, and we should insist on it for them.

This motion to recommit would guarantee, I'm afraid, no progress in resolving the status of detainees for a year. It goes against the basic American principles of due process and access to a fair trial. It goes against America's basic interests as well, the interest in closing down Guantanamo—and that, I remind colleagues, is an objective articulated by President Bush as well as by President Obama—our interest in closing down Guantanamo and in bringing related cases to an orderly conclusion.

The motion to recommit unreasonably and unwisely exalts these detained individuals above the most savage prisoners in the U.S., saying we just can't handle them, we just can't handle these dangerous people in our court system. This, I would say, emboldens the terrorists, perhaps even helps their recruiting efforts. We have tried, convicted, and punished people who are the worst of the worst in this

country repeatedly, and we can do so again.

Similar provisions, Madam Speaker, were rejected by this body just last week in a motion to recommit the Defense authorization bill, and they should be rejected today.

Now, we heard a lot of arguments today about "Mirandizing" prisoners and reading them their rights on the battlefield. That is a red herring, unrelated to this bill. Legal protections are a matter for the courts; they are a matter for other committees in this body. Our conference report does not reach these matters.

□ 1245

We have assurances, as a matter of fact, from General Petraeus that U.S. military forces are not and will not Mirandize detainees. The Department of Justice has said there has been no policy change nor blanket instruction issued for FBI agents to Mirandize detainees overseas. There have been specific cases in which FBI agents have done this at Bagram and in other situations in order to preserve the quality of some evidence, but there has been no overall policy change.

In fact, the whole issue of Mirandizing terrorists on the field of battle shows a lack of understanding of what "Miranda rights" are. Miranda warnings are given prior to interrogation for collecting evidence from a suspect in a crime. They are a protection against a suspect's making self-incriminating statements. They are not a part of arrest or detention procedures. The courts have held that they do not prevent questioning about identity and that they do not apply in cases where public safety is threatened, such as on the field of battle or at the site of a terrorist attack. We don't interrogate on the field of battle. It's a red herring.

By the way, we're also not reaching the question of the future of military tribunals, but the ranking member's motion to recommit would very definitely shut off access to U.S. courts. We need to ask ourselves whether that is something we want to do in cases where that may be the most appropriate venue for prosecution.

My colleague seems to think that three convictions by military tribunals in the entire period of their existence is an impressive record. One of those was by a guilty plea. It's not an impressive record. By contrast, a recent analysis of the 119 terrorism cases involving 289 defendants tried over the last 20 years in U.S. courts shows a 91 percent conviction rate for the cases that had been resolved as of June 2.

Is that an option that we simply summarily want to close off?

I've already indicated, Madam Speaker—and I won't repeat—the layered protections that our bill contains with respect to the movement of detainees, the transparency it requires and the accountability it enforces. This bill contains multiple protections, and I stress again that they're based on an

earlier bipartisan consensus. They reflect not just the wording in our bill but the language in several of the appropriations bills.

This move today to recommit this bill makes me wonder just how much our colleagues have really meant it when they have urged us to consider this bill quickly and to act with dispatch. We heard this through much of September.

The Guantanamo provisions that they asked for were included in the bill. We brought the bill with those provisions intact from the conference. They've been clamoring for weeks to get this bill to the floor, to pass it as a free-standing bill. But all of a sudden as the conference proceeded, again they cried, "Stop."

Now they're objecting to provisions that they, themselves, endorsed in the Appropriations Committee and on the House floor. They're objecting to our good faith safeguards on the movement of detainees to other countries and to the transparency requirements. They're simply saying, "Stop." Once again, "Stop."

Well, we can't afford to stop, Madam Speaker. We're already into the fiscal year. We have no reason to stop, and we cannot afford to stop. We will not hold up the \$1.5 billion in this conference report to identify and to remove illegal aliens who have been convicted of crimes. We will not delay \$800 million to secure our borders. We will not delay \$4.2 billion for Homeland Security grants to ensure our first-responder community is well-prepared to meet all hazards. We will not delay funding for our Coast Guard, for our Secret Service, for disaster assistance, or for cybersecurity.

We will, in fact, pass this bill today. We've worked with our colleagues. We've debated the priorities. We've operated in good faith. We've accommodated interests by Members throughout this body. Now it is time to get on with it, to get past the political games, to get past the "gotcha" amendments and motions, and to fund Homeland Security. This body has a responsibility to legislate. Let's get the job done.

I urge my colleagues to vote "no" on this motion to recommit and to vote enthusiastically for this conference report.

Mr. SMITH of Texas. Madam Speaker, I plan to support the conference to H.R. 2892; however, I have serious concerns about some of the language in the conference report.

Specifically, the conference report directs the Secretary of Homeland Security to "prioritize the identification and removal of aliens convicted of a crime by the severity of that crime."

If an individual is in this country illegally, they should be deported. We shouldn't wait for them to commit a crime before we remove them from the country.

Unfortunately, across the United States, illegal immigrant criminals are being released onto the streets and into our neighborhoods every day instead of being deported. In 2006, the DHS Inspector General found that most of the foreign-born criminal aliens in state and

local jails “are being released into the U.S. at the conclusion of their respective sentences due to the lack of [DHS] resources.”

In January 2007, 22-year-old Nashville, Tennessee, resident Joycelyn Gardiner was killed by illegal immigrant Victor Benitez who was driving drunk, ran a red light and hit Gardiner. Ms. Gardiner was a track star at Tennessee State University and planned to go to law school after graduation. Benitez had prior convictions for car burglary, public intoxication, and resisting arrest.

Are burglary, public intoxication, and resisting arrest convictions considered severe enough to warrant deportation under this conference report? Had Benitez been detected by immigration authorities before committing even his first few crimes, wouldn't it have been better to deport him based solely on his immigration violations then?

American taxpayers deserve to be protected. They deserve to have those of us in Congress do everything possible to prevent them from becoming victims. And they deserve to have the laws of the United States followed by the enforcement wing of our government.

This misguided prioritization is not the only concern I have with the conference report to H.R. 2892.

The Senate bill provisions that made E-Verify permanent allowed employers to use it to check the work eligibility of current employees, required over 700 miles of pedestrian fencing along the southwest border and prevented funding from being used to rescind the “no-match” rule should have been retained in the conference report.

And some of the reports required by the conference report could be attempts to slow implementation of REAL ID and the deportation of illegal immigrants. Yet another report should have required a validation of the success of use of Alternatives to Detention prior to nationwide use of such alternatives.

So I am troubled by several provisions of the bill. However I appreciate the inclusion of the 3-year extensions of the E-Verify, religious worker visa, EB-5 Investor Visa Regional Center and Conrad J-1 Physicians' Waiver programs. These are good immigration programs that should be extended.

Mr. CALVERT. Madam Speaker, I would like to thank Chairman PRICE and Ranking Member ROGERS, and their staff, for crafting a very thoughtful Fiscal Year 2010 Homeland Security Appropriations bill. I especially appreciate the recognition of the Air and Marine Operations Center, also known as AMOC, which is located in my congressional district. AMOC has become the foremost aviation-oriented law enforcement operations and coordination center in the U.S. It plays an integral role in protecting us from attack and from human, drug and gun smuggling across our borders.

However, I was disappointed that the extension of E-Verify was reduced from the Senate language which would have provided for a permanent reauthorization of E-Verify. The House overwhelmingly passed a 5-year reauthorization last year and I think the American people would support a permanent reauthorization of E-Verify.

I would also like to commend Ranking Member ROGERS for his work on language pertaining to the closing of Guantanamo Bay.

While the bill prohibits the release of detainees into the U.S., the report does not go far

enough to prevent prisoners from being transferred to or detained on U.S. soil. I maintain that the President must provide a disposition plan which includes a risk assessment for each of the detainees and the danger they pose to the American people as well as to the national security of the United States. The requirement to have the administration report to Congress on these matters is similar to that of my bill, H.R. 1069, which I introduced on February 13 in response to the administration's January announcement that it would close the detention facility in Guantanamo Bay.

In closing, I would like to reiterate my support for the conference report but with strong reservations about the majority's actions that has severely restricted amendments and has shut down a once open appropriations process.

Ms. HARMAN. Madam Speaker, eight years after 9/11, there remains a very real, very serious threat of another attack on U.S. soil. The recent series of arrests—in Dallas, Chicago, Denver and New York City—underscores the need for continued resolve. The safety of the American people relies upon multiple layers of security—from intelligence to local police to the technologies that help us identify potential threats. Our duty as lawmakers is to ensure that all of these pieces are properly in place and constantly reevaluated.

A New York Times report this week highlighted a gaping hole in one of these layers—we still have no system in place to verify whether foreign visitors have left this country. Congress and DHS have known about this hole. In March, Secretary Napolitano joined me for a tour of one of the nation's top airport terror targets: Los Angeles International Airport, part of which is in my Congressional District. We walked through customs to observe the collection of foreign visitors' fingerprints upon entry and I pointed out the absence of an exit program. Secretary Napolitano committed her Department to addressing this issue in a timely fashion.

Work is already underway. DHS just completed a pilot project to test exit systems and will soon release a report on their findings. This bill provides \$50 million to put an air exit system in place. It is imperative that DHS do so.

By collecting fingerprints when foreign passengers exit, we can match them with those collected upon entry and cross-check them with a range of databases—from the State Department to the FBI. This isn't just data for the sake of data. It builds situational awareness and makes it easier for terrorism investigators to connect the “dots.” This kind of capability is a vital tool in the ongoing struggle to prevent the next attack on American soil.

It's true that our intelligence and law enforcement agencies successfully thwarted recent plots, but that's no guarantee that they'll detect the next plot. A biometric system will provide them with better information that can more quickly identify potential threats. Four of the 9/11 hijackers overstayed their visas. It is exactly this type of thing that exit data will help us detect.

I would also like to thank the Conferees for including a 1-year waiver of the port security grant matching requirement. Since 2006, the SAFE Port Act has provided hundreds of millions of dollars to secure U.S. ports. But tough financial times—and a decline in shipping—have made it difficult for ports to meet the 25

percent cost-sharing requirement. Officials at the Ports of Los Angeles and Long Beach have repeatedly told me just how burdensome the requirement is. It creates a disincentive for ports to apply for grants, without which fund vital efforts to mitigate threats cannot be funded.

Mr. HOLT. Madam Speaker, I rise in support of this bill.

The Department of Homeland Security Appropriations Act for 2010 continues to fund a series of important public safety and disaster preparedness initiatives. To help us better protect our borders, the bill provides \$3.587 billion, \$86 million above 2009, to fully support 20,163 Border Patrol agents—which has expanded by 6,000 since 2006. The bill also provides \$373.7 million, \$73.7 million above 2009, for the US-VISIT program. US-VISIT uses biometrics to track the entry of visitors to the United States. The bill directs that a total of \$50 million be used to implement a biometric air exit capability so that we can determine if individuals have overstayed their visas.

Ensuring that 100 percent of air cargo is screened for explosives is essential to our efforts to thwart future terrorist attacks. To that end, the bill provides \$122.8 million, including \$3.5 million above the budget request for 50 additional inspectors to ensure compliance with the 100 percent screening mandate set for August 2010 in the 9/11 Act. Regarding rail security, the bill builds on my previous work by providing \$300 million to protect critical transit infrastructure, including freight rail, Amtrak and ferry systems in high-threat areas. I remain very concerned that Amtrak in particular has been extremely slow to make the kind of security upgrades that are necessary to make the system less vulnerable to the kinds of attacks that killed so many in Madrid, London, and Mumbai over the last 5 years, and I will continue to press Amtrak officials to quickly implement security improvements for the system.

I am also pleased that some key needs in my district are being met in this bill. The Township of Old Bridge will receive \$500,000 to upgrade its emergency communications system, and the City of Trenton will receive \$300,000 to help protect its water filtration plant from periodic Delaware River floods. Even as we take measures to protect our country and communities from potential terrorist attacks, it's important to remember that the most common calamities that strike our towns come from nature and other sources. We must ensure that our communities are prepared to meet the full range of threats they may face.

I am disappointed that this bill allows the Secretary of Defense to withhold indefinitely from public release photographs of potential detainee abuse by U.S. government personnel. The assumption underlying this provision is that the release of the photographs would lead to increased violence against U.S. government personnel (civilian and military) overseas in the Middle East and southwest Asia. I would respectfully submit that our repeated mistargeting of civilians in Afghanistan and Pakistan, along with our continuing and expanding military presence in Afghanistan, provide our enemies with far better recruiting tools than the photographs in question might ever provide.

I regret that the conferees did not direct the Attorney General to review the photos to determine if any do in fact show evidence of violations of either domestic or international law

with respect to the treatment of detainees. Using one law to shield from disclosure information that might be prosecutable under another law undermines the very foundation of our legal system and sends a clear signal to the world that we will cast aside our obligations under international law if it is politically expedient for us to do so. The best way we can protect our soldiers and civilians working overseas is to show that we will not tolerate the abuse of other human beings in our custody and that we will not hide our complicity in such acts behind politically expedient legal contortions.

Despite this serious flaw in the bill, I will support it and urge my colleagues to do likewise.

Mr. VAN HOLLEN. Madam Speaker, I stand in support of H.R. 2892, the Homeland Security Appropriations Act of 2010. This conference report represents Congress' commitment to partnering with State and local authorities to meet the homeland security challenges of the nation.

State and local emergency managers and first responders are the country's front line defense in times of crisis. Whenever ordinary Americans find themselves in harm's way, State and local authorities are often first on the scene. Not only does the bill provide almost \$4 billion for grants to assist State and local governments with emergency planning and equipment, the bill provides an additional \$3.9 billion in grants for high-risk urban areas like the National Capital region for mass transit security, and fire and rescue programs. This conference report recognizes State and local governments as full and equal partners in the effort to protect American citizens by helping ensure that they have the tools they need to get the job done.

The bill also provides important support for key elements of the domestic and international transportation, maritime and cyber security defenses of the country. The bill contains funding to update and maintain airport baggage handling and electronic cargo inspection systems in the Nation's air and sea ports; the bill helps protect Americans and American ships abroad with funding for U.S. Coast Guard operations; and the bill includes \$397 million in funding for cyber security efforts to protect the nation's cyber infrastructure against unauthorized access.

Americans turn to first responders and emergency managers for help in a crisis. This bill helps ensure that the resources are there when they are needed. I encourage my colleagues to join me in support of the 2010 Homeland Security Appropriations Act.

The SPEAKER pro tempore. The gentleman's time has expired.

Pursuant to House Resolution 829, the previous question is ordered on the conference report.

MOTION TO RECOMMIT

Mr. ROGERS of Kentucky. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ROGERS of Kentucky. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ROGERS of Kentucky moves to recommit the conference report accompanying the

bill H.R. 2892 to the committee of conference with instructions to the managers on the part of the House to not agree to any language allowing a detainee held at Guantanamo Bay, Cuba to be brought to the United States for prosecution or incarceration.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. ROGERS of Kentucky. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on adoption of the conference report; and motion to suspend the rules on H.R. 2423.

The vote was taken by electronic device, and there were—yeas 193, nays 224, not voting 15, as follows:

[Roll No. 783]

YEAS—193

Aderholt	Flake	Marchant
Adler (NJ)	Fleming	McCarthy (CA)
Akin	Forbes	McCaul
Alexander	Fortenberry	McClintock
Altmire	Poster	McCotter
Austria	Foxo	McHenry
Bachmann	Franks (AZ)	McIntyre
Bachus	Frelinghuysen	McKeon
Barrett (SC)	Gallely	McMahon
Barrow	Garrett (NJ)	McMorris
Bartlett	Gerlach	Rodgers
Barton (TX)	Gingrey (GA)	McNerney
Biggart	Gohmert	Mica
Bilbray	Goodlatte	Miller (FL)
Bilirakis	Granger	Miller (MI)
Bishop (UT)	Graves	Miller, Gary
Blackburn	Griffith	Mitchell
Boehner	Guthrie	Moran (KS)
Bonner	Hall (NY)	Murphy, Tim
Bono Mack	Harper	Myrick
Boozman	Hastings (WA)	Neugebauer
Boren	Heller	Nunes
Boustany	Hensarling	Olson
Brady (TX)	Herger	Paulsen
Bright	Hersteth Sandlin	Pence
Broun (GA)	Hodes	Peters
Brown (SC)	Hoekstra	Petri
Brown-Waite,	Holden	Pitts
Ginny	Hunter	Platts
Buchanan	Inglis	Poe (TX)
Burgess	Issa	Posey
Burton (IN)	Jenkins	Price (GA)
Buyer	Johnson (IL)	Putnam
Calvert	Johnson, Sam	Rehberg
Camp	Jones	Reichert
Campbell	Jordan (OH)	Roe (TN)
Cantor	King (IA)	Rogers (AL)
Capito	King (NY)	Rogers (KY)
Cassidy	Kingston	Rogers (MI)
Castle	Kirk	Rohrabacher
Chaffetz	Kirkpatrick (AZ)	Rooney
Childers	Kline (MN)	Ros-Lehtinen
Coble	Kratovil	Roskam
Coffman (CO)	Lamborn	Royce
Cole	Lance	Ryan (WI)
Conaway	Latham	Schmidt
Crenshaw	LaTourette	Sensenbrenner
Culberson	Latta	Sessions
Davis (AL)	Lee (NY)	Shadegg
Davis (KY)	Lewis (CA)	Shea-Porter
Deal (GA)	Linder	Shimkus
Dent	LoBiondo	Shuster
Diaz-Balart, L.	Lucas	Simpson
Diaz-Balart, M.	Luetkemeyer	Smith (NE)
Donnelly (IN)	Lummis	Smith (NJ)
Dreier	Lungren, Daniel	Smith (TX)
Duncan	E.	Souder
Ehlers	Mack	Space
Fallin	Manzullo	Stearns

Sullivan	Tiberi
Taylor	Turner
Teague	Upton
Terry	Walden
Thompson (PA)	Wamp
Thornberry	Westmoreland
Tiahrt	Whitfield

Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—224

Abercrombie	Gutierrez	Ortiz
Ackerman	Halvorson	Pallone
Andrews	Hare	Pascarell
Arcuri	Harman	Pastor (AZ)
Baca	Hastings (FL)	Paul
Baird	Heinrich	Payne
Baldwin	Higgins	Perlmutter
Bean	Hill	Perrillo
Becerra	Himes	Peterson
Berkley	Hinchee	Pingree (ME)
Berman	Hinojosa	Polis (CO)
Berry	Hirono	Pomeroy
Bishop (GA)	Holt	Price (NC)
Bishop (NY)	Honda	Quigley
Blumenauer	Hoyer	Rahall
Bocchieri	Inslee	Rangel
Boswell	Israel	Reyes
Boucher	Jackson (IL)	Richardson
Brady (PA)	Jackson-Lee	Rodriguez
Bralley (IA)	(TX)	Ross
Brown, Corrine	Johnson (GA)	Rothman (NJ)
Butterfield	Johnson, E. B.	Roybal-Allard
Capps	Kagen	Ruppersberger
Capuano	Kanjorski	Rush
Cardoza	Kaptur	Salazar
Carnahan	Kennedy	Sánchez, Linda
Carson (IN)	Kildee	T.
Castor (FL)	Kilpatrick (MI)	Sanchez, Loretta
Chandler	Kilroy	Sarbanes
Chu	Kind	Schakowsky
Clarke	Kissell	Schauer
Clay	Klein (FL)	Schiff
Cleaver	Kosmas	Schrader
Clyburn	Kucinich	Schwartz
Cohen	Langevin	Scott (GA)
Connolly (VA)	Larsen (WA)	Scott (VA)
Conyers	Larson (CT)	Serrano
Cooper	Lee (CA)	Sestak
Costa	Levin	Sherman
Costello	Lewis (GA)	Shuler
Courtney	Lipinski	Sires
Crowley	Loebsock	Skelton
Cuellar	Lofgren, Zoe	Slaughter
Cummings	Lowey	Smith (WA)
Dahlkemper	Lujan	Snyder
Davis (CA)	Lynch	Speier
Davis (IL)	Maffei	Spratt
Davis (TN)	Maloney	Stark
DeFazio	Markey (CO)	Stupak
DeGette	Markey (MA)	Sutton
Delahunt	Marshall	Tanner
DeLauro	Massa	Thompson (CA)
Dicks	Matheson	Thompson (MS)
Dingell	Matsui	Tierney
Doggett	McCarthy (NY)	Titus
Doyle	McDermott	Tonko
Driehaus	McGovern	Towns
Edwards (MD)	Meek (FL)	Tsongas
Edwards (TX)	Meeks (NY)	Van Hollen
Ellison	Michaud	Velázquez
Ellsworth	Miller (NC)	Visclosky
Engel	Miller, George	Walz
Eshoo	Moore (KS)	Wasserman
Etheridge	Moore (WI)	Schultz
Farr	Moran (VA)	Waters
Fattah	Murphy (CT)	Watson
Filner	Murphy (NY)	Watt
Frank (MA)	Murphy, Patrick	Waxman
Fudge	Murtha	Weiner
Giffords	Nadler (NY)	Welch
Gonzalez	Napolitano	Wexler
Gordon (TN)	Neal (MA)	Wilson (OH)
Grayson	Nye	Woolsey
Green, Al	Oberstar	Yu
Green, Gene	Obey	Yarmuth
Grijalva	Olver	

NOT VOTING—15

Blunt	Emerson	Mollohan
Boyd	Hall (TX)	Radanovich
Cao	McCollum	Ryan (OH)
Carney	Melancon	Scalise
Carter	Minnick	Schock

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1314

Messrs. RUSH, GENE GREEN of Texas, SCOTT of Georgia, WU, COURTNEY, HINCHEY, Ms. SUTTON, Ms. MOORE of Wisconsin and Ms. CLARKE changed their vote from “yea” to “nay.”

Messrs. COFFMAN, TERRY, CAMP, WALDEN, ROSKAM and CANTOR changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINNICK. Madam Speaker, on rollcall No. 783, I was caught in traffic returning from a lunch at I and 18th Street, NW. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to 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 307, nays 114, not voting 11, as follows:

[Roll No. 784]

YEAS—307

Abercrombie	Crowley	Himes
Ackerman	Cuellar	Hinchev
Aderholt	Cummings	Hinojosa
Adler (NJ)	Dahlkemper	Hirono
Alexander	Davis (AL)	Hodes
Altmire	Davis (CA)	Holden
Andrews	Davis (IL)	Holt
Arcuri	Davis (TN)	Honda
Austria	DeFazio	Hoyer
Baca	DeGette	Inslee
Baird	DeLauro	Israel
Baldwin	Dent	Jackson (IL)
Barrow	Diaz-Balart, L.	Jackson-Lee
Bean	Diaz-Balart, M.	(TX)
Becerra	Dicks	Jenkins
Berkley	Dingell	Johnson (GA)
Berman	Doggett	Johnson, E. B.
Berry	Donnelly (IN)	Kagen
Biggert	Doyle	Kanjorski
Billray	Driehaus	Kaptur
Bilirakis	Edwards (MD)	Kennedy
Bishop (GA)	Edwards (TX)	Kildee
Bishop (NY)	Ellison	Kilpatrick (MI)
Blumenauer	Ellsworth	Kilroy
Boccheri	Engel	Kind
Bonner	Eshoo	King (NY)
Boren	Etheridge	Kirk
Boswell	Farr	Kirkpatrick (AZ)
Boucher	Fattah	Kissell
Boustany	Filner	Klein (FL)
Brady (PA)	Fleming	Kosmas
Braley (IA)	Forbes	Kratovil
Bright	Fortenberry	Kucinich
Brown, Corrine	Foster	Lance
Brown-Waite,	Frank (MA)	Langevin
Ginny	Frelinghuysen	Larsen (WA)
Buchanan	Fudge	Larson (CT)
Butterfield	Gallely	Latham
Camp	Garrett (NJ)	LaTourette
Capito	Gerlach	Lee (CA)
Capps	Giffords	Lee (NY)
Capuano	Gonzalez	Levin
Cardoza	Gordon (TN)	Lewis (GA)
Carnahan	Grayson	Lipinski
Carson (IN)	Green, Al	LoBiondo
Cassidy	Green, Gene	Loebsack
Castor (FL)	Griffith	Lofgren, Zoe
Chandler	Grijalva	Lowey
Childers	Hall (NY)	Luetkemeyer
Chu	Halvorson	Lujan
Clarke	Hare	Lynch
Clay	Harman	Maffei
Cleaver	Harper	Maloney
Clyburn	Hastings (FL)	Manzullo
Cohen	Hastings (WA)	Markey (CO)
Connolly (VA)	Heinrich	Markey (MA)
Conyers	Heller	Marshall
Cooper	Herseth Sandlin	Massa
Costa	Higgins	Matheson
Courtney	Hill	Matsui

McCarthy (NY)	Platts	Smith (NJ)
McCaul	Pomeroy	Smith (TX)
McCotter	Price (NC)	Smith (WA)
McDermott	Quigley	Snyder
McGovern	Rahall	Space
McIntyre	Rangel	Speier
McMahon	Reichert	Spratt
McMorris	Reyes	Stupak
Rodgers	Richardson	Sutton
McNerney	Rodriguez	Tanner
Meek (FL)	Rogers (AL)	Taylor
Meeks (NY)	Rogers (KY)	Teague
Michaud	Rogers (MI)	Terry
Miller (MI)	Rohrabacher	Thompson (CA)
Miller (NC)	Ros-Lehtinen	Thompson (MS)
Miller, Gary	Ross	Tiberi
Miller, George	Rothman (NJ)	Tierney
Minnick	Roybal-Allard	Titus
Mitchell	Ruppersberger	Tonko
Moore (KS)	Rush	Towns
Moore (WI)	Ryan (OH)	Tsongas
Moran (VA)	Salazar	Upton
Murphy (CT)	Sanchez, Linda	Van Hollen
Murphy (NY)	T.	Visclosky
Murphy, Patrick	Sanchez, Loretta	Walden
Murtha	Sarbanes	Walz
Nadler (NY)	Schakowsky	Wasserman
Napolitano	Schauer	Schultz
Neal (MA)	Schiff	Waters
Nye	Schock	Watson
Oberstar	Schrader	Watt
Obey	Schwartz	Waxman
Oliver	Scott (GA)	Weiner
Ortiz	Scott (VA)	Welch
Pallone	Serrano	Wexler
Pascarell	Sestak	Whitfield
Pastor (AZ)	Shea-Porter	Wilson (OH)
Payne	Sherman	Wittman
Perlmutter	Shimkus	Wolf
Perriello	Shuler	Woolsey
Peters	Sires	Wu
Peterson	Skelton	Yarmuth
Pingree (ME)	Slaughter	Young (AK)
Pitts	Smith (NE)	Young (FL)

NAYS—114

Akin	Franks (AZ)	Myrick
Bachmann	Gingery (GA)	Neugebauer
Bachus	Gohmert	Nunes
Barrett (SC)	Goodlatte	Olson
Bartlett	Granger	Paul
Barton (TX)	Graves	Paulsen
Bishop (UT)	Guthrie	Pence
Blackburn	Gutierrez	Petri
Boehner	Hensarling	Poe (TX)
Bono Mack	Herger	Polis (CO)
Boozman	Hoekstra	Posey
Brady (TX)	Hunter	Price (GA)
Broun (GA)	Inglis	Putnam
Brown (SC)	Issa	Rehberg
Burgess	Johnson (IL)	Roe (TN)
Burton (IN)	Johnson, Sam	Ronney
Buyer	Jones	Rooney
Calvert	Jordan (OH)	Roskam
Campbell	King (IA)	Royce
Cantor	Kingston	Ryan (WI)
Carter	Kline (MN)	Schmidt
Castle	Lamborn	Sensenbrenner
Chaffetz	Latta	Sessions
Coble	Lewis (CA)	Shadegg
Coffman (CO)	Linder	Shuster
Cole	Lucas	Simpson
Conaway	Lummis	Souder
Costello	Lungren, Daniel	Stark
Crenshaw	E.	Stearns
Culberson	Mack	Sullivan
Davis (KY)	Marchant	Thompson (PA)
Deal (GA)	McCarthy (CA)	Thornberry
Delahunt	McClintock	Tiahrt
Dreier	McHenry	Turner
Duncan	McKeon	Velazquez
Ehlers	Mica	Wamp
Fallin	Miller (FL)	Westmoreland
Flake	Moran (KS)	Wilson (SC)
Foxx	Murphy, Tim	

NOT VOTING—11

Blunt	Emerson	Mollohan
Boyd	Hall (TX)	Radanovich
Cao	McColum	Scalise
Carney	Melancon	

□ 1321

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2423, 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 Hawaii (Ms. HIRONO) that the House suspend the rules and pass the bill, H.R. 2423, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 785]

YEAS—421

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

Johnson, Sam	Miller, Gary	Schmidt
Jones	Miller, George	Schock
Jordan (OH)	Minnick	Schrader
Kagen	Mitchell	Schwartz
Kanjorski	Moore (KS)	Scott (GA)
Kaptur	Moore (WI)	Scott (VA)
Kennedy	Moran (KS)	Sensenbrenner
Kildee	Moran (VA)	Serrano
Kilpatrick (MI)	Murphy (CT)	Sessions
Kilroy	Murphy (NY)	Sestak
Kind	Murphy, Patrick	Shadegg
King (IA)	Murphy, Tim	Shea-Porter
King (NY)	Murtha	Sherman
Kingston	Myrick	Shimkus
Kirk	Nadler (NY)	Shuler
Kirkpatrick (AZ)	Napolitano	Shuster
Kissell	Neal (MA)	Simpson
Klein (FL)	Neugebauer	Sires
Kline (MN)	Nunes	Skelton
Kosmas	Nye	Slaughter
Kratovil	Oberstar	Smith (NE)
Kucinich	Obey	Smith (NJ)
Lamborn	Olson	Smith (TX)
Lance	Olver	Smith (WA)
Langevin	Ortiz	Snyder
Larsen (WA)	Pallone	Souder
Larson (CT)	Pascrell	Space
Latham	Pastor (AZ)	Speier
LaTourette	Paul	Spratt
Latta	Paulsen	Stark
Lee (CA)	Payne	Stearns
Lee (NY)	Pence	Stupak
Levin	Perlmutter	Sullivan
Lewis (CA)	Perriello	Sutton
Lewis (GA)	Peters	Tanner
Linder	Peterson	Taylor
Lipinski	Petri	Teague
LoBiondo	Pingree (ME)	Terry
Loebsock	Pitts	Thompson (CA)
Lofgren, Zoe	Platts	Thompson (MS)
Lowey	Poe (TX)	Thompson (PA)
Lucas	Polis (CO)	Thornberry
Luetkemeyer	Pomeroy	Tiahrt
Lujan	Posey	Tiberi
Lummis	Price (GA)	Tierney
Lungren, Daniel E.	Price (NC)	Titus
Lynch	Putnam	Tonko
Mack	Quigley	Towns
Maffei	Rahall	Tsongas
Maloney	Rangel	Turner
Manzullo	Rehberg	Upton
Marchant	Reichert	Van Hollen
Markey (CO)	Reyes	Velázquez
Markey (MA)	Richardson	Visclosky
Marshall	Rodriguez	Walden
Massa	Roe (TN)	Walz
Matheson	Rogers (AL)	Wamp
Matsui	Rogers (KY)	Wasserman
McCarthy (CA)	Rogers (MI)	Schultz
McCarthy (NY)	Rohrabacher	Waters
McCaul	Rooney	Watson
McClintock	Ros-Lehtinen	Watt
McCotter	Roskam	Waxman
McDermott	Ross	Weiner
McGovern	Rothman (NJ)	Welch
McHenry	Roybal-Allard	Westmoreland
McIntyre	Royce	Wexler
McKeon	Ruppersberger	Whitfield
McMahon	Rush	Wilson (OH)
McMorris	Ryan (OH)	Wilson (SC)
Rodgers	Ryan (WI)	Wittman
McNerney	Salazar	Wolf
Meek (FL)	Sánchez, Linda T.	Woolsey
Meeks (NY)	Sánchez, Loretta	Wu
Mica	Sarbanes	Yarmuth
Michaud	Schakowsky	Young (AK)
Miller (MI)	Schauer	Young (FL)
Miller (NC)	Schiff	

NOT VOTING—11

Boyd	Hall (TX)	Mollohan
Cao	McCollum	Radanovich
Carney	Melancon	Scalise
Emerson	Miller (FL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1329

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.

The title was amended so as to read: "A bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the 'George P. Kazen Federal Building and United States Courthouse'."

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2442, BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Ms. MATSUI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 830 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 830

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

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

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

I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 830.

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

There was no objection.

Ms. MATSUI. Madam Speaker, H. Res. 830 provides for consideration of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

□ 1330

The rule provides 1 hour of general debate, controlled by the Committee on Natural Resources. The rule makes two small changes clarifying the funding in the bill is subject to appropriations and making a purely technical correction to the section numbering in

the bill. The rule also provides one motion to recommit with or without instructions.

Madam Speaker, I first want to thank Chairman MILLER and Chairman STARK, as well as Representatives ESHOO, HONDA, WOOLSEY, MCNERNEY, LOFGREN, NAPOLITANO, and SPEIER, for their work on this bill and efforts to address the Bay Area waters' needs.

I also commend Senators FEINSTEIN and BOXER for introducing identical legislation in the Senate and their leadership on this issue.

As the elected Representative from Sacramento, and as a farmer's daughter from the Central Valley, I understand that water is critical to our State's economy and our way of life. After 3 years of drought, pumping restrictions and lost jobs from the valley to the coast, there is no doubt that improving the capability of water recycling will help address these problems and lessen the burden on the bay-delta ecosystem.

While recycling is not the only way to meet the Bay Area and California's water requirements, it must be part of our comprehensive solution. Effective water use will help keep California's agricultural water economy strong and the delta healthy, and ensure that the needs of northern California businesses, farmers and residents are not ignored.

Under the Title 16 water recycling program, H.R. 2442, would authorize six additional water recycling projects for the Bay Area that would provide 7.2 million gallons of water daily and serve more than 24,000 households. Collectively, these projects will save 2.6 billion gallons of water per year in the region, offering a new water supply of treated wastewater for industrial and irrigation use.

Specifically, the Bay Area Regional Water Recycling Program Expansion Act would authorize \$38 million in Federal assistance under the Interior Department's Bureau of Reclamation for the design, planning, and construction of these new water projects. It would also expand the authorization for two existing projects.

H.R. 2442 would stipulate that the Federal share of the cost of the projects not exceed 25 percent of the total cost and bars the Department from funding operation or maintenance of the projects. It is important to note that this legislation has been endorsed by the Association of California Water Agencies, commonly called ACWA, which includes every major agricultural and urban water agency in the State and represents the largest coalition of public water agencies nationwide.

Additionally, the WaterReuse Foundation, which serves more than 180 public water agencies, cities and major engineering and technology firms, has urged that we move expeditiously on the bill. These groups understand that no one wins when these kinds of local projects are held hostage because of

disputes over the operation of Federal water projects.

We all know that there are some serious concerns about the water crisis in California. I was back home in my district over the weekend, Madam Speaker, and everyone at home was talking about a water deal trying to be negotiated by the legislature and the Governor.

From local and State levels all the way here to Washington, there are a number of different ideas about how to address our water issues in California. Some of them I prefer more than others, and some of them are preferred more than others by my colleagues on the other side of the aisle.

But one thing is for sure: limiting our State's water supply by holding up recycling projects like those in this bill will not solve anything. In fact, it will only prolong our collective efforts to seek solutions to California's water problems.

For these reasons, I strongly support the rule and the underlying legislation, and I urge my colleagues to do the same.

Madam Speaker, again, I want to thank Mr. MILLER and the committee for their work on this bill.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I would like to thank my friend, the gentlewoman from California (Ms. MATSUI), for the time.

I yield myself such time as I may consume.

Madam Speaker, the House considered, under suspension of the rules, H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009. But the bill failed to get the necessary two-thirds to pass.

The reason that bill failed was not because Members objected to the substance of the legislation, but because the majority leadership brought forth the underlying legislation that provides water projects for the San Francisco area for consideration by the House while blocking the House from debating the desperate need for water in another part of California, the San Joaquin Valley.

On numerous occasions, my colleague from California, Mr. DEVIN NUNES, has submitted amendments to the Rules Committee so that those amendments could be debated and voted on by the full House. His amendments would restrict the implementation of the December 15, 2008, biological opinion issued by the U.S. Fish and Wildlife Service and the June 4, 2009, biological opinion issued by the National Marine Fisheries Service. However, the majority on the Rules Committee routinely blocked consideration of the amendments, twice on the Interior appropriations bill and three times on the Energy and Water appropriations bill.

The reason Mr. NUNES has so steadfastly sought to have the House debate the restriction on those two opinions is that they have diverted water from the San Joaquin Valley, practically turning that area into a dust bowl.

Madam Speaker, why should Congress be concerned with what may look like a simple water issue? The valley is home to a \$20 billion crop industry, and the region produces more in agricultural sales than any other State in the country. It can be argued that no agricultural area in the country is more productive and is, therefore, more important to our Nation's food security. If we continue to allow the diversion of water from the valley, food prices are going to increase; and we are also going to put our food security, national security in jeopardy.

According to a recent University of California Davis study, the water reductions have led to revenue losses of over \$2 billion, and this year will lead to 80,000 jobs lost. The area now has an unemployment rate of about 20 percent. Some of its communities have an unemployment rate of nearly 40 percent.

Today, the majority comes to the floor with a rule that the House will once again consider the Bay Area Regional Water Recycling Program Expansion Act without giving the House the opportunity to consider amendments, including those proposed by Mr. NUNES. That is most unfortunate.

It is time that the House be given the opportunity to debate the San Joaquin Valley water issue.

I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, I yield 2 minutes to the gentlewoman from California, a member of the Natural Resources Committee, Mrs. NAPOLITANO.

Mrs. NAPOLITANO. Thank you, Ms. MATSUI.

Madam Speaker, I rise today in strong support of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009. The bill has received extensive review and bipartisan approval from the Subcommittee of Water and Power and was reported on a bipartisan basis favorably from the Natural Resources Committee.

I listened to my colleague, as I am also a Californian, I listened to my colleague on the other side, Mr. DIAZ-BALART, talk about the billions of dollars. Yes, there is a great need of assistance to the Central Valley, but it's not all the San Joaquin.

The fact that the dam is wanting to be pushed forth, I agree. We need additional storage, but right now you need immediate results and water recycling is one of the tools that you need.

H.R. 2442 provides new water to the Bay Area in California. The recycling projects authorized will provide, as Ms. MATSUI pointed out, 2.6 billion gallons of water annually, enough to meet the needs of 24,000 families. Why do we stand against water for other areas? All of us need additional water in California.

Water is life. As we all are very well aware, the drought in California has taken a terrible toll on jobs all over the State, the economy and the envi-

ronment of the Central Valley in California in particular. At a time when our Nation needs leadership and options to meet our water requirements, H.R. 2442 provides a tool to create more water for the Bay Area and, in the process, reduce the amount of water imported from the Sacramento and delta area.

This bill, and the projects it authorizes, will immediately address California's water crisis through local action and provide economic relief through job creation. It will not solve California's water crisis, as Ms. MATSUI pointed out. However, it does provide a valuable and important tool.

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

Ms. MATSUI. I yield the gentlewoman an additional 30 seconds.

Mrs. NAPOLITANO. It does provide a valuable and important tool to stretch the existing water supply and address the critical water issues of our State. I urge strongly a "yes" vote and encourage all Members to support this legislation. Water for our Nation is critical for all of our citizens and we, as legislative leaders, have to provide for solutions.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 3 minutes to my friend from California (Mr. NUNES).

Mr. NUNES. I thank my good friend from Florida.

Madam Speaker, this water crisis has been created by the government. This bill that's on the floor today provides water for San Francisco. I would love for San Francisco to have water.

But in the grand scheme of things, this is a 2-billion gallon project. We are losing 200 billion gallons out to the ocean because we simply won't let the pumps run at historical levels.

This is a closed rule. It never should have been a closed rule, and we need to find out why is it that the majority keeps closing down these rules.

□ 1345

I think we may be getting close to the answer if we look back at a few things that were said a couple weeks ago at a public event at the Department of Interior. The distinguished chairman, who is the sponsor of the bill, the distinguished chairman of the Education Committee, took credit for the lawsuits that turned the pumps off. I was not quite sure which lawsuits he had brought forward, but he said, I don't think I have lost many lawsuits in court over the last 10 or 15 years.

Now, I did some research. I wasn't sure what lawsuits the distinguished chairman had brought forward. So it made me believe, well, maybe there is some coordination going on between the left-wing radicals and the fringe environmental movement, and how is that being coordinated from this body. These are questions that we need to know about.

So the shocking admission of coordination between the Democrats in the

House and radical environmentalists deserves our attention, and I want to ask a few questions that I hope can be answered at some point by some committee in this Congress.

The first is, how much money is going to fund these organizations? Several billion dollars have been paid out to these fringe environmental groups that continue to bring these lawsuits forward, taxpayer dollars funding shutting off water to people.

Another question that needs to be answered: the bureaucrats at the government agencies, such as the National Marine Fisheries Service, are they involved? Have these radical groups been coordinating with the scientists and biologists over at the National Marine Fisheries Service? Because nobody in their right mind would say that these pumps are resulting in the death of killer whales. It is not believable.

Another question we need to figure out is the water czar that the Department of Interior has appointed, that President Obama has appointed, has been active with these special interests in the past at the highest levels. He has served on their boards, and he has given them money. Are there more people at Interior that are involved with these biologists that are coming up with these plans and helping these environmental groups bring these lawsuits that the taxpayers are paying for?

This is a closed rule. It is a California water issue here, to provide water for San Francisco; yet we can't even debate or have an amendment to provide water to the bulk of California.

So we need to get to the bottom of this. Hopefully we will turn down this rule, vote it down, so that we can allow the real issues to be debated.

Vote "no" on this resolution.

Ms. MATSUI. Madam Speaker, before I yield to the next speaker, I just want to say that I know that my colleague on the other side of the aisle is upset because his amendment that was offered in the Rules Committee was not allowed on the floor. The fact is his amendment was not germane to the underlying bill and not related to water recycling.

Blaming the Endangered Species Act by waiving it for 2 years to prevent implementation of certain biological opinions will not put his constituents back to work. More importantly, such an initiative would not turn on the water pumps for the Central Valley.

To address the drought—the real cause of the water shortage in the region and the State—we must work collectively toward a solution.

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. COSTA).

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

Mr. COSTA. I thank my colleague.

Madam Speaker, I rise today to oppose H.R. 2442, the rule that we are speaking on, the Bay Area Regional

Water Recycling Program Expansion Act of 2009. While this measure by Congressman MILLER has merit, there are plenty of meritorious water projects and bills that we have repeatedly tried to bring to the floor to help those of us where the drought is most expansive in the San Joaquin Valley, and unfortunately, they have been ignored.

Unfortunately, yesterday I learned that H.R. 2442 was reported out of the Rules Committee with a closed rule, and therefore, no amendments would be allowed. I oppose this rule because we need every opportunity to offer amendments and to vote on legislation that will bring water to our farmers, our farmworkers, our farm communities and our valley in the middle of this drought crisis.

My district is ground zero for this crisis. Towns from Mendota to Delano have 35 percent and more unemployment. There is no water, there is no jobs, there is no money for our farms and farmworkers to put food on their tables. Can you imagine what it would be like if you lived in a community where a third or more of your citizens had no jobs?

In the 1990s, I was working with many of those water districts, farmers, and urban and environmental groups to pass legislation that would help fix California's broken water system. Unfortunately, we made little progress.

We tried to establish a water ethos that we would all get healthy together again. Clearly, we are not getting healthy in the valley. Our valley agriculture provides half the Nation's fruits and vegetables, and they are withering and dying out. Millions of acre-feet of water have been diverted from the valley, and unfortunately, the fisheries are not improving.

It is incumbent upon this body to come together and help us fix this problem. If we expect to get healthy again, we must secure a sustainable water supply for every region of California, and for Congressmen CARDOZA, RADANOVICH and myself, that begins with the San Joaquin valley.

Let us start anew. Let us start with leadership focusing on addressing California's water crisis in the valley and not shying away from this crisis.

Congressman CARDOZA agrees with my statement.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 3 minutes to my friend from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank the gentleman for yielding.

You know, I am a native Californian, born in Los Angeles. In fact, I am a fourth-generation Californian. My family was a Gold Rush family in 1849. If you look back in the history of California for those 160 years, it has always been about water, where there is water. Where we could get water in California there are jobs, there is growth, there is prosperity, there is opportunity. When we didn't bring water to places in California, we didn't have those things.

So this debate we are having now is not new for our State, but it is important for our State, and I understand why my colleagues from the Bay Area want this recycling program. As has been mentioned, that is not really the issue here.

As my colleague Mr. MILLER and I have discussed, in Orange County, where I come from, we have some of the world's leading recycling programs. They work, they are effective, and we ought to do more of them in other places. But what we are talking about here is that there are other places where we need water in California.

Now, I don't represent the Central Valley, but the Central Valley is the breadbasket of California, arguably of the country. There are jobs disappearing and there are businesses disappearing and there are farms disappearing, because of a man-made water crisis. It is not because of a drought. It is not because the water isn't available. It is because we won't turn on some pumps 12 months a year to provide the water to those farmers so they can grow food for us and for the world, to create jobs, and to feed Americans and generate export for our economy. The water provided by those pumps, 25 percent of the water in southern California and the L.A. area also comes from the Sacramento River Delta where those pumps come from.

The travesty of this bill is not what is in it; it is what is not in it. And what could have been in it is the opportunity to turn on those pumps, which have been 12 months a year for over 50 years.

It is not like this is a new idea or new environment. It is to get that water for San Francisco, and that is great. But let's get water for the Central Valley and the farmers in California, and let's get water for southern California as well. Let's not just deal with one part of the State. Let's deal with the whole State.

So, Madam Speaker, I would ask that we reject this rule because of what it doesn't have. Let's give the Central Valley a chance. We need jobs. We need economic activity. Turn those pumps on. Turn this rule down.

Ms. MATSUI. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. GEORGE MILLER), the sponsor of this legislation.

Mr. GEORGE MILLER of California. Madam Speaker, I rise in strong support of the rule and the underlying legislation, and I want to thank Ms. MATSUI, Ms. SLAUGHTER, and the entire Rules Committee for their support.

Today's bill responds to a request for assistance from the State of California and local water managers to expand the supply of water in our drought-stricken State. It does no more than that. It is good for our economy. This bill will create thousands of jobs. It will reduce the stress on our oversubscribed fresh water system. This bill expands the water supply of six Bay Area communities, including my own congressional district.

This bill authorizes additional water recycling through the successful Bureau of Reclamation's title XVI program. Title XVI allows local water managers to treat wastewater and use the clean recycled water for other purposes within their jurisdiction. This bill would add 7.2 million gallons of water per day to California's water supply, enough water to meet the needs of 24,000 households.

My bill is one of a series of water recycling bills that have been approved by the House this year and in recent years to expand the water supply in Republican and Democratic districts alike throughout the West and the Southwest. They have been passed without controversy, without amendment, without debate on the larger California water policy needs.

This year alone the House has passed by voice vote and overwhelming majorities five local water bills the same as this legislation to provide for this recycling and this reuse. Why has the House done that? Because across the State of California, the water users in that State recognize the extent to which we can recycle and reuse water. We take immediate pressure off of the entire California water system, both the Federal system and the State system.

This is an investment in which there is unanimity that it must be made. When you talk about doing this, you are talking about helping the Central Valley, because you release the pressure. When you do this, you are talking about helping the Delta.

Clearly the cities, the agencies in southern California, believe this is important to their future. That is why the cities have put up the money to match the Federal effort. That is why my colleagues from both sides of the aisle have come forward and asked for this legislation. That is why they have been approved overwhelmingly on a unanimous bipartisan basis, because they are critical to the long-term water needs.

You cannot help the Central Valley if you cannot relieve the stress on an oversubscribed system. It is just that fact. The pumps are on. The pumps have been on for months. But what they would suggest you do is, you devastate the San Francisco Bay Area. We have already lost tens of thousands of jobs, from the fisheries, from the ice stores, from the gas stations, from the tourist businesses, from the loss of the salmon running from Monterey, the midcoast, all the way up to the Washington border. Those jobs have been impacted.

This is not a good situation. That is why I said I haven't lost many lawsuits that I have supported. The point was to check your guns at the door and see if we could work together. And this has agreement—it has unanimous agreement of the water agencies across the State that this is helpful. This will make a difference. That is why they have supported all these projects.

We can start to work together, water agencies that today are down at the Department of the Interior trying to see if we could get things done that the last administration prohibited the Bureau of Reclamation from doing, such as entering new fish screens within the Delta that we think will save 250,000 acre-feet of water. 250,000. Does that sound familiar in the valley?

But the last administration would not let the Bureau of Reclamation take those projects, even though they would be paid for by State funds. That is the importance of this legislation. This is about whether or not we as a State come together from the Oregon border to the Mexican border and solve this problem across all of our needs, which is agriculture, which is business, which is municipal use of water.

We have the potential to do that, and these pieces of legislation are critical. That is why, up until now, the House decided on a joint bipartisan basis that we would get these bills as fast as we can to the Senate and hopefully get action and get these projects underway, because the cities have already put up the money, the engineering is done, the projects are cleared. That is why many of them were eligible for stimulus money, because they are ready to go. They have been waiting to go. They have been waiting, in fact in many cases a number of years, because the administration wouldn't put up the money until the stimulus bill of this year.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to my friend from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. I thank my friend from Florida.

As I listen to my colleague from California, I rise opposed to this rule. You cannot bring water to California when you bring another closed rule to the floor. You cannot bring debate to the floor when you don't allow amendments.

Madam Speaker, the people of the Central Valley are being crushed with record unemployment from a man-made drought, from 14 percent to over 40 percent. Plain and simple, the majority that runs this House is failing to fix this problem. Jobs are being lost because the pumps were shut off.

At a time of crisis, when there is no excuse for partisanship, some appear to be playing partisan games at the expense of people's livelihoods. Instead of coming together as Republicans, Democrats and Independents, the solution to get the water flowing sits behind post office bills and this bill that would recycle water for use in San Francisco Bay.

I ask this simple question: why are we failing to take up a needed bill to turn the pumps on to get the water flowing again? This is not a liberal, conservative or moderate issue. This is a commonsense issue.

Madam Speaker, President Franklin Delano Roosevelt once said the Nation

that destroys its soil destroys itself. Well, the pumps are off, the pipes are dry, the land is no longer able to produce, and the soil is being destroyed. How do you bring water to California with a closed rule? How do you sit on this floor and say you are bringing all these bills up for water but you deny the Valley, you deny the breadbasket and you deny the ability for the pumps to be turned on?

I ask for a "no" vote on the rule.

□ 1400

Ms. MATSUI. Madam Speaker, I just want to remind everyone here that earlier this year several other local water measures were resoundingly approved by the House. They include the South Orange County Recycled Water Enhancement Act, which was in Representative CALVERT's district; the Lake Hodges Surface Water Improvement Act in Representative BILBRAY's district; the Magna Water District Reuse and Groundwater Recharge Act in Representative CHAFFETZ' district of Utah; the Calleguas Municipal Water District Recycling project in Representative GALLEGLY's district; the Hermiston water recycling and reuse project, Representative WALDEN of Oregon; the Tule River Tribe Water Development Act in Representative NUNES' district.

Until it was caught up in partisanship, H.R. 2442 would have followed the same procedure. H.R. 2442 is no different than any of these bills. What is different is politics.

I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to my friend from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I'm here standing in support of Congressman NUNES and the California delegation that has spoken against this rule and for water for the valley. And as I watched this debate unfold here on the floor, something about the depth of the emotion in the voice and in the eyes of DEVIN NUNES told me I needed to go see for myself, Mr. Speaker.

So in late August, I went down to the Fresno area and traveled the valley—most of the valley, not all of the valley—and I looked at 250,000 acres of man-made dust. And I know there are at least 600,000 acres of man-made drought in that Central Valley area, and then I went up to San Francisco with a heavy heart. And I can tell you what I saw when I looked at that dust in the valley. I felt like that Indian in the commercial that saw his river full of junk and tires and the tear trickled down his cheek to think that man could do that to man. And they're watering the lawns in San Francisco while we have a man-made drought and they're taking out dead trees from orchards in California in the valley.

I also led a codel to go look at the swamp Arabs in Iraq, and there, Saddam Hussein, years ago we'll know, decided that he didn't like the politics of the people in the south, the Shias in

the south that lived in that swamp, and so he shut off and diverted the Tigris and Euphrates Rivers and shut off the water and dried out the swamp Arabs in the south. And I visited that area. It was a political decision and a man-made drought for the swamp Arabs in Iraq, and we're quite proud that we sent our American military in to turn on that water and reflood that swamp and give them back the lifeblood of the people in southern Iraq on the delta area there.

Here, we have the valley, and this is a battle going on between San Francisco, the urban areas in California, and the most productive area in the world. And I'm from Iowa and I'm saying this. The most dollars per acre produced out of the valley of anyplace in the world, and we have a man-made drought. We're watering lawns in San Francisco and diverting more water to San Franciscans, who didn't look to me like they were very dry, and throwing dust in the face of the hardworking people in the valley.

I can't believe we can have a man-made tragedy of this magnitude and we're told, check your guns at the door. Check your guns at the door when the cards are dealt, and we have a closed rule that shuts off any debate other than on the rule itself, no amendments allowed, no vote being able to be forced. We can't shape policy in this Congress if it's being shaped up there in the hole in the wall.

I want to bring that debate down to the floor. And if you at least have enough courage to ask for an open rule and allow some amendments so the Members of this Congress can weigh in, then the people of the country can weigh in and they can have their voice heard. We can turn on the water.

This is not about the minnow you'll find and other species. It's about a fight over the water. But a man-made drought and 600,000 acres, 40,000 jobs lost, shut off the water to the swamp Arabs, shut them off to the people down in the Central Valley. It is heart-breaking, Mr. Speaker, and this has got to stop. The voice of the people needs to be heard.

Ms. MATSUI. Mr. Speaker, let me just say that five amendments were submitted to the Rules Committee for this bill. All five were nongermane. Not a single amendment would be allowed on this floor under an open rule.

I reserve my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SERRANO). The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it's my pleasure to yield 5 minutes to my friend from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I rise to strongly oppose this

rule. As a former member of the Rules Committee, and currently as the ranking member of the House Natural Resources Committee, I want to address several arguments that have been made that try to justify blocking amendments to provide relief for tens of thousands of suffering people suffering an economic disaster in the San Joaquin Valley as a result of a man-made and government-enforced drought.

First, I want to specifically dispel the notion that allowing the House to vote on relief to these suffering communities wasn't possible because amendments were nongermane. Mr. Speaker, it is entirely within the power of the House Rules Committee to allow debate on any amendment that it wishes and, conversely, to shut down debate on any amendment they do not want to see discussed on the House floor. The Rules Committee does, can, and regularly does, waive the germaneness rule. It simply refused to do so on this matter because the Democrat leadership of this House doesn't wish to have this matter, this matter of the man-made drought in the San Joaquin Valley, debated or discussed on the House floor. Any notion, any notion, Mr. Speaker, that they couldn't allow these amendments even 10 minutes of debate time followed by a vote is simply not true.

So let's be clear about what we're debating here. The underlying bill relates to Federal water recycling projects in the San Francisco Bay Area of California. The amendments not made in order relate to Federal water supply and a man-made drought in the San Joaquin Valley in California. This is hardly a case of mixing apples and oranges. The truth is that the Democrat-controlled Rules Committee chose to hand a shiny red apple to the San Francisco Bay Area and give a giant raspberry to the people in the San Joaquin Valley.

The other argument I wish to address and dispel is that the drought in California is an issue only for those in California to resolve. Mr. Speaker, if this House can debate and vote on a bill to provide millions of taxpayer dollars, Federal taxpayer dollars, for water projects in the San Francisco Bay Area, then this House can certainly debate and vote on providing relief to farmers and farmworkers that are denied Federal water by Federal lawsuits and Federal policies, again, in the San Joaquin Valley of California. This isn't a case of having your cake and eat it, too. It's a matter of water for San Francisco and none for the San Joaquin Valley.

Lastly, to the argument this is a California issue for Californians to resolve, I will note that the votes in the Rules Committee to block the amendments from being heard were by a margin of six "no" and five "yes." All four Republicans voted to allow the amendments to be heard on the floor, as did Mr. CARDOZA from California, and a Democrat, but not one single one of Mr. CARDOZA's Democrat colleagues

joined him. We were told this is a California matter, and yet relief for the San Joaquin Valley is denied because of the votes of Democrats on the Rules Committee from New York, Massachusetts, Florida, Maine, and Colorado, who all voted "no" to block discussion of these amendments on the House floor.

The arguments of germaneness and it's a California only matter are simply excuses being used to try to hide the fact that the Democrat leaders who control this House don't want to allow a vote on solutions and provide relief to the tens of thousands of people suffering in the San Joaquin Valley.

Mr. Speaker, I urge my colleagues to vote "no" on this unfair rule.

Ms. MATSUI. Mr. Speaker, we are in a drought. We are in a drought. That's a fact. And this legislation will help ensure that future droughts in California will have less of a damaging impact. When water is used more efficiently, droughts like the one we are currently experiencing become less severe because we have built in defense mechanisms.

We know that the drought, and not the Endangered Species Act or House leadership, is the real reason why so many individuals are suffering in California's Central Valley. In fact, according to Ron Milligan, the U.S. Bureau of Reclamation operations manager for the Central Valley Project, the average delta water exports prior to 2008 were 5.7 million acre-feet. In 2009, the export fell to 3.6 million acre-feet. Of the 2.1 million acre-foot shortfall, 1.6 million is due to the drought. Only 500,000 of the decreased results are from the delta smelt ruling.

If anything, our colleagues who represent that part of the State should support H.R. 2442 as a means of fighting against the drought. They should also support it as a way to increase the amount of water available statewide for local agencies to access.

I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 1½ minute to my friend from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I'm pleased that this bill will apparently benefit people in the San Francisco Bay Area with water. As I understand it, I think we have some leadership on the majority side that is from that area. And that's wonderful that they'll benefit with water, but it is deeply troubling to hear people come to this floor and start trying to blame the past administration for water problems in California.

At what point are people going to acknowledge, you know what? The Democratic majority, we're in the majority as Democrats. We took control over 2½ years ago, and we're responsible here. We have had an opportunity to do something about this for over 2 years, and we have not done anything because the majority leadership has chosen not to do anything.

My friend DEVIN NUNES recruited me over 2 years ago. He had me look at this, and I saw how the smelt were being protected, and that's fine. But the smelt, the 2-inch minnow, while people are starving, the land is starving, the people are starving, they're losing their jobs.

When DEVIN brought this to my attention, it smelt badly back then. It smelt badly a year ago. It's smelt badly all this year, and now, my friends, it stinks. It's time to have open rules that allow us to bring water to everyone who needs it.

Ms. MATSUI. Mr. Speaker, I just want to say that further investing in water recycling is sound public policy. This bill would allow the Bay Area to reuse water. This legislation would not mandate additional water transfers or adversely affect California's Central Valley in any way. H.R. 2442 is a proactive step taken by our delegation to address California's water situation in a positive way.

I'd like to yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy in permitting me to speak on the rule.

I was sitting here waiting to speak on the underlying legislation after the rule is passed because I think it is an important ingredient towards dealing with a serious problem in California that affects us all, but I am compelled to come to the floor to support briefly the rule that is brought before us.

My friend from the other side of the aisle from Texas recently asked, wonders at what point the majority stops blaming the Bush administration. I would hope that at some point the minority looks at a lost decade of Republican stranglehold on reasonable environmental policy, not just for California, but throughout the West, that actually set us back. We're playing catch-up now on things that we should have done for years in water infrastructure and water policy.

□ 1415

Second, the notion that somehow we are wasting water because it flows into the delta and on into the Pacific Ocean, I will tell you, my fishermen in the Pacific Northwest don't think that is a waste. They don't think the smelt—which is a proxy for a collapsing ecosystem that is posing problems throughout the Pacific Northwest on historic fisheries and speaking to other environmental problems—is not a waste.

I find it amusing to hear some people come to the floor and talk about a man-made, government-made drought. For heaven sakes, look at what's happening to the water levels; look at the areas there where they don't even monitor what is happening with groundwater to keep careful control. The California legislature just tied itself into knots unable to advance sensible water policies.

There is a governmental failure all right, a governmental failure that at the Federal Government, the State government, and the local government we haven't dealt meaningfully with these conflicts. Instead we have treated farmers, fishermen, the environment and local communities that rely on these sources, we have treated them shabbily. Well, now with the climate change and persistent drought and the fact that some people aren't going to sit back and take it anymore, it's coming home to roost.

I hope that there is a more spirited and robust discussion about the reality. I hope California gets its act together on a State level.

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

Ms. MATSUI. I yield an additional 30 seconds to the gentleman.

Mr. BLUMENAUER. And I hope that the Federal Government makes up for that lost decade.

We are in a situation now where water is the precious resource for going forward, and what we're seeing here is a blip on the radar screen that is going to be affecting each and every State across the country. We better stop pretending that this drought is somehow government caused. We need to get our act together, get policies in place, protect the environment, be rational and be fair.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to my friend from California (Mr. NUNES).

Mr. NUNES. I thank my friend from Florida.

I just want to make sure that we set the record straight on this salmon fishing issue. A lot of people are probably watching out there and wondering, well, are these salmon fishermen really out of work? The truth is that the salmon fishermen can still fish; they just can't fish for salmon. And that is because the government—us, this body—and others told the fishermen that they cannot fish for salmon. Every other country in the world can fish for salmon, just us.

So not only are we not allowing the salmon fishermen to fish, we are also paying them not to fish; several hundred million dollars we have given the salmon fishermen so that they will not fish for salmon. Meanwhile, we have 40,000 people that are without work, and they get nothing.

So there is no correlation between these pumps that have run for 50 years and salmon fishermen not fishing, except for this: the government says, salmon fishermen, you can't fish for salmon. The government also says, keep the pumps shut off so that people in the San Joaquin Valley don't have any water and can't grow any crops to provide Americans food. So this whole argument about the poor salmon fishermen is complete fiction.

I would like to know where my colleagues were—some of them who were in this body—in the 1980s when they

ran every Portuguese American fisherman out of the San Diego area. There were several thousand mostly Portuguese fishermen, and nobody came to their aid. They fished for tuna. All those jobs were lost to foreign countries. And now all of a sudden we're here and we're worried about salmon fishermen? Bogus, absolutely bogus. Shameful on this body.

Ms. MATSUI. Mr. Speaker, I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, with regard to the issue that's been debated, one thing continues to come to mind: the merits of this issue, this water issue of such importance to people in the San Joaquin Valley in California, have been debated during this rule debate because there is no other option.

The substantive legislation, two amendments that Mr. NUNES came to the Rules Committee and asked to be authorized for debate by the House, they were denied; they were not made in order. So there is no other option but during the time when we are debating the rule, the terms of debate for an underlying bill that will subsequently be debated, this is the only time when Mr. NUNES and the others who know this issue so intimately and feel it, appropriately, so passionately in representation of their constituents, it's the only opportunity that they have to be able to bring out the issue, to educate us. And it's a shame because the Congress as a whole, the House as a whole, should be able to debate this issue and consider it and decide it.

Mr. Speaker, over the last few months, the American people have written and called many of us and made their opinions known at meetings asking us whether we pledge to read bills before we vote on them. The reason is that many people were outraged when they found out that the majority leadership forced the Congress to vote on a number of sweeping and very expensive bills without giving Members time to understand or even to read the bills.

For example, we were forced to vote on the final so-called stimulus bill and on the omnibus appropriations bill, and on a cap-and-trade bill. I remember that one was presented to us at three in the morning in the Rules Committee, and a few hours after that we had it here on the floor. All those bills were passed without Members being able to read them, having time to do so. That's no way to run the House, and so our constituents are rightfully upset.

You would think that this issue of sufficient time to read legislation should not be controversial. The distinguished Speaker stated, and I quote, "Members should have at least 24 hours to examine bills and conference reports before floor consideration," and yet that has not been the case time after time after time.

So 182 Members have signed a discharge petition at the front desk that

would require all legislation to be available to Members of Congress for at least 72 hours before the legislation is brought to the House floor for a vote.

So, accordingly, I will be asking for a “no” vote on the previous question so we can amend the rule and allow the House to consider that legislation, House Resolution 544, a bipartisan bill by my friends and colleagues, Representatives BAIRD and CULBERSON.

Now, with regard to any Members being concerned that that may jeopardize consideration of the underlying legislation, I want to make it clear that this motion provides for separate consideration of the Baird-Culberson bill within 3 days so that we can vote on this underlying legislation, the water bill, and then once we’re done, consider House Resolution 544.

Having said that, I yield back the balance of my time.

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

The rule before us today is a fair rule that allows us to make a strong Federal commitment to sustaining California’s economy, water supply, and our environment.

This bill was reported unanimously by the National Resources Committee on September 29. It was voted under suspension on September 30. It was introduced in May. There has been ample time for the minority to review this legislation. Now is the time to act on it.

The Bay Area Regional Water Recycling Program Expansion Act would lessen the limited demand for fresh water by the region and the State. It is critical that we avoid partisan debate and disagreements over water issues and pass this legislation.

Moreover, the House has already expedited similar measures for a bipartisan collection of congressional districts across California. The south Orange County recycling project was passed in February in Mr. CALVERT’s district. The Lake Hodges Surface Water improvements was passed in April in Mr. BILBRAY’s district. The Calleguas Municipal Water District recycling initiative was approved in September for Mr. GALLEGLY. The Magna Water District Reuse proposal in Utah was passed for Mr. CHAFFETZ’s district. The Hermiston water recycling and reuse project in Oregon was passed for Mr. WALDEN’s district. And the Tule River Water Development Act was passed by a vote of 417-3 in July for Mr. NUNES’ district.

Mr. Speaker, it is clear that local water projects typically have bipartisan support here in the House of Representatives. I am disappointed that my colleagues on the other side of the aisle have set aside that tradition, forcing us to bring this rule to the floor today.

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

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

AMENDMENT TO H. RES. 830 OFFERED BY MR. DIAZ-BALART

At the end of the resolution, insert the following new section:

SEC. 2. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

(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 defini-

tion of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here’s how the Rules Committee described the rule using information from Congressional Quarterly’s “American Congressional Dictionary”: “If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.”

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 237, nays 178, not voting 17, as follows:

[Roll No. 786]

YEAS—237

Abercrombie	Capps	DeGette
Ackerman	Capuano	Delahunt
Adler (NJ)	Cardoza	DeLauro
Altmire	Carnahan	Dicks
Andrews	Carson (IN)	Dingell
Arcuri	Castor (FL)	Doggett
Baca	Chandler	Donnelly (IN)
Baldwin	Chu	Doyle
Barrow	Clarke	Driehaus
Bean	Clay	Edwards (MD)
Becerra	Clyburn	Edwards (TX)
Berkley	Cohen	Ellison
Berman	Connolly (VA)	Ellsworth
Berry	Conyers	Engel
Bishop (GA)	Cooper	Eshoo
Bishop (NY)	Costello	Etheridge
Blumenauer	Courtney	Farr
Bocciari	Crowley	Fattah
Boren	Cuellar	Filner
Boswell	Cummings	Foster
Boucher	Dahlkemper	Frank (MA)
Brady (PA)	Davis (AL)	Fudge
Braley (IA)	Davis (CA)	Giffords
Bright	Davis (IL)	Gonzalez
Brown, Corrine	Davis (TN)	Gordon (TN)
Butterfield	DeFazio	Grayson

Green, Al	Markey (CO)	Rush	Paul	Ros-Lehtinen	Terry	Lewis (GA)	Obey	Sestak
Green, Gene	Markey (MA)	Ryan (OH)	Paulsen	Roskam	Thompson (PA)	Lipinski	Ortiz	Shea-Porter
Griffith	Marshall	Salazar	Pence	Royce	Thornberry	Loeb	Pallone	Sherman
Grijalva	Massa	Sánchez, Linda	Petri	Ryan (WI)	Tiahrt	Lofgren, Zoe	Pascrell	Sires
Gutierrez	Matheson	T.	Pitts	Schmidt	Tiberi	Lowey	Pastor (AZ)	Skelton
Hall (NY)	Matsui	Sanchez, Loretta	Platts	Schock	Turner	Luján	Payne	Slaughter
Halvorson	McCarthy (NY)	Sarbanes	Poe (TX)	Sensenbrenner	Upton	Lynch	Perlmutter	Snyder
Hare	McDermott	Schakowsky	Posey	Sessions	Walden	Maffei	Perriello	Space
Harman	McGovern	Schauer	Price (GA)	Shadegg	Wamp	Maloney	Peters	Speier
Hastings (FL)	McIntyre	Schiff	Putnam	Shimkus	Westmoreland	Markey (CO)	Pingree (ME)	Spratt
Heinrich	McMahon	Schrader	Rehberg	Shuster	Whitfield	Markey (MA)	Polis (CO)	Stark
Herse	McNerney	Schwartz	Reichert	Simpson	Wilson (SC)	Marshall	Pomeroy	Stupak
Higgins	Meek (FL)	Schwartz	Roe (TN)	Smith (NE)	Wittman	Massa	Price (NC)	Sutton
Himes	Meeks (NY)	Scott (GA)	Rogers (AL)	Smith (NJ)	Wolf	Matheson	Quigley	Teague
Hinche	Michaud	Scott (VA)	Rogers (KY)	Smith (TX)	Young (AK)	Matsui	Rahall	Thompson (CA)
Hinojosa	Miller (NC)	Serrano	Rogers (MI)	Souder	Young (FL)	McCarthy (NY)	Rangel	Thompson (MS)
Hirono	Miller, George	Sestak	Rohrabacher	Stearns		McDermott	Reyes	Tierney
Hodes	Mitchell	Shea-Porter	Rooney	Sullivan		McGovern	Richardson	Titus
Holden	Moore (WI)	Sherman				McIntyre	Rodriguez	Tonko
Holt	Moran (VA)	Shuler				McMahon	Rothman (NJ)	Towns
Honda	Murphy (CT)	Sires	Boyd	Hall (TX)	Radanovich	McNerney	Roybal-Allard	Towns
Hoyer	Murphy (NY)	Skelton	Cao	Johnson (GA)	Scalise	Meek (FL)	Ruppersberger	Tsongas
Inslie	Murphy, Patrick	Slaughter	Carney	Kind	Smith (WA)	Meeks (NY)	Rush	Van Hollen
Israel	Murtha	Snyder	Cleaver	McCollum	Wasserman	Michaud	Ryan (OH)	Velázquez
Jackson (IL)	Nadler (NY)	Space	Deal (GA)	Melancon	Schultz	Miller (NC)	Salazar	Visclosky
Jackson-Lee	Napolitano	Speier	Emerson	Mollohan	Waters	Miller, George	Sánchez, Linda	Walz
(TX)	Neal (MA)	Spratt				Mitchell	T.	Watson
Johnson, E. B.	Nye	Stark				Moore (WI)	Sanchez, Loretta	Watt
Kagen	Oberstar	Stupak				Moran (VA)	Sarbanes	Waxman
Kanjorski	Obey	Sutton				Murphy (CT)	Schakowsky	Weiner
Kaptur	Oliver	Tanner				Murphy, Patrick	Schauer	Welch
Kennedy	Ortiz	Taylor				Murtha	Schiff	Wexler
Kildee	Pallone	Teague				Nadler (NY)	Schrader	Wilson (OH)
Kilpatrick (MI)	Pascrell	Thompson (CA)				Napolitano	Schwartz	Woolsey
Kilroy	Pastor (AZ)	Thompson (MS)				Neal (MA)	Scott (GA)	Wu
Kirkpatrick (AZ)	Payne	Tierney				Nye	Scott (VA)	Yarmuth
Kissell	Perlmutter	Titus				Oberstar	Serrano	
Klein (FL)	Perriello	Tonko						
Kosmas	Peters	Towns						
Kucinich	Peterson	Tsongas						
Langevin	Pingree (ME)	Van Hollen						
Larsen (WA)	Polis (CO)	Velázquez						
Larson (CT)	Pomeroy	Visclosky						
Lee (CA)	Price (NC)	Walz						
Levin	Quigley	Watson						
Lewis (GA)	Rahall	Watt						
Lipinski	Rangel	Waxman						
Loeb	Reyes	Weiner						
Lofgren, Zoe	Richardson	Welch						
Lowey	Rodriguez	Wexler						
Luján	Ross	Wilson (OH)						
Lynch	Rothman (NJ)	Woolsey						
Maffei	Roybal-Allard	Wu						
Maloney	Ruppersberger	Yarmuth						

## NAYS—178

Aderholt	Conaway	King (IA)
Akin	Costa	King (NY)
Alexander	Crenshaw	Kingston
Austria	Culberson	Kirk
Bachmann	Davis (KY)	Kline (MN)
Bachus	Dent	Kratovil
Baird	Diaz-Balart, L.	Lamborn
Barrett (SC)	Diaz-Balart, M.	Lance
Bartlett	Dreier	Latham
Barton (TX)	Duncan	LaTourette
Biggart	Ehlers	Latta
Bilbray	Fallin	Lee (NY)
Bilirakis	Flake	Lewis (CA)
Bishop (UT)	Fleming	Linder
Blackburn	Forbes	LoBiondo
Blunt	Fortenberry	Lucas
Boehner	Fox	Luetkemeyer
Bonner	Franks (AZ)	Lummis
Bono Mack	Frelinghuysen	Lungren, Daniel
Boozman	Gallely	E.
Boustany	Garrett (NJ)	Mack
Brady (TX)	Gerlach	Manzullo
Broun (GA)	Gingrey (GA)	Marchant
Brown (SC)	Gohmert	McCarthy (CA)
Brown-Waite,	Goodlatte	McCaul
Ginny	Granger	McClintock
Buchanan	Graves	McCotter
Burgess	Guthrie	McHenry
Burton (IN)	Harper	McKeon
Buyer	Hastings (WA)	McMorris
Calvert	Heller	Rodgers
Camp	Hensarling	
Campbell	Herger	Mica
Cantor	Hill	Miller (FL)
Capito	Hoekstra	Miller (MI)
Carter	Hunter	Miller, Gary
Cassidy	Inglis	Minnick
Castle	Issa	Moore (KS)
Chaffetz	Jenkins	Moran (KS)
Childers	Johnson (IL)	Murphy, Tim
Coble	Johnson, Sam	Myrick
Coffman (CO)	Jones	Neugebauer
Cole	Jordan (OH)	Nunes
		Olson

## NOT VOTING—17

Boyd  
Cao  
Carney  
Cleaver  
Deal (GA)  
Emerson

Hall (TX)  
Johnson (GA)  
Kind  
McCollum  
Melancon  
Mollohan

Radanovich  
Scalise  
Smith (WA)  
Wasserman  
Schultz  
Waters

Radanovich  
Scalise  
Smith (WA)  
Wasserman  
Schultz  
Waters

□ 1453

Messrs. CHILDERS and GOODLATTE changed their vote from “yea” to “nay.”

Messrs. TANNER and WELCH changed their vote from “nay” to “yea.”

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 yeas appeared to have it.

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

The yeas and nays were ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 193, not voting 18, as follows:

[Roll No. 787]

YEAS—221

Abercrombie	Crowley	Hare
Ackerman	Cuellar	Harman
Adler (NJ)	Cummings	Hastings (FL)
Andrews	Dahlkemper	Heinrich
Arcuri	Davis (AL)	Higgins
Baca	Davis (CA)	Himes
Baird	Davis (IL)	Hinche
Baldwin	DeFazio	Hinojosa
Bean	DeGette	Hirono
Becerra	Delahunt	Hodes
Berkley	DeLauro	Holden
Berman	Dicks	Holt
Berry	Dingell	Honda
Bishop (GA)	Doggett	Hoyer
Bishop (NY)	Donnelly (IN)	Inslie
Blumenauer	Doyle	Israel
Boccheri	Driehaus	Jackson (IL)
Boucher	Edwards (MD)	Jackson-Lee
Brady (PA)	Edwards (TX)	(TX)
Braley (IA)	Ellison	Johnson, E. B.
Brown, Corrine	Engel	Kagen
Butterfield	Eshol	Kanjorski
Capps	Etheridge	Kaptur
Capuano	Farr	Kennedy
Carnahan	Fattah	Kildee
Carson (IN)	Filner	Kilpatrick (MI)
Castor (FL)	Frank (MA)	Kilroy
Chandler	Fudge	Kind
Chu	Giffords	Kirkpatrick (AZ)
Clarke	Gonzalez	Kissell
Clay	Gordon (TN)	Klein (FL)
Clyburn	Grayson	Kosmas
Cohen	Green, Al	Kucinich
Connolly (VA)	Green, Gene	Langevin
Conyers	Grijalva	Larsen (WA)
Cooper	Gutierrez	Larson (CT)
Costello	Hall (NY)	Lee (CA)
Courtney	Halvorson	Levin

## NAYS—193

Aderholt	Ellsworth	McClintock
Akin	Fallin	McCotter
Alexander	Flake	McHenry
Altmire	Fleming	McKeon
Austria	Forbes	McMorris
Bachmann	Fortenberry	Rodgers
Bachus	Foster	Mica
Barrett (SC)	Fox	Miller (FL)
Barrow	Franks (AZ)	Miller (MI)
Bartlett	Frelinghuysen	Miller, Gary
Barton (TX)	Gallely	Minnick
Biggart	Garrett (NJ)	Moore (KS)
Bilbray	Gerlach	Moran (KS)
Bilirakis	Gingrey (GA)	Murphy (NY)
Bishop (UT)	Gohmert	Murphy, Tim
Blackburn	Goodlatte	Myrick
Blunt	Granger	Neugebauer
Boehner	Graves	Nunes
Bonner	Griffith	Olson
Bono Mack	Guthrie	Paul
Boozman	Harper	Paulsen
Boustany	Hastings (WA)	Pence
Brady (TX)	Heller	Peterson
Bright	Hensarling	Petri
Broun (GA)	Herse	Pitts
Brown (SC)	Hill	Platts
Brown-Waite,	Hoekstra	Poe (TX)
Ginny	Hunter	Possey
Buchanan	Inglis	Price (GA)
Burgess	Issa	Putnam
Burton (IN)	Jenkins	Rehberg
Buyer	Johanson (IL)	Reichert
Calvert	Johnson, Sam	Roe (TN)
Camp	Jones	Rogers (AL)
Campbell	Jordan (OH)	Rogers (KY)
Cantor	King (IA)	Rogers (MI)
Capito	King (NY)	Rohrabacher
Cardoza	Kingston	Rooney
Carter	Kirk	Ros-Lehtinen
Cassidy	Kline (MN)	Roskam
Castle	Kratovil	Ross
Chaffetz	Lamborn	Royce
Childers	Lance	Ryan (WI)
Coble	Latham	Schmidt
Coffman (CO)	LaTourette	Schock
Cole	Latta	Sensenbrenner
	Lee (NY)	Sessions
	Lewis (CA)	Shadegg
	Linder	Shimkus
	LoBiondo	Shuler
	Lucas	Shuster
	Luetkemeyer	Simpson
	Lummis	Smith (NE)
	Lungren, Daniel	Smith (NJ)
	E.	Smith (TX)
	Mack	Souder
	Manzullo	Stearns
	Marchant	Sullivan
	McCarthy (CA)	Tanner
	McCaul	Taylor

Terry	Upton	Wittman
Thompson (PA)	Walden	Wolf
Thornberry	Wamp	Young (AK)
Tiahrt	Westmoreland	Young (FL)
Tiberi	Whitfield	
Turner	Wilson (SC)	

Ms. McCOLLUM, Minnesota  
Mr. CARNAHAN, Missouri

FURTHER MESSAGE FROM THE  
SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3183) "An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes."

NOT VOTING—18

Boyd	Herger	Scalise
Cao	Johnson (GA)	Smith (WA)
Carney	McCullum	Wasserman
Cleaver	Melancon	Schultz
Deal (GA)	Mollohan	Waters
Emerson	Olver	
Hall (TX)	Radanovich	

□ 1501

Ms. LORETTA SANCHEZ of California and Mr. DONNELLY of Indiana 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.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 1989

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent to remove as cosponsors from H.R. 1989 the following Representatives: Mr. BARTLETT, Mr. BILBRAY, Mr. LATTA and Mr. SOUDER. The SPEAKER pro tempore (Mr. DRIEHAUS). Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 3413

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent to remove as cosponsors from H.R. 3413 the following Representatives: Mr. AL GREEN of Texas and Ms. JENKINS. The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore. Pursuant to 10 U.S.C. 4355(a), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Military Academy:  
Mr. LEWIS, California  
Mr. SHIMKUS, Illinois

APPOINTMENT OF MEMBERS TO NATIONAL COUNCIL ON THE ARTS

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 955(b), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the National Council on the Arts:

BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Mr. GEORGE MILLER of California. Mr. Speaker, pursuant to House Resolution 830, I call up the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill. The SPEAKER pro tempore. Pursuant to House Resolution 830, the amendment printed in House Report 111-301 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2442

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bay Area Regional Water Recycling Program Expansion Act of 2009".

SEC. 2. PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by adding at the end the following:

"SEC. 16. CCCSD-CONCORD RECYCLED WATER PROJECT.

"(a) AUTHORIZATION.—The Secretary, in cooperation with the Central Contra Costa Sanitary District, California, is authorized to participate in the design, planning, and construction of recycled water distribution systems.

"(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

"(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,800,000.

"SEC. 16. CENTRAL DUBLIN RECYCLED WATER DISTRIBUTION AND RETROFIT PROJECT.

"(a) AUTHORIZATION.—The Secretary, in cooperation with the Dublin San Ramon Services District, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

"(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

"(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,150,000.

"SEC. 16. PETALUMA RECYCLED WATER PROJECT, PHASES 2A, 2B, AND 3.

"(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Petaluma, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

"(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

"(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$6,000,000.

"SEC. 16. CENTRAL REDWOOD CITY RECYCLED WATER PROJECT.

"(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Redwood City, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

"(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

"(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$8,000,000.

"SEC. 16. PALO ALTO RECYCLED WATER PIPE-LINE PROJECT.

"(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Palo Alto, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

"(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

"(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$8,250,000.

"SEC. 16. IRONHOUSE SANITARY DISTRICT (ISD) ANTIOCH RECYCLED WATER PROJECT.

"(a) AUTHORIZATION.—The Secretary, in cooperation with the Ironhouse Sanitary District (ISD), California, is authorized to participate in the design, planning, and construction of recycled water distribution systems.

"(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

"(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$7,000,000."

(b) PROJECT IMPLEMENTATION.—In carrying out sections 1642 through 1648 of the Reclamation Wastewater and Groundwater

Study and Facilities Act, and the sections added to such Act by subsection (a), the Secretary shall enter into individual agreements with the San Francisco Bay Area Regional Water Recycling implementing agencies to fund the projects through the Bay Area Clean Water Agencies (BACWA) or its successor, and shall include in such agreements a provision for the reimbursement of construction costs, including those construction costs incurred prior to the enactment of this Act, subject to appropriations made available for the Federal share of the project under sections 1642 through 1648 of the Reclamation Wastewater and Groundwater Study and Facilities Act and the sections added to such Act by subsection (a).

(c) CLERICAL AMENDMENTS.—The table of contents of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. prec. 371) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by adding at the end the following:

- “Sec. 1649. CCCSD-Concord recycled water project.  
 “Sec. 1650. Central Dublin recycled water distribution and retrofit project.  
 “Sec. 1651. Petaluma recycled water project, phases 2a, 2b, and 3.  
 “Sec. 1652. Central Redwood City recycled water project.  
 “Sec. 1653. Palo Alto recycled water pipeline project.  
 “Sec. 1654. Ironhouse Sanitary District (ISD) Antioch recycled water project.”.

### SEC. 3. MODIFICATION TO AUTHORIZED PROJECTS.

(a) ANTIOCH RECYCLED WATER PROJECT.—Section 1644(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h-27) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by striking “\$2,250,000” and inserting “\$3,125,000”.

(b) SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY.—Section 1648(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h-31) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by striking “\$8,250,000” and inserting “\$13,250,000”.

The SPEAKER pro tempore. The gentleman from California (Mr. GEORGE MILLER) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2442.

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

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the chairman of the Natural Resources Committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I wish to, in the very beginning, commend the gentleman from California, the chairman of our Committee on Education and Labor, Mr. GEORGE MILLER, for the

tremendous leadership, dedication, persistence and patience with which he has handled the pending legislation. I wish to also commend our distinguished chairlady of our Subcommittee on Water on our Natural Resources Committee, the gentlelady from California, Mrs. GRACE NAPOLITANO.

I do rise in my capacity as chairman of the Committee on Natural Resources to support the pending legislation which was favorably reported out of our committee without controversy.

By now, I would think that most of us are aware that there are major issues associated with drought and agriculture in California. While the rainy season has hit parts of the State, it will do little to refill reservoirs that haven't seen normal level of rainfall for years. The impacts of the drought are obvious, whether we're talking about brown lawns, fallowed fields or increased water rates for struggling families.

To address this dire situation, the pending measure is based on the practical idea of conservation through reuse. By recycling water, this bill would create 39,000 acre-feet of water or enough water to supply over 24,000 homes. We're bringing this legislation up under a rule today because a very vocal minority opposed this bill for reasons unrelated to the merits of the legislation.

I'm fortunate to come from a State with abundant water resources. I understand how water is critical for both people and our economy. What I do not understand is why some Members on the other side want to use this bill as a strawman so they can demagogue Democrats on the drought issue.

One Republican Member from California in particular filed a number of amendments that are very good at generating headlines and controversy. Unfortunately, the amendments were not germane to the subject matter of the bill before us, nor are they very thoughtful or realistic solutions to the crisis before us.

Opposition to this legislation is like cutting off one's nose to spite one's face. Water supply issues in California are not a zero sum game. Creating more water through reuse in urbanized areas reduces pressure on water demands elsewhere in the State. If opponents to this legislation want to work towards solving California's water woes, then I suggest getting real about finding solutions and stop the partisan political attacks.

The bill before us today creates new water resources through reuse. We have brought up bill after bill doing the same thing before this body without any controversy, including bills for my Republican colleagues in southern California, Utah and Oregon.

The only reason we are here today debating this legislation is because one Member thinks a solution to a severe drought is to gut environmental laws and overturn court decisions. Perhaps that Member should propose a rain dance as well.

So it is time to support H.R. 2442 and move forward with practical solutions for a real drought in California. I urge support of the legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise reluctantly to oppose this bill. I say reluctantly, because I and colleagues on my side of the aisle do support water recycling. We think it's a valuable tool for providing water to our farmers and communities across America, just as water storage is, Mr. Speaker, a tool for providing water for our communities.

Mr. Speaker, the Democrat sponsor of this legislation, and the manager of this bill, the gentleman from California, has said previously, and is correct, that Republican water recycling bills have passed this House. That's correct. The question is, then, why is this bill different?

And the answer, Mr. Speaker, is very simple. When there is an economic disaster occurring in the San Joaquin Valley of California, when man-made and government-enforced drought has dried up farm after farm in that valley, with 40,000 workers unemployed, standing in food lines and being ignored by the leadership in this House, when solutions to bring water and relief to this area have been blocked and stymied again by the leadership in this House, then a point comes, Mr. Speaker, when Members of this House have to say enough is enough.

The water recycling bill before us benefits the San Francisco Bay Area. The Speaker of the House represents the city of San Francisco, and one of her top deputies, who happens to be the sponsor of this bill, is also from the Bay Area.

This bill provides millions of Federal taxpayer dollars for the Bay Area while tens of thousands of their fellow citizens suffer economic devastation just a few hours south and inland in the San Joaquin Valley.

All that was sought by the two Republican Members from the San Joaquin Valley, with the express support, I might add, of one of their Members from California in the same area on the Rules Committee, was to have a chance, just a chance, to make their case on the House floor and to vote for a solution to this disaster in the San Joaquin Valley.

Mr. Speaker, they didn't ask that the amendments that they wanted made in order be passed. They just asked for the ability to be heard so they could persuade others to perhaps vote with them. That is all any of us could ask. Mr. Speaker, that chance has been denied. It has been blocked. Their amendments were deemed nongermane. It has been labeled as irrelevant to the bill before us.

Mr. Speaker, might does not make right when it comes to who controls the House because what the leadership is unwilling to do is potentially provide relief to those that have been hurt by

this man-made drought in the San Joaquin Valley and the policies of this Federal Government.

It has been stated, also, that the drought disaster is a California issue. The implication of that is that this is not of concern to other Americans. Mr. Speaker, that simply is wrong. What is happening in the San Joaquin Valley of California does affect all Americans. If this water recycling bill to benefit the Bay Area is worthy of consideration by the representatives of all 50 States in this House, then so is the drought disaster issue.

Mr. Speaker, if this can happen in California, then what of the farmers in the central Washington district that I represent? Hundreds of thousands of acres of farmland are irrigated in my district with water delivered by Federal pumps and from Federal reservoirs. I do not ever want to see the day that a government-enforced drought devastates these communities that I represent.

This isn't the first instance when Federal policies have threatened to cut off water to tens of thousands of people. Earlier in this decade, the city of Albuquerque, New Mexico, was threatened with the loss of its water supply due to the presence of the silvery minnow. Congress acted rightfully to provide relief to New Mexico when the House and the Senate, in a bipartisan way, voted for a remedy to Albuquerque's problem. Today, unfortunately, there is no relief to come to the San Joaquin Valley as relief did come to those in Albuquerque.

And the relief that is being sought, I might add, Mr. Speaker, is not a bailout. The amendments that were offered simply were a plea, and it was not a plea for stimulus funding or for any money. It was simply for an opportunity to allow the Federal Government to provide for water flow. It didn't cost anything. But yet it was not given an opportunity.

So, Mr. Speaker, if the House is going to provide authorization to spend tens of millions of taxpayer dollars to provide recycled water to the Francisco Bay Area, then this House should be voting on legislation that brings relief to Californians suffering from this devastating man-made drought.

□ 1515

Mr. Speaker, it's on these grounds, even though I support the concept of water recycling, it's on these grounds that I have to stand here and urge a "no" vote on this bill.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 3 minutes for the purposes of entering into a colloquy with the gentlewoman from California (Mrs. NAPOLITANO), the chairwoman of the Subcommittee on Water and Power.

Madam Chair, I appreciate your support for my legislation for helping to expand California's water supply. Is it true when the House considered the

water recycling bill for Mr. GALLEGLY of California just last month no amendments were sought by the minority and none were included, in his water recycling bill, and that was approved by a voice vote?

Mrs. NAPOLITANO. The gentleman is correct. The water recycling bill for California for Mr. GALLEGLY was approved by a voice vote by the House last month, and no amendments were asked for and none were included.

Mr. GEORGE MILLER of California. Madam Chair, is it also true that so far this year the House has approved five water recycling or water reuse bills for Members of the minority party and that no amendments at that time were sought for any of those five bills, that those five water bills were each approved under suspension of the rules, either by a voice vote or by a substantial majority vote?

Mrs. NAPOLITANO. Again, the gentleman is correct. So far this year the House has approved five water bills, all for recycling or water reuse for Members of the minority party, and no amendments were offered by the minority or the majority to any of those five bills which, by the way, were Mr. ISSA, Mrs. BONO MACK, Mr. CALVERT, Mr. CHAFFETZ, and Mr. DREIER; and they were approved by a voice vote or by substantial majorities.

Mr. GEORGE MILLER of California. I thank the gentlewoman.

Madam Chair, if I can pursue further, finally, is it true that when my bill, H.R. 2442, was considered by the Water and Power Subcommittee in the full Natural Resources Committee earlier this year, no amendments were offered by the minority or the majority and the bill was reported out by unanimous consent?

Mrs. NAPOLITANO. True, the gentleman is again correct. H.R. 2442 was approved by unanimous consent, and no amendments were offered by the minority or the majority.

Mr. GEORGE MILLER of California. I thank the gentlewoman for engaging me in this colloquy, and I also want to thank her for her groundbreaking work in bringing water recycling and reuse to the forefront of the consideration by the Bureau of Reclamation as an important source of new water in California and throughout the west and southwestern United States.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California, a former member of the Natural Resources Committee, Mr. CALVERT.

Mr. CALVERT. Mr. Speaker, under normal circumstances, the legislation before us would be approved without much attention or controversy. The bill simply authorizes water recycling projects, which I strongly support.

However, we are not living under normal circumstances. We are living in the midst of a crisis. The ongoing water crisis in California has created an economic downturn up and down the

State. Statewide, the unemployment rate has risen to more than 12 percent. In the Central Valley, regional unemployment has reached 20 percent, with some communities' unemployment now over 40 percent.

California's water crisis is the result of water conditions, on top of the federally imposed pumping restrictions that have been placed on our State's critical water infrastructure. While the water pumping restrictions are undeniably hurting California's water economy, there is no clear evidence that endangered species are actually benefiting from the measures intended to protect them.

The fact remains that the flaws and shortcomings of the Endangered Species Act have tied the hands of judges and water resource planners, creating a man-made drought that is killing jobs in California. So what is the majority of the House doing to address the clear and obvious deficiencies in the Endangered Species Act? The answer is absolutely nothing.

The reality is that the leadership of the House is too afraid to allow an open and free debate on these policies because they know if reasonable people are given a chance, they would overwhelmingly reject failed policies aimed to protect fish and support efforts to give water to people who are struggling just to survive.

There are a number of bills sponsored by Members in the minority that would restore some common sense to our water and environmental policies. Perhaps if the Democratic leadership would allow these bills to come to the floor, legislation like this would be approved without much attention or much controversy.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I listened to my friend from California say that if we would just allow some of these proposals to come to the floor, they would just be approved without any controversy.

I beg to differ. Suspending the Endangered Species Acts, overturning biops, dealing with issues that have been in the works for years to try and balance the equities would be noticed. It's one of the reasons why the Republicans, when they controlled everything for 6 years, didn't move anything remotely like that.

The American public, Native Americans, hunters and fishermen, the fisheries industry, they rely on some semblance of reality when we are dealing with water policy. I commend the gentleman for bringing forward something that is a constructive solution that can pass and isn't going to be tied up in court for years. That's not going to put people out of work. That's, in fact, going to create jobs. It's going to create water. It's going to reduce the pressure.

Instead, we are hearing our friends from the other side of the aisle ignore

the very real problems that we are facing today. This is not a man-made government-enforced drought. The water isn't there. To overturn minimal protections for the environment, for the fisheries in the Pacific Northwest, for people at the end of these rivers is not a solution that's going to restore water that isn't there.

It's not going to help California that's tied in knots. Its legislature can't even deal with meaningful management of its own groundwater. We have a crisis in this country that is man-made and government created, and that is that we haven't been serious about the management of water resources.

This is going to get worse because of climate change, global warming, and extreme weather events. We are going to be facing things like this in the Pacific Northwest with the disappearing snow pack, more strain on reservoirs, more conflict between cities and towns in rural areas, between wildlife and Native Americans.

We have got to get serious. We have to get serious with legislation like this and being realistic about working together to create a framework for dealing with water policy. Let's roll up our sleeves and do that together. In the meantime, let's not demagog important legislation that will make a difference for water in California now, putting people to work and maybe, just maybe, starting an honest conversation about how we are going to deal with a nationwide water crisis.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California, the ranking Republican on the Water and Power Subcommittee of the Natural Resources Committee, Mr. MCCLINTOCK.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, those who blame the drought for our problems ignore the fact that this is a very mild drought by historical standards. In fact, during much more severe droughts than the one we are currently experiencing, far more water flowed to the Central Valley than it does right now.

I wonder if the proponents would seriously deny that 200 billion gallons of water have been diverted from the Central Valley by these regulations. It's morally unconscionable that water recycling bills to benefit the pampered and privileged communities of San Francisco can sail through the House while 40,000 families have lost their jobs in the San Joaquin Valley because this government has diverted 200 billion gallons of water in order to indulge one of the environmental left's pet causes, the delta smelt.

But I would like to address some of the basic economics of these recycling bills. A generation ago the principal objective of our water policy was to create abundance. That was an era when vast reservoirs produced a cornucopia of clean and plentiful water on a

scale so vast that many communities didn't bother to meter it. That clean, cheap, and abundant water also made America the breadbasket of the world and the Central Valley of California the breadbasket of that State.

But the majority party has abandoned that policy. It has replaced it with a very different philosophy that the government's principal focus should not be to produce abundant water, but rather to ration and recycle water shortages that government has caused by abandoning abundance as its primary objective.

The result is increasingly expensive water that now affects our prosperity as a Nation. By its own admission, this administration is no longer analyzing the costs and benefits of projects in the bill now before us. In committee, the administration admitted that it faces a \$600 million backlog of 53 water recycling projects like these and still hasn't bothered to prioritize them, let alone to figure out how to pay for them.

This bill provides a 25 percent Federal match for six local water recycling projects in the San Francisco Bay Area. It increases the maximum Federal cost share for two others.

The total cost to American taxpayers for this bill is \$38 million. According to sponsors, it will produce 2.6 billion gallons of water. That comes to about 8,000 acre feet.

Now, let's do the math here, \$38 million for 8,000 acre feet. That comes to \$4,500 per acre foot. That's just the Federal share. The total cost of these projects is four times that amount, or more than \$18,000 per acre foot.

Now, let's compare that to the capital cost of the nearby Oroville Dam. That was roughly \$600 million in 1968, due to the inflation adjustment. It's \$3.5 billion in today's money. That dam produces 3.5 million acre feet of water.

In other words, the modern-day inflation-adjusted cost of the Oroville Dam, including its massive power plant, comes to about \$1,000 per acre foot. The projects in this bill cost more than \$18,000 per acre foot overall, including \$4,500 per acre foot directly from the national Treasury, which, in case you haven't noticed, is empty.

I raised these issues in committee. I did not actively oppose the bill, because the House has yet to set fiscal standards for recycling measures like this one. It needs to.

But I also must agree with Ranking Member HASTINGS and Congressman NUNES and others that it's a travesty that we should vote for 2.5 billion more gallons of water for San Francisco while taking away 200 billion gallons of water from the Central Valley of California.

At the same time that the Central Valley taxpayers are struggling with up to 40 percent unemployment rates, at the same time that all taxpayers are paying higher grocery bills as a result of these heartless water diversions, those same taxpayers are being asked

to pay a super-premium subsidy to Bay Area water users, whose Representatives have endorsed this folly.

To add insult to injury, Mr. NUNES is not even allowed to offer amendments to restore water deliveries that would mean jobs for 40,000 unemployed California families without costing our Treasury a dime.

For all of those reasons I urge my colleagues to oppose this bill. Not only can we do much better; we could not possibly do any worse.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Speaker and Members, this bill is about freeing up 2.5 million gallons of water per day through recycling, water that would be able to be used throughout the affected areas in California. This reduces water demand for our State, again, 2.5 million gallons a day.

I want to speak to something that was said earlier, and that was that the salmon fishermen in California, the salmon fishing families, were not hurt, and that the claims that they were were bogus.

Mr. Speaker and Members, the salmon fishermen and their families in my district on the north coast of California have been out of work for 3 of the past 4 years, mostly because of illegal biological opinions issued by the past administration.

At the same time, the farmers south of the delta have been receiving disaster funds for their water shortages, \$95 million over the course of the last 2 years. The biological opinions, the illegal biological opinions that I mentioned, helped kill some 80,000 spawning salmon on the Klamath River and decimated the salmon fishery along the Sacramento River. Those fisheries in the Sacramento River saw their salmon populations go from 800,000 to 66,000 in 3 short years.

Mr. Speaker and Members, fishing families have been put out of work in my district and up through and into Oregon. They have lost their homes, they have lost their savings, and they have lost their livelihoods. It's not bogus, and it's shameful to suggest that it is.

The heart of the issue that's here today, the opponents of this bill feel very comfortable choosing one business as more superior to another. The opponents' debate isn't about solutions but rather—

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

Mr. GEORGE MILLER of California. I yield 30 additional seconds to the gentleman.

Mr. THOMPSON. Suggesting that some hardworking farmers are more important and more worthy than hardworking fishermen. That is wrong.

□ 1530

This bill will ultimately conserve 2.5 million gallons of water per day for

drought-stricken California. This is a good idea and it helps bring flexibility to our system.

I want to thank Mr. MILLER for his bill and his effort to address this issue and provide maximum flexibility. I urge my colleagues to vote against the motion to recommit and for the underlying bill.

Mr. HASTINGS of Washington. Mr. Speaker, may I inquire how much time is left on both sides?

The SPEAKER pro tempore. You have 17½ minutes remaining and the majority has 19½ minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from the southern San Joaquin Valley, Mr. MCCARTHY.

Mr. MCCARTHY of California. I thank my dear friend.

Mr. Speaker, as I sit and listen to this debate, I have many colleagues on the other side that happen to be in the majority. They not only show it in committee by the number of one on one side and fewer on the other, but they show it when the bills come to the floor.

The idea that the power of the idea would win at the end of the day doesn't happen here. They go to the Rules Committee and they deny an amendment to even come forward. They do a colloquy on the other side to talk about bills that have been brought up. I would like to see a colloquy that talked about the bills that have been denied.

I come from the Central Valley, where unemployment is double digit. Some cities have 40 percent unemployment. But I don't hear the colloquy from my friends on the other side of the aisle to talk about H.R. 3105, the Turn the Pumps on Act.

You have 200 billion gallons a year being denied to the Central Valley. The party in power shows where their desire is to go, to deny the valley the ability to grow, to deny the valley the ability to go create jobs.

I want to remind my friends on the other side of the aisle when we had the Rules debate of a quote from Franklin Delano Roosevelt. He once said, the Nation that destroys its soil, destroys itself.

The pumps are off, the pipes are dry, the land is no longer able to produce, so the soil is being destroyed. But it does not have to stay that way. Man-made droughts can change. And what the debate today is about and what the passion you feel from this side is, it is not a partisan passion. This is a passion of Independents, a passion of Democrats and a passion of Republicans, that you allow the bills to come to the floor.

I listened to a colleague on the other side of the aisle say, well, these bills will fail. Well, bring them here. You have the power. You have the majority. Do not deny them. Do not deny the amendments. Let the people who have the power of the idea win at the end of the day.

When you talk about a bill that will produce 2.6 billion gallons a year, but you deny bills that provide 200 billion gallons this year for the Central Valley, no longer do you talk of the valley feeding the world; you talk of the valley being dry.

You look at the rallies that are being created and you look at the faces in the rallies. They are a microcosm of America, from every walk of life. They come there with one sign, "Turn the pumps on," and that is our message today. That is our message with this bill, that we have the power to make the decision to get the water pumping again.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, California is in the third year of a drought. The salmon fishers are in the third year of no season. Farmers are hurting, fishermen are hurting. But this bill actually helps that problem.

I come from Silicon Valley, where half of our water comes from the Delta. I have heard the name San Francisco mentioned. They don't get any of their water from the Delta. In fact, they don't have any projects in this bill. But Silicon Valley gets half its water from the Delta, and the projects that will flow to Silicon Valley to reuse the water we have from our groundwater sources are going to free up water for the Delta. It will free up water for the farmers and for the fishermen, and I count that a good thing.

We can get bombastic here, all of us. It hurts us when our constituents are hurt. But it is important to note that this is a solution. This is a solution.

Silicon Valley doesn't have any farmers and it doesn't really have any commercial fishermen. We make chips. We also have double-digit unemployment.

So we all need to pull together here. Silicon Valley is willing to do its part to recycle so the water can flow to those in need.

I would like to just point out that although we all value San Francisco, San Jose has 1 million people, and since San Francisco really isn't part of this bill at all, perhaps we should refer to this as the San Jose Bay Area in the future. The San Jose Bay Area is willing to help out by supporting this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, reference was made as to why we are debating this bill on the floor, which obviously the concept of this bill brings forward water recycling and has broad support in this House. I certainly support that concept. But the inference was made that the only reason we are debating this is because of one Member—they didn't say where he is from, but I assume he is from California—who has been very, very outspoken about the economic disaster that is going on in the San Joaquin Valley of California.

Mr. Speaker, I just want to say that that individual is defending what he

thinks is right for his constituents, and he is doing all the right things within the rules of this House to bring this issue forward so that we can have a debate.

The inference was also made by those remarks that this was partisan in nature. Well, I would just remind my colleagues, Mr. Speaker, that on the rule, bringing this bill to the floor of the House had bipartisan opposition. As you know, when there are rule votes, they are generally along party lines. Yet, Mr. Speaker, 23 Democrats voted against this rule.

Now, I don't know the motivation of all of them, but I would certainly hope, and I would guess that they probably voted "no" because they felt this issue was worthy of debate. And, I might add, of those 23, four of them are from the Natural Resources Committee, in which this bill passed out of by unanimous consent, but there was some discussion in the subcommittee on the issue, and the cost, as Mr. MCCLINTOCK pointed out so well.

Mr. Speaker, I just want to make this point: if somebody is accused of defending their constituents and that is done in a negative way, that is not what this House is all about. Every Member should be doing everything they can to defend their constituents.

So the debate on this really, I believe, is evolving into a bipartisan debate to have a debate on the underlying issue.

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

Mr. HASTINGS of Washington. I yield myself another 30 seconds.

But we have been denied that. I would just hope that there will be some opportunity later on for us to revisit that and have these potential solutions that were brought forward by my colleagues that live in these areas in a bipartisan way to be debated.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I, too, rise in support of H.R. 2442 and salute my good friend and colleague, Mr. MILLER, on his good work.

This bill will provide, as has been said already, 2.6 billion gallons of water per year to drought-stricken California, adding enough water supply to meet the demands for nearly 25,000 households, and it will also generate, either direct or indirectly, 3,500 jobs.

Mr. Speaker, attacking a water recycling measure that is designed to help all of California is truly counterproductive. The North Coast County Water District, based in Pacifica in my congressional district, has said, "As California continues to experience drought conditions, increased demand for water, and strain on the Delta ecosystem, alternative water supplies like those authorized in H.R. 2442 provide a long-term sustainable solution essential to California's economy."

The bottom line is that Republicans and Democrats alike agree that water

recycling helps reduce stress on California's fragile freshwater system, and they have approved water recycling projects for California and across the Western region on a bipartisan basis in Congress. I hope we can do that again.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 5 minutes to the gentleman from the San Joaquin Valley, California (Mr. NUNES).

Mr. NUNES. Mr. Speaker, I thank my friend from Washington.

Since this House is being denied the opportunity to debate legislation that would have a meaningful impact on the California water crisis, I think it is appropriate to take a closer look at the bill before us today. This bill funds a water recycling project for the Bay Area. That is it.

The sponsor of this bill pounds his chest and says he is providing 2.6 billion gallons of water for his constituents. Congratulations. What the sponsor will not disclose is that he has worked consistently to deny delivery of 200 billion gallons of water to an area that has 40 percent unemployment in some cases, that has folks standing in food lines, and land dry with tumbleweeds.

Now, it is ironic that this bill provides water only to one little area of San Francisco, the Greater San Francisco Bay Area, which already receives pristine water from a beautiful glacial valley that is not far from where I live in the Yosemite National Park called Hetch Hetchy. You heard me correct. The Bay Area gets water from one of the Nation's flagship national parks.

The City of San Francisco, knowing that it needed to provide water to its citizens, destroyed a portion of Yosemite National Park to construct its own water supply reservoir. I actually have a picture of what it looked like.

This is what it looked like before. If you have ever been to Yosemite, you can see that it looks very similar to Yosemite Valley. But now it is dammed up. It is dammed up to provide water to the people of San Francisco.

Now, that is really not the worst of it, because we hear so much about how the other side of the aisle cares so much about the fish and the poor fishermen that are losing their jobs because the water is not being delivered to the Delta to save all these fish that need to be saved.

Well, let's go back and look at a little map of Hetch Hetchy. This is Hetch Hetchy, Yosemite National Park. Here is the dam. And the water is piped. There is not a river. It is piped directly into the San Francisco Bay Area. This is the same water, Mr. Speaker, that would go down to save the fish that they care about so much. So do they honestly care about fish, or do they really just care about providing water to their people and serving their radical environmental friends that have worked for decades to cut water off to people that are just trying to provide food for America?

The leaders in the Bay Area and the surrounding region have used their muscle in the past to actually get by other environmental laws. They destroyed not only the beautiful national park when they needed water, they subsequently exempted their water project from the Wild and Scenic Rivers Act. That is why they built the pipe, so they wouldn't even have to have a river.

When the Bay Area needed to add to its runway, they exempted environmental laws to build a new airport in the beautiful San Francisco Bay, one of the greatest areas of California.

But despite their own record, when folks a mere two hours away are bled dry of water, they have opposed a temporary waiver to allow not 2 billion gallons of water like this does, but 200 billion gallons of water.

I support these water recycling projects, but I oppose this bill because the author of this bill is the leader of the effort to cut off 200 billion gallons of water that would serve the greater San Joaquin Valley, Los Angeles and San Diego. So absent the inclusion of language that will address this government-imposed drought, this bill should be rejected.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Thank you very much, Mr. Chairman, for yielding.

I have no projects in this bill.

□ 1545

I have no benefit in this bill. I represent some of the greatest agriculture in the United States of America. And guess what? We don't get a drop of that water from anywhere but the sky that it falls out of and all of the wastewater that we recycle, the largest recycling project in the United States and the world irrigating agriculture.

You know what? You people that live in glass houses shouldn't throw stones. You took a desert in the San Joaquin Valley, and using taxpayers' money, you built all these public systems, damming up those rivers—and I'm glad Mr. NUNES is going to support us in tearing down the Hetch Hetchy dam—and dammed up those rivers to get all the water into the canals to take them into a desert. And what happened? It didn't rain. All of a sudden you're caught in a drought. So who do you blame? You blame everything. You blame the Democrats. You blame the water. You blame the sky. It didn't fall out of the sky. But you blame every law that's out there.

People who live in glass houses shouldn't throw stones because what are you doing about recycling all the wastewater that you're creating? You've always had that. Our communities have bellied up to the bar. They put their money up. This bill says you've got to put up three-quarters of the money before you even come and ask for help from Washington. Frankly, it ought to be the other way around.

Recycling is so important we ought to be doing it in every community in the United States, and the government ought to be at two-thirds help and the community at one-third help.

This bill is a good bill. And don't think that because one part of one State didn't get enough rain last year that we ought to bury the whole thing trying to get recycled water. Guess what you do when you get that recycled water? You free up potable water that can go to other things.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. FARR. No. You have time.

When you have that potable water, you ought not to be using it for agriculture. You ought to be using that for drinking purposes. All the golf courses on the Monterey Peninsula are irrigated by recycled water, Pebble Beach, Cypress, all these big famous golf courses.

So I think that those people that are criticizing this bill and criticizing the fact that we didn't get enough rain in the San Joaquin Valley ought to be asking for us to help them get recycling projects in their communities like we have in the Salinas Valley. We can solve this problem, but we've got to solve it in a multiplicity of ways, and one of the ways to do that is recycling. This bill makes a giant step forward for a lot of communities in northern California.

I would urge an "aye" vote.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Speaker, I want to remind my Democrat colleague on the other side of the aisle that there were two Presidents that were instrumental in building the water projects that turned a desert into the most productive agricultural land in the world. One was named Franklin Roosevelt and the other was named John F. Kennedy. Last time I checked, they were both Democrats. That was back when the Democrats cared about providing jobs to people instead of serving their radical environmental friends in the Bay Area. My, how we've gone a long ways in this Democratic Party. It's sad to see this.

Mr. GEORGE MILLER of California. I have no further speakers, so I'll reserve until time to close.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I stood up and asked my dear friend from California (Mr. FARR) to yield, and he said he didn't have time to yield, because I wanted to point out something that he had said and to clarify at least what I think is his interpretation of what he was saying.

He was saying that these water recycling bills are a 25/75 match, and that's

what the bill says. There's no requirement, however, in this bill for those recipients of these Federal dollars to repay these Federal dollars.

On the other hand, I come from central Washington, the Columbia Basin Project, Bureau of Reclamation area, irrigated by Grand Coulee Dam, and while they were built by the Federal Government, it's true, those monies have to be paid back by those irrigation districts. We don't get a 25 percent cut or a 50 percent cut. So I just wanted to point that out. We're not talking about apples and oranges, no pun intended on that.

So, Mr. Speaker, as I had mentioned earlier, the reason that I reluctantly oppose this bill is because of what it does not do. And of course what it does not do is to provide for an opportunity to address a very, very serious economic problem in the San Joaquin Valley of California.

As I mentioned on the rule, there were 23 Democrats that supported Republicans on this. This would indicate to me, I would hope, that there is growing support for having this addressed in a manner in the House, on the floor of the U.S. House of Representatives. I certainly hope that that is the case. And if opposition from me and others is a way to get to that point, I will be very, very proud of that.

But with that, Mr. Speaker, I have to stand up and reluctantly oppose this bill for the many reasons I said in my previous remarks.

I yield back the balance of my time.  
Mr. GEORGE MILLER of California.  
Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to begin by thanking Chairwoman NAPOLITANO and Chairman RAHALL, the Chair of the full committee, and Chairwoman NAPOLITANO of the Subcommittee on Water and Power, for their support of this legislation for supporting the expansion of water supplies in drought stricken regions of our country.

At the end of the day, after all of the debate, this is legislation to provide for water reuse and recycling. Water reuse and recycling is desperately needed in our State of California. This is a policy that is supported throughout the entire State, including the valley, throughout southern California and northern California. Every part of the State understands the extent to which we can continue to create new supplies of water through use and reuse, recycling, that the entire State benefits.

Someone said, well, I was here in the drought and it wasn't this bad. We've added almost 16 to 20 million new people to the State of California since the last serious drought. We didn't do much about water policy during that time, but we've now put together a coalition from people who have battled over the years, Metropolitan Water District, Contra Costa Water District, L.A. County, San Diego County, the Central Valley.

Why are they coming together? Because they recognize how valuable

reuse and recycling will be in the State of California going forward to meet the needs of its growing economy, of its diverse economy, of the importance of agriculture, of the importance of bringing new businesses to California, of developing and make sure we have clean water available for high technology industries throughout the State. That's why this bill, this policy speaks.

It speaks to so many areas of the State. It speaks, this policy speaks to Orange County and San Diego County and L.A. County and Riverside County and Contra Costa County and Santa Clara County and Monterey County and Alameda County and San Joaquin County. Why? Because it's important that we take the pressure off a system that's oversubscribed not just in drought years but every year. But we can get by in a normal year. We can't get by in the third year of the drought.

Now, my colleagues have suggested that somehow this is the bill in which we should settle California water issues. I find it rather interesting in February of last year when we passed the South Orange County Recycled Water plan for Mr. CALVERT there was no discussion of this. There was no suggestion of amendments. There was no suggestion that this was high noon on California water.

When we passed the Lake Hodges Surface Water Improvement Act in April for Mr. BILBRAY, no discussion of amendments, no need to settle these issues here. They never asked for time. They never asked for amendments. They didn't ask for a vote. They did it unanimously and by voice vote.

The Magna Water District for Mr. CHAFFETZ in Utah, no suggestion that we should take the Utah bill and battle it out over California water. No suggestion that somehow we were going to do something other than that.

In September, just a month ago, with Mr. GALLEGLY, for the Calleguas Municipal Water District, no suggestion of this. No requests for amendments. No debate in the committee on this.

And then, again, last month, Mr. WALDEN from Oregon, no suggestion we're going to take the Oregon bill and settle the California issue. Why? Because we know what's going on in California. We have a very difficult complex problem. The legislature, our State legislature, has been struggling with it for 2 years. They're in special session right now. They're locked in, and they don't know whether they will have the votes or not to do that. But people are getting together to try to solve it.

When this new administration came in, because I don't remember you asking for this in the first year of the drought or the second year of the drought or going into the third year of the drought, but Mr. Obama's been in town, what, 10 months, and somehow it's his problem. But when his administration did come to town, and when he did have a Secretary of the Interior and he did have a Secretary of Com-

merce, they immediately focused their attentions on this problem. And what did they do? They met with a cross section of our delegation to see how they could bring the Department of Commerce, the Department of the Interior together, the Bureau of Reclamation, the Fish and Wildlife Service. They sent millions of dollars to the valley to try to give relief to the farmers. They've supported our efforts.

I've supported the efforts to change the law that I wrote 10 years ago, 20 years, so we can have water transfers from east to west in the valley. That's people working together. That's not people just standing back and sniping at bills as they come through and pretending like they want to make policy or they want to change policy that's just political sniping. But it's interesting that they chose not to snipe on any Republican bills. They just decided they would snipe on this bill.

But at the end of the day, at the end of the day, this legislation is about whether or not we can move California into the future, whether or not we can continue to have economic growth, whether or not we can use the technology that's now available to us to provide for recycling, to provide for reuse of water. This bill alone supplies enough water for 24,000 households. That's not counting the legislation that we've provided for southern California, for Orange County, for San Diego, for San Bernardino and the projects that are waiting.

This bill was criticized because there's a \$600 million backlog because the last administration would never release any money. We would have loved to have had the attention. We would have loved to have had the attention of the Bush administration's Secretary of the Interior to help solve this problem. What did she do? What did he do? They let some Under Secretary wander around changing the science, so we lost almost 18 months and we had to go back to redo all of the science because they changed it and they got caught at it. Criminal charges were pending at one point.

So what are we talking about here? The suggestion that somehow this all comes together around this bill is to forget history, to forget the inattention to this problem we've dealt with over the last 8 years, and to suggest that somehow that this can all be settled here. What this bill can do is make a major contribution to relieving the urban pressure on the system by creating this reuse and recycling of water.

□ 1600

And that's what the projects that my colleagues on the other side of the aisle, that's what they were contributing. This was one piece; we hope it grows. We think it will become more valuable.

It is bipartisan and has been from the very beginning. When I asked for stimulus money to go to recycling, I asked the administration, I said, do it on the

basis of their priorities, do it as they're standing in line. Some cities have been waiting a long time for this; they may be further along. Just let them come as they come up in line.

This isn't partisan; this is about whether or not people want to solve problems. You want to make political points, all well and good; but the circumstances won't change, the circumstances won't change across our State.

H.R. 2442 is supported by a number of agencies, municipalities and organizations, including: Association of California Water Agencies, Metropolitan Water District of Southern California, Central Contra Costa Sanitary District, Dublin San Ramon Services District, City of Mountain View, Redwood City, City of Palo Alto, WaterReuse Association, Bay Area Recycled Water Coalition, Delta Diablo Sanitation District, Iron House Sanitary District, City of Petaluma, Santa Clara Valley Water District, North Coast County Water District, and City of San Jose.

OCTOBER 5, 2009.

Representative GEORGE MILLER,  
*Rayburn House Office Building,*  
*Washington, DC.*

DEAR REPRESENTATIVE MILLER: The Association of California Water Agencies (ACWA) is pleased to write in favor of H.R. 2442, legislation to expand the Bay Area Regional Water Recycling Program. As you know, ACWA's 447 public agency members are collectively responsible for 90 percent of the water delivered in California for residential and agricultural uses.

Since H.R. 2442 contains local projects with regional as well as national benefits, the legislation meets the criteria established in our blueprint "No Time to Waste: A Blueprint for California Water". In particular, the projects in H.R. 2442 will allow for a direct response to help mitigate current and devastating drought impacts in California. In this regard, ACWA encourages the House of Representatives to move expeditiously and pass important water recycling project legislation.

As California's water supply challenges multiply, ACWA appreciates your efforts to provide federal resources for local projects to assure water supply reliability. Thank you for sponsoring this legislation.

Sincerely,

TIMOTHY QUINN,  
*Executive Director,*  
*Association of California Water Agencies.*

THE METROPOLITAN WATER  
DISTRICT OF SOUTHERN CALIFORNIA,  
*Los Angeles, CA, October 6, 2009.*

Hon. GEORGE MILLER,  
*House of Representatives,*  
*Washington, DC.*

DEAR REPRESENTATIVE MILLER: The Metropolitan Water District of Southern California is very pleased to support an increase in resources for the Bureau of Reclamation's local water supply development program under Title XVI, as authorized by Congress.

Metropolitan believes that local water supply projects and expansion of the Title XVI grant funding program are essential. This is especially the case as California continues to aggressively pursue comprehensive policy and infrastructure solutions to address the challenges of chronic drought and restricted water supply conditions throughout the state. The development of new and expanded local water supply projects is key to addressing these critically important water supply issues including projects such as the design,

planning and construction of recycled water distribution systems, such as those included in H.R. 2442, which include regional and national benefits.

Your continued leadership and efforts on California's critically important water supply issues are greatly appreciated.

Sincerely,

JEFFREY KIGHTLINGER,  
*General Manager.*

OCTOBER 5, 2009.

Congressman GEORGE MILLER,  
*House of Representatives,*  
*Washington, DC.*

DEAR CONGRESSMAN MILLER: On behalf of the WaterReuse Association, a national association representing more than 180 public water agencies and 375 organizational members dedicated to the advancement of using limited water supplies efficiently and safely, I am writing to express our deep concern over the recent House floor debate on water recycling legislation. Specifically, we are alarmed that the authorization of Title XVI water recycling projects whose purpose is to enhance the availability of a safe and reliable water supply to local communities, have become ensnared in the ongoing disputes surrounding restoration of the California Bay-Delta. We urge the House of Representatives to move expeditiously and debate and pass pending water recycling project legislation, including H.R. 2442. These projects will allow for a direct response to the impacts of the ongoing drought currently being experienced in California and other western states.

We appreciate that the drought has wreaked havoc on the lives of many residents throughout the arid West. Clearly, the events surrounding the operation of the federal and state water projects in California serve to spotlight the challenges created by the drought. We were encouraged by the recent commitment of Secretary of the Interior Salazar to increase efforts to put in place responses that will alleviate the impacts on the Bay Delta. However, we believe that a powerful tool exists to address water scarcity, namely water recycling projects that can create water supply in an environmentally protective and sustainable manner. With a small federal contribution, these projects have demonstrated that they can deliver water and reduce demand on limited water supplies. It is to no one's advantage to hold hostage the authorization of these kinds of projects because of disputes over the operation of federal water projects. Indeed, we believe it only serves to exacerbate the very problem all of us are seeking to resolve—to reduce the impacts of the drought and provide safe, reliable, and sustainable water supplies to our communities, industries, and agricultural interests.

Again, we are strongly supportive of timely consideration and passage of Title XVI water recycling project authorizations by the House of Representatives.

Sincerely,

G. WADE MILLER,  
*Executive Director,*  
*WaterReuse Association.*

OCTOBER 5, 2009.

Subject: Support for H.R. 2442, Bay Area Regional Water Recycling Program Expansion Act of 2009.

Hon. GEORGE MILLER,  
*House of Representatives,*  
*Washington, DC.*

DEAR CONGRESSMAN MILLER: On behalf of the Bay Area Recycled Water Coalition, a partnership of eleven public agencies committed to developing recycled water as a resource for over six million residents of the counties we serve in the San Francisco Bay area, I'm writing to thank you for intro-

ducing H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

As California continues to experience drought conditions, increased demand for water, and strain on the Delta ecosystem, alternative water supplies like those authorized in H.R. 2442 provide a long-term sustainable solution essential to California's economy. The six additional water recycling projects authorized in H.R. 2442 would provide in excess of 7 million gallons of drought-tolerant water per day. This will result in reduced demand from Bay Area communities on scarce fresh water from the Delta. These projects will also support over 3,500 direct, indirect and induced jobs.

The Bay Area Recycled Water Coalition members remain committed to our proven partnership with the Federal Government to provide a long-term sustainable solution to California's water challenges. We strongly support H.R. 2442, and look forward to continuing to work with you as we develop new water supplies for California.

Sincerely,

GARY W. DARLING,  
*General Manager,*  
*Delta Diablo Sanitation District.*

SOUTH BAY WATER RECYCLING,  
*San José, CA, October 5, 2009.*

Congressman GEORGE MILLER,  
*House of Representatives,*  
*Washington, DC.*

DEAR CONGRESSMAN MILLER: On behalf of the City of San José, I am writing to thank you for introducing H.R. 2442, your bill authorizing the use of federal funds to support additional water recycling projects in the San Francisco Bay area, and to lend our support to your efforts to have it reconsidered at the earliest appropriate opportunity.

The City of San José operates the largest urban nonpotable water recycling facility in northern California. Each year South Bay Water Recycling supplies nearly 600 Silicon Valley schools, parks, businesses and industries with over 10,000 acre-feet of high-quality recycled water, conserving drinking water that can be used for other purposes. Over the past 15 years we have invested over \$200 million in local funds in this system, and received more than \$30 million in Title XVI grants from the Bureau of Reclamation. Furthermore, as a founding member of the Bay Area Recycled Water Coalition (a partnership of eleven public agencies) San José is committed to assisting other communities in the Bay area to develop this important resource, and we encourage you to continue to fund and expand this important stimulus to local investment.

Recycled water is sustainable water, and the only new water available to help California and other western states deal with the combined pressures of drought and population that threaten to exhaust our existing supplies. We understand that much additional work needs to be done by Congress, by Interior Secretary Salazar and others to develop a comprehensive approach to supplying water to the western United States, including an integrated program to protect and restore the Bay-Delta system. However, in our opinion any sustainable solution will necessarily include intensive use of recycled water as the most reliable source of water currently available, including the nearly seven million gallons of water per day produced by the projects authorized in H.R. 2442.

Thank you again for your steadfast support for these important programs.

Sincerely,

JOHN STUFFLEBEAN,  
*Director, Environmental Services,*  
*City of San José.*

Mr. RADANOVICH. Mr. Speaker, I am opposed to the closed rule and passage of H.R. 2442, the Bay Area Regional Water Recycling Expansion Act of 2009. My opposition to H.R. 2442 is not due to the projects authorized in the legislation—they are meritorious projects, worthy of consideration by this body. However, the San Francisco Bay area is not the only area in California that needs additional water. Only 2 hours away from San Francisco, California's Central Valley is literally dying of dehydration and yet this Congress has ignored every plea for help from the people of the valley and those of us who are fortunate enough to represent that region.

The San Joaquin Valley is the fruit-basket of the Nation, producing over half of the fruits and vegetables consumed in America. Ninety-nine percent of all almonds and walnuts are produced in the Central Valley, while over 90 percent of tomatoes, pistachios, plums and strawberries are produced in the State of California. However, without water for the farmers the whole Nation suffers. Without California's agriculture production, there is a significant national security risk—we would be forced to import foreign produce that does not meet the same quality and food safety standards that California produce does.

Because of radical environmentalists and the actions of Federal agencies based on unreliable and questionable science, the San Joaquin Valley is now suffering from a man-made drought. Hundreds of thousands of acre feet of water that was formerly delivered to the farmers in the Central Valley are being sent to the ocean in an attempt to protect a 3-inch minnow, the Delta Smelt. Ironically, while the restrictions on pumping are doing nothing to stop the declining numbers of Delta Smelt, they are significantly contributing to the declining number of farmers and jobs in the San Joaquin Valley. Farmers must come before fish.

I offered two amendments to this bill which would have assured that the urgent needs of the San Joaquin Valley are met, through the Two Gates project in the delta and temporarily waiving the Endangered Species Act to increase delta water deliveries for storage in the San Joaquin Valley. Neither of my amendments would have authorized the spending of taxpayer dollars. Once again the Democratic leadership in the House of Representatives denied these amendments, denying relief to the ravaged San Joaquin Valley.

Time and time again during this Congress my valley colleagues and I have offered bills and amendments to address the government created drought in the San Joaquin Valley and time and time again we have been denied the courtesy of a simple legislative hearing, let alone a markup or vote. After so many attempts to save California agriculture, I am left with no alternative but to believe that the Democrat leadership of this Congress, under direction from environmentalists, is bent on destroying the largest economic engine in California.

There is always a lot of talk about special interests controlling policy decisions in Congress, and I would be remiss not to say that the elite environmental community is one of the largest and currently most influential special interests around. They have worked very hard and spent a lot of money to ensure that a 3-inch fish has more rights than the farmers and farm workers in my district. To me, and

any American with an ounce of common sense, that action is absolutely unconscionable, but apparently not to the majority of Congress.

The water crisis in California must be addressed in a holistic manner and while I am more than happy to sit down with my colleagues on the other side of the aisle to work on long term solutions to California's aged water infrastructure system, the people of the valley need help now. Therefore, I am opposing this bill because it contains \$38 million worth of projects that benefit the San Francisco Bay area while denying projects that would not cost any taxpayer dollars and would benefit the distressed San Joaquin Valley.

Mr. Speaker, for these reasons I oppose both the rule and the passage of H.R. 2442 and urge my colleagues to join me.

Mr. CARDOZA. Mr. Speaker, I rise today in strong opposition to this rule.

We have heard a lot of debate this year about California's water crisis.

We are suffering from our third year of drought, and the situation has been compounded with a "regulatory drought" that has restricted our ability to deliver water even when it is available. Over 40,000 people are out of work, over 500,000 acres of some of the world's most productive farmland have been fallowed, farmworkers are now standing in food lines, people are losing their homes, and more importantly people are losing their hope, all because of a lack of water.

The Federal Government is in part responsible for the regulatory drought, and it is time for the Federal Government to take action to address this crisis.

I support this underlying bill, Mr. Speaker. But quite frankly, I am completely fed up with the lack of a response to our water crisis in the San Joaquin Valley.

My definition of "crisis" is a disaster that requires an immediate response. The fact is, there still is no immediate response—in fact there is hardly even any response. And it's high time that the Federal Government admits that not enough is being done to address the valley's water needs.

In fact, I have with me a list of 26 projects that the Federal Government can work with us on to relieve the pressure that the lack of water has created on the valley.

My friends and colleagues from the San Joaquin Valley, Mr. RADANOVICH and Mr. NUNES, offered amendments in Rules Committee last night but they were not made in order.

My folks need relief. They are suffering and can't wait any longer. And farmers in the valley have planting decisions to make in the near future. They simply can't go through another farm season not knowing if they will have any water.

Mr. RADANOVICH and Mr. NUNES deserve to have their amendments on the floor today. Their amendments would have ended this regulatory drought once and for all and provided much-needed relief to our farmers.

Because San Joaquin Valley farmers are prevented from getting the water they so desperately need, I urge all of my colleagues to oppose this rule.

#### ACTIONS AND PROJECTS TO ADDRESS CALIFORNIA'S WATER SUPPLY CRISIS

Reconsultation of FWS and NOAA Biological Opinions.

Undertake a National Academy of Sciences 6-month review of all the factors in the decline of the Delta.

2-Gate Fish Protection Demonstration Project—coordination and funding.

Delta Mendota Canal and California Aqueduct Intertie—coordination and funding.

Completion of a long-term, multi-year water transfer program.

Develop a program to coordinate schedules on North to South transfers.

Support permanent reform of intra county East-West transfers within the CVP.

Patterson Irrigation District Pumping Plant and Fish Screen.

Patterson Irrigation District Pipeline Project.

Diversify Level 2/Level IV Refuge Program.

Announce 2011 rescheduled water decision in the Spring, 2010.

Additional federal support for the Westside Water Use Efficiency and Conservation program.

Support the removal of restrictions under the Emergency Drought Relief Act which restrict funds to temporary projects.

Mendota Dam Replacement.

San Luis Drain Rehabilitation.

Allow the use of Whiskeytown Reservoir to be used to meet the water supply needs of the most impacted areas.

Work in collaboration with the state on the development of a long term Joint Point of Diversion program.

Friant-Kern and Madera Canals Capacity Correction.

Friant-Kern Canal Reverse Flow.

Pipeline Replacements in the San Luis Unit.

Westlands Water District Reclamation Project for drainage impacted areas and reclamation of poor groundwater.

West Stanislaus Irrigation District fish screen and pipeline.

Stockton East Water District intake structure and fish screen.

Merced Irrigation District New Exchequer Dam Spillway Modification Project.

Semitropic-Rosamond Water Bank Authority Antelope Valley Water Bank Initial Recharge and Recovery Facility Improvement Project.

Semitropic Water Storage District Pond-Poso Spreading and Recovery Facility.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009, which will provide Californians 2.6 billion gallons of water per year, enough to meet the needs of 24,225 households, and should create at least 3,600 jobs. It is a concrete example of the sustainable solutions we should be looking for to address drought and promote economic development.

I would like to thank Chairman RAHALL for his skill and leadership in shepherding this bill to the floor. I would also like to thank my colleague, Chairman MILLER, for skillfully crafting such an imaginative and workable solution to one of the critical challenges facing California and other western States.

Mr. Speaker, the Bay Area Regional Water Recycling Program Expansion Act authorizes federal assistance for six recycling projects that are estimated to create more than 8,000 acre-feet of water annually by 2010, and more than 14,000 acre-feet annually by 2025. Additionally, the legislation is crafted so that fresh water withdrawals from the Sacramento-San Joaquin Delta are limited and treated wastewater discharges into the San Francisco Bay or the Sacramento-San Joaquin Delta are reduced. The cost to the federal government to realize all these benefits is only 25 percent of the total cost of a project.

Finally, this legislation is endorsed by many local government and water management organizations, including the Association of California Water Agencies, WaterReuse Association, Metropolitan Water District of Southern California, Central Contra Costa Sanitary District, Dublin San Ramon Services District, City of Mountain View, Redwood City, and the City of Palo Alto.

In conclusion, Mr. Speaker, I support this bill because it will create badly needed jobs while replenishing clean water supplies. This legislation is another example of how the new majority is making good on the promise to chart a new direction for our Nation. I want to thank Chairman MILLER again for his leadership in crafting this extraordinary legislation that has my full support.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 2442. I yield the remainder of my time.

Mr. GEORGE MILLER of California. I urge all of my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired. Pursuant to House Resolution 830, the previous question is ordered on the bill, as amended.

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. NUNES. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. NUNES. In its current form, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. NUNES moves to recommit the bill H.R. 2442 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

#### SEC. 4. CENTRAL VALLEY PROJECT.

(a) NO RESTRICTION, REDUCTION, OR REALLOCATION OF WATER.—Notwithstanding any other provision of law, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may not use discretion to restrict, reduce or reallocate any water stored in Central Valley Project Reservoirs or delivered pursuant to Central Valley Project contracts, including execution of said contracts facilitated by the W.C. "Bill" Jones Pumping Plant, to meet the requirements of the Endangered Species Act of 1973, unless such water is acquired or otherwise made available from a willing seller or lessor and the use is in compliance with the laws of the State of California, including but not limited to, permitting requirements.

(b) BIOLOGICAL OPINIONS.—For the 2 years immediately after the date of the enactment of this Act, complying with the reasonable and prudent alternatives or reasonable and prudent measures and the incidental take limits defined in the biological opinions that immediately preceded the biological opinions issued by on December 15, 2008, by the United States Fish and Wildlife Service on the effects of the Proposed Coordinated Operations of the Federal Central Valley Project and the California State Water

Project on the threatened delta smelt (*Hypomesus transpacificus*) and the biological opinion issued on June 4, 2009, by the United States National Marine Fisheries Service Biological Opinion on the Long-Term Central Valley Project and State Water Project Operations Criteria and Plan shall constitute compliance with all requirements of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) APPLICABILITY.—This section applies only to those Federal agency and non-Federal actions related to the coordinated operations of the Central Valley Project and the California State Water Project.

#### POINT OF ORDER

Mr. GEORGE MILLER of California. Mr. Speaker, I raise a point of order that the motion to recommit contains a nongermane instruction in violation of clause 7 of rule XVI.

The SPEAKER pro tempore. The gentleman from California raises a point of order. Does any other Member wish to be heard on the point of order?

Mr. NUNES. Yes.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. NUNES. Mr. Speaker, the motion to recommit I have is pretty simple. In fact, what we have before us is legislation that is identical to legislation that this Congress passed in 2003 with overwhelming bipartisan support, so I would hope that you would make it germane.

The SPEAKER pro tempore. Are there any other Members that wish to speak?

Mr. GEORGE MILLER of California. Mr. Speaker, I insist upon my point of order. That action by the previous Congress does not make it germane to this legislation.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from California (Mr. GEORGE MILLER) makes a point of order that the amendment offered by the gentleman from California (Mr. NUNES) is not germane.

The bill, H.R. 2442, amends the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program. The bill authorizes six new water recycling partnerships and modifies two existing partnerships.

The amendment offered by the gentleman from California seeks to address water availability related to the Central Valley Project.

Clause 7 of rule XVI, the germaneness rule, provides that no proposition on a "subject different from that under consideration shall be admitted under color of amendment."

One of the central tenets of the germaneness rule is that an amendment should relate to the subject matter of the underlying measure.

The bill is confined to water recycling projects within a specific geographic area. The amendment addresses water availability related to the Central Valley Project. By addressing this topic, the amendment falls outside the ambit of the underlying measure and is not germane.

The point of order is sustained.

Mr. NUNES. 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. GEORGE MILLER of California. 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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of the bill, if arising without further proceedings in recomittal.

The vote was taken by electronic device, and there were—yeas 237, nays 176, not voting 19, as follows:

[Roll No. 788]

YEAS—237

Abercrombie	Edwards (TX)	Langevin
Ackerman	Ellison	Larsen (WA)
Adler (NJ)	Ellsworth	Larson (CT)
Andrews	Engel	Lee (CA)
Arcuri	Eshoo	Levin
Baca	Etheridge	Lewis (GA)
Baird	Farr	Lipinski
Baldwin	Fattah	Loebsack
Barrow	Filner	Lowe
Bean	Foster	Lujan
Becerra	Frank (MA)	Lynch
Berkley	Fudge	Maffei
Berman	Giffords	Maloney
Berry	Gonzalez	Markey (CO)
Bishop (GA)	Gordon (TN)	Markey (MA)
Bishop (NY)	Grayson	Marshall
Blumenauer	Green, Al	Massa
Bocchieri	Green, Gene	Matheson
Boucher	Grijalva	Matsui
Brady (PA)	Gutierrez	McCarthy (NY)
Braley (IA)	Hall (NY)	McDermott
Bright	Halvorson	McGovern
Brown, Corrine	Hare	McIntyre
Butterfield	Harman	McMahon
Capps	Hastings (FL)	McNerney
Capuano	Heinrich	Meek (FL)
Carnahan	Herseth Sandlin	Meeks (NY)
Carson (IN)	Higgins	Michaud
Castor (FL)	Hill	Miller (NC)
Chandler	Himes	Miller, George
Chu	Hinche	Mitchell
Clarke	Hinojosa	Moore (KS)
Clay	Hirono	Moore (WI)
Cleaver	Hodes	Moran (VA)
Clyburn	Holden	Murphy (CT)
Cohen	Holt	Murphy (NY)
Connolly (VA)	Honda	Murphy, Patrick
Cooper	Hoyer	Murtha
Costello	Inslee	Nadler (NY)
Courtney	Israel	Napolitano
Crowley	Jackson (IL)	Neal (MA)
Cuellar	Jackson-Lee	Nye
Cummings	(TX)	Oberstar
Dahlkemper	Johnson (GA)	Obey
Davis (AL)	Johnson, E. B.	Olver
Davis (CA)	Kagen	Ortiz
Davis (IL)	Kanjorski	Pallone
Davis (TN)	Kaptur	Pascarell
DeGette	Kennedy	Pastor (AZ)
Delahunt	Kildee	Payne
DeLauro	Kilpatrick (MI)	Perlmutter
Dicks	Kilroy	Perrillo
Dingell	Kind	Peters
Doggett	Kirkpatrick (AZ)	Peterson
Donnelly (IN)	Kissell	Pingree (ME)
Doyle	Klein (FL)	Polis (CO)
Driehaus	Kosmas	Pomeroy
Edwards (MD)	Kucinich	Price (NC)

Quigley Scott (GA)  
 Rahall Scott (VA)  
 Rangel Serrano  
 Reyes Sestak  
 Richardson Shea-Porter  
 Rodriguez Sherman  
 Ross Shuler  
 Rothman (NJ) Sires  
 Roybal-Allard Skelton  
 Ruppertsberger Slaughter  
 Rush Snyder  
 Ryan (OH) Space  
 Salazar Speier  
 Sanchez, Linda T. Spratt  
 T. Stark  
 Sanchez, Loretta Stupak  
 Sarbanes Sutton  
 Schakowsky Tanner  
 Schauer Taylor  
 Schiff Teague  
 Schrader Thompson (CA)  
 Schwartz Thompson (MS)

**NAYS—176**

Aderholt Franks (AZ)  
 Akin Frelinghuysen  
 Alexander Gallely  
 Altmire Garrett (NJ)  
 Austria Gerlach  
 Bachmann Gingrey (GA)  
 Bachus Gohmert  
 Barrett (SC) Goodlatte  
 Bartlett Granger  
 Barton (TX) Graves  
 Biggert Griffith  
 Bilbray Guthrie  
 Bilirakis Harper  
 Bishop (UT) Hastings (WA)  
 Blackburn Heller  
 Blunt Hensarling  
 Boehner Herger  
 Bonner Hoekstra  
 Bono Mack Hunter  
 Boozman Inglis  
 Boren Issa  
 Boustany Jenkins  
 Brady (TX) Johnson (IL)  
 Broun (GA) Johnson, Sam  
 Brown (SC) Jones  
 Brown-Waite, Ginny Jordan (OH)  
 Buchanan King (IA)  
 King (NY)  
 Burgess Kingston  
 Burton (IN) Kirk  
 Buyer Kline (MN)  
 Calvert Kratovil  
 Camp Lamborn  
 Campbell Lance  
 Cantor Latham  
 Capito LaTourette  
 Cardoza Latta  
 Carter Lee (NY)  
 Cassidy Lewis (CA)  
 Castle LoBiondo  
 Chaffetz Lucas  
 Childers Luetkemeyer  
 Coble Lummis  
 Coffman (CO) Lungren, Daniel  
 Cole E.  
 Conaway Mack  
 Costa Manzullo  
 Crenshaw Marchant  
 Culberson McCarthy (CA)  
 Davis (KY) McCaul  
 Dent McClintock  
 Diaz-Balart, L. McCotter  
 Diaz-Balart, M. McHenry  
 Dreier McKeon  
 Duncan McMorris  
 Ehlers Rodgers  
 Fallin Mica  
 Flake Miller (FL)  
 Forbes Miller (MI)  
 Fortenberry Miller, Gary

**NOT VOTING—19**

Boswell Emerson  
 Boyd Fleming  
 Cao Foxx  
 Carney Hall (TX)  
 Conyers Linder  
 Deal (GA) Lofgren, Zoe  
 DeFazio McCollum

□ 1628

Messrs. JORDAN of Ohio, FLAKE, OLSON, COLE, ROGERS of Alabama, COFFMAN of Colorado, MCCAUL,

BOREN, GRIFFITH, CHILDERS, BROWN of Georgia, and GINGREY of Georgia changed their vote from “yea” to “nay.”

Mrs. NAPOLITANO, Messrs. BERRY, SCHAUER and GRIJALVA, Ms. SPEIER, and Mr. KUCINICH changed their vote from “nay” to “yea.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

Stated against:  
 Mr. FLEMING. Mr. Speaker, on rollcall No. 788, had I been present, I would have voted “nay.”

Ms. FOXX. Mr. Speaker, on rollcall No. 788, had I been present, I would have voted “nay.” The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 173, not voting 18, as follows:

[Roll No. 789]

**YEAS—241**

Abercrombie Edwards (MD)  
 Ackerman Edwards (TX)  
 Adler (NJ) Ehlers  
 Altmire Ellison  
 Andrews Ellsworth  
 Baca Engel  
 Baird Eshoo  
 Baldwin Etheridge  
 Barrow Farr  
 Bean Fattah  
 Becerra Filner  
 Berkley Foster  
 Berman Frank (MA)  
 Berry Fudge  
 Bishop (GA) Giffords  
 Bishop (NY) Gonzalez  
 Blumenauer Gordon (TN)  
 Boccieri Grayson  
 Boucher Green, Al  
 Brady (PA) Green, Gene  
 Braley (IA) Griffith  
 Brown, Corrine Grijalva  
 Butterfield Gutierrez  
 Capps Hall (NY)  
 Capuano Halvorson  
 Carnahan Hare  
 Carson (IN) Harman  
 Castor (FL) Hastings (FL)  
 Chaffetz Heinrich  
 Chandler Hersheth Sandlin  
 Chu Higgins  
 Clarke Hill  
 Himes Hinchey  
 Cleaver Hinojosa  
 Clyburn Cohen  
 Cohen Hirono  
 Connolly (VA) Hodes  
 Cooper Holden  
 Costello Holt  
 Courtney Honda  
 Crowley Hoyer  
 Cuellar Inslee  
 Cummings Israel  
 Dahlkemper Jackson (IL)  
 Davis (AL) Jackson-Lee  
 Davis (CA) (TX)  
 Davis (IL) Johnson (GA)  
 Davis (TN) Johnson (IL)  
 DeGette Johnson, E. B.  
 DeLaHunt Kagen  
 DeLauro Kanjorski  
 Dicks Kaptur  
 Dingell Kennedy  
 Doggett Kildee  
 Donnelly (IN) Kilpatrick (MI)  
 Doyle Kilroy  
 Driehaus Kind

Perriello Schiff  
 Peters Schrader  
 Pingree (ME) Schwartz  
 Polis (CO) Scott (GA)  
 Pomeroy Scott (VA)  
 Price (NC) Serrano  
 Quigley Sestak  
 Rahall Shea-Porter  
 Rangel Sherman  
 Reyes Shuler  
 Richardson Sires  
 Rodriguez Slaughter  
 Ross Smith (NJ)  
 Rothman (NJ) Snyder  
 Roybal-Allard Space  
 Ruppertsberger Speier  
 Rush Spratt  
 Ryan (OH) Stark  
 Salazar Stupak  
 Sanchez, Linda T. Sutton  
 T. Taylor  
 Sanchez, Loretta Teague  
 Sarbanes Thompson (CA)  
 Schakowsky Thompson (MS)  
 Schauer Tierney

**NAYS—173**

Aderholt Fortenberry  
 Akin Foxx  
 Alexander Franks (AZ)  
 Arcuri Frelinghuysen  
 Austria Gallely  
 Bachmann Garrett (NJ)  
 Bachus Gerlach  
 Barrett (SC) Gingrey (GA)  
 Bartlett Gohmert  
 Barton (TX) Goodlatte  
 Biggert Granger  
 Bilbray Graves  
 Bilirakis Guthrie  
 Bishop (UT) Hastings (WA)  
 Blackburn Heller  
 Blunt Hensarling  
 Boehner Herger  
 Bonner Hoekstra  
 Bono Mack Hunter  
 Boozman Inglis  
 Boren Issa  
 Boustany Jenkins  
 Brady (TX) Johnson, Sam  
 Bright Jones  
 Broun (GA) Jordan (OH)  
 Brown (SC) King (IA)  
 Brown-Waite, King (NY)  
 Ginny Kingston  
 Buchanan Kirk  
 Burgess Kline (MN)  
 Burton (IN) Lamborn  
 Buyer Lance  
 Calvert Latham  
 Camp LaTourette  
 Campbell Latta  
 Cantor Lee (NY)  
 Capito Lewis (CA)  
 Cardoza LoBiondo  
 Carter Lucas  
 Cassidy Luetkemeyer  
 Castle Lummis  
 Childers Lungren, Daniel  
 Coble E.  
 Coffman (CO) Mack  
 Cole Manzullo  
 Conaway Marchant  
 Costa McCarthy (CA)  
 Crenshaw McCaul  
 Culberson McClintock  
 Davis (KY) McCotter  
 Dent McHenry  
 Diaz-Balart, L. McKeon  
 Diaz-Balart, M. McMorris  
 Dreier Rodgers  
 Duncan Mica  
 Fallin Miller (FL)  
 Flake Miller (MI)  
 Fleming Miller, Gary  
 Forbes Minnick

**NOT VOTING—18**

Boswell DeFazio  
 Boyd Emerson  
 Cao Hall (TX)  
 Carney Harper  
 Conyers Linder  
 Deal (GA) Lofgren, Zoe  
 McCollum  
 Melancon  
 Mollohan  
 Radanovich  
 Scalise  
 Smith (WA)

□ 1635

Mrs. BONO MACK changed her vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on October 15, 2009, I was unable to cast votes, due to personal reasons. I was not present for rollcall votes 788 and 789. Had I been present, I would have cast a "nay" vote on the motion to recommit H.R. 2442 and I would have voted "yea" on final passage of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

#### PERSONAL EXPLANATION

Mr. BOYD. Mr. Speaker, due to personal reasons, I was unable to attend to votes this week. Had I been present, my votes would have been as follows: "Yea" on H. Res. 800; "yea" on H.R. 2892; "yea" on H.R. 2423; and "yea" on H.R. 2442.

#### LEGISLATIVE PROGRAM

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

Mr. MCCARTHY of California. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding.

On Monday, the House will not be in session. On Tuesday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business with votes postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business, and on Friday, the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. The complete list of suspension bills, as is the custom, will be announced by the close of business tomorrow.

In addition, we will consider H.R. 3585, the Solar Technology and Roadmap Act of 2010, sponsored by GABRIELLE GIFFORDS, and H.R. 3619, the Coast Guard Authorization Act of 2010. In addition, we may consider Senate amendments to the House unemployment extension legislation, assuming that is passed by the Senate.

Mr. MCCARTHY of California. Reclaiming my time, I thank the majority leader for that information. And knowing from time to time we do this, in watching the colloquy that you do with our whip, Mr. CANTOR, I know last week you told him not to expect the health care bill on the floor until the last week in October at the earliest.

Do you still think this is the case, the last week of October?

Mr. HOYER. I certainly think it's the case not to expect it before the last week in October.

As I've indicated in the past, we intend to give 72 hours' notice of having

the bill posted for the public and for Members prior to bringing it to the floor. We are still working to bring that bill to a point where CBO can give us a final score. We believe CBO is going to take probably a week to maybe a little longer than a week. So it certainly would not be before the last week in October, and it may well be the first week in November.

Mr. MCCARTHY of California. I thank the gentleman.

I just want to make sure I heard correctly. You will wait until the bill is scored and you will allow 72 hours for the public to also be able to view and read the bill; is that correct?

Mr. HOYER. We will wait 72 hours until after the bill is posted. Now, I don't think I said that that necessarily will be after the scoring. But essentially, we don't think we're going to post the bill until the scoring. If, however, for some reason there was somewhat of a delay in scoring but we had the majority of it and posted the bill, the 72 hours will run from the posting of the bill.

In addition, Mr. MCCARTHY, what I indicated last week, and we still will hold to, if there is a manager's amendment, as there may well be, we will also assure that there is 72 hours from the posting of the manager's amendment. Now, if the manager's amendment and the bill are posted at the same time, obviously that would be the same 72 hours. If, on the other hand, the manager's amendment is posted a day or so later, then the 72 hours would run from the posting of the manager's amendment.

It is our intent to make sure that everybody has 72 hours to review whatever legislation and/or amendments will be considered on the floor.

Mr. MCCARTHY of California. I thank the gentleman for that.

The only thing I would follow up to that and ask, knowing some of the behavior on some of the other bills and some of the concerns that people had of when they were posted—some posted at 3 o'clock in the morning when the Rules Committee filed when it came to Energy and Commerce and the cap-and-trade bill—when you count the 72 hours, would this be like business hours? Like, if it's late into the night, can we wait until the morning so people will have the ability to start the clock?

I yield to the gentleman.

Mr. HOYER. We're not going to do 72 business hours. We're going to do 72 hours. We're going to have the full 3 days if people want to read the bill. If they want to read it at night, they can do that. If they want to read it on Saturday or Sunday, they can do that.

But it was a good try.

Mr. MCCARTHY of California. I'll just ask the gentleman, knowing the size that this bill will be, one, to make sure that we have a scoring; two, the amount that the American public has been engaged in this process from the town hall meetings that many people

have had and the knowledge of what they have in going forward and knowing the changes that have been talked about; but three, not from a Republican side or Democrat side, but truly, when I sat and listened to the town hall meetings, one of the frustrations they had with this House—I know people think process is wrong—is the transparency. And I applaud you for telling us the 72 hours. I would just ask the majority to be cognizant of what happens if you start the clock at 5 o'clock in the morning, you start the clock at 3 o'clock in the morning, the public has a real concern about that, and we would as well.

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY of California. Gladly.

Mr. HOYER. I appreciate what the gentleman has said; however, the gentleman, I am sure understands, the overwhelming majority of this bill will have been on the Web site since July.

□ 1645

The overwhelming majority of this bill, it's going to be a new bill and will have a new number, but this has been probably the most transparent, reviewed bill in the 29 years that I have been in the House of Representatives, I will tell my friend. As you know, we've been working between the House and the Senate. I've had discussions with Mr. CANTOR and others on your side. We haven't reached any agreement, as the gentleman knows. I'm sorry about that. But I want to say in all honesty, I can't remember a bill in my 29 years in the House of Representatives that has had more review, more discussion, more people involved in town meetings around this country, more discussion in the media, and has been longer on the Internet for review from beginning to end than this particular piece of legislation.

So I think when we talk about transparency, this bill has probably been the most transparently considered bill that I have been involved in in my tenure here.

I thank the gentleman for yielding.

Mr. MCCARTHY of California. I thank the gentleman.

I do agree with the gentleman that the public has been very aware of this bill. The gentleman is saying that the majority of this bill is going to be the same as H.R. 3200, but you may change the number, and knowing that the public has—

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY of California. I yield.

Mr. HOYER. I want to be accurate, and I want to characterize it as I did characterize it. Clearly, many of the proposals that came out of the Ways and Means Committee, the Energy and Commerce Committee and the Education and Labor Committee will be very much alike, or similar to, what will be in the bill that is put together

from those three committees. I think that would not come as a surprise to anybody.

Will there be, as we put these together, some changes perhaps from what was in the original three bills? There may be. My point was, and I think it is valid, is that the overwhelming majority of the proposals that will ultimately end up either in the Senate or the House bill have been available to the public for a long period of time, either in the HELP bill out of the Health, Education, Labor and Pension Committee of the Senate, or in the Senate Finance Committee, of course, has been a shorter time because they have just completed their work. But it is certainly not going to be H.R. 3200; it will be an amalgam, and it will have incorporated many of the additional thoughts and comments that we've received from the public during the month of August, September and frankly since July.

I thank the gentleman for yielding.

Mr. MCCARTHY of California. I thank the gentleman.

The gentleman talks about the three committees, Ways and Means, the Energy and Commerce and the Education and Labor, and that bill that they took up was 3200. And you say there might be some other debate. Just to remind the gentleman, that bill didn't take effect, the actions within health care, until 2014, but the taxes and the Medicare cuts took effect next year. So I just want to stress the point that we have 72 hours in making sure, in business time, that people can see it.

The gentleman says it is going to change, and you have public out there, and the public has knowledge of H.R. 3200, that they can be able to see whatever changes. So very cognizant of not being someone running the clock late at night while people are sleeping, I understand time difference. I come from California. But the most open transparency we could really be one that would bring respect back to this House.

I thank the gentleman for talking about that.

I do have another thing I would like to talk to the gentleman about. You always hear rumors. That's what's nice to have this colloquy, to try to make sure we get them, if they are right or if they are wrong. I have heard rumors during the week of a plan to attach that D.C. voting bill that we all know about to the Department of Defense appropriation conference report. That would be of concern to me because it would be showing a propensity to use our men and women in uniform to carry controversial legislation, much like a debate we had last week. So my question to you is, when do you expect this conference report to come to the floor?

And the second part would be, will it include the D.C. voting bill as rumored?

I yield to the gentleman.

Mr. HOYER. I can't tell you when it will come to the floor. As you know,

the Senate just passed it recently, the latter part of last week or the beginning of this week, I think, and we have not appointed conferees. So I can't give you the answer, really, to either question, because we don't have conferees appointed as it relates to the D.C. bill, as you know.

We have talked about the Defense bill. We have an Armed Forces. The Armed Forces is dedicated to the defense of freedom and the preservation of democracy. We have lost over 4,500 troops in Iraq. The people of Baghdad can elect members of their parliament today because our young men and women, and some not so young, fought, and too many died so that the people of Baghdad could elect a voting member of their parliament.

It is somewhat ironic that in the symbol of democracy around the world, that our fellow citizens, some 600,000 of them, don't have a voting representative in their parliament, the House of Representatives, the people's House. I think that's an egregious undermining of the principles for which our men and women fight, for which we stand and to which we have pledged support of our Constitution. Now whether or not that will be included in the Defense bill, it is about democracy. It is about participation. It is about respect.

I will tell my friend, I don't know whether that's going to be. I've heard some discussion about that myself. But whether it is or not, I will tell my friend that I will continue to fight as hard as I can to try to figure out how I can bring that bill to the floor, get it to a vote, and give the people of the District of Columbia, our fellow citizens, the right to vote as the citizens in Baghdad can do, the citizens in Moscow can do, the citizens in every free country in the world except the United States of America, can do. I think that's a blot on our democracy. I would hope that we would erase that blot as soon as we can in any way that we can.

I yield back to the gentleman and thank him for yielding.

Mr. MCCARTHY of California. I thank the gentleman for his passion and the answer, but should I take it that that is still a possibility, then?

Mr. HOYER. Most things are possible.

Mr. MCCARTHY of California. One thing I would offer to the gentleman, the passion which you started speaking when you talked about the troops, I will never question your passion for the troops. I haven't been in this House long. This is my third year. When I come into this building, I still get goose bumps. I know we have our philosophical differences. I think they are constructive. I think debates are constructive. But the one thing I firmly believe, when we talk about the Department of Defense, when we talk about the fact that we have men and women in harm's way, we should never play politics with it.

I will make this pledge to you. When you talk Department of Defense and

you talk about funding supplementals and others, I won't come here as a Republican, I will come here as an American. And the more ability that we have to not put anything within that, I would guarantee you, you would have a much greater ability to work together to make sure our men and women have whatever they need to carry out whatever mission.

Mr. HOYER. Will my friend yield?

Mr. MCCARTHY of California. Gladly.

Mr. HOYER. I appreciate that representation. I pose a question to my friend.

Would he help me bring the District of Columbia bill to the floor as a clean bill on the question of whether the citizens of the District of Columbia's representative ought to be able to vote as every one of us can on this floor?

Mr. MCCARTHY of California. If the gentleman from across the way in the majority would ever let me have the gavel, I will guarantee you, I could bring a lot of bills to the floor.

Mr. HOYER. That was not an answer to my question, I respectfully suggest to you. It was a serious question.

The reason the hate crime bill was on the armed services bill, which it shouldn't have been, it was because we couldn't get 60 votes to bring it up on the floor, notwithstanding the fact that the majority of the Senate and the majority of the House supported that bill.

The gentleman talks, very persuasively in my view, about bringing up bills in the proper order. The problem is, very frankly, we don't have the Interior bill this week and we don't have some other bills because frankly we can't get 60 votes to consider them on the floor of the United States Senate. I think that is lamentable. It's also unfortunate.

Mr. MCCARTHY of California. I would add to the gentleman, I know you know numbers. You got elected majority leader. You have more than 218. There's 178 on this side. You have the power I never had when we were here to schedule this floor at any time. You have the power to schedule this floor. You have the power to move forward. When I asked you about at the very beginning as we talk about our troops, let's make sure we have a very clean bill is the desire on this side of the aisle.

Mr. HOYER. Again, if you will yield, what I was responding to is your observation about a clean bill. My response was, would the gentleman work with me to perhaps get both of our sides to vote on a rule that provides for a clean consideration of whether or not the representative of 600,000 of our fellow citizens who live in the capital of the United States of America, the symbol of democracy throughout the world, but who do not have a voting representative, would my friend help me do that? Because I haven't been able to do it. With all that power you think I have and with the gavel that you think we have, we haven't been able to that.

Would you help me do that?

Mr. MCCARTHY of California. To the gentleman, I will always help you work because you explain to me each and every day, and you show us each and every day from the committee to the bill we took up today on the floor when it came up about water. You have the power of the Rules Committee. If you can guarantee me that it's an open rule when it comes to the floor and has open debate, the idea that the Founding Fathers, the idea that the dome of this Capitol, it's the second dome, when did they start building it? During the Civil War, not even knowing if this country would come together. But the idea that the power of this floor, that the idea would be able to work—

Mr. HOYER. Do you know who helped build this dome? Slaves. We thought that was wrong.

Mr. MCCARTHY of California. The only person who could actually put the very top together was a slave, because we bought it from the French, and they wanted more money to put the directions together. A slave sat inside and put that monument together. And that's what this body was built on.

I yield to the gentleman.

Mr. HOYER. My comment is a very simple question, and you wanted to have an open rule.

Mr. MCCARTHY of California. I want an open rule. Is that unfair? We just talked about transparency, sir.

Mr. HOYER. I'm talking about the Defense bill and your concern about D.C. vote being added to the Defense bill. My retort to you, because you wanted the Defense bill clean to deal just with the subject matter of defense. That's as I took your question. My response to you was, I think that's a good point.

Would you help me, then, do the same for the D.C. bill, which also stands for democracy, clean, not obstructed by issues which are obviously very controversial, which are not consistent with considering simply the very simple, straightforward question, do the 600,000 citizens of the District of Columbia, American citizens, our neighbors, have the right as our citizens have, of having us have a vote that counts on the floor of the House of Representatives? That's all I was responding to.

Mr. MCCARTHY of California. And I was telling you, I will be more than glad to help you as long as it is a clean bill, that you have an open rule, the way the American public believes this floor is supposed to be run, that people could have power of the idea, could actually raise an issue and raise a debate.

I thank the gentleman for the colloquy. But the one thing I would like to lead in with is the last couple of questions. This week the House overwhelmingly voted for the BARNEY FRANK-authored Iran Sanctions Enabling Act. I know you put out a press release about the strong message to Tehran that unless it abides by its international norms, its economic iso-

lation will continue. On the same day we passed the Frank bill, news reports from Moscow indicated that Russia has no stomach for further sanctions against Iran.

Given your praise for the Frank bill and the fact that Russia feels unwilling to go along with new sanctions, is it your intention not to consider Chairman HOWARD BERMAN's Iran sanctions bill this year?

Mr. HOYER. I expect to consider it. The chairman has announced that he expects to consider that, not next week but the week after. I have told the chairman, as I told Mr. CANTOR last week, that I expect to bring it to the floor shortly after it's passed out of committee.

Mr. MCCARTHY of California. So should I assume by the end of October, or am I missing something?

Mr. HOYER. He says not next week but the week after. And whenever he passes it, I will bring it out shortly thereafter. So it could either be the last of October or the very first few days of November. So in 2 or 3 weeks at the outside.

Mr. MCCARTHY of California. Let me make sure I hear you correctly. The committee says, the chairman, it will pass out within the next 2 weeks approximately. And your pledge to the committee chairman was to bring it to the floor directly afterwards within that week?

I yield.

□ 1700

Mr. HOYER. I don't know whether I made a pledge. I am very much for this. I am a cosponsor of that. I want to pass it as soon as possible.

It's been the chairman's judgment as to when to bring it up. He is going to bring it up, and I am going to bring it as soon thereafter as is practical, which I suspect to be a matter of days. But if he passes it on Thursday and if we are not scheduled to be here on a Friday, I don't know that I will schedule Friday; we may pass it Tuesday, but I expect to pass it very shortly after it passes out of committee.

Mr. MCCARTHY of California. I will make this pledge: I know you asked me for help. I will help you with this bill, too.

Mr. HOYER. This bill, frankly, with all due respect, your help would be nice, but not needed. It's the other bill I need your help on.

Mr. MCCARTHY of California. Well, I thought that I would put that offer out there to you. When you bring it, I will be there to help you.

I thank the gentleman for his time.

#### HOURLY MEETING ON TOMORROW

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow; and, further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, October 20, 2009, for morning-hour debate.

The SPEAKER pro tempore (Mr. KRATOVLIL). Is there objection to the request of the gentleman from Maryland? There was no objection.

#### HANDS ON MIAMI'S MIAMI DAY

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the outstanding organization, Hands on Miami, for continuing to make south Florida a better place.

Hands on Miami is a unique community service organization created in 1993 that offers opportunities for all to become involved. This year, Hands on Miami will host Miami Day in conjunction with Miami-Dade College on November 7.

Since 1995, Hands on Miami has brought together residents from all over to improve our neighborhoods. It started with 800 volunteers and is now over 4,000 volunteers. They have partnered with United Way, schools and businesses. Ten years ago, Hands on Miami began the innovative Family Volunteer Program to encourage families to participate together in community service events.

As a wife and a mother, I know what a positive impact this effort can have by instilling the values of service at a young age. Let's all sign up for Hands on Miami on Saturday, November 7.

#### IMPROVE HEALTH CARE AFFORDABILITY, ACCESS, QUALITY AND CHOICE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, we must improve health care affordability, access, quality and choice. We must not, however, pass a sweeping government takeover of health care.

We should just fix what is broken. Medical liability and defensive medicine costs are broken.

Mr. Speaker, we need tort reform. The economic and professional consequences of medical liability lawsuits are driving the practice of defensive medicine.

Here are the facts: medical liability premiums in the United States have reached \$26 billion a year. The average award is \$4.7 million. More than 93 percent of Pennsylvania physicians reported engaging in defensive medicine.

I have cosponsored H.R. 3400, the Empowering Patients First Act, that provides tort reform. There will be no limit to actual economic damages to the patient. There would be a limitation on punitive damages, and they would be determined by a special health care panel that would have judges with health care expertise.

I urge my colleagues to support H.R. 3400 for a first step towards real health care reform.

RECOGNIZING THE MINNESOTA NATIONAL GUARD HONOR GUARD TEAM ON THEIR VICTORY

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

Mr. PAULSEN. Mr. Speaker, I rise today to recognize the Minnesota National Guard Honor Guard team for their victory at the Army's recent National Guard Honor Guard competition in Fort Myer, Virginia.

The competition featured eight of the most elite honor guard teams from around the country, testing their knowledge, testing their abilities and performing military funeral honors, uniform items and other aspects of military honors. Properly honoring the men and women who have given their lives and service to the United States demands the utmost commitment, attention to detail, and training.

The Minnesota National Guard holds that commitment in the highest regard, and their victory in this competition is a testimony to that fact. But as we offer our congratulations to the Minnesota honor guard team, let us also remember those who have given their lives in the name of the United States of America and continue today to recognize those that also work and serve to protect our country each and every day.

WE CAN'T BORROW, TAX, AND SPEND TO PROSPERITY

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

Mr. WILSON of South Carolina. Mr. Speaker, more Americans are looking for jobs, families are in crisis and facing the tragedy of foreclosure.

Yet in Washington, Democrats continue to push their out-of-touch agenda, which will eliminate jobs and tax families and small businesses. Under the Democrat national energy tax, prices will skyrocket to heat and cool homes, drive cars and shop for food.

Under the Democrat Big Government health care takeover, senior citizens are under attack. Families and small businesses will pay more taxes as they are forced to navigate a sea of new regulations and mandates from a health czar.

In the meantime, Democrats are scheming new ways to borrow taxpayer dollars to top this year's record \$1.4 trillion deficit. Such actions will only increase the catastrophe of high unemployment.

We need to end this attack on senior citizens and small businesses. Both parties should work helping our small businesses get families back to work.

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

U.N. HUMAN RIGHTS COUNCIL ONCE AGAIN POISED TO UNJUSTLY CONDEMN ISRAEL

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

Ms. FOXX. Mr. Speaker, this week the U.N. Human Rights Council is considering a highly biased and one-sided report on Israel's defense against the attacks of Hamas this past January.

The council, which has been frequently discredited by its coddling of real human rights violators, is back to its favorite pastime, condemning the nation of Israel for defending itself against the attacks of violent terrorist groups like Hamas. Its latest faux crusade will only serve to further undermine any scrap of legitimacy that the body may have left.

If the council votes to condemn Israel and accuse it of war crimes, it's committing a great injustice and allowing itself to serve as a mouthpiece for those who wish to sabotage a true and lasting peace in Israel.

This report is not about human rights abuses. It's about taking biased cheap shots at the nation of Israel and undermining its right as a sovereign nation to defend itself against attacks. The U.S. must continue to stand by Israel, a strong democratic ally in the Middle East.

LET'S GET TO THE WORK OF THE PEOPLE

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

Mr. GOHMERT. Mr. Speaker, earlier this afternoon we heard the chairman of the Education Committee really fiery and passionate, fussing, looking over at this side talking about Republicans playing politics and how this side over here had been playing politics with the water bill. There is nothing in playing politics when you are talking about tens of thousands of people being out of work and an important part of the country not being able to produce.

What would be playing politics is when the chairman of the committee finds out that someone opposing the water bill from California has a motion to recognize the University of California, Irvine, for winning the NCAA national championship in men's volleyball and pulls the bill because he opposes the chairman's bill. My friends, that's playing politics, and it is outrageous.

Let's stop the games and get to the work of the people.

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.

AIG'S EXECUTIVE BONUSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, I rise today to express my deep outrage over AIG's plans to give \$198 million in bonuses to their employees next March, especially after paying out \$165 million in bonuses earlier this year. Meanwhile, Goldman Sachs is on track to provide a record payout to its executives by the end of 2009 and other firms will undoubtedly follow suit.

Well, I find it infuriating and insulting that these firms continue to reward incompetence and egregious risk-taking with taxpayer money. They have not only received billions in direct Federal bailouts to avert crises largely of their own making, but they also benefited from an array of Federal fiscal policies that have placed increased burdens on taxpayers and our deficit.

These companies must be held accountable for their decisions and for the Federal assistance they only too gladly accepted. That's why I supported legislation to block these bonuses and to ensure that taxpayers receive a full refund. I will continue to press my colleagues and the administration to ensure that as Wall Street again enjoys profitability, American taxpayers also see some reward.

I want to commend Chairman FRANK and the Financial Services Committee for their hard work on the financial regulatory overhaul that is so critically needed in our country to prevent another crisis from happening. I anxiously look forward to seeing this legislation come to the floor very soon. It's clear that our financial system demands commonsense regulation, increased transparency, and improved oversight.

Wall Street CEOs cannot run their businesses assuming that the fruits of success will be entirely theirs to enjoy while the cost of failure will be shared, will be the shared responsibility of the American people. Wall Street's compensation plans can no longer benefit top executives at the expense of their companies, shareholders and employees, and ultimately the American taxpayer.

After all this country has been through, when we have an unemployment rate of 9.8 percent nationally, and especially when 12.8 percent of Rhode Islanders are unemployed, seeing that Wall Street has not learned its lesson is a tremendous disappointment. We have to take action now so that we don't go down this road again.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HAITIAN PEOPLE PURSUE STABLE,  
PROSPEROUS AND DEMOCRATIC  
FUTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to express my longstanding commitment to assist the Haitian people in their pursuit of a stable, prosperous and democratic future.

During my trip to Haiti, I was reminded of the tremendous challenges facing this island nation. The U.N.'s appointment of President Clinton as special envoy to Haiti has helped to keep a much-needed spotlight on Haiti. President Clinton's appointment of Dr. Paul Farmer as the Deputy U.N. Special Envoy for Haiti, adds an invaluable wealth of experience and knowledge to the U.N.'s work in Haiti.

As a founder of Partners in Health and the Institute for Justice & Democracy in Haiti, Dr. Farmer has demonstrated a selfless commitment to the advancement of health and democracy in Haiti for the past 20 years. I have witnessed firsthand Dr. Farmer's dedication to helping improve the lives of those in need.

He has strong south Florida ties. I am proud to call him a friend, along with our mutual friend, Jennie Block, who has also worked so hard on issues of concern to the Haitian community.

I understand that the conference on the Inter-American Development Bank in Haiti went quite well. I was pleased to see that the United Nations voted unanimously this week to extend the authorization for the U.N. Mission in Haiti for another year.

□ 1715

I would also like to take a moment to express my condolences to the families of those who lost their lives in last weekend's plane crash during a U.N. mission. The U.N. mission in Haiti has helped to play an important role in bringing security and stability to some of the most dangerous neighborhoods in Haiti. I continue to support its mission and the many men and women from around the world who work to carry it out.

However, it seems that Haiti just can't get to the next step. From assistance to debt relief, from trade benefits to hurricane recovery, U.S. policy toward Haiti has run the gamut, but it is not achieving the long-term goals that we had hoped for for the Haitian people and that the Haitian people want for themselves and their nation.

I am pleased to know that our State Department is taking a closer look at some of the challenges we are facing in Haiti. Last week, Secretary Clinton's chief of staff and her point person on Haiti briefed Members on some of the initial findings of this review.

I am confident that this review will help us to better understand how U.S. assistance to Haiti can be better targeted and supportive of Haiti's own

plans and goals; how assistance within the donor community can be better coordinated; how the U.S. can better engage the Haitian Diaspora in our assistance efforts; and, finally, how the U.S. can finally make our assistance sustainable so that outside efforts can ultimately be transferred into the hands of the Haitian government and its people.

It is crucial that the efforts made by the U.S., the U.N. and others are effectively coordinated to ensure maximum efficiency and maximum benefit for the people of Haiti. Innovative microcredit and microenterprise programs would help to empower individuals, create self-reliance and create sustainability at the grassroots level. We should also look at the very small-scale renewable energy programs for impoverished rural villages and settlements that are not served by electric grids.

One of the immediate ways we can help the people of Haiti would be to grant temporary protected status to the Haitians currently living in the U.S. Granting TPS to Haitians is the missing piece of a successful U.S. approach to supporting the people of Haiti in the short and long term. I will continue to work with my colleagues to encourage the administration to take this important step.

In addition, I will continue to support Haiti's inclusion in security initiatives, such as the Merida Initiative, to ensure that the U.S. is doing all we can to help President Preval in his efforts against the narco-traffickers.

Success in Haiti is in the U.S. national security interest, and we must work together to help address the many challenges we face and that our Caribbean neighbor faces day in and day out.

PURSUIT OF AFFORDABLE  
HEALTH CARE FOR ALL AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WEINER) is recognized for 5 minutes.

Mr. WEINER. Mr. Speaker, it is my pleasure again to come to the floor to talk about the issue that is capturing all of the national attention and a lot of attention of this body, and that is our pursuit of affordable health care for all Americans.

There has been a lot of discussion about this so-called public option, this choice people would have when they are searching for insurance when they don't have it, the idea being that if you have a public alternative, an option that doesn't rely on profits, that doesn't rely on high overhead, that consumers would have a chance to choose it if they don't have insurance through their own employers.

Now, it is interesting, because just this week we got an enormous boost, those of us who care about having a public option in the final bill, and it came from, of all places, the health in-

surance lobby. In a rare moment of candor, in a rare moment of telling us exactly what it is that they are going to do, they have told us something that should come as no surprise to anyone that has health insurance. They said they are going to keep raising rates. They said we can pass whatever we want here in Washington, they are going to keep raising rates. As a matter of fact, by their calculation, by 111 percent.

Well, on one hand, I am stunned that they told the truth. On the other hand, I am not very surprised. Our rates have been going up twice if not three times the rate of our salaries every year. They have been going up about \$1,000 for people who have health insurance. So the idea that they are thumping their chest and saying they are going to keep doing it is not a surprise. But the fact that they were so honest about making it very clear that we need competition for the health insurance companies is refreshing.

They have made it crystal clear. The private insurance companies have said, you know what? If you don't have competition for us, rates are going to keep going up.

The public option, by the way, is not a mysterious thing. A lot of my colleagues here in the House of Representatives have it. Yes. They have Medicare. And I checked. Not a single one of them that is eligible for the government public plan we have today has said no. Maybe it is because they are like the country, that says, you know what? Ninety-six percent of people say they like Medicare. They like the care they get. It only has 3.5 percent overhead, not the 30 percent overhead and profits that private insurance companies get.

They like it, but they don't want you to have it. They don't want you to have the plan that they have. So many Members of Congress who are 65 say, no, you can't have it if you are 55 or 45 or 35. It is only for us.

Well, that is not exactly true. It is for every single American who turns 65. It is a government-funded, single-payer, government-administered health care plan that every year we do a survey about, and 96 percent of people who are on Medicare say they like it.

You can do the following test: Knock on the door or go to a neighbor or stop someone at the diner who looks like they are 55. Ask them, would you like it if tomorrow you got Medicare? Watch their face light up. They would love it.

Now, we are not proposing that. The President is not proposing that. I know I would like to have a program like Medicare for all Americans. All that is being proposed in the public option is that people who don't have insurance through their work, people that don't have insurance through Medicare or Medicaid, that relatively small group of people, the 10 percent or so of the country, that when they go out and

shop for insurance with the subsidies we are going to give them, one of the options is not the insurance companies that said in this report they are going to raise rates 111 percent. That is it. That is what the big bogeyman is all about.

Let me show you this chart here to give you a sense for how unafrightening that concept would be. This is the \$2.6 trillion of money we spend every year on health care. \$2.6 trillion. I ask my colleagues, do you think we can do a little better for \$2.6 trillion. We are getting such a great bargain?

Well, let's take a look at this. These boxes here, Medicare, Medicaid, DOD, Veterans Affairs and Department of Health Services, are all single-payer, government-funded, government-administered health care plans. And every day I hear my Republican friends thumping their chest, you gotta protect the VA, you gotta protect Medicare.

Oh, yeah? But you don't want to extend it to the rest of the country. Why is that? What is the big fear? The fear is, they are in a wholly owned subsidiary of this group right here. This is the private insurance companies, the ones that wrote this report that says that rates are going to go up 111 percent.

Now, in this \$854 billion, do you know how much of that is profits and overhead? Take a guess. Up to 30 percent. And what some of us are saying is, if you want to find savings in the system, and you don't want to cut into health care, maybe it is a place to start. Can you do maybe with 10 percent? 12 percent? 15 percent? Up to 30 percent. That is savings that we can get right there. But we are trying to get savings using a free market model. Competition. Let's see if there is someone that can do it more efficiently than 30 percent overhead.

We know, for example, Medicare can do it with about 3.5 percent overhead. That is the public option, and my colleagues don't want them to have what they have, which is government-funded health care.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### TRIBUTE TO PAUL BURKE

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, Hollywood has lost another star with the passing of Paul Burke at the age of 83. Paul Burke was best known for the role he played of Colonel Joe Gallagher in the TV series "Twelve O'Clock High." He was also known for winning two Emmy nominations for his role as Detective Adam Flint on the critically acclaimed New York cop drama "The Naked City."

Paul was born on July 21st, 1926, in New Orleans, son of prizefighter Martin Burke, who became a promoter and nightclub owner. While growing up, Burke's family owned the popular French Quarter nightclub and restaurant Marty Burke's.

After moving to Hollywood as a young man in the late 1940s, Burke studied acting at the Pasadena Playhouse for 2 years. Movie director Lloyd Bacon, a friend of Burke's father, got him his first role, an unaccredited bit part in the 1951 Betty Grable musical "Call Me Mister."

In addition to his wife of 30 years, Burke is survived by his three children from his first marriage, Paula Burke-Lopez, Paul Brian Burke, and Dina Burke-Shawkat; six grandchildren; and two great-grandchildren.

The Hollywood community, his family, friends and colleagues will miss him and his contributions to the entertainment industry.

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 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 (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### CONGRATULATING THE NEW YORK YANKEES ON THEIR VICTORY OVER THE MINNESOTA TWINS

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

Mr. ELLISON. Mr. Speaker, as the proud Representative who represents the district of the Minnesota Twins, I made an arrangement with my good friend JOE SERRANO about the outcome of the Minnesota Twins-Yankees series, and on October 11th, the New York Yankees defeated my beloved Minnesota Twins in the American League Division Series.

Before I begin, I made the agreement with Representative SERRANO with full expectation that the Twins would prevail. But that didn't happen. So keeping my word, I just want to come to,

quote-unquote, sing the praises of the Yankees. And, let me tell you, it is not going to be easy.

Ten times the Yankees and the Twins met this year, and ten times the Yankees were victorious. They were undoubtedly the better ball club this year, and I am sure that in the coming weeks, Joe Girardi will fulfill the promise he made when he picked his uniform number to bring the 27th championship to the Bronx.

Good luck to the Yankees. Congratulations. Your victory is further testimony to why you are the most storied baseball franchise in Major League Baseball.

#### HONORING THE LIFE AND SERVICE OF SERGEANT MICKEY HUTCHENS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, it is with great sadness that I rise to remember the life and service of Sergeant Mickey Hutchens, a Winston-Salem police officer who passed away on Monday surrounded by friends and family at Wake Forest Baptist Medical Center.

Sergeant Hutchens is a North Carolina hero. He gave his life protecting the public from a dangerous criminal. Sergeant Hutchens was shot last week while pursuing an armed criminal in Winston-Salem. With his passing, the Winston-Salem community grieves the loss of one of its finest.

He faithfully served on the police force for 27 years, putting his life on the line each day that he showed up for work. We owe him and his family a deep debt of gratitude for the ultimate sacrifice that Sergeant Hutchens made for the public safety.

Police officers and public safety workers like him are the key to safe communities that are often taken for granted. Great tragedies, like Sergeant Hutchens' death, serve to remind us of the heroic work done each day by officers like him.

Sergeant Hutchens was more than just a faithful public servant. He was well-known as a man of impeccable character who was committed to maintaining his integrity at all costs. He was just the type of person you would want wearing the uniform of a police officer.

He lived a life dedicated not to just keeping his community safe, but also to his family and his church. He was a loving and dedicated father of two daughters, Jill and Leah, and a faithful, loving husband to his wife Beth. He was often found serving in his role as a deacon at Forbush Baptist Church.

Sergeant Hutchens left a noble legacy in his community. He lived to serve and protect others. His life is a true inspiration, and I pray that his death reminds us of the bravery and sacrifice of those keeping our streets safe each day.

Today, his family, friends and colleagues are in my thoughts and prayers

as they mourn the loss of a husband, father, brother, friend, fellow officer and a North Carolina hero. May they know God's comfort during this difficult time.

□ 1730

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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING THE HUMANITARIAN SERVICE OF ANN GLOAG

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, a leading Scottish businesswoman and board member of the global charity Mercy Ships, Ann Gloag is being honored by the National Council of Women of the United States this evening at the United Nations as the inaugural recipient of the Susan B. Anthony Humanitarian Award in recognition of her humanitarian service in Africa.

The reason someone from east Texas would take note of this philanthropic humanitarian from Scotland is because she has done so much for Mercy Ships. It may surprise some that such an oceangoing charitable enterprise would have an international headquarters in my east Texas district, but it does, due to its founders.

Mercy Ships uses hospital ships to deliver free, world class health services to those without access in the developing world. Founded in 1978 by Don and Deyon Stephens, Mercy Ships has worked in more than 70 countries, providing life-saving and life-enhancing services to more than 2.16 million direct beneficiaries.

More than 1,200 crew work worldwide, representing more than 40 nations. They're joined each year by 2,000 short-term volunteers. Professionals, including surgeons, dentists, nurses, health care trainers, teachers, cooks, seamen, engineers, and agriculturists donate their time and skill to that effort. I've seen the results of the enormous charitable work this institution does, and it is gloriously moving.

As for the devoted Ms. Gloag, she has supported various charitable organizations, providing much needed medical care, housing, and education in Africa for over 30 years. In addition to establishing the Balcraig Foundation, the Gloag Foundation, and the Freedom from Fistula Foundation, Ms. Gloag has worked with Mercy Ships, includ-

ing the funding of the Africa Mercy Ship, the world's largest nongovernmental hospital ship providing free medical and humanitarian aid to the people of Africa.

Through partnerships in Liberia, Sierra Leone, and Kenya, the Freedom from Fistula Foundation alone is providing free surgeries to more than 1,500 women this year. In her home of Scotland, Ms. Gloag has already been honored for her work with Mercy Ships and has worked with the Scottish Government to promote its international development work in Malawi, where Ms. Gloag has also helped to establish a hospital.

Named for the American civil rights activist who helped form the National Council of Women of the United States, the Susan B. Anthony Humanitarian Award will be conferred annually on individuals dedicated to making a difference in people's lives, communities, or state of the world.

Don Stephens, founder and president of Mercy Ships, comments, "Mercy Ships champions the selection of Scotland's Ann Gloag as the inaugural recipient of the Susan B. Anthony Humanitarian Award by the National Council of Women of the United States. Ann exemplifies a modern example of Andrew Carnegie, J.P. Morgan, and John D. Rockefeller, who almost delighted to use their wealth to assist the world's poorest. On board our new hospital ship Africa Mercy, I have personally observed Ann demonstrating her compassion for others at the bedsides of women and children who received a free surgery on the ship that she helped fund. In parts of Africa, health care infrastructure and delivery is non-existent. Ann enabled Mercy Ships to bring hope and healing where it is otherwise often not available. Ann has found a powerful way to share her blessings."

We must congratulate Ms. Gloag for caring so deeply and acting so generously, responsibly, and personally to make such a difference in the world. May God bless Ann Gloag as she has so richly blessed others around the world.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona 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 Georgia (Mr. DEAL) is recognized for 5 minutes.

(Mr. DEAL of Georgia 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 Florida (Mr. POSEY) is recognized for 5 minutes.

(Mr. POSEY 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 gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

(Mrs. BACHMANN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### TRIBUTE TO SERGEANT JOSHUA M. HARDT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MCCLINTOCK) is recognized for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, I rise today to pay tribute to U.S. Army Sergeant Joshua M. Hardt of Applegate, California. He's one of the fallen heroes of the Battle of Kamdesh, that remote outpost that was besieged and surrounded and hopelessly outnumbered by more than 300 Taliban insurgents on October 3.

No soldiers in the history of our Nation have fought more valiantly or bravely than the defenders of Combat Outpost Keating on that day. In the end, they held their ground, they defended their flag and the honor of their country. But most importantly, they defended something that is fundamental and sacred and eternal, that defines humanity itself. They defended something that can never be abandoned as long as humanity exists. They defended right against wrong, good against evil, freedom against tyranny in its most stark and defining form.

During the terrible winter of 1776, Thomas Paine, having watched many brave young men like Josh Hardt fall in defense of these same eternal truths, offered these words to try to make some sense of it. He said, "Heaven knows how to put a proper price upon its goods; and it would be strange indeed if so celestial an article as freedom should not be highly rated."

Joshua Hardt knew that, and his family knew that. Through her tears, his mother told a local newspaper, "He was a very giving son. He went into the Army wanting to make a difference . . . wanting us to be safe . . . He expressed his desire to do more, to take more action, and to make a difference. He didn't know a better way than to go into the military and to fight for everybody."

And that's exactly what he did. He fought for his Nation, he fought for his Nation's values, and he fought for the freedom of a people half a world away. And he paid for heaven's most expensive celestial article with his life, not for himself but for others.

I attended a Gold Star dinner recently, and I admitted to one the hosts that I still don't know what to say to the families. She said, well, just ask them about their sons.

So let me tell you a little bit about Josh Hardt. He was 24 years old. He's

remembered at Placer High School as an extraordinary athlete. He did his school so proud on the football field that they retired his helmet when he graduated. He was one of those big, hulking kids who stand up for whoever's being picked on.

I spoke with his wife and with his mother today and they both told me exactly the same thing: that he was first and foremost a family man, willing to do anything for his family and for his friends and for his country.

He joined the Army just 3 years ago. He'd already risen to the rank of sergeant and carried a chest of ribbons, including the Bronze Star. Perhaps the most eloquent testimonies to his service are the remembrances from younger soldiers that he'd taken under his wing to help. In fact, that was his next assignment, to come back to the States and help his returning comrades.

His football coach, Mark Sabins, remembered seeing him back home last year after the first tour of duty in Iraq and tells how excited he was to be marrying a remarkable young lady, Olivia, and how energized he was about his work in the Army and his plans for a family and how he looked forward to a full and promising life ahead.

Instead, Joshua Hardt will return home tomorrow for the last time. His family and friends will come to mourn him and to honor him and to remember him. His community will hold him up as an example of all that is heroic and virtuous. His Nation will record his name onto its most hallowed rolls that he never be forgotten.

Centuries from now, flags will be placed on his grave every year as future generations gather to consider the cost of their freedom. And perhaps in Kamdesh, Afghanistan, they will gather around a monument where Outpost Keating once stood and give thanks for the men who paid everything to purchase for them so celestial an article as freedom.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

(Mr. WOLF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### SUPPORTING 287(g)

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 rise today to express my support and the support of Arkansas' Third District residents for the 287(g) program.

Two years ago, Benton and Washington County Sheriff's Departments and the cities of Rogers and Springdale sent 19 northwest Arkansas officers and deputies for training in the identification and possible detainment of illegal immigrant offenders they encoun-

ter during their regular daily law enforcement activities. I thank Rogers' Mayor Steve Womack in being a driving force behind this task force. His leadership has been instrumental in cracking down on illegal immigrants in northwest Arkansas.

Thanks to these law enforcement personnel, more than 1,500 illegal aliens have been arrested and have or are in the process of being deported in northwest Arkansas. 287(g) has a proven track record of success nationwide. According to Immigration and Customs Enforcement Agency, since January of 2007, the program is credited with identifying more than 100,000 potentially removable aliens, mostly at local jails. The numbers tell the story. 287(g) is an effective program, and that is why I'm a champion for it.

This week, I signed a letter to President Obama showing my support for the 287(g) program and asking that the funding be continued. I believe that Federal, State, and local cooperation is key to combating illegal immigration, and continuing the 287(g) program is a commonsense solution.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 5 minutes.

(Mr. WESTMORELAND 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 Tennessee (Mr. WAMP) is recognized for 5 minutes.

(Mr. WAMP addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### THE PROGRESSIVE CAUCUS

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. Mr. Speaker, my name is KEITH ELLISON, and I'm a Congressman from the great State of Minnesota, and I'm honored to claim this Special Order, this 1 hour, for the Progressive Caucus to talk about the values of Progressive ideals, the values associated with a progressive America in which people are included and which we believe in generosity, where we believe in valuing people, where we believe in civil rights, care for the Earth and creation, where we care about liv-

ing in a world in which middle class people, working people, the hard-working people of America and the world can have a prosperous life and where people can do well.

The Progressive Caucus, designed and approved and coming together to signal to the American people that in Congress there is a body of Members of the Congress who are willing to stand up for the values that have made America great, values such as workers' rights, such as the weekend, such as the 5-day week, such as work and safety laws, such as worker's compensation, such as Social Security.

□ 1745

These are all progressive steps forward, such as civil rights, women's rights, gay rights, such as the respect for all religious groups and religious tolerance in our country.

Recently, Mr. Speaker, our focus has been on health care because health care is such an essential component of what it means to be a middle class American trying to put food on the table for your family. Health care, if we can correct health care, the disparities in health care, the cost increases in health care, if we can correct health care 60 years in the making, we can improve the quality of life for all Americans and thereby enact a piece of legislation that is on the order of the 1964 Civil Rights Act, the 1965 Voting Rights Act, the passage of the Medicare bill, which helped millions of seniors all around our country live a life of quality, and ended seniors who lived a life of poverty and of insecurity.

This bill, which is right within our grasp at this time, we are so happy to be able to step forward. And I just want to let you know, Mr. Speaker, that it's an honor to be joined by such a courageous Congressperson as Congresswoman DIANE WATSON from the great State of California, who for years and years has been sticking up for progressive values, never backing down, always there for the American middle class and working class people.

So we are going to talk a little health care tonight. I am going to yield to the gentelady to make a few introductory remarks, and then maybe she and I can have a little colloquy as we move on in the evening.

I yield to the gentelady from California, DIANE WATSON.

Ms. WATSON. I thank you very much, Congressman ELLISON, for yielding to me. You are doing a marvelous job. I watch you every evening as you take the mic on the floor of the House to explain to the general public what a benefit health care reform is to all Americans.

And I want to say that we speak to all Americans and we say to them, we are presenting to you a reform of health care as you have known it in the past. Because in my own State of California, if you have insurance, your fees are going to go up somewhere around \$1,800 for a family of four annually. People are going without coverage because they cannot afford it.

We had an assembly outside of Blessed Sacrament in Hollywood several weeks ago, and there was a man who came up with a heavy Spanish accent. And he said, I am an American, I work four jobs. My 2-year-old daughter got sick. I could not even afford health insurance and she eventually died.

I do hope that our House bill, H.R. 3200, will be recognized as a way to help reform health care because what we want to do is bring to you in your own community accessible health care. We want it to be affordable; we want it to cover preexisting conditions; and we want to say to you, if you get sick and you can't work—and that's happening very frequently with H1N1, people are getting sick, they have no sick leave, and it could really bankrupt most families. And so we say to you, even if you don't have a job, you will be covered.

We are now just dickering around the edges of a reform. We are going to get one now because it's the right thing to do, Mr. ELLISON. And I am so glad that you are bringing information to the people every evening.

I want to say that I know in my own district there are a lot of people who cannot afford health care, but this one family could. And if we don't reform health care, a lot of people will have to endure weeks of illness and eventually death.

I'd like to bring to your attention the death of Marybell Bakewell, who was born on April 10, 1925 and died October 7, 2009 in Los Angeles. Her son is Danny Bakewell, who is now Chair of the Black Publishers Association. Mr. Bakewell, who lives in the southern California area, could pay for health care, but he could not save his own mother, Mrs. Bakewell; and she suffered a massive stroke from which she never recovered.

Marbee, as she was affectionately known by her entire family, was always the life of the family. She preached "family first," and anyone who knew her immediately fell in love with her glowing personality. She was full of life, love and laughter, and was also an activist.

Marybell Bakewell was a native of New Orleans and lived there 79 years of her 84 years of life. She finally left her beloved city after it was completely devastated by Hurricane Katrina. While living in New Orleans, she was a life member of St. Peter Claver Catholic Church as well as a member of the Sisters of the Holy Family.

Mrs. Bakewell belonged to one of four generations of women and family who attended St. Mary's Catholic School. Her grandmother, Mary Winier; her mother, Camille Brazile; Marybell Bakewell and her daughter, Pamela Bakewell, all were graduates of this esteemed institution of higher learning dating back to the turn of the century.

Mrs. Bakewell was a diehard New Orleans Saints fan. She loved to play cards and board games, especially with her main road warrior, Brenda Marsh-Mitchell.

Marybell Bakewell is survived by her two children, Danny J. Bakewell, Sr. and Pamela Bakewell, both prominent in Los Angeles civic affairs; her daughter-in-law, Aline Bakewell; eight grandchildren—Danny J. Bakewell, Jr., Brandi Bakewell, Sabrina Bakewell, deceased, Donny Brooks, Jamie Brooks, Brandon Brooks, Fatima Elswify, Amira Elswify; six great grandchildren—Taelor Bakewell, Danny J. Bakewell, III, Devyn Bakewell, Bryce Bakewell, Donny Brooks, Jr., Adrian "AJ" Brooks; sister-in-law, Delores Brazile; her nephew, Eric Brazile; as well as a host of cousins, family and friends.

This courageous matriarch will be missed by the Los Angeles community, her family and friends, and especially by me, Mr. Speaker. I had a grandmother who was born in New Orleans, grew up in a convent for 13 years, obviously left, but her sister became Sister Philomena. And so I have a great affection for the city and for her.

My point in bringing her obituary here is that, yes, this family could afford health care; but I'm telling you there are thousands of others, not only in my district in the State of California but across this country, something like 38 million, who need the government to help them survive when they have a condition or when they are declared terminal.

So I am hoping that in this Congress we will do the right thing and we will see that before the year ends, we have Medicare reform as a program for all Americans.

I want to thank you, Mr. ELLISON, for your insight, your intelligence, your knowledge. And I want you on this floor every evening. You are bringing to the American people the important facts about what our reform will do.

So thank you very much, Madam Speaker. Thank you very much for the time. Continue to educate Americans.

Mr. ELLISON. While the gentledady yields back, let me thank her as well. The fact is that by bringing this important story about the Bakewell family—well known throughout the country, particularly in Los Angeles, but really all over—it shows that health care reform is something that everybody needs. It is not something that some people have to worry about and some people don't; it's something that all Americans have to focus on because none of us are immune.

If you don't have health care, then you are among those 59 million Americans who are just going to bed every night hoping and praying that you don't get sick; and if you do, you know you're going to be in for a very difficult time.

And you may be among those 250 million Americans who have either employer-based health care or have health care through either Medicare or Medicaid or VA or something like that, a government-run program. In that case, you know that your employer-based health care has seen premiums double

in the last 10 years and are likely to double in the next 10 years. So no matter whether you're among the uninsured who need change or the insured who need change, we all need change. And so it's critically important that we bang the gong and keep it up and don't back down on this important issue.

If I may—and I invite the gentledady to ask me to yield at any time, but I just want to make a quick point before we do.

We have been joined by the gentledady from Maryland, DONNA EDWARDS, who is a clear voice on this issue, who has been creative, who has been consistent. And we just want to let the gentledady from Maryland make some remarks as we begin this hour so that we can sort of get into our colloquy.

Ms. WATSON. Would you yield just a few seconds?

Mr. ELLISON. Certainly.

Ms. WATSON. About 3 weeks ago, I was up in the Hollywood Hills at a reception, and there was a young man who was taking pictures of all of us. When I finished making a presentation about our health care reform, he came up to me and he said, thank you. He said, I am on a medication—now get this—that costs \$74,000 a month. I said repeat that figure. He said \$74,000 a month. He told me that he had a very unique condition, that when he was born, his muscular system, his skeletal system as well as his vital organs started to deteriorate. Each one of the medications he takes monthly costs over \$6,000. He does a copayment of about \$696 a month. He said, I could not afford that without the insurance that I have, and I pay a high price for that insurance. I told you what the copayment was.

So here is a person who makes a good income and pays a great amount of his income on a monthly basis just to stay alive. Why can't we have a program that will keep others alive regardless of their income?

And thank you, Congresswoman, for coming forth with your factual statements. I listen to you also very intently. And as an attorney, you bring the truth and you speak it to power. And I thank you very much.

I yield back.

Ms. EDWARDS of Maryland. Well, I thank the gentledady from California. And to the gentleman from Minnesota, thank you so much for your leadership. It is really important.

We are almost there. I describe this—if we were playing a football game, you know, we would call it "crunch time." We're in crunch time right now when it comes to health care reform for the American people.

I don't know what struck others this week, but what struck me was the release of a so-called "independent report" from the American Health Insurance Plans lobby. It struck me because in that report was so much misinformation. And it was done by PricewaterhouseCoopers. Now, they

thought that they were just evaluating a little bit of the plan and giving some data. They didn't realize that it would be completely misconstrued by the health insurance plans in order to prove a point that's not really a point. And so I wanted to call attention to that.

I think another thing that struck me this week, as we unmask the health insurance industry, as we see them for who they are, they're interested in profits, that's their motive. It's not health care; it's not reform. It's profit. And I decided that I would take a little peruse around the Internet and I looked up the lobbying disclosure reports for America's Health Insurance Plans, the same group that released that bogus report.

□ 1800

Here is what I found: For all of 2008, this group that has so-called been very interested in health care reform spent \$7.54 million lobbying against health care reform, and that was just for 2008. Then we turn just to the first—

Mr. ELLISON. Would the gentlelady yield?

What was that number again?

Ms. EDWARDS of Maryland. \$7.54 million lobbying against health care reform in 2008. That's before we even had a bill.

Now we've gotten our bill here in 2009 with our new President, who really is serious about reforming the health care system. We find that in the first two quarters of 2009—that's this year—America's Health Insurance Plans, according to their lobbying reports, which are available to the public at [lobbyingdisclosure@house.gov](mailto:lobbyingdisclosure@house.gov), and anybody can go and look this up, America's Health Insurance Plans actually spent for the first quarter of 2009 \$2,030,000. That's in the first quarter. That's from January to March.

Then in the second quarter, from April 1 to June 30, they actually spent another \$1.87 million. That's the total for just the first 2 quarters of this year.

This is while people were having their health insurance revoked and while 14,000 people a day were losing their health insurance. While all across this country people are losing jobs, America's Health Insurance Plans decide that it would be a great idea to spend almost \$4 million in the first two quarters of this year lobbying against health care reform. That just proves that the industry is so much more interested in its profits and in protecting its profits than it is in health care or in reform.

Now, I decided that I would keep looking at those lobbying disclosure reports and I would advise people all across this country to go to [lobbyingdisclosure@house.gov](mailto:lobbyingdisclosure@house.gov). They need to look it up for themselves because we're not making this up. It's right there, filed by their own general counsel. I looked. I said, Well, how many lobbyists does it take in one quarter to spend \$1.8 million? How

many lobbyists does it take to spend \$2 million? How many lobbyists does it take to spend \$7 million just in 2008?

I'm going to just tell you: They spent that money. Gary Bacher, he was lobbying for them; Carmella Bocchino; Elizabeth Brooks; Jill Dowell; Paul Eiding; Baron Foster; Lindy Hinman; Karen Ignatti, the woman whom we've seen all across the television screens of the country, talking about how health insurance was going to send premiums and deductibles and copayments skyrocketing; and Alethea Jackson. That's one, two, three, four, five, six, seven, eight, nine lobbyists spending millions of dollars across Capitol Hill—at the House and the Senate—and over at the White House. They're lobbying against health care reform.

So those are the numbers right there, apart from what all of the other industries have spent, which includes the pharmaceutical industry and others in the health insurance industry, to try to defeat reform.

Do you know what really surprises me in all of this? For all of their advertising and their lobbying, they have beaten and beaten and beaten the public health insurance option. Guess what? A majority of the American public actually knows that competition is good for the system. They know that it's important to have a public plan to provide accountability, and they know that we need transparency and that we have to lower costs. So the public is actually not fooled.

You would think, if there were some good marketing people over with the health insurance plans that they actually wouldn't be spending so much money, because they haven't managed to convince a majority of the American public that a public health insurance option is against their interests. So I'm actually grateful for the American public for being so smart, for seeing through the health insurance industry, and now for the industry itself, for actually exposing what they're trying to do to America.

I know people are calling your office, the Congressman from Minnesota, and I know they're calling my office, and they're saying, You know what? I just got a letter in the mail saying my health insurance premium is going up 10 percent. My health insurance premium is going up 12 percent. They haven't even used their health insurance this year, and their insurance premiums are going up.

So we see what the industry is doing. We know that we are inching our way to reform and that we are going to get there and that we will have a bill for the President of the United States to sign into law and that we are closer than we've ever been before. So the insurance industry, true to form, is living out their promise in that bogus report that they released. They're living out their promise by already starting to jack up insurance rates just to beat the clock—to beat the bell—to reform, but they're not going to get away with it.

So I would say to those—what did I count, 9 or 10 lobbyists?

Mr. ELLISON. Nine.

Ms. EDWARDS of Maryland. Those nine lobbyists already this year have spent about \$4 million lobbying against reform and \$7 million in 2008 lobbying against reform. I'll tell you what. If you add that up, by the time they finish this year, I'm guessing that they probably will spend something in the neighborhood—over the course of the last 2 years—about \$15 million lobbying against health care reform.

I would dare say that the American public could take that \$15 million and divide up what it would cost to provide a reasonable premium, say, under Medicare or a public health insurance option, and we would be insuring just dozens and dozens and dozens of families across America for what this industry has spent to fight reform. So we're not going to be fooled, and we're not going to be deterred, and we know, as the public knows, that a robust public health insurance option will be the best option to provide competition, to provide accountability and to make sure that we lower costs for all Americans.

So the insurance industry, just before Halloween, has been completely unmasked. They've revealed themselves, and we want to say to them, You know what? We're on to you. We know what you're about, and we're not going to believe any more of your bogus reports, and we're going to trust the fact that you wouldn't spend this money lobbying against something if you didn't want to defeat it. So we're going to bring that health care reform package to the House of Representatives through the Senate, on to the President and then deliver it to the American people.

With that, I would yield.

Mr. ELLISON. Well, the gentlelady is in rare form tonight. I really appreciate everything you laid out. Excellent.

I just want to add to your observation about the AHIP report, which is an acronym for America's Health Insurance Plans. Here is what the people who really study the stuff had to say about this particular industry report.

AARP had this to say: The report is "fundamentally dishonest" and "not worth the paper it's written on." Those are the words of John Rother of AARP, executive vice president of policy and strategy.

You mentioned PricewaterhouseCoopers, which participated in preparing the report. They're running from the report. They're like, Hey, we didn't know. I don't blame them, because it is deceptive.

Also, PricewaterhouseCoopers said Monday, AHIP, the report that we've been referring to, that industry report, had instructed it to focus on only some features of the bill while not taking into account other major features, such as the effect of subsidies for those

buying insurance. So they didn't even tell their preparer the right information to consider.

Why would they not fully disclose and be transparent about that? The report threatened that if the bill became law it would result in an increase in premiums for an average family of four by about \$4,000 a year. Now, this begs the question: Who would be increasing these premiums? The very people who issued the report saying the premiums are going up.

Furthermore, the report says that the cost of private health insurance would rise by 111 percent over the next decade. Who would be increasing these premiums by 111 percent? The fact is the very people who are saying the prices will increase for buying health care insurance are the ones who are in charge and who are in control of raising these prices.

Reid Cherlin, the White House spokesman, said "this is a distorted and flawed report from the insurance industry and cannot be taken seriously. This so-called analysis appears on the eve of a vote that may eat into some of the insurance industry's profits. It conveniently ignores policies that will lower costs for those who have insurance, expand coverage and provide affordable insurance options to millions of Americans."

I'm not done quite yet.

Nancy-Ann DeParle, director of White House Health Reform, says that she was surprised by the report because she had just met Mrs. Ignatti, the one who has been doing a lot of the selling of this on TV, and she vowed to work together. So that may be regarded as somewhat misleading. It's important to remember that virtually every wild, erroneous claim made regarding health care reform has been debunked as false.

Let's go on back to the summer. I ask the gentlelady to take a walk back to August. You'll recall, Madam Speaker, that we were talking about death panels. This was all the rage—death panels. We were talking "death panels." Yet, when you look at the bill, it's simply Medicare saying we will compensate doctors to talk about end-of-life decisions, which is a good thing and a wise decision. It's about dignity. Everyone wants that for their loved ones when they're in their final days of their lives.

Also, we then heard about illegals. It's going to be all about illegals. We debunked that myth.

Then we heard about a government takeover until somebody said, Wait a minute. Doesn't government already administer Medicare? They're doing pretty good. Ninety-six percent of respondents say they like Medicare, so maybe government knows a little bit about administering health care. Doesn't government already play a significant—not just administering the VA, they actually hire the doctors and provide the care. That is truly a single-payer system. That's government-run health care if there ever was, and you'd

better not try to take health care away from our veterans, because they won't tolerate that. So then they had to move away from that.

Then we heard that it is only about the uninsured. Wait a minute. We find out premiums have been doubling over the last 10 years and are expected to double again. So now the insured, the people who have employer-based health care, say, wait a minute. We need reform, too. We have to have reform, and we cannot tolerate being rejected and excluded for preexisting conditions and tolerate discrimination, which will affect young women the most.

So Americans have been peeling back the onion of falsehood time and time again. As the gentlelady from Maryland pointed out, the public option still is standing stronger than ever. It's almost as if, the more they attack it, the stronger it gets.

I just wanted to point out: Who wants the public option? Well, doctors want a public option. Nurses want a public option. The majority of Congress wants a public option. Faith communities want a public option. President Obama prefers a public option, and the American people do.

If you look at what doctors want, most doctors support the public option. Sixty-three percent of doctors say both the public and private options are what they would prefer. Sixty-three percent reported that they would like both public and private options. That's what the House bill is calling for. You have another 10 percent who said just a public option. That's all we want. So, if you add the 63 and the 10, you end up with a full three-quarters of doctors who say they would like the public option.

So I guess my question to the gentlelady from Maryland is: Why does the public option keep coming up strong despite these relentless attacks—the \$4 million this year and the \$7 million last year? What explains this?

I yield to the gentlelady from Maryland.

Ms. EDWARDS of Maryland. I thank the gentleman for yielding.

It's a pretty simple explanation. The American people are smart. They know it takes competition to bring down cost. They haven't been able to trust their health insurers. Even though they may like their health insurers and may want to keep their insurance, they know that they actually can't trust them to keep down premium costs and deductibles and co-pays. So, like most issues, the American public is way ahead of even Congress, and they are definitely ahead of the health insurance industry.

I go back to these lobbying reports because one of the things that I noticed, if the gentleman would indulge me for just a minute, is that the health insurance industry knows that they've had to cover all facets in order to debunk the need for reform, and so they didn't just stop at lobbying the United States House of Representatives. They

lobbied the United States Senate. They lobbied the executive office of the President. They lobbied the Centers for Medicare and Medicaid, Health and Human Services, the Department of Labor, the Department of the Treasury, the Federal Trade Commission, the Office of Personnel Management, the Agency for Healthcare Research and Quality, and even the Internal Revenue Service. They are leaving no stone unturned in order to defeat health care reform.

So the American people are very smart, and they have said three things: We want quality care. We want competition. We want to lower costs. They know that, in order to achieve those things, there must be a public option component as part of the array of choices. It's like a marketplace, the array of choices that are available to them.

□ 1815

So they want to be able to stack up each one of these plans, private plan X, Y, and Z, and the public option and see which one works for their family and then make that choice. And I think that the American public should actually have that choice. I actually believe in real choice even in health care. And the problem with the system that we have now is that in most States, there is no competition; one or two insurers have a monopoly or duopoly on all of the health care coverage in that State.

And what does that mean? What does that mean for our small businesses? It means, if you're a small business, you can't compete at all. You have no leverage whatsoever. You have no bargaining power, and you are at the mercy of the health insurance industry. And it means that they can charge you whatever they want for you to be able to provide health care for your employees.

And the poor small businesses, they're sitting out there saying, I want to provide health insurance for my employees, but I can't afford it any more. It's too expensive for me. I can't take it when my insurance costs are going up 10 percent one year, 15 percent the next year, sometimes as much as 20 percent in one year just to cover their employees.

So if people really believe in the free market—and I do—if you really believe in the free market, then let it be free and let there be competition. And the way to do that in health care and get quality, affordable, accessible health care for all Americans is to make sure the public has the ability to choose from an array of the private insurers and the public plan. It's like going to a marketplace, stacking up everything you want to choose, and making a selection.

By the way, if the gentleman would yield just a minute more, people are ready to make that choice, and now they're counting on us in the United States Congress to come down to the

hard decisionmaking and to make the choices that we know are right for the American people.

And so what I say is, with the kind of support that you demonstrate among doctors, as much as 73 percent of doctors, two-thirds of doctors saying they want at least a public plan and private options; with 62 to 65 percent of the public saying we want the choice of a public plan and private options; with people all across this country, our small businesses, saying, You know what? We need that in order to be able to provide affordable care for our employees because it's the right thing to do and it's what we want to do, so we want to take the burden off of our businesses. We want to ensure that we have greater competition, competitiveness in the global economy. And the way to do that is to make sure that we reform our health care plan.

Now, I know that the health insurance industry is going to go kicking and screaming to reform. And you know what I say to that, Madam Speaker? I say let them. Let them kick, let them scream, and we're going to go to health care reform anyway.

Mr. ELLISON. I thank the gentlelady for yielding, but the gentlelady should know that when you're hot, we've got to give you the ball, and you were. So thank you.

Just a few points.

I would like to point out that people have contacted us in the Progressive Caucus and different Members individually and let their views be known about how people feel. And I just want to point out that historically—and I think that there was a perception that the Progressive Caucus may have stood up for good values, may have fought the good fight, may have talked about inclusion of everybody, a society based on generosity, the beloved community, middle class prosperity, all of the good things, but when it came down to really sticking to the guns and saying, You know what? We're going to stand up for what we believe in, there was some doubt that that was the case.

And I just want to say that the Progressive Caucus has dug in for the American people. I am proud of what the Progressive Caucus has done. I am proud of the leadership that we've seen from the Progressive Chairs, Ms. WOOLSEY and Mr. GRIJALVA, because this perception that Progressives are going to cave has been dissipating because Progressives have been holding firm. This is the Progressive message. This is a Special Order of the Progressive hour.

And I just want to say that the Progressive Caucus has made it clear, the leadership has made it clear to the White House, made it clear on all fronts, that if you want our votes, you're going to have to do what's right by the American people; and that is to include the public option which doctors want, which the public wants, which everyone wants. It was not simply a simple temper tantrum. It was not say-

ing we want it because we want it. It was because the American people needed a public option. So the Progressive Caucus stuck to it and didn't back down. I think it's important to make this point. Because the Progressive Caucus really is a caucus that's unified not by culture, not by color, not by faith, not by gender, but by values. And these values are really being reflected in the advocacy around the public option, around true health care reform.

I just want to make that point clear to the folks who are tuned in tonight, Madam Speaker, because I think that it's important that folks know that there are people in Congress that are fighting for them. This is not the time for cynicism. This is not the time to say, well, you know, the industry is going to get their way again. No, they're not, because there are people here in the Congress who are hearing the call of the public interest.

I'll yield to the gentlelady on that note.

Ms. EDWARDS of Maryland. Thank you for yielding.

And as the gentleman from Minnesota points out, this isn't about what any individual Member wants or not. It's about what the American people want, and it's about what the right thing is for so many of our communities: people who have health insurance now but who are afraid of losing it or afraid of the costs to their families, and, of course, the millions of people out across America who don't have health insurance.

And this isn't also about fighting the good fight—there are a lot of good fights out there—but we have been able to unify our Progressive Caucus standing up for health care reform that's going to work for all of us, ensuring that we get rid of the practice of excluding people for preexisting conditions; that we get rid of the practice of insurance companies, once you've taken advantage of your insurance, then cutting you off; that we invest in preventative care, because we know that early investment in preventative care really saves dollars in the long run, whether or not we can attach a number to that.

We also are fighting for a public option because it's important that with the health insurance reforms that we also have choice for patients, a choice for our doctors.

And so we are on the right track here. And I have to say that because of the leadership of the Progressive Caucus also working with our leadership in the United States Congress—and my hat's off to our Speaker because our Speaker has been out there in the front, at the forefront actually fighting with us for a strong, robust public health insurance option, and I am glad we're where we are today.

We know that there is still work to be done. We're counting on the American people actually to stand up, you know, to call their Representatives, to call their Senators, to make sure to

put out the plea across this country for health insurance reform that the President of the United States can sign into law that will actually make a difference in people's lives, not just because it feels good, but because it will make a difference in people's lives and the long-term health and competitiveness of this country.

So I am a proud Progressive. I'm not afraid to say that at all. What I do know is that it's important to stand up to the people and not on the side of the lobbyist and the naysayers who want to do anything to stand in the way of reform. And we cannot let that happen. This is too great an opportunity for us to fail at this point.

So I am actually counting on success. And if we were on a football field—and I love football, so I will talk about it. So if we were on the football field, we're inside the 10.

Mr. ELLISON. The red zone.

Ms. EDWARDS of Maryland. We are in the red zone. We are approaching the goal line, and now it's time to make the tough decisions and take the ball across the line.

And I am ready to do that with our leadership in the Progressive Caucus. I am ready to do that with our leadership here in Congress and give the American people—not an individual Member of Congress, not a health insurance company, not an individual hospital or a doctor, but to give the American people the kind of reform that will lower their costs, provide competition, and give them quality care.

And so I think that we're right there. We're ready to go with this, and it's time for us to do justice for the American people and actually to deliver on a promise that all of us made to them in 2008 to deliver health care reform.

So I am going to go out and talk about health care reform some more, and we can spend some time. And I want the American people to actually spend some time doing a little research themselves. Don't just trust us here in Congress. Go find the information for yourself. Go to lobbying disclosure at house.gov so that you can see for yourself what the health insurance industry is spending to defeat reform. And then when you hear their lobbyists, you will know to set that aside and stay on the side of patients, on consumers, doctors, and all of us who want true health care reform.

Mr. ELLISON. If the gentlelady will yield, I just want to say, as the gentlelady is offering her observations, it's reminding me that we are at a propitious moment in history. The fact is we are at a moment of history. We are hearing the call of history.

I wonder if the Speaker knows—do you know that it was Roosevelt, President Roosevelt, Franklin Delano Roosevelt who first said we need universal health care? It was Truman who repeated the call. It was Nixon, even, who talked about health care reform; although, he did some things to undermine it. And it was, again, President

Clinton who really worked hard to try to get health care reform.

This fight is decades in the making, and we are closer than we have ever been. We have reported out five bills in the Congress, so we're almost there. We're not far away. And so it's important that the American people hang in there, that they continue to be hopeful and expect success and that it's important to understand that success breeds success.

And as we pass health care, we will be able to really implement more policies that help working Americans, help the working class, the middle class Americans, help the environment, help us be a Nation that is at peace with the rest of the world, help us promote civil rights for all Americans and to leave no one out, to exclude no one, to stop policies of fear, of demonization, of exclusion. And this is something that offers very, very great promise for our Nation.

As I begin to wind down, I just want to make a few other observations that I think are very, very important, because I think it's so critical that we keep our focus on where it really should be.

And I am one who, you know, believes that when a group of constituents vote a Member to this auspicious body, that that person has something to offer. But I also want to say that elections have consequences. When you cast a vote and you send one party or the other to represent you, you have the right to expect that that party is going to deliver. And the Democratic Party, led by progressives, is delivering at this time.

I want to also say that new policies clearly underscore that the congressional party opposite is not in touch with the American people around health care reform. A new poll from Quinnipiac just released today further illustrates how Republican leaders of Congress are out of touch with the American people.

Just this morning, a leader in the party opposite said the public option has been resoundingly rejected by the American people, but look at the numbers that are coming out regarding the public option. On the wrong side of history. I recommend the rank and file come join the Democrats in passing health care reform. But as this new poll and others in recent weeks have all shown, Americans support a public insurance option in health insurance and in reform legislation.

This new Quinnipiac poll I mentioned said that 61 percent of Americans support a public option. The Wall Street Journal/NBC says 73 percent of the population supports a public option. The New York Times/CBS says 65 percent of the American public supports a public option. The Kaiser Family Foundation says 58 percent of the American people support a public option.

Other findings of the Quinnipiac poll say that Americans trust President Obama more than Congressional Re-

publicans to handle health care reform, 47–31 percent; 64 percent of those surveyed disapproved of the way congressional Republicans are doing their job, including 42 percent of Republican voters. And it's important for Republican voters to know that they have a choice and that they should vote effectively: the people who are getting it done, not the people who had the White House and the House of Representatives and the Senate from the year 2000 to 2006 and didn't do anything other than veto the State Children's Health Insurance Program, that's what they did; but people who, within a few months, are already within the grasp of true health care reform.

□ 1830

The fact is, Madam Speaker, that this moment in time is important. It is as important as any other piece of historic legislation that we have seen.

It's clear that the health care industry is in the final throes, final throes, and it is demonstrating a level of desperation by issuing this industry report which clearly is fundamentally flawed and clearly shows that it's dishonest and deceptive. And even the drafters, PricewaterhouseCoopers, don't want to claim it. Experts say that it's wrong.

So we've heard about the death panels. False. We've heard about the school sex clinics. False. We've heard about government-run health care and accusations of socialism. False again. We've heard about immigrants taking over health care. False. And now the truth is really, really standing clear. Truth crashed to the Earth will rise up. That is what has happened.

It's important for Americans to take heart, to take hope, to help support the passage of true health care reform and to understand that if we can pass health care reform, if we can win this 60-plus-year-old battle to get health care reform, then there are other battles to be fought and other mountains to be climbed and greater things that this wonderful people can produce for the American people, that America can live out its progressive value system and can say that we are going to expand opportunity for more Americans. We're not going to demonize and vilify Americans who happen to be of a particular racial group or happen to be not born in the United States or we're not going to turn them into somehow "the other," we're going to continue to embrace more people as this great country has done progressively over its history.

We're going to say that we're going to live in harmony with creation and not just use it as just a fungible commodity to be burned and polluting the air and destroying the seas and acidifying the ocean. Big things await the American people, but it's important that we get over this last piece of true reform to get this momentum moving.

Madam Speaker, I will yield back at this time and close out the progressive message. Thank you very much.

#### HEALTH CARE

The SPEAKER pro tempore (Mrs. HALVORSON). Under the Speaker's announced policy of January 6, 2009, the gentleman from Louisiana (Mr. CASSIDY) is recognized for 60 minutes as the designee of the minority leader.

Mr. CASSIDY. Madam Speaker, I had several communications today that were just so appropriate for this time of discussing health care. I spoke to a physician in Ville Platte, Louisiana, who spoke just how the only people that can actually control costs in health care is the patient. Because if you think about it, if patients come in and want a test and they don't get the test, and there's going to be a dissatisfaction, sometimes patients will go elsewhere, and they will get the test from another provider.

Secondly, I spoke to a small businessman who said that his premiums are going up by 27 percent. And the third thing, I wrote a letter to a former patient of mine, the widow of a man who had died of cancer, and I was struck that in each of these, a common consideration was the cost of health care. Indeed, as we speak about health care, we can never get away from the fact that cost is a driver of our discussions.

As we approach reform, there are three things we need. We need to have quality health care accessible to all at an affordable cost. When we say "cost," the President acknowledges this, as well, the President has said that he will not sign a health care bill that adds one dime to our Nation's deficit. Now, by that criteria, and he understands that we are, as a Nation, having a problem with the budget deficit, if we create a new entitlement and if that adds to our budget deficit, then we, as a Nation, will be worse off.

I work in a public hospital in Louisiana. And in that public hospital, whenever money is tight in the State, there tends to be a squeeze on the financing of the hospital. I can remember years in which we would wait to order a test until after the new fiscal year. And this happens when cost is an issue.

So as we look at our goals of health care reform, it is accessible, quality health care at an affordable cost. Now, if the President says that he will not sign a bill that adds one dime to our Nation's deficit, we can understand why four of the five bills before us are essentially eliminated. Four of the five bills include the public option, and the public option has been projected to increase our Nation's deficit.

Importantly, they are also projected to increase costs at 8 percent per year. Now, 8 percent per year more than doubles cost over 10 years. So when the President says that we know if we do nothing, we know if we persist with the

status quo that costs will double in 10 years, four of these five reforms, on the face of them, according to the Congressional Budget Office, will more than double cost.

That leaves us with the fifth option which has received a lot of attention. That is the bill that is coming out of the Senate Finance Committee and which has come to be known as the Baucus bill. Now the Baucus bill is gathering our attention because according to the initial estimate, it would save \$81 billion. Wow. If we can actually control costs in that way, that's remarkable. It should be something that we all get behind. This is being seen as a vehicle where the Democratic leadership in Congress can achieve their goal of having health care reform in the way that they wish to achieve it.

Now, let me pause for a second. We all want reform. When I speak to that small businessman that says that his cost of insurance is going up 27 percent in 1 year, we know that that is not sustainable. At issue is, will he do better if it is merely the taxpayer or the ratepayer? If we come up with something which more than doubles cost in 10 years, that's really reform absent reform. It is merely changing a private insurance bureaucracy to a public insurance bureaucracy.

So we come back to the Baucus plan. Now the Baucus plan is significant because, again, it supposedly will save us \$81 billion in 10 years. But clearly there is an issue with it.

I say that because where do those savings come from? Who pays? Well, according to Speaker PELOSI who is, by the way, a Democrat, she says who pays this particular plan from the Senate Finance Committee? The savings come off the backs of the middle class. If you have insurance, you get taxed. There are \$201 billion in taxes on health insurance plans with a 40 percent excise tax on insurance plans worth more than \$8,000 for individuals or \$21,000 for family policies. Families making less than \$200,000 a year shoulder 87 percent of this burden. As it turns out, many of these people are union workers. Over years, union workers have given up wage increases in order to have more generous insurance benefits. By this, it makes it a bad situation. So the Senate finance plan will tax those benefits. And that's why Ms. PELOSI says the savings come off the backs of the middle class.

So if you have insurance, you get taxed. But if you don't have insurance, you get taxed. There are \$4 billion in fines on the uninsured and \$23 billion in penalties and fines for businesses whose employees enter the government exchange. So if you don't have insurance or do not provide it, then you get \$27 billion in taxes.

If you use medical devices, hearing aids or artificial hearts, you get taxed. There's going to be a \$38 billion tax on medical device manufacturers. If you take prescription drugs, you get taxed.

There are \$22 billion in savings that are achieved by taxing prescription drug producers.

Total, there's \$349 billion in new taxes on employers, individuals, medical device and drug manufacturers and insurance providers and families making \$200,000 or less. Let's face it, \$200,000 is a lot of money, but that's also "or less" will pay 87 percent of the taxes. If the math holds, then about \$300 billion in these taxes will come from folks who are middle class or just lower upper income, if you will.

Despite that, there's still higher health care costs. According to the Congressional Budget Office, the independent arm of Congress, the premiums in this new insurance exchange which is created by this plan would tend to be higher than the average premiums in the current individual market. In fact, Mr. Elmendorf, who is the head of CBO, said that we note that piece of legislation would raise premiums on average.

There's also \$200 billion in taxes on health insurance plans. So that tax, presumably, will be passed on to the person purchasing the policy, so that makes those policies more expensive. And ultimately, we know that taxes upon the pharmaceutical industry and manufacturers of durable medical equipment will be passed to the people that consume it.

So there are several other things that we will explore as we go through. I'm joined by my colleagues, so I will ask Congressman GINGREY, who is also a physician, as I am, if he would contribute to the conversation.

Mr. GINGREY of Georgia. Madam Speaker, I thank the gentleman from Louisiana, Dr. CASSIDY, for yielding to me. I am glad to be with him and my other colleagues during this hour talking about this important issue of health care reform.

What Dr. CASSIDY is talking about in regard to the cost, I think, is very important. And we are constantly going back and forth trying to figure out what it's going to cost and how it's going to be paid for. One thing I would like for my colleagues to understand is that even if you can pay for something—and we're talking about a lot of money here. The 800-something-billion-dollar estimate, I think, is far lower than the actual cost, which is probably more in the range of at least \$1.5 trillion over 10 years. And of course we can make a case, and I'm sure my colleagues will do that, when you really score this plan that the Democratic majority, Madam Speaker, has in mind, when you calculate it, when it's fully implemented in the year 2014 through the year 2023, then you're probably talking about something that, in fact, would cost more like \$2.5 trillion.

So we're talking about huge numbers here. But even if you can pay for it, even if the President can fulfill his promise of not raising taxes or not adding one dime to the deficit, and all these promises he has made, that if

people like what they've got, they can keep it and won't be forced out of their current health insurance plan, the point is you're paying for something that's a bad plan.

Let's think back 25 or 30 years ago. When somebody decided that they were going to buy a new car, they figured out how to pay for that new car: Well, we're not going to go out to eat but one time a month; well, we're not going to take the family to the movies; we're going to cancel our vacation this year, and we're going to finally come up with the money, and we've got it, honey. We've got the money, and we can buy this new car, and we go out and buy an Edsel.

Now that makes a whole lot of sense, doesn't it, my colleagues? No. It doesn't make a bit of sense. It's one thing to talk about paying for it, but if we are going to pay for something, if we're going to make those kinds of sacrifices, let's pay for the right thing. I hope my colleagues understand where I'm coming from on this.

We on the Republican side of the aisle know we need to reform our health care system. We can do it. We can do it in an incremental way, and we don't have to break the bank in the process. We don't have to throw the baby out with the bath water.

I want to not take too much time, because a number of my colleagues are here with us on the floor, and I want to yield back to the gentleman from Louisiana controlling the time so that he can allow the others to talk.

We can do this. And if the President will abide by the promises that he has made, I've got a bill that I have introduced that is based on 10 principles, basically, saying no new taxes, no addition to the deficit, no government bureaucrat coming between a doctor and a patient, no rationing of care, and absolutely no denying coverage to people that have preexisting conditions and to assure that anything that we do purchase is not an Edsel and that, in fact, we do bend the cost curve and lower the cost of health insurance to every American.

□ 1845

This is the thing that I want to stress, and I think it's hugely important that we always keep that in mind.

I thank the gentleman for giving me an opportunity to be with him tonight.

Mr. CASSIDY. Thank you, Congressman GINGREY.

I think what you are talking about when you have the money, honey, let's go buy a new car, means that you actually have a way of financing within your own budget that's honest and that you know you can sustain, so that after a year of purchasing the car, you can continue the payments.

I would like to in a later point go back to Republican solutions, but just provide a little bit of a critique on the Senate Finance bill, because I don't think that they actually have their money, honey. One of the reasons I am

concerned is because this is, if you will, a schematic of where they have achieved their savings from.

One of these is an unfunded mandate on States to provide Medicaid coverage for folks for whom they do not do so now. That's important because it means that it is a State taxpayer that does it.

Even though they achieve savings and theoretically are not increasing the Federal deficit, they will be increasing State deficits. According to different Governors, Arnold Schwarzenegger says that in California this unfunded mandate will be \$8 billion a year. That's in *The Washington Post*.

Now, they already have a \$45 billion deficit in California. Governor Schwarzenegger is saying that it's going to add to that \$8 billion a year; in Tennessee their Governor says \$5 billion; Texas \$20.4 billion increased cost over 10 years; Arizona, \$4 billion cost over 5 years.

My State of Louisiana, which has a \$1.8 billion shortfall in Medicaid over the next 2 years, this will increase the Medicaid deficit by \$640 million over 5 years. I wish our State was as wealthy as California; but in our State, \$640 million over 5 years is truly a tall mountain to climb.

We are joined tonight by Congresswoman LUMMIS, who is a former State treasurer from Wyoming. Congresswoman LUMMIS, will you please offer your thoughts.

Mrs. LUMMIS. I thank the gentleman for yielding and for holding this discussion about health care costs.

What we do know about the bill, and the gentleman's chart shows some of the problems with it, Medicare cuts are going to be bearing a huge brunt of the expense of this new mandate.

There are \$350 billion worth of Federal tax hikes, but those that combined are not enough. The Senate Finance Committee's bill imposes a \$33 billion unfunded Medicaid mandate on the States. Now, what that means, an unfunded mandate is when the Federal Government tells the States you will pay for part of this, and it will come out of your pocket.

Mr. CASSIDY. What we see on this previous slide is there is \$81 billion, these are in billions, so there is \$81 billion in savings. That's how much it cuts the Federal deficit. The \$33 billion you speak of is from the Congressional Budget Office estimate, the independent arm of Congress. We would have to at least subtract \$33 billion from that \$81 billion if we are talking about total health care spending by a government entity. Fair statement?

Mrs. LUMMIS. Indeed. Furthermore, 33 States could see an over-30 percent increase in their Medicaid enrollment. Those kinds of increases, including my State of Wyoming, will hit States whose budgets are suffering now without these additional costs.

In my State of Wyoming, our Governor has asked his State agencies to propose budgets that are 10 percent

lower than the last budget, and that includes cutting Medicaid options.

Mr. CASSIDY. That's 10 percent now without the imposition of the unfunded Medicaid mandate; is that correct?

Mrs. LUMMIS. The gentleman from Louisiana is correct. This is not just coming from States like mine in Wyoming. The Governor of Pennsylvania, the Democratic Governor of Pennsylvania, has said, I think it's an unfunded mandate. We just don't have the wherewithal to absorb that without some new revenue source. Now, that would be a new revenue source in Pennsylvania in addition to the new revenue sources that the Federal Government imposes.

Mr. CASSIDY. New revenue source means State tax.

Mrs. LUMMIS. It does indeed. The gentleman from Louisiana is once again correct. The Governor of Tennessee, also a Democrat, has said he fears Congress is about to bestow the mother of all unfunded mandates. Unfunded mandates are orders from Washington that States will spend money that they don't have.

Mr. CASSIDY. I kind of like that, "mother of unfunded mandates."

Congressman THOMPSON, you are from Pennsylvania, and we are speaking of Pennsylvania. What thoughts would you offer, say, regarding, for example, I see that this is the Medicaid population increase per State under this bill. By this, in Pennsylvania, you will go up 20 percent. What would that mean to the State taxpayers of Pennsylvania?

Mr. THOMPSON of Pennsylvania. Well, I thank the gentleman for coordinating this very important discussion this evening, and I thank the gentleman from Wyoming for referencing the Keystone State.

Yes, Pennsylvania would be impacted tremendously by this. Certainly, expanding health care is a laudable goal, but this Federal mandate would require the increase of State Medicaid funding, an unfunded mandate. With this legislation, Pennsylvania would be required to increase State Medicaid funding by \$2.2 billion over the next 10 years. Additionally, Federal subsidies for Medicaid would end in 2019, leaving States to pay the full costs of the Medicaid expansion. In Pennsylvania, the costs would be approximately \$930 million in the year 2020 alone.

Now, Pennsylvania, my State legislative colleagues, they have had a challenging time. They just, finally, after months and months, came to a budget agreement. There was a budget crisis. It really illustrates how difficult it is for the State to maintain a balanced budget with rapidly increasing costs of government programs.

Mr. CASSIDY. Now, just so the folks understand this issue, in State government, State governments can't print money. They have got to balance the budget, I presume, in Pennsylvania as in my State.

If your population is going up, Medicaid population is going up by 20 per-

cent, and you mentioned how much extra money will have to go into that, that will either come from higher taxes or lower services, for example, lower money spent for road construction, for secondary education, for colleges, et cetera; is that correct?

Mr. THOMPSON of Pennsylvania. It's going to come out of the pockets of the taxpayers. Here's the rub with that: there are actually, as you read the Baucus bill from the Senate, there are exemptions, interestingly enough. One of those is for the State of Nevada. Nevada is on that chart, but I think Democrats and Republicans alike are aware of the damages that this bill will inflict on their States.

In the States, in the Senate version, for example, Senator REID negotiated a deal to exempt the State of Nevada from any additional mandates in the health care legislation. Now, if this proposed legislation is too much of a burden for Nevada, what about the rest of the country?

Mr. CASSIDY. Governor Schwarzenegger says that this will add \$8 billion in cost per year to California. In Texas they project over \$4 billion per year. But these States will have to come up out of pocket. But because Nevada has been able to swing a separate deal, they are protected from this cost, although these States are not.

Mr. THOMPSON of Pennsylvania. Well, they are not only protected, but the taxpayers in our States will be paying their bill.

Mr. CASSIDY. So the Californians and the Texans and the Louisianans will be paying for their own States, and they will be paying for Nevada too.

Mr. THOMPSON of Pennsylvania. A total of four States were exempted. Nevada is the one I know of.

Mr. CASSIDY. Well, this is where other States are, the growth in the Medicaid population.

I am going to ask Congressman BOOZMAN to speak. Arkansas' Medicaid population will go up by 40 percent, and what will that do to your State finances?

Mr. BOOZMAN. Well, as the gentleman just said, our taxes will go up; and we will not only be paying Arkansas' share, but we will be paying for those four States that have worked a deal.

I was struck. Will you go back to the chart that shows the Medicare.

You know, when you look at that chart, a tremendous amount of the pay-fors come out of Medicare, cuts to Medicare doctors, \$240 billion. Right now, it's not uncommon at all for me to get a call because I am an optometrist and practitioner in the area for a long time, and they say, my aunt's moved to town and they are having trouble finding a Medicare practitioner now because people are cutting back on their hours and just refusing to have additional patients.

We are talking about cutting that \$240 billion, \$130 billion to the Advantage Program and 120 to the Medicare

hospital account, which really will devastate rural hospitals in particular, which really will affect my State a great deal. When you add all of that up, that's close to \$500 billion.

Medicare goes broke now in 2017, 2018. You have to ask yourself, What is Medicare going to look like in 7 or 8 years? Right now, it's a good program. Our seniors are doing well; they are getting good care.

But when you add 30 percent more population to the program, take away \$500 billion of their resources, again, what is that program going to look like? What is that going to do to our seniors?

I had a senior call me today, an old coach of mine. He said, John, I don't understand this. You know, we are the group that have paid taxes the longest. I have faithfully paid in—this gentleman is in his 80s. He said, I have paid in all my life, and now I am at the point where I am needing my care, and we paid in the longest, and you are going to penalize us the most.

I think that's something that we really do have to consider.

Mr. CASSIDY. Your point being that some of these savings that are achieved to give this nice Congressional Budget Office evaluation of the cost of the Senate Finance bill are, if you will, the savings coming from \$240 billion cuts to providers.

Now, Dr. ROE, you have practiced medicine in Tennessee for many years. Two questions for you.

Is Medicare payments to hospitals and physicians so much above their cost that you can decrease them this amount and not impact the ability of those folks to continue to see Medicare patients? I will start with that question.

Mr. ROE of Tennessee. Well, I think the mantra that you hear is we want affordable, accessible, quality health care. Just to speak to what Dr. BOOZMAN was saying there briefly, if you look at the next 10 years, and you take 400, \$500 billion out of the Medicare system, and you add 3 to 3½ million people to the Medicare system, each year, and then in the Baucus bill after year 2 you cut providers by 24 percent, you do the math.

I mean, how can you provide more quality care to 30 million people with \$500 billion less money? You do the math, it's impossible.

Mrs. LUMMIS. My own Wyoming medical center in Casper, Wyoming, gave me statistics that show that they are reimbursed 37 cents on the dollar for every Medicaid actual dollar that they pay out. That means that two-thirds, roughly, of the dollars that are paid to Medicare-receiving patients are paid by someone other than the Federal Government.

We are already subsidizing the Federal Government. The Federal Government is already not meeting its obligation to serve Medicare patients.

Mr. ROE of Tennessee. We have done—there are two plans out there

that have had beautiful experiments in the States. That's Tennessee and Massachusetts.

What happened in Tennessee, in the early 1990s, we had managed care come along and the health care costs were escalating. We have a lot of uninsured Tennesseans. It was a noble goal to try to cover as many Tennesseans as we could. So we started a plan with eight different managed care plans to compete for business.

What happened between 1993 and 2004, budget years, 10 budget years, 11 budget cycles, is that the cost on spending, on Medicaid, which is TennCare, our exemption from the Medicaid system, went from 2.5 or \$2.6 billion a year to \$8.5 billion a year, over triple in cost.

Now, what do we get for that? Well, we got more people covered; and we found in this public option that 45 percent of the people who had the public option dropped private health insurance and went on the government plan. Well, that was fine for the person who got the care at that time.

But what happened, to make your point, is that the Medicaid system in our State pays less than 60 percent of the cost of actually providing the care. Medicare pays somewhere between 80 and 90 percent of the costs, the uninsured somewhere in between, and the rest of it has shifted to private health insurance companies.

I can tell you exactly what happened in our State is that they almost broke the State. The Governor, who is a Democrat and who is doing a fine job, as is the legislature that's Republican, are working together to try to solve this problem.

□ 1900

How did they do it? How did they ration care? What they did was they cut 200,000 people from the rolls because the State could not afford it.

What also is going to happen is our governor, and I have a letter from the governor right here, is extremely worried about the Bachus plan, and he has already scored that because he knows the next governor is going to have to deal with it. What he is looking at is at least \$735 million over 5 years. And if this were to happen, if the State were to sue Medicaid, which Washington State and California have done, to freeze the rates so that you couldn't lower the Medicare and Medicaid rates, that could be as much as \$1 billion more for the State in an unfunded mandate.

Right now our State has no way to pay for it. We just don't have it in Tennessee. And to show you we don't, the governor and the legislature have had to cut off enrollment in the SCHIP plan, in our State it is called Cover Kids, because we don't have the money for even our matching part right now.

Mr. CASSIDY. So, reclaiming my time, your experience is basically the kind of experience I have had. If costs are not controlled, ultimately patient care suffers.

Mr. ROE of Tennessee. Look, just to get some more time, if you look at this, there is no way on this Earth, and I said when I came here I was worried, very worried, about our children and grandchildren, my grandchildren, how they were going to do in this system. I am now very worried about our seniors, because I am afraid when you decrease the amount of resources, the amount of dollars, and add more people and cut the costs, cut the amount of money you are going to pay to providers, you will decrease access and you will decrease quality. It has to happen. Or, thirdly, our seniors are going to pay a whole lot more money for their health care, which they cannot afford.

In our area where I live in the First District of Tennessee, it is not an affluent area; it is a mountainous area of the State, and so many patients that I saw every year, a lot of widows that I saw lived on a fixed income, a small Social Security check, \$500, \$600, \$700 a month and maybe a \$100-a-month pension. They cannot afford any more for their health care right now.

There are millions of Americans, our seniors, who no longer can go out into the workforce. They can't hold a job at Wal-Mart as a greeter or at McDonald's or whatever. They are just physically not able. What are we going to do for those folks?

Mr. CASSIDY. Reclaiming my time, Congressman GOHMERT, your State will have a 77 percent increase in your Medicaid population, so your governor predicts it will be \$4 billion more a year in costs to the State of Texas. So as we score this Senate finance bill, which supposedly saves the Federal Government money, it apparently saves it by making Texans pay more on their State taxes, is that correct?

Mr. GOHMERT. Absolutely correct. Texans will be devastated. I understand a lot of folks aren't concerned about what affects Texans, but Texans are. But you have to look across the country at the way it affects overall the Nation, and this is devastating.

I wanted to follow up on something my friends were talking about with regard to the costs of Medicare and Medicaid. We had just heard earlier tonight from my friend from New York, that, gee, the actual overhead cost of Medicare is, he said 3.5 percent, and the overhead cost for insurance companies is 30 percent.

I don't know where he is getting those numbers. The numbers that I have seen, the numbers I have gotten from reports here, I have got them in front of me, indicate it may be 3 percent or so for Medicare average, but that is not all-inclusive of their costs, and private insurance averages around 12 percent.

But Medicare, as this article notes, Medicare is devoted to serving a population that is elderly and therefore in need of greater levels of medical care, and it generates significantly higher expenditures than private insurance plans, thus making administrative

costs smaller as a percentage of total costs. This creates the appearance that Medicare is a model of administrative efficiency.

But what John Alter sees as a miracle is really just a statistical sleight of hand. This notes that private insurers have a number of additional expenditures falling into the category of administrative costs, like taxes that they have to pay that Medicare does not pay.

Additionally, when you compare the administrative costs on a per-person basis, Medicare is dramatically less efficient than private insurance plans. And, as this article notes, Medicare's administrative costs from 2001 to 2005 were, on a per-person basis, 24.8 percent higher on average than private insurance. So when they talk about adding millions of more people on a Federal plan, you add that additional per-person amount, it is going to be dramatic.

My friend from Pennsylvania asked that I yield.

Mr. TIM MURPHY of Pennsylvania. I appreciate the gentleman yielding.

There are a couple items on that, that are important to know. When people talk about the low overhead cost for administration for Medicare, that is because they don't count the things that go with the Department of Health, CMS, and all of the administrative costs that physicians have to have, because what they do is, they pay doctors and hospitals less, as has been pointed out, and have many times a loss on this.

If I could elaborate on this, this is important, because as the majority is looking at removing \$500 billion from Medicare, you can't slash a program by that much without having devastating effects.

It reminds me of the old days in medicine, I wasn't around at the time, when they thought they could treat patients by bleeding them. They said you won't miss a pint or two of blood. It does affect the patient.

In this case, let's keep this in mind: Health care is not expensive because people have insurance, and yet they want to tax insurance. It is expensive because it is filled with waste and inefficiency and misdirected government mandates. When the government comes by and gives doctors pages and pages of paperwork and says you can do this but you can't do that, it is a concern.

Let me give you an example of that. Ninety-five percent of Medicare goes to pay for chronic illness, but because Congress says you can't really manage chronic illness, it is a massive amount of waste. What can doctors pay for? Individual tests, individual procedures. But we know that disease management saves money. With a diabetic patient, heart disease, pulmonary disease, very complex cases which often times require multiple specialists to go to, multiple medications, but as the President himself said, and I remember having this conversation at the White House as well, we will not pay a penny

to have a nurse or physician's office call that patient, check their blood glucose levels, check their oxygen levels, see how they are doing, but we will pay tens of thousands of dollars to amputate their feet for a severe diabetic. That is part of the problem we face with Medicare.

Here are a few more. Not only do we not pay for disease management, Medicare Advantage does. Medicare Advantage pays to have someone belong to some sort of an organization where they will get in physical shape. It pays for vision and dental. But now the talk is, let's cut Medicare Advantage because it costs too much and let's somehow do these other things.

It doesn't make sense. This is not evidence-based medicine. Evidence-based medicine says for patients who have a lot of complications, you treat those patients, you work with those complications. And yet what is happening here, the way this Senate bill goes, and I was just looking at this, is, it says let's slash Medicare Advantage so seniors do not have this.

Keep this in mind: Only 1 in 10 Medicare beneficiaries are traditional fee for service, because fee for service doesn't limit out-of-pocket expenses and provides many of the supplement benefits that Medicare Advantage does. That is where, when people says it rewards overuse, it is because that is the only thing sometimes it will pay for.

We need to focus on how we can actually reduce health care costs. The sad thing about this is that by reducing fees this much for Medicare Advantage, by refusing to pay the very thing that we acknowledge that science and medicine is telling us is going to work, instead what it is going to be is pay doctors less, pay hospitals less, put more burden on the patients, gut \$500 billion, and somehow miraculously out of the sky will come a more efficient health care system. It is just the opposite, I submit to you. Just the opposite.

Mr. CASSIDY. Reclaiming my time, it strikes me really in one way there is nothing radical about these plans, because all these plans do is take the current top-down, bureaucratic-controlled system and they nationalize it. Now, it is not the same sort of, if you will, patient-centered, where patients are involved in their care, patients are involved in saving costs. It doesn't involve that.

In a sense it is new wine in an old wineskin. All we are going to do is put the new wine of a nationalized, centralized, controlled type process, and without any of the things that you describe, which are, if you will, truly transformative, things that would help lower costs by empowering patients and empowering the physicians to work with those patients.

Mr. BOOZMAN. Can I say something to the gentleman from Texas? The other thing that we have to remember in the administrative cost is that at least 10 percent is waste and fraud. So you have this very low administrative

cost. Well, they are not doing anything.

Mr. CASSIDY. You are speaking of Medicare, if I may reclaim my time.

Mr. BOOZMAN. In speaking of Medicare. The President stood up here a few weeks ago and agreed. In fact, all of the things—he was going to fix everything—much of what he was going to fix was going to be paid for by getting rid of this waste and fraud, primarily in Medicare and then also in Medicaid. So when you are not really administering, when you have all of this going on, then certainly you are going to have a very low expense. But the true expense is much higher.

Mr. GOHMERT. And John Stossel had made that point well and referred to the Cato Institute, that 10 to 20 percent of private insurance administrative costs goes to preventing fraud because the private insurers care about whether or not they lose money. But, on the other hand, as he points out, Medicare is just taxpayer money, so they haven't been as concerned with waste, fraud and abuse.

From my days as a judge, what we saw was when somebody knows where there is fraud going on and they have a duty to do something about it and don't, they are accessories to the fraud. So it grieves me much to hear leaders around this town in the majority and the administration at the White House saying, if you will pass this bill, we will cut out the waste, fraud and abuse, and that will pay for \$500 billion in cuts. Why don't you quit being an accessory and cut it where it is?

I have just got to mention this. I was talking to a senior that I consider a very wise individual, and this weekend she said, You know what concerns me about the \$500 billion in cuts to Medicare? Maybe not, but I can't help but think, they know that as seniors, we have been through World War II, we have seen the evils that lurk in this world. We have gained great wisdom from our years. And they are willing to let us die off more quickly so that we are not around to try to get our wisdom across to the young people of what is at risk by this government takeover.

Mr. CASSIDY. Reclaiming my time, as we come back to this, the conversation is that the bill which has been favorably reported as \$81 billion in savings, actually the savings, as Ms. PELOSI says, comes on the back of the middle-class. If you will, part of the conversation is that it punishes the middle class. In fact, if you include the cost of the unfunded mandate to the States, if you recognize that some of these Medicare cuts just won't happen, it is reasonable to say that it is going to increase the deficit. If you will, I would like to say it is not so much fiscal responsibility as it is fiscal sleight of hand.

That said, Congressman THOMPSON, you have been a hospital administrator. What would be the impact of these savings upon the patients who were seen in hospitals where you worked?

Mr. THOMPSON of Pennsylvania. Well, I thank my good friend for that question. Actually I go back to the position I left 2 days before I was sworn into Congress, and actually at that point I will take it to be my responsibility in two areas specifically designated in here: Skilled nursing and hospice. I actually was a licensed nursing home administrator up to that point, working with individuals that really are the most vulnerable.

The people today that are in skilled nursing are the sick of the sick. They are individuals who have no other alternatives. We work real hard to have people stay in their homes and to age with dignity, but there are certain ones, and it is a small part of the population, they need facilities like good, caring, compassionate skilled-nursing facilities.

At the same time, for those folks who are at the final days of their lives and find themselves with a terminal disease, they need services such as hospice, where they are able to die with dignity and with compassion, surrounded by family, whether it is in their homes or in a facility much like the one I worked in.

So it just, I would say, grieves me, but angers me actually that this Senate health care bill, among the Medicare cuts that we see today, are slated for skilled-nursing facilities, which I can tell you nobody is getting rich in the skilled-nursing industry. It is challenging to make the day-to-day financial payments and requirements there. But the skilled-nursing facilities under this Democrat proposed bill are slated for cuts of \$14.6 billion.

Mr. CASSIDY. Now, reclaiming my time, that is not an industry. That is a set of patients. Is that a fair statement?

Mr. THOMPSON of Pennsylvania. I think it is people's lives. You are right. This goes beyond an impact on industry. This is in fact an impact on people's lives, and the lives of people who really are some of the most vulnerable folks that are in our country.

□ 1915

And then you turn to hospice services. There are people that are in their final days of life and they're looking for that opportunity to die with dignity surrounded by family and loved ones in a setting that is just very compassionate, and this bill is anything but compassionate. This Democratic bill that is scheduled for \$11 billion in Medicare cuts to hospice.

Mrs. LUMMIS. Will the gentleman yield?

Mr. THOMPSON of Pennsylvania. Certainly.

Mrs. LUMMIS. You know, one of the most exasperating things about this whole health care debate in the last several months that's been unfolding is that the bills we've seen from the Democratic Party, from the majority party, will make matters worse than the status quo. But we don't have, as a

minority party, the opportunity to show people how we can make matters better than the status quo.

And I would yield to our leader this evening to discuss some of those 40 bills that members in the minority party have sponsored that would make matters better.

Mr. CASSIDY. Reclaiming my time, I was speaking to that small business man today back home whose premiums have just gone up 27 percent, and he was unaware of the Republican options. And there's a wall of sound that says the only thing we can discuss are the Democratic-controlled bills as opposed to the other options.

There is H.R. 3400, which really encapsulates many of the things that Congressman MURPHY was speaking about earlier. Now, if we want to say that there are the essentials of health care reform, there's an article by McKinsey & Company which is very good. And it says the essentials are to reduce administrative costs, reduce the cost of chronic care, which is what Congressman MURPHY was talking about, and incentivizing patients to make value-conscious decisions so that when the patient actually becomes aware of how much something costs, she will make a different decision than if she feels as if it costs nothing more at all.

I know, Congressman ROE, you have experience with the health savings accounts, if you wouldn't mind commenting on that.

Mr. ROE of Tennessee. Well, I appreciate that.

There's no question in our area we've had four different small businesses, including Johnson City, Tennessee, where I was mayor before I came here, that have actually flattened their premium increases by doing exactly what Congressman MURPHY was talking about. You change the incentives.

BAE Corporation, Holston Munitions, they make C-4 and plastic explosives and so forth, and that company has 700 or 800 employees. They have not had a premium increase in 5 years in that company. How'd they do that? Well, they changed the incentives. If you were hypertensive and obese and smoked, it would cost you more for your insurance. If you got on their plan, their wellness program, and you stopped smoking, you exercised, and you lost weight, they would reward you financially. And guess what? They have kept their premiums down. Free Will Baptist Ministries, a small 150-person group has done exactly the same thing.

I've had a health savings account, and let me explain that to people out there who are scared away with this. In our practice, we have almost 300 employees who get insurance through our company, through our business, our medical practice, and 84 percent of them have a health savings account.

What that is is this: You manage the first dollars. The first dollars may be \$3,000. Mine was \$5,000. So I paid the first dollar for any health care, but it

made me a great consumer. It also incentivized me to stay healthy, exercise, eat right. If you don't spend that money, guess what happens? You get to keep it, roll it over into next year like an IRA, and you can spend that on your health care the next year. And if you're healthy over a number of years, then you're able to keep this money and buy long-term care with it or whatever you want to spend it on health care-wise. If anything over \$5,000, I had a catastrophic policy, so if I had a cancer or a car accident or some severe illness, it covered 100 percent. So basically what I was doing was I'm the insurance company. I'm managing my own care and my own dollars. It works extremely well. Under this plan, it does not work.

And before I stop, I wanted to pass along something that I found very fascinating in Massachusetts. In Massachusetts, they've done a great job of trying to cover their citizens there. They have about 97 percent covered, but they're running into the same issue that we did in Tennessee. From 2006 until now, State spending on health care is up 70 percent. And in that State, you cannot be denied coverage and you have a mandate to buy insurance as an individual. So you have to purchase this insurance.

Harvard Pilgrim Health Care, from 2008 until 2009, found this out, that 40 percent of their new enrollees were enrolled for less than 5 months, and during that 5-month period of time, they averaged spending \$2,400 a month on those folks. For the folks like the rest of us that just go out and pay our premiums, it was \$350 a month. So what these people were doing is they were waiting till they got sick, then they bought the health insurance, and when they got well, they dropped it. So they paid the fee or the tax. Look, people will do what's in their own best interest. They're smart, and they'll figure out what to do. So I don't know how you make people or force people to do it.

Guess what happened in Massachusetts? The rest of us, the rest of the folks up there who got insurance subsidized those people greatly. So I think you have to put the onus back on, and we have several plans out there that can do that, that incentivize people to look after their own health care. I mean, some very simple things to do.

Tort reform. Very simple. You can save billions of dollars. Take away State lines. Allow co-ops or association health plans to be formed. Subsidize State high-risk pools. So if a patient of mine who came in and said, Dr. ROE, I was diagnosed with breast cancer 5 years ago and I'm uninsurable, make sure that patient, that woman can get affordable health insurance. Those are simple things we can do that everybody in this Chamber ought to be able to agree on.

Mr. CASSIDY. So, as opposed to the Senate finance plan which, frankly, I think punishes the middle class—again,

Speaker PELOSI says that the savings in this plan will come off the backs of the middle class. Instead, we're offering a different sort of thing which costs are controlled by empowering patients. As Dr. Ardoin said, from Ville Platte, Louisiana, patients are the only one that can control costs. And so that would be our sense, empowering patients as opposed to putting the savings off the back of the middle class.

Mr. ROE of Tennessee. Dr. Cassidy, you know this, that if I had a patient that was a pregnant diabetic and she came to me, I can tell her what to do, but unless she's empowered to take care of her own blood sugar calculations, she's not going to have a successful outcome. So we absolutely have to engage our patients in solving these problems. There's no doubt about it.

Mr. CASSIDY. And reclaiming my time, to have some independent judgments, again, the Congressional Budget Office is the one that says that the Senate Finance plan will have a growth in cost of 8 percent per year, which more than doubles. Contrast that with the Kaiser Family Foundation study about health savings accounts, and they've found that a family of four with a health savings account and a catastrophic policy on top had a cost of insurance 30 percent cheaper than a family of four with a traditional insurance policy. So because the family is engaged, their costs are 30 percent cheaper, again, per Kaiser Family Foundation. That's bending the cost curve.

Mr. ROE of Tennessee. Well, there's no question that the American people are the greatest shoppers in the world. I mean, how many of us haven't driven over five lanes of interstate to get gas 2 cents a gallon cheaper. I mean, we've all done that. Admit it. We are good shoppers and consumers, and health care ought to be the same way.

Mr. CASSIDY. So Congressman GOHMERT, have you ever driven across five lanes of traffic to get some gasoline at a penny cheaper?

Mr. GOHMERT. I've driven further than that to get cheaper gasoline. I've driven a lot further. In fact, I'm a guy that when I get my gasoline and I turn off the pump, I will still make sure I get all the gas out of that hose into my car that I paid for. Americans do that kind of thing when it matters.

Mr. CASSIDY. Reclaiming my time, and that's because you're empowered, if you will. Now, what if someone else were filling up your gas tank? Do you think that if someone else were the responsible party as opposed to you, would it be the same dynamic?

Mr. GOHMERT. I doubt that if anybody's got my credit card and paying for my gas that they'd go to that much trouble that I do when I'm paying for it. But I'll tell you, to follow up on what's been discussed here and mentioned about health savings accounts, even yesterday we had people across the aisle coming to this floor and saying, Republicans have no solutions.

And I don't care how many times they say it, it is still not true. As my friends have been talking about, we have some plans.

I have a bill that uses the HSA, the health savings account, as the method of getting health care on track, of getting patients the power they haven't had in years, the coverage they haven't had in years, or ever. And we had people on the floor from across the aisle just saying yesterday and today that we want people to get on Medicare; we have no alternative to that. They need to read some of our proposals.

My bill, it gives seniors an option. You can stay on Medicare or we will give you money every year in a health savings account and pay for the catastrophic care to cover everything above that. You won't need supplemental. You won't need wrap-around, and we'll give you that choice, because I know where they're going to go, and when we incentivize the young like we do in my bill, like my friend Dr. ROE was talking about, that is going to get the young people on there. So as they get older, they will have accumulated, most of them, so much in their HSA they're not going to want anybody from the government interfering in their health care.

Mr. ROE of Tennessee. Would the gentleman yield?

Mr. GOHMERT. Sure.

Mr. ROE of Tennessee. When I go in, and I had a procedure done on myself a couple of years ago. I take this card right here, which is my health savings account, and it's a debit card. And that day they get paid. I said, I want your best price. I want the lowest price you can give me right here when I pay you because you get your money, no insurance company involved, no anything. I'm paying today cash out of my health savings account.

Mr. CASSIDY. If I may reclaim my time, again, going back to the McKinsey & Company report that spoke about the three imperatives for health reform, one was decreasing administrative costs. I read a statistic that 40 percent of the overhead of a primary practitioner is related to billing. With that debit card, you just lowered that 40 percent to a minimal percent.

Mr. GOHMERT. If the gentleman would yield, another thing that does is it gets transparency back in the process, because when you come in with an empowered HSA debit card and you tell them, as Dr. ROE did, give me your best price, and under my bill, it requires that they give everybody exactly what the prices are in advance. And if Blue Cross is getting a better price, they have to tell you that, too. And then you would say, well, you either give me the Blue Cross price or I'm going down the street where they will. It gets competition back in when you get that transparency. We have that in our alternative bills that are not getting the chance here on the floor.

Mr. BOOZMAN. The other thing I would say, and you all, the gentleman

from Tennessee and you might talk about the importance of getting rid of these nuisance lawsuits. We got good news. I believe it was the CBO, somebody scored this week to the tune of many, many billions of dollars. That's something that our side is pushing for very, very hard. Everyone agrees. Even the President, when he addressed us a few weeks ago, made mention of the fact that he'd been talking to his physician friends and this and that and that he felt like, you know, that there was something there. The problem was the solution that he offered is really no solution.

But why don't you guys talk a little bit about the numbers, what that would do, and then also how that drove costs in your individual practices.

Mr. CASSIDY. Dr. ROE, as we try and come up with a plan which is patient centered, that controls costs, that expands care, OB-GYNs, which you are, have had more problems—except maybe neurosurgeons—with the cost of malpractice. Would you mind commenting?

Mr. ROE of Tennessee. Thank you. Let me just give you a little historical trip.

These crises, legal crises have occurred throughout various States in the Union, and it occurred in Tennessee in the mid seventies. All the companies who provided malpractice insurance left the State. So the doctors got together and formed a mutual insurance company, State Volunteer Mutual Insurance Company, where what we don't pay out in premiums—I mean in charges and costs. We keep and it comes back as lower. When I got my first malpractice premium in the seventies, it was \$4,000 a year. The young physician who replaced me was \$74,000.

□ 1930

Mr. CASSIDY. Excuse me, Congressman. I'm sorry, \$74,000 a year for malpractice insurance?

Mr. ROE of Tennessee. Yes. And I spoke to a neurosurgeon just yesterday who is over \$100,000 a year just in Tennessee. What happened in our State was the following: since the inception of that company, since the mid-seventies until now, that's 35 years, over half the premium dollars we've paid have gone to attorneys, less than 40 cents have gone to the injured party, and 10 cents go back for reserves and running the company.

What we have in America is a terrible system to actually pay for injured parties. If we have injured someone in a medical malpractice event, we have no good way except through the legal system, in which most of the money goes to the attorneys, both defense and plaintiff attorneys. We can't actually pay for the injured party.

That is what's wrong. And I would suggest that the attorneys have to come and help us get a system that better helps the injured party, to compensate them. If we hurt someone, let's compensate that person. Right now in

our State we have a terrible system to do that.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield?

Mr. ROE of Tennessee. Yes.

Mr. THOMPSON of Pennsylvania. We have a bill that we've made reference to that Republicans put forward, H.R. 3400, which specifically addresses tort reform, among many other things. That bill essentially would remove the burden on health care today, which I consider part of the waste, and that is the medical liability premiums; \$26 billion annually in medical liability premiums. That's not a price tag that considers the cost of defensive practice, and I understand that. I mean, you invest anywhere from \$200,000 to \$500,000 coming out of school in loans, and because of lawsuits, and many times frivolous lawsuits, you can lose your practice and lose your home over the ordering of additional tests. That has to be in the neighborhood of somewhere over \$100 billion annually.

H.R. 3400, which we have put forward, if that would come to the floor and our colleagues on that side of the aisle would join with us, we could eliminate over \$125 billion in unnecessary costs from health care today.

Mr. CASSIDY. Reclaiming my time, we have about 1 minute left together.

We can say that we have really two contrasting visions: one is basically nationalizing the health insurance industry; and although scored as an \$81 billion cost savings by the Congressional Budget Office, we have discussed that that's in part because of cuts to Medicare, which means cuts to health care for folks on Medicare, unfunded mandates on the States so that States will force their taxpayers to either pay higher taxes or cut the amount of money available for construction, education, and such like that, to achieve something which frankly seems illusory.

But if we contrast that with what the Republican Party is proposing, which is to put patients in the middle of the process, to say to patients, Listen, once you're there, you are empowered to not only direct your health care, but to control costs. And we have quoted data from Kaiser Family Foundation how that truly happens, as well as the experience of groups like yours with numerous employees.

So at the end we will say that Republicans' ideas, I think, will empower patients, whereas the Democratic ideas appear to empower government.

Thank you for joining us.

#### AFGHANISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. ROHRBACHER) is recognized for 60 minutes.

Mr. ROHRBACHER. Madam Speaker, tonight I rise once again to draw the attention of my colleagues and the American people to Afghanistan. I say

"once again" because over my 20-year career in Congress I have spoken many times and at great length about that distant and desolate country.

My interests and involvement in Afghanistan in fact date back before I was elected to Congress. During the 1980s, I was a special assistant to President Ronald Reagan. While I was primarily a speech writer, I soon learned after arriving at the White House with Reagan's team at the beginning of his administration that the President's words, once spoken and in the Record, become the policy of the executive branch.

As a speech writer, I not only would write the words, but would help determine what would be said. When I realized the influence I would have, I was in awe of where my life had led me.

I had worked hard in Ronald Reagan's gubernatorial campaigns when he first ran for Governor back in California. Later on, I worked on Presidential campaigns when Ronald Reagan ran for President in 1976 and 1980. And when he won in 1980, I went with him to the White House.

I am still honored that President Reagan brought me to the White House with him and that he trusted me enough to hold such a position of writing his words and working with him on his speeches. And I really appreciate the fact that often enough President Reagan backed me up when the remarks that I wrote were a little bit tougher than the policy statements that most of the senior staff of the White House wanted the President to say.

But I worked for President Reagan, I knew that. I didn't work for his staff; I worked for him. And I understood that he wasn't there to be President. He was there to make things happen, to change the course of our country, to redirect the confidence of our people from a downward spiral at that time to an upward thrust.

Those of us who worked for him knew firsthand that an unmistakable goal to which President Ronald Reagan was committed was to bring about a more peaceful world. That lofty goal was not going to be achieved by ignoring or downplaying threats or by sincere expressions of a desire for peace or by holding hands and singing kumbaya. Yes, part of Reagan's strategy to obtain a more peaceful world was rebuilding our military forces, this to deter aggression.

But let us look back and note that he rebuilt our military forces, but only on rare occasion did President Reagan send our troops into troubled spots in the far reaches of the world. He was hesitant to give the green light to use the military in such actions. He did so sparingly. He had a sense not to get us trapped into a prolonged conflict or a no-win situation.

He sent our marines to Lebanon for a specific mission. They were there to accomplish that mission, and they were supposed to leave within days.

Then President Reagan was convinced, over his better judgment, to keep the marines in that war-torn city, Beirut, as a stabilizing force—get that, a stabilizing force in the most volatile region of the planet. The result was, of course, 295 dead marines, a setback for our country, but a catastrophe for 295 American families who lost loved ones.

It was especially hurtful to me. I grew up in a marine family. My father was a lieutenant colonel in the United States Marine Corps. I went to school and lived at Camp Lejeune and Cherry Point, North Carolina, when I was in eighth, ninth and 10th grade.

There my brother, who was also going to school with me, met and befriended a man who became his best friend, in fact, David Battle, who shortly after graduating from Camp Lejeune High School joined the Marine Corps. He was still 17 years old. Sergeant David Battle remained my brother's best friend.

And as Ronald Reagan was being inaugurated, right afterwards we went to Camp Lejeune and we visited with his family and with David Battle. He was a sergeant at that time. He had been in the Marines all that time, two tours of duty in Vietnam, and he was looking forward in a few years ahead to retiring from the Marine Corps. And there he had a small boat which he was going to be working the rivers and estuaries in North Carolina, collecting seafood and oysters and clams. He had his life picked out for him. It was going to be a fine retirement. We were very close to that family.

Then I went up and joined the White House staff. A few years later, when the bomb went off in the Marine barracks in Beirut killing 295 of our people, I immediately sought out the list of casualties and Sergeant David Battle, his name was the first on the list of those who had been killed. I went to my office in the White House and I wept. At that point, I pledged to myself that I would never, ever cease to step forward and try to make sense of something that didn't make sense and that would put our people in jeopardy.

President Reagan learned a bitter lesson; and to his credit, against the advice of some very aggressive national security advisers, President Reagan decided not to reinforce the decimated marine force in Lebanon. Instead, he pulled them out before we got stuck in a quagmire that would have been exploited by our major global enemy at that time, the Soviet Union. He took great care not to get us into a fight that we wouldn't be able to get out of.

Let me note, for all the name-calling suggesting Ronald Reagan was a warmonger for building up our Nation's military, Reagan's predecessors, both Republican and Democrat, sent our military into action far more often than did President Reagan. The liberation of Grenada from a bizarre and murderous Communist takeover—and that was just a very small, short operation—and in Lebanon, which turned

out so badly, that's about as far as it goes in terms of Ronald Reagan ordering U.S. troops into harm's way.

So sending American combat troops into battle was not how Ronald Reagan succeeded in making the world a safer place, a world where universal peace would have a chance. Well, number one, to accomplish that, Ronald Reagan built up our military might in weapons, quality of personnel, and advance technology. For example, his famous commitment to a missile defense system, which even today looks like such an important investment to protect us against missiles from Korea or Iran, or perhaps China.

He improved our intelligence, which had been gutted in the 1970s. And, lastly, and most importantly, by implementing a strategy that became known as the "Reagan Doctrine," he helped end the reign of Communist tyranny and made the world a safer place.

It was Charles Krauthammer who first identified that Reagan's words and actions were part of a comprehensive strategy being brought to bear against Soviet communism, a strategy that had been outlined in his speeches. The Reagan Doctrine had nothing to do with sending U.S. troops to far-off lands and defeating an enemy. Reagan instinctively knew there were limits to what the power of government, even the Army, could accomplish; but he also understood the mighty power of people who loved freedom. Ronald Reagan understood that struggling against tyranny, especially Communist tyranny, were America's greatest allies. They would be our brothers and sisters throughout the world of people who were resisting tyranny, especially Communist tyranny.

The Reagan Doctrine, in short, was to achieve our goals of a safer world and a more secure world and a safer and more secure America by supporting those brave souls in various countries who were resisting or fighting pro-Soviet Communist dictatorships, which was our enemy as well as their oppressor.

In Poland, we covertly helped the Solidarity Movement. We bolstered our broadcasting to captive nations in Eastern Europe and elsewhere. We provided funds and resources to the anti-Sandinistas insurgents in Nicaragua, which eventually forced that Marxist gangster regime to have a free election; and when they did, those Sandinistas, those Marxist Sandinistas lost overwhelmingly.

The implementation of the Reagan Doctrine, not just rebuilding U.S. military strength, was what broke the will and the bank account of the Soviet Union. Nowhere was it more effective and harder fought than in Afghanistan, which in the mid-1980s was in the front lines of the Cold War.

A few years into the Reagan administration, I was approached by an old friend, Dr. Jack Wheeler, who, interestingly enough, was the chairman of Youth for Reagan in Ronald Reagan's

first campaign for Governor in California back in 1966. That's where I met him. After that, Dr. Wheeler had gone on to earn a Ph.D. in philosophy and had been earning his living as a tour guide which took people on adventure tours into some of the world's most dangerous territories. He was a real Indiana Jones; but more than that, he was a real patriot.

Jack Wheeler wanted to be part of President Reagan's historic effort to reduce communism's influence on this planet and to relegate it to the ash heap of history. Dr. Wheeler's plan was to travel to some of the most inhospitable locations in the world and to contact the leadership of various anti-Communist insurgencies who were there in those far-off places engaged in taking on Soviet military power. I agreed to receive his reports and documentation as he traveled, and after 6 months it began to arrive. He was on the road and into the front lines.

I started receiving information, pictures and notes and descriptions and audiotapes and videotapes in my office in the White House; much of it came through diplomatic pouch from far away embassies.

When Dr. Jack Wheeler returned from searching out the leaders of the various anti-Communist insurgencies, he came directly to the White House where I arranged for him to brief about 30 national security-focused staff members at the White House. What they heard was electrifying. There was a very real opportunity to defeat the Soviet Union and to usher in a new era of world peace.

□ 1945

The Soviet empire was vulnerable, and that's where the Reagan Doctrine started at that particular briefing. Everybody knew it could be a strategy, and we went to work putting it in place and presenting it to the President.

This strategy of the Reagan Doctrine was implemented by men like Dr. Constantine Menges, who had been in the CIA. He was a great academic as well. At that time, he was working with the National Security Council of the White House. Yes, CIA Director Bill Casey was also significant in the success of the Reagan Doctrine—and yes, we have to admit Ollie North as well.

President Reagan, of course, was the real hero of this particular policy. He approved a strategy that defeated the Soviet Union without sending our troops into action against Soviet troops or even coming into direct confrontation with Soviet military forces. We feared a nuclear war for decades. Reagan ended that threat, that nuclear war with the Soviet Union that we all felt someday might happen and obliterate most of mankind. Reagan ended that threat. Communist tyranny was advancing when Ronald Reagan became President. He turned it around and laid the foundation for a collapse of the Soviet Government in Russia. Afghanistan was the tip of the Reagan Doctrine spear.

So, our assistance to the Afghanistan resistance escalated, and as it did, I became more personally involved in this historic effort. In those days, Jack Wheeler would send us firsthand accounts of the frontline fight in Afghanistan. At times, he would bring Afghanistani warriors to my office in the White House. Other times, these rugged fighters—the Mujahedeen as they are called—would come to Washington for secret meetings, and I would end up taking them for lunch at the White House dining room or introducing them to specific people in the bureaucracy and in the power structure who could help them. So I got to know and admire these brave people.

In the late 1980s, the Soviets upped the ante, unleashing Hind helicopter gunships which ripped the Mujahedeen, and they were just destroying them at will. At this moment of desperation, there was a major debate in the White House over the proposal to neutralize the helicopter gunships by providing Stinger missiles, which are shoulder-held missiles that can take out airplanes or helicopters. There was a debate as to whether to provide them to the Afghan resistance.

Ronald Reagan personally made the decision, and the anti-aircraft weapons were sent. It changed the outcome of that battle in Afghanistan, and it changed all of history. Yet it was not just weaponry or even U.S. financing or material support. It was the courage and sacrifice of the Afghan people that carried the day. A million of them lost their lives. It was an overwhelming loss for every family of Afghanistan. Several million were displaced, but all of them stood tall and stood up to the Soviet empire. We were proud to stand by such people.

Yes, Charlie Wilson, who used to be a Member of Congress and a member of the Appropriations Committee, played an important role in getting the money allocated to help these brave people, and other people in Reagan's White House can be proud of what was done to support these Afghan freedom fighters. I would have to say, for as much as we did—Charlie Wilson and those of us in the White House and other people—it's the Afghan people who thoroughly deserve the credit of not only defeating this Soviet Army in Afghanistan but of breaking the will of the Communist Party bosses who controlled the Soviet Union.

When the Soviet Army retreated from Afghanistan, Soviet confidence crumbled, and a new world emerged free from the threat of a Russia controlled by a Marxist-Leninist dictatorship—a Russia committed to Communist world domination.

It was an historic achievement which can be traced to the Reagan Doctrine but also to the blood and to the sacrifice of the Afghan people. How did we repay this enormous sacrifice that made all of us safer, this tremendous gift that we still enjoy? How did we repay it? We walked away and left a

crippled and wounded Afghan population to sleep in the rubble. We didn't even provide them with an ample level of support to clear land mines that were planted all over their country, land mines that we had given them, mines that to this day continue to blow the legs off of Afghan children.

To say America was guilty of ingratitude is to put it mildly, but President Reagan was gone by then. His term of office was over, and George Bush, Sr. was President—George Bush, Sr., the same President who sent American troops all over the world and sent a huge number of deployments of American troops into battle, the same George Bush, Sr. who walked away not only from the Afghans but from the democracy movement in China, leaving them to be slaughtered both in Afghanistan and in Tiananmen Square. No, George Bush, Sr. was no Ronald Reagan.

As time passed, chaos reigned in Afghanistan. During the Clinton administration, our government took steps to do something about the mayhem in that country. Unfortunately, President Clinton's team did exactly the wrong thing. What do I mean?

One of the reasons for the continued bloodletting in Afghanistan after the Soviets left and their puppet regime collapsed—what brought that on and continued that bloodletting was that, during the war, the American Government had agreed to let the Pakistani Intelligence Service—that's the ISI, the equivalent of our CIA—dole out our supplies, American supplies, to the various anti-Soviet Afghan factions. The ISI—that's the Pakistani CIA—was then and is now a hotbed of radical Islam. Much of our military supplies, which were being channeled right through this group, ended up in the hands of radical, radical, the most radical Islamists—people like Gulbuddin Hekmatyar, Sayoff and other murderous Islamic radicals.

We could have and should have insisted on the direct delivery of U.S. supplies to the insurgent groups, and we would choose the insurgent groups. We did not insist on that. Instead, our own CIA punted. Even to this day, they say, Well, we couldn't have looked at things for the future. You know, how do you expect us not to have a battle in the future when we've got a battle right now to determine? No. You could make a determination of not giving weapons to the worst radicals in Afghanistan. They could have made the determination that, in the long run, it wouldn't have been in our interest, because there were many other moderate Afghan Mujahedeen groups who needed that support and who didn't get anywhere near as much as these radicals did from the Pakistani CIA, the ISI.

Basically, the CIA is giving the ISI leverage, which was then used to promote Islamic fascism. It was also used to secure the Pakistani dominance of Afghanistan, which has been one of the major reasons, dynamics, that has kept

Afghanistan in turmoil for decades. So what happened? The situation got worse and worse. The chaos got worse and worse.

During this time, I was one of the few who did not turn my head and walk away. I kept looking for a way out of the insanity and chaos. Yes, there was a way out, but it was a path the Saudis and the Pakistanis did not want to take. There was one man revered by almost all of the Afghan people of every faction and every tribe. It was King Zahir Shah, the king who is in exile, who had led his country for 4 decades through peace and stability. When he was overthrown, Afghanistan ended up in decades of chaos and bloodletting and invasions on a massive scale.

During that time, King Zahir Shah, as he was deposed in a coup, ended up living in exile in Rome. I met with him there on a number of occasions in the 1990s. He was the obvious leader to bring peace and stability to his bloody and torn country but not so obvious to the Pakistanis, who wanted to dominate and control Afghanistan, not so obvious to the Saudis who were doing the bidding of the most violent and anti-Western manifestations of Islamic fascism, and not so obvious to the Clinton administration, whose goal was to go along with the Saudis and the Pakistanis.

I, personally, argued my case to Prince Turki, then the head of the Saudi CIA. Prince Turki had been very involved with supporting the anti-Soviet Mujahedeen during the war against the Soviet occupation. I begged with him and pleaded with everyone else who would listen. King Zahir Shah was a moderate Muslim leader who would bring peace and stability. No. What the Saudis and the Pakistanis wanted was a radical Islamic force that would supposedly unite the devout Muslims of Afghanistan but, more importantly, would be a Pakistani and Saudi ally, an ally who would be willing to do their bidding.

What did the Clinton administration do? What did the Clinton administration want? Well, what they wanted was to make the Saudis and the Pakistanis happy. So, in the mid-1990s, the Taliban emerged. They are not the same as the Mujahedeen. Many Americans mistakenly believe that the people who fought against the Soviet Army, who were named the Mujahedeen, later became the Taliban.

By and large, it was the Mujahedeen later on who drove the Taliban out of power. It was the Taliban which had been kept as a reserve force, you might say, going to these moderate schools in Pakistan until after the Soviets had been defeated. The lion's share of Mujahedeen leaders, who fought against the Soviet troops, were not part of the Taliban.

Well, I hoped for the best after it was clear that the Taliban was anointed by the Clinton administration, by the Saudis and the Pakistanis, and they took over Kabul, the capital city of Af-

ghanistan. I hoped for the best for about 2 weeks. I was just hoping. People told me maybe they'll come through, and maybe they'll start moderating, but my worst nightmares began to come true after just a few weeks.

A brutal fundamentalist, Islamic movement that hated the West was taking control of Afghanistan, supported by the United States Government in the name of stability. That was it. In the name of stability, we're going to support these radical fundamentalists and other tyrannical forces.

For several years, at this time in the 1990s, I was a voice in the wilderness here in the House, warning that the creation and support of the Taliban would come back to haunt us someday. I had no idea how true these warnings were, and how much it would hurt us. During that time in the 1990s, I met with the leaders of Afghan tribes and ethnic groups in and out of Afghanistan in an effort to forge an anti-Taliban coalition. The core of the plan was to bring back Zahir Shah, King Zahir Shah, as the focal point for dislodging the Taliban—someone everyone could rally around, who would treat people fairly and create a peaceful, more democratic country.

At the end of the year 2000, after a Herculean effort, there was a meeting that had been arranged of all the Afghan factions except for the Taliban. After that meeting, King Zahir Shah agreed to return to Afghanistan to hold a Loya Jirga in July of 2001. The Loya Jirga, let me note, is a convention of tribal elders which was to take place in the territory that was controlled by Commander Masood. Commander Masood is a man who was never beaten by the Soviets. He was also never beaten by the Taliban, and he was one of the last commanders who held any part of territory in Afghanistan. The rest was controlled by the Taliban.

Considering this agreement of Zahir Shah to go to Commander Masood's territory and have a Loya Jirga to talk about the future governance, the governance of Afghanistan, this was a great step forward, and this agreement was forged despite the opposition of the Clinton administration. It was a great accomplishment just to get that agreement. Those involved in making this happen included International Relations Committee Chairman Ben Gillman; Tom Lantos, a senior member of the Foreign Affairs Committee; as well as a few others but just a few.

After George W. Bush was elected, I was able to meet several times with his new National Security Adviser, Condoleezza Rice, whom I knew from the Reagan days. Well, we discussed Russia, and we talked extensively about Afghanistan. I pitched the idea of overthrowing the Taliban using the coalition that I'd been building—the anti-Taliban coalition.

Well, the idea wasn't rejected, but no action was taken, at least until 9/11.

The 9/11 slaughter of 3,000 Americans was planned and set in motion by bin Laden's al Qaeda terrorist network, then allied with the Taliban, which was headquartered there in Afghanistan and was operating freely in that country.

□ 2000

On 9/11, I was given an incredible opportunity to utilize the knowledge that I had gained and the relationships I had built in that region over the many years. It was the opportunity to make a significant difference for my country at a time of great chaos and crisis.

Only a few days before, al Qaeda/Taliban assassins had murdered Commander Masood. I had met with Commander Masood in Afghanistan in one of my several forays into Afghanistan during the 1990s. I visited him in a mountain hideout, his retreat, or his fortress you might say, and we talked for a long time. We had been in contact ever since the time in the Reagan White House when he sent his brother to see me. And we had negotiated and kept in touch verbally, but that was the first time I met him. Our friendship was already in existence, and by that meeting, it really was solidified.

And then Commander Masood in the days before 9/11—and we'd been looking forward to having this meeting in his territory with the King, Commander Masood was blown apart in an assassination scheme—of course, Taliban and al Qaeda scheme. And I remember then how much despair that I had that this great man who held such promise to be a leader of his country, like others who were killed during a war against the Russians and now the Taliban, so many young leaders killed in Afghanistan—a brave man, Abdul Hawk, lost his life.

But Commander Masood, I sat down in my office in total despair and I said, I gotta get control of myself. Why did they kill him? Why did they do that now? I thought it out, and I realized that they had killed Commander Masood in order to prevent the United States from having an avenue to counterattack against them for something that they were going to do to us. It made all the sense in the world.

They were going to have a major attack on the United States, and it must have been something that was going to be humongous and cause much loss of life or they wouldn't have gone out of the way to kill Commander Masood because we wouldn't have wanted to try to retaliate against them, to use him to retaliate against them for something they did to us. Well, yes, that was exactly the case. And I realized there would be a monstrous attack on the United States, so I immediately called the White House.

I called the White House. I called for National Security Adviser Condi Rice, and her assistant came on the phone and said, Congressman ROHRBACHER, what is it? And I said, I've got to see her. I've got to warn her about an im-

minent, major terrorist attack that is going to happen very soon in our country. There will be a huge terrorist attack. I need to talk to her about it and give her some details of what I think is going to happen.

And the aide said, You know, Congressman, she's talked about Afghanistan before. We know you're an expert on that, but she can't see you today. She's a busy person. But if you come over tomorrow at 3 o'clock, she will talk to you, and I will put you on the schedule.

So I was on the schedule at 3 o'clock to talk to Condoleezza Rice to warn her of an imminent major terrorist attack. That's what the schedule says. The day that I was supposed to meet her was 9/11. That day, the planes began flying into the buildings at 8:45.

So on that horrible day, 9/11, I understood what was happening, and I immediately began to provide information and contacts to the CIA, Defense Department, and National Security Council. The team who had helped me during the years organizing an anti-Taliban coalition was now brought to play to help America plan its counter-attack.

Charlie Santos, a confidant of Afghan Uzbek leader General Dostum, was a treasure house of information and direction for our government and part of my team during the years before. Al Santoli on my staff ended up talking directly via satellite cell phones to village and tribal leaders. One of them, for example, was so-called warlord Ishml Khan, thus paving the way for the injection of our special forces troops.

Paul Berkowitz, who now works for me, then working for Chairman Ben Gilman, opened doors throughout the administration. Paul Behrends, a Marine major, a former member of my staff who had been in Afghanistan with me and knew the players in the territory, was there to help. And Dusty Rhodes, an expert from the intelligence community, he was on my staff at the time and had very special skills that were incredibly important to helping us determine how to proceed.

I have never sought much credit for the small but significant contribution my team made after 9/11. It's like that saying Reagan had framed on his desk: "There is no limit to what a person can accomplish if he doesn't care who gets the credit."

Well, our military originally wanted to send in heavy American Army divisions into Afghanistan; basically, what we did in Iraq. They would be supplied by depots located in the northwestern provinces, provinces of Pakistan where that invasion would have been staged from. It would have been a disaster had we done that. The northwestern provinces are the most anti-American territories in the world, which, right now, people are struggling against Taliban control over those areas.

Our team managed to convince America's decisionmakers to come at

Afghanistan from the north through Uzbekistan, and most importantly, to let our Afghan coalition do the fighting. Most of those making this decision on which way to go—whether to send in the big heavy divisions or not—had never even heard of Tarmez, which is an Uzbek city on the Afghan border that later served as our staging area.

They had, of course, never been at the northwest provinces, nor did they know about the strategically important Afghan city of Mazar-e-Sharif, which later turned out to be pivotal in the defeat of the Taliban. I had been to those cities. I had been to those places, and our little team knew the territory and the forces at play. And luckily, some high-level decisionmakers at the DOD and the CIA and, yes, the National Security Council listened to us.

Too many Americans don't fully appreciate the fact that it was an army of Afghans—that was called the Northern Alliance—that defeated the Taliban and drove them out of their country. Only about 200 U.S. military personnel were there at the time. Only 200 men, boots on the ground, yes. Only 200 men were there of American military personnel. And we gave the Northern Alliance the financial support and supplied them the arms and the ammunition and, most importantly, the air cover they needed to defeat the Taliban.

We also promised to rebuild their country, and that's how the Taliban—who were immensely more powerful than they are today—that's how they were defeated after 9/11.

So 7 years have passed, and it appears now that America is pulling defeat out of the jaws of victory. American political restructuring and military firepower has not been working, and it should be of no surprise that it's not working. We can defeat any army and dislodge any tyrant or regime. We cannot conquer or subjugate a people. Once we are viewed as occupiers and not liberators, we lose.

The people of Afghanistan are devout Muslims. Yet after 9/11, large numbers of them came to our side and fought against and defeated the Taliban and al Qaeda Muslim extremists. Oh my, how history repeats itself.

After promising to rebuild their war-torn country, after the victory over the Taliban, we then, instead of keeping our word, moved on and committed ourselves to freeing Iraq from the Saddam Hussein dictatorship and helping those people. That commitment dramatically undercut our ability to make the kind of effort and expenditure of resources that the brave Afghan people had a right to expect at that time.

Well, they fought the Russian Army and helped end the cold war, and it was an enormous price that they paid to do that. Then after 9/11, they joined us again to fight radical Islam's grip on their country, which had been used as a base camp for the 9/11 attack that slaughtered 3,000 Americans. The Afghans are brave and honorable people. We have to do justice by them. We have

to yet pay back this debt that we still owe them.

Instead, over the years, we have sent our military with its incredibly sophisticated weapons into Afghanistan. When the Taliban were driven out, 90 percent of the Afghans loved us and they were doing the fighting against the extremists. Now, years later, our troops are doing the fighting and the hearts of the Afghan people are turning against us.

Afghanistan is a country of 4,500 villages. Each has a militia. Either the villages are with us or they're against us. We've made the age-old mistake of thinking this society of villages and fiercely independent people can be pacified and controlled by our forces or those of a central authority in Kabul. Trying to impose centralized government power on these villages rather than approaching them as friends who are there to help has turned friend into foe, ally into enemy.

We can defeat a foreign army, be it a German or Japanese military power of World War II or Republican Guard of Saddam Hussein. We cannot defeat the country of Afghanistan. We cannot occupy or control its people. We can be their friend, and if we do so, we will win. If we attempt to use our military might to force an outcome based on control and pacification of a vast and inhospitable countryside, we will eventually lose. The 4,500 villages will be with us or against us. They will be with our enemy, radical Islam, or they will be against it.

Just as I was in a position to influence enormously important decisions after 9/11, I believe I am here at this moment to try again to influence a decision that will have horrendous negative consequences if not made with an understanding of Afghanistan and its people.

Today we are facing a decision to send or not to send 35,000 more combat troops into Afghanistan. Thirty-five thousand more troops, by definition, means Americans will do more fighting. It is a wrong strategy, a strategy that will not work and will cost too much financially and cost too much in terms of the lives of our military personnel. A better plan is to re-earn the loyalty of these brave and long-suffering people.

Afghan children are the most beautiful kids in the world, but this country has the world's highest infant mortality rate. It tears at the heart and soul of these people that they're losing their children. Let's help them change that.

The money needed to finance sending 35,000 more combat troops into Afghanistan is a mind-boggling 35 billion—that's "billion"—dollars per year. A commitment of even a small portion of this would bring life-elevating progress throughout that land of 4,500 villages. It would win the goodwill of those villages and their militias. After that, they could become a real asset. They would be a real force against radical

Islam. And yes, we need to re-earn the loyalty and gain the loyalty of our Afghan allies. After 9/11, we disarmed the Northern Alliance. We need to re-arm them, and we need to rebuild a solid friendship with those people.

Building a central army, however, in Kabul is not the way to defend against Taliban insurgents. Sending in more U.S. combat troops is not the answer, nor is just building up a central army in Kabul. Reaching out to the villages and tribal elders and establishing local militias, perhaps buying their goodwill if need be, these are the things that will work. And it will cost a pittance compared to \$35 billion more per year for 35,000 more troops who may end up turning off the people of Afghanistan rather than enlisting them to our side.

Opposing our enemy by arming and financing local and village leaders was a strategy that worked against the Soviet Army, and it worked against the Taliban after 9/11, and it will work again. Let us admit that our goals these last 7 years, that the goals that we have actually tried to put in place these last 7 years were wrong. The goals were wrong. Not just the implementation. The goals were wrong.

Honest and decentralized government in Afghanistan should have been the goal. Decentralized. Honest and decentralized, perhaps representative, government in Afghanistan should have been the goal, not creating a central power, the fallacy that you can't have a real country unless you really have a government in charge in the capital that then controls the rest of the country. That was a total illusion, and it was wrong. It was never something we could have accomplished.

Instead, what we wanted to do instead of a decentralized government, we wanted to establish a national power, and we wanted to have national power wielders with whom we could do business. Karzai was never someone who had any loyalty of the Afghan people.

□ 2015

He was not a political force in that country. We forced Karzai on the Afghan people after 9/11, and we forced the king into a more subservient role when he returned rather than a role where he could have selected true Afghan leaders to help rebuild their country, leaders that would have been honest instead of what we have now in the Karzai administration, which is nothing more than a kleptocracy, gangster regime.

In the United States our schools are run locally. Remember this. Our schools are run locally. Our police are run locally. The criminal justice system is run at the State or local level. What would have happened if somebody had come into our country during the American revolution and said, No, we have to reconfigure it so that all the power's in Washington and all the appointees are going to be in Washington D.C., and that's where all the power is

going to be and you're going to have to have a centralized government. Our Founding Fathers would have revolted against that, because that wasn't consistent with how we knew that freedom was going to be preserved; it wasn't consistent with representative government and democracy. No, we wouldn't have done that.

Well, let me just note, what we've got there in Afghanistan and what we've tried to establish in Afghanistan is a Kabul-based centralization of authority. How can we expect the people of Afghanistan to accept something—centralization of power—which is totally contrary to their own decentralized society which they have had for thousands of years, especially when the centralized authority that we're trying to foist on them has been corrupt and in no way reflects the consent of the governed?

Members of parliament there are elected in a slate. The people there in that country don't have individual districts that represent them, individual congressmen who are elected from individual districts. They aren't even elected at specific villages. No, there is not one person in that government who most people in Afghanistan can identify as someone for whom they voted for to represent them, not in the parliament, not in the Kabul government, because there's no congressmen that are elected. They're elected at a province-wide level which means it's a slate and almost all of the villages, nobody knows anybody on the slate because the slate is dictated politically from Kabul which, of course, is a corrupt center of power.

Do we expect the Afghan people to just accept orders from people who they haven't voted for, whom they don't know? And the corruption and the ineptitude of that central authority, of course, which we have foisted upon them is not an acceptable alternative. We're not giving them an acceptable alternative. No wonder why the Taliban is being considered. All this means is that local people have no honest system to settle disputes, to determine rights or to organize the effort that's needed to elevate the condition of this suffering and poverty-stricken people. These people are devout, but they're not fanatics. But they will acquiesce again to the Taliban Islamic fringe if it is at least honest at its core as compared to visiting crooks who are claiming the right to make decisions that have the finality and power of law but people whom they don't even know who they are, much less have voted for them.

What we do now is what we should have done originally. Let the local villages appoint their own elders to positions of local authority. Let them pick a wise person who they know to be a judge and make decisions for them locally. Let the village militias become part of a National Guard. Give them uniforms, give them guns and ammunition, give them communication gear,

and use the central army to back them up, not to disarm them for fear of their sympathies.

Yes, the U.S. can remain a major military force in Afghanistan, but we cannot and will not succeed if we believe our military forces, foreign fighters in a foreign land, can bring a recognizable military victory. Adding more troops feeds the illusion that we can win some kind of victory if we just exercise more power and send more military personnel. Alexander the Great left the bones of his entourage there as did the British and, yes, the Russians. The sword has never conquered these people. It may for a limited time give an appearance of stability but, instead, will feed a simmering antipathy that will not cool but only grow hotter and more ferocious. Again, we can defeat any army. We cannot conquer and subdue the nation of Afghanistan. Only Afghans, from the bottom-up, can control and pacify their countryside.

There is still time for our action in Afghanistan to end with honor and success, for the Afghans and for Americans. They can still have a great ending to all of this. The first step towards that is to signal to the whole nation of Afghanistan, send them a message heard in every corner of those 4,500 villages, and that is that the United States is not trying to foist upon them a corrupt central government. To accomplish this, we must recognize the travesty of this last election. While we cannot have an entirely new election, we can insist on a runoff between Messrs. Karzai and Abdullah. In this runoff election, a respected international organization, perhaps the OSCE, could be given a free hand to correct problems as they appear and throw out illegal ballots if necessary. After the elections we should commit ourselves to a new course, a new course that respects the traditional village structure and reaches out with assistance to improve health, water, education and agriculture in Afghanistan. Yes, at first the risk of such a plan will be great for the individuals who are willing to go to the front lines with our helping hand offensive. But this approach, a helping hand, will be far more effective than a mailed fist approach. It will take money. We may need to begin to buy goodwill. Maybe we need to offer to put some people on consulting fees at the local level, some of these local leaders and village elders. Well, that can be done; and we can also do things like, for example, some expenditures that prove our good faith, like setting up clinics or schools or economic projects that will improve the life of those villagers. It may take courage and we will lose some people. But in the end the expense and the loss of life will be far less than a warrior-focused alternative. And, yes, fighting will be necessary. The Taliban are evil. They are inseparable from al Qaeda because they are the same radical extremists. We know that. Anybody who

is a dreamer, who thinks that, well, we can bring back the Taliban but we can separate them from al Qaeda, that is just so much nonsense. But the Taliban need not come back. There is opposition to the Taliban if we offer a tangible alternative. Let us build up the militias in the towns and villages across that desolate country and let these militias do the fighting. We can and should help establish a militia system and back them up, from the air or even on the ground if necessary. But it will be the Afghans, not the Americans, who are on the front lines of this effort.

How much will it cost us to deploy 35,000 more troops? \$35 billion. What I'm talking about is a strategy that would cost a minuscule amount of that and have a much greater chance of success. Let's stand down these troops. Let's let these 35,000 American military personnel stay home with their families. And let's send to the Afghans a portion of what that additional troop cost would be.

Every time in the past we got to this situation, it was either send those troops and spend the money for them or not give them anything, or just give them a little bit. No, let's give them a substantial infusion into their society of wealth and expertise that can help build that society. That will be so much cheaper and more cost effective, and with a billion dollars, yes, you can buy the loyalty of a number of Afghan leaders at the village and provincial and tribal level that can get us over the hump. Now that's certainly better than spending money to send people over there to kill more Afghans. We can be their partners in building and improving the life of the Afghan people. And it will bring change to that country and have a much greater chance at success.

Let me end this tonight with one last story, which I didn't mention. Before I came to Congress, I actually went into Afghanistan with an Afghan military unit, a mujahadeen unit, who were fighting the Soviet Union. And I had met so many of these leaders, I told them one day that I would join them in a great battle if I had left the White House. And so I went to the battle of Jalalabad as part of a small military force. All we had were AK-47s and rocket-propelled grenades. I had a beard. I was in Afghan garb. I was just one of the team, one of that unit. Our job was to protect and to work with a rocket unit that was about to attack and give them protection, about to launch rockets into a Soviet position outside the city of Jalalabad.

As we marched to the battle of Jalalabad, it was late at night and the bombs and things were going off, you could hear the explosions and see them; and I was with about 120 Afghans by that point, worming our way through the hillsides toward the battle. A young Afghan lad, perhaps 16 years old, an AK-47 over his shoulder, came up to me and said, "I understand that you're

in politics in America." I said, "Yes, I am." He said, "Well, are you a donkey or an elephant?" I said, "Well, I'm an elephant." He said, "I thought you were."

And as we talked, I said to him, "What do you plan to do once this war with the Soviets is over?" And as we marched toward that battle, he said, "I want to be an engineer or an architect. I want to rebuild my country. I want to rebuild my country. And I know, with you Americans, we can do that."

I don't know whatever happened to that young man. He may never have survived that battle. I left after a week and I was back here in the safety of our country. I only could have died of diarrhea or by drinking bad water. He could have stepped on a land mine. A Russian plane napalmed one part of the group that I was with. He could have died in something like that. But that young man, 16 years old, is now probably 40 years old. We owe him a lot. We can only hope that he is still that idealistic, that he wants to work with Americans to rebuild his country and to see that his family has a better chance even though life now has passed his generation by.

Life didn't have to pass his generation by. We should have done our duty by them. We have a chance to do that again, to remake that, to redo that and to do what's right, and it will be successful for us as well as for the people of Afghanistan. Let us not send more combat troops there. Let us not put more of our people at risk or have our people killing more Afghans in the name of obtaining some illusionary victory. Let us reach out and win the loyalty of these people who have shown their loyalty to us time and again. We can do that now with just a minor expenditure. Give us \$5 billion to rebuild that country and to help build a militia system so they can protect themselves. That is what America is supposed to be all about.

That young man had a dream. That young man now is 40 years old, hopefully somebody who still has faith in us, we need to reach out to him and the other young people of Afghanistan and say we can make this a better world. We are willing to work with you to do that. We respect your society and structure and your traditions, and it's not in any way contradictory to what America believes in local government and democracy, and people choosing their own government and those people who make laws for them.

It's time for America to stand for principle. I hope that my Republican colleagues will understand that every time someone in the military—and I respect General McChrystal. Just because he is in the military, he does not have "the plan" that will necessarily bring about the type of change in a society or another kind of dynamic rather than a military dynamic. Many times military officers don't understand that. We should stand up after thinking about it and doing what is

right and listen to those of us who have been in Afghanistan over these years to try to have a policy that's a positive policy that can succeed, and not just looking for an illusionary military victory that will always be out of our grasp.

Thank you very much, Mr. Speaker. I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. EMERSON (at the request of Mr. BOEHNER) for today and the balance of the week on account of her step-daughter's wedding.

Ms. MCCOLLUM (at the request of Mr. HOYER) for today on account of official business in the district.

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. WEINER) to revise and extend their remarks and include extraneous material:)

- Mr. LANGEVIN, for 5 minutes, today.
- Mr. WEINER, for 5 minutes, today.
- Mr. DEFazio, for 5 minutes, today.
- Ms. WOOLSEY, for 5 minutes, today.
- Ms. KAPTUR, for 5 minutes, today.
- Ms. WATSON, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

- Mr. MCCLINTOCK, for 5 minutes, today.
- Mr. POE of Texas, for 5 minutes, October 22.
- Mr. WOLF, for 5 minutes, today.
- Mr. JONES, for 5 minutes, October 22.
- Mr. MORAN of Kansas, for 5 minutes, today, October 20, 21 and 22.
- Mr. BURTON of Indiana, for 5 minutes, October 20, 21 and 22.
- Mr. WESTMORELAND, for 5 minutes, today.
- Mr. WAMP, for 5 minutes, today.
- Mr. BOOZMAN, for 5 minutes, today.

Ms. FOXX, for 5 minutes, October 20, 21 and 22.

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. 1694. An act to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes; to the Committee on Energy and Commerce.

ADJOURNMENT

Mr. ROHRBACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, October 16, 2009, at 11 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-authorized official travel during the first quarter and third quarter of 2009, pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES B. RANGEL, Chairman, Oct. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. James P. McGovern	8/23	8/25	Kuwait		109.00		3,954.10				4,063.10
	8/25	8/27	Bahrain		248.00						248.00
	8/27	8/29	Kabul, Afghanistan		26.00		4,151.20				4,177.20
Committee total					383.00		8,105.30				8,488.30

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LOUISE MCINTOSH SLAUGHTER, Chairman, Oct. 7, 2009.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2009

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Eliot L. Engel	2/16	2/18	Mexico		699.50		( <sup>3</sup> )				699.50
	2/18	2/20	Nicaragua		337.32		( <sup>3</sup> )				337.32
	2/20	2/22	Jamaica		775.68		( <sup>3</sup> )				775.68
Committee total											1,812.50

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

HON. HOWARD L. BERMAN, Chairman, Oct. 5, 2009.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4118. A letter from the Vice Chairman, Defense Nuclear Facilities Safety Board, transmitting Certification Report on the design of the Chemistry and Metallurgy Research Replacement (CMRR) Project, pursuant to Public Law 110-417, section 3112; to the Committee on Armed Services.

4119. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on the Impact and Effectiveness of Administration for Native Americans Projects for Fiscal Year 2007"; to the Committee on Education and Labor.

4120. A letter from the Secretary, Department of Energy, transmitting a report on the Strategic Petroleum Reserve 2008 Emergency Test Exchanges; to the Committee on Energy and Commerce.

4121. A letter from the Acting Director, Office of Civilian Waste Management, Department of Energy, transmitting the Office's report entitled, "2008 Annual Financial Report for Years ending September 30, 2008 and 2007"; to the Committee on Energy and Commerce.

4122. A letter from the Chairman, Pension Benefit Guaranty Corporation, Department of Labor, transmitting the Inspector General's semiannual report to Congress for the reporting period October 1, 2008 through March 31, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4123. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's Strategic Plan for Fiscal Years (FYs) 2009 to 2014, as required by The Government Performance and Results Act of 1993; to the Committee on Oversight and Government Reform.

4124. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ironwood, MI [Docket No.: FAA-2009-0052; Airspace Docket No. 09-AGL-1] received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4125. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Monee, IL [Docket No.: FAA-2008-1314; Airspace Docket No. 08-AGL-21] received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4126. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Iowa Falls, IA [Docket No.: FAA-2008-1272; Airspace Docket No. 08-ACE-4] received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4127. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Clayton, GA [Docket No.: FAA-2009-0605; Airspace Docket No. 09-ASO-19] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4128. A letter from the Secretary, Department of Transportation, transmitting the second of five reports required by Section 1201(c) of the American Recovery and Reinvestment Act of 2009 (Recovery Act) detailing the Department's progress; to the Com-

mittee on Transportation and Infrastructure.

4129. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Sarasota, FL [Docket No.: FAA-2009-0652; Airspace Docket 09-ASO-21] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4130. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Saluda, SC [Docket No.: FAA-2009-0603; Airspace Docket No. 09-ASO-16] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4131. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Hertford, NC [Docket No.: FAA-2009-0705; Airspace Docket No. 09-ASO-25] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4132. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tompkinsville, KY [Docket No.: FAA-2009-0604; Airspace Docket No. 09-ASO-18] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4133. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lewisport, KY [Docket No.: FAA-2009-0706; Airspace Docket No. 09-ASO-26] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4134. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class D and Class E Airspace, Establishment of Class E Airspace; Binghamton, NY [Docket No.: FAA-2009-0202; Airspace Docket 09-AEA-11] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4135. A letter from the Acting Administrator, General Services Administration, transmitting informational copies of prospectuses that support the General Services Administration's Fiscal Year 2010 Capital Investment and Leasing Program; to the Committee on Transportation and Infrastructure.

4136. A letter from the Chairman, Social Security Advisory Board, transmitting a report titled, "The Social Security Statement: How It Can Be Improved"; to the Committee on Ways and Means.

4137. A letter from the Chairman, United States International Trade Commission, transmitting the nineteenth report in a series on The Impact of the Caribbean Basin Economic Recovery Act (CBERA), pursuant to 19 U.S.C. 2704; to the Committee on Ways and Means.

4138. A letter from the Acting Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Report on the Federal Work Force for Fiscal Year 2008, pursuant to 42 U.S.C. 2000e-4(e); jointly to the Committees on Oversight and Government Reform and Education and Labor.

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. GORDON of Tennessee: Committee on Science and Technology. H.R. 3585. A bill to guide and provide for United States research, development, and demonstration of solar energy technologies, and for other purposes; with an amendment (Rept. 111-302). Referred to the Committee of the Whole House on the State of the Union.

## 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. ADERHOLT:

H.R. 3815. A bill to extend temporarily the reduction of duty on polyethylene HE1878; to the Committee on Ways and Means.

By Mr. ADERHOLT:

H.R. 3816. A bill to suspend temporarily the duty on man-made shells used in the manufacture of sleeping bags; to the Committee on Ways and Means.

By Mr. KANJORSKI:

H.R. 3817. A bill to provide the Securities and Exchange Commission with additional authorities to protect investors from violations of the securities laws, and for other purposes; to the Committee on Financial Services.

By Mr. KANJORSKI:

H.R. 3818. A bill to amend the Investment Advisers Act of 1940 to require advisers of certain unregistered investment companies to register with and provide information to the Securities and Exchange Commission, and for other purposes; to the Committee on Financial Services.

By Mr. GORDON of Tennessee (for himself, Mr. HALL of Texas, Ms. GIFFORDS, and Mr. OLSON):

H.R. 3819. A bill to extend the commercial space transportation liability regime; to the Committee on Science and Technology.

By Mr. WU (for himself, Mr. SMITH of Nebraska, Mr. GRAYSON, and Mr. MOORE of Kansas):

H.R. 3820. A bill to reauthorize Federal natural hazards reduction programs, and for other purposes; to the Committee on Science and Technology, and in addition to the Committees on Natural Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, Mr. BLUNT, and Mr. BUYER):

H.R. 3821. A bill to prevent States from limiting employers from using auto-enrollment for employee health insurance coverage; to the Committee on Education and Labor.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, Mr. BLUNT, Mr. BARTON of Texas, and Mr. BUYER):

H.R. 3822. A bill to permit employers to provide contributions and assistance to certain employees who purchase individual health insurance; to the Committee on Education and Labor, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEAL of Georgia (for himself, Mr. PITTS, Mr. BLUNT, Mr. BARTON of Texas, and Mr. BUYER):

H.R. 3823. A bill to amend titles XIX and XXI of the Social Security Act to make certain changes to the State Children's Health Insurance Program and the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. PITTS, Mr. BLUNT, Mr. BARTON of Texas, and Mr. BUYER):

H.R. 3824. A bill to allow States to establish interstate compacts for the purpose of expanding health insurance options; to the Committee on Energy and Commerce.

By Mr. BRIGHT:

H.R. 3825. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain home purchases; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself and Mrs. CAPPS):

H.R. 3826. A bill to amend title XVIII of the Social Security Act to provide payments under the Medicare Program to licensed health care practitioners for unscheduled telephone consultation services in the case that such payments are determined to be cost and quality effective; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 3827. A bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identification, or marital status of any prospective adoptive or foster parent; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself, Mr. KIRK, Mr. LEE of New York, Mr. GERLACH, Mr. ROGERS of Michigan, Mr. NEUGEBAUER, Mr. PAUL, Mrs. CAPITO, Mr. MANZULLO, Mr. SESSIONS, Mr. PUTNAM, Mr. MCCOTTER, Mr. CULBERSON, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. ROE of Tennessee, Mr. EHLERS, Mr. UPTON, Mr. KING of New York, Mr. JONES, Mr. LAMBORN, Mr. CHAFFETZ, Mr. BACHUS, Mrs. BACHMANN, Mr. BARRETT of South Carolina, and Mr. MCHENRY):

H.R. 3828. A bill to temporarily suspend the approval or certification of any housing counseling agencies of ACORN or its affiliates and require the Inspector General of the Department of Housing and Urban Development to conduct an audit of any assistance provided by the Department to ACORN and its affiliates, and for other purposes; to the Committee on Financial Services.

By Mr. BRADY of Pennsylvania:

H.R. 3829. A bill to amend title 23, United States Code, to reduce the amount of Federal highway funding available to States that do not enact a law prohibiting the use of certain communication devices while operating a motor vehicle, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FORTENBERRY:

H.R. 3830. A bill to direct the Secretary of Health and Human Services to develop an individual chronic disease prevention and wellness achievement matrix; to the Committee on Energy and Commerce.

By Mr. FORTENBERRY:

H.R. 3831. A bill to amend the American Recovery and Reinvestment Act of 2009 to eliminate the phase out of the Medicare hospice budget neutrality adjustment factor; to the Committee on Ways and Means.

By Mr. FRANKS of Arizona:

H.R. 3832. A bill to enhance the effectiveness of United States diplomatic efforts with

respect to Iran by expanding economic sanctions against Iran to include refined petroleum, require the Secretary of Defense to develop and maintain viable military options to prevent the successful development or deployment of a nuclear weapons capability by the Government of Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Armed Services, Ways and Means, 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 Mr. HALL of New York:

H.R. 3833. A bill to amend chapters 81, 83, and 84 of title 5, United States Code, to provide for enhanced benefits for survivors of Federal public safety officers killed in the line of duty; to the Committee on Oversight and Government Reform.

By Mr. HIGGINS (for himself, Mr. HINCHEY, Mr. MASSA, Ms. MOORE of Wisconsin, Mr. MAFFEI, Mr. LEE of New York, and Mr. HOLT):

H.R. 3834. A bill to amend the Internal Revenue Code of 1986 to enhance incentives for renewable energy development in high job-loss zones in metropolitan and micropolitan statistical areas; to the Committee on Ways and Means, 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. HOLT:

H.R. 3835. A bill to amend the National Voter Registration Act of 1993 and the Help America Vote Act of 2002 to strengthen protections against the wrongful removal of individuals from the official list of eligible voters and the wrongful denial of applications for voter registration, and for other purposes; to the Committee on House Administration.

By Mr. ISRAEL:

H.R. 3836. A bill to authorize the Secretary of Energy to provide credit support to enhance the availability of private financing for clean energy technology deployment; to the Committee on Energy and Commerce.

By Ms. KILROY (for herself, Mr. CUELLAR, Mr. THOMPSON of Mississippi, Mr. PASCRELL, Ms. CLARKE, Mr. DEFAZIO, Ms. RICHARDSON, Ms. NORTON, Mr. SIRES, Ms. JACKSON-LEE of Texas, Mr. CLEAVER, and Ms. TITUS):

H.R. 3837. A bill to amend the Homeland Security Act of 2002 to provide for clarification on the use of funds relating to certain homeland security grants, and for other purposes; to the Committee on Homeland Security.

By Mr. MURPHY of Connecticut (for himself and Mr. PLATTS):

H.R. 3838. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide incentive grants to promote alternatives to incarcerating delinquent juveniles; to the Committee on Education and Labor.

By Mr. ROONEY (for himself and Mr. MCMAHON):

H.R. 3839. A bill to amend title 10, United States Code, to authorize the reimbursement of mental health counselors under TRICARE, and for other purposes; to the Committee on Armed Services.

By Mr. RUPPERSBERGER (for himself and Mr. THORNBERRY):

H.R. 3840. A bill to strengthen certain provisions relating to arms export licenses, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHRADER:

H.R. 3841. A bill to amend the Internal Revenue Code of 1986 to repeal carryover basis for decedents dying in 2009, to increase the estate tax exemption to \$5,000,000, and to reduce the maximum estate and gift tax rate to 45 percent; to the Committee on Ways and Means.

By Mr. SCHRADER (for himself and Mr. DRIEHAUS):

H.R. 3842. A bill to amend the Internal Revenue Code of 1986 to extend the first-time homebuyer tax credit; to the Committee on Ways and Means.

By Mr. SESTAK:

H.R. 3843. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to publish redacted medical quality-assurance records of the Department of Veterans Affairs on the Internet website of the Department; to the Committee on Veterans' Affairs.

By Mr. TIAHRT:

H.R. 3844. A bill to amend the Internal Revenue Code of 1986 to provide a special depreciation allowance and recovery period for noncommercial aircraft property; to the Committee on Ways and Means.

By Mr. ANDREWS:

H. Con. Res. 200. Concurrent resolution expressing the sense of Congress regarding the freedom, security, and stability of Taiwan; to the Committee on Foreign Affairs.

By Mr. TIAHRT (for himself, Mr. WAMP, Mrs. BACHMANN, Mr. BARTLETT, Mrs. BLACKBURN, Mrs. BONO MACK, Mr. BOOZMAN, Mr. CHAFFETZ, Mr. EHLERS, Ms. FOX, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. GOODLATTE, Mr. GRAVES, Mr. HELLER, Mr. HERGER, Mr. INGLIS, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LUCAS, Mrs. MCMORRIS RODGERS, Mr. MILLER of Florida, Mrs. MYRICK, Mr. PETRI, Mr. PITTS, Mr. PLATTS, Mr. ROE of Tennessee, Mr. RYAN of Wisconsin, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. TERRY, Mr. WESTMORELAND, and Mr. WOLF):

H. Con. Res. 201. Concurrent resolution to establish the Joint Select Committee on Earmark Reform, and for other purposes; to the Committee on Rules.

By Mr. LARSON of Connecticut:

H. Res. 834. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to, considered and agreed to.

By Ms. JENKINS (for herself, Mr. BOEHNER, Mr. CANTOR, Mr. PENCE, Mr. PAULSEN, Mr. MCCLINTOCK, Mrs. SCHMIDT, Mr. LEE of New York, Mr. HENSARLING, Mr. LATTA, Mr. ROE of Tennessee, Mr. REICHERT, Mr. MANZULLO, Mr. SCHOCK, Mr. DENT, Mrs. CAPITO, Mr. KLINE of Minnesota, Mr. THOMPSON of Pennsylvania, Mr. GERLACH, Ms. FOX, Mr. TERRY, Mr. GRAVES, Mr. BARTON of Texas, Mr. CULBERSON, Mr. MICA, Mr. SMITH of Texas, Mr. DANIEL E. LUNGREN of California, Mr. SAM JOHNSON of Texas, Mr. LUCAS, Mr. MORAN of Kansas, Mr. SCALISE, Mr. SMITH of Nebraska, Mr. KINGSTON, Mr. COBLE, Mrs. LUMMIS, Mr. GOHMERT, Mr. CARTER, Mr. POE of Texas, Ms. GRANGER, Mr. THORNBERRY, Mr. DREIER, Mr. BUYER, Mr. CAMP, Mr. POSEY, Mr. SESSIONS, Mr. BARTLETT, Mr. BACHUS, Mr. HASTINGS of Washington, Mr. MCCARTHY of California, Mr. HALL of Texas, Mr. HOEKSTRA, Mr. CAMPBELL, Mr. GARRETT of New Jersey, Mr. LANCE, Mr. BUCHANAN, Mr. DAVIS of Kentucky, Mr. ROGERS of Alabama, Mr. BOUSTANY, Mr. GOODLATTE, Mr. RYAN of Wisconsin,

Mr. KIRK, Mr. LATHAM, Mr. GALLEGLY, Mrs. MCMORRIS RODGERS, Mr. CONAWAY, Mr. ADERHOLT, Mr. GUTHRIE, Mr. CALVERT, Mr. MARCHANT, Mr. CHAFFETZ, Mr. ISSA, Mrs. BLACKBURN, Mr. OLSON, Mr. ALEXANDER, Mr. LAMBORN, Mr. COFFMAN of Colorado, Mr. WESTMORELAND, Mrs. MILLER of Michigan, Mr. SULLIVAN, Mr. NEUGEBAUER, Mr. FRELINGHUYSEN, Mr. MCCAUL, Mr. HARPER, Ms. GINNY BROWN-WAITE of Florida, Mr. FLEMING, Mr. WALDEN, Mr. UPTON, Mr. PRICE of Georgia, Mr. EHLERS, Mrs. BONO MACK, Mr. MACK, Mr. FORBES, Mr. JONES, Mr. PITTS, Mr. SENSENBRENNER, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. BARRETT of South Carolina):

H. Res. 835. A resolution amending the rules of the House of Representatives to provide for transparency in the committee amendment process; to the Committee on Rules.

By Mr. ROE of Tennessee:

H. Res. 836. A resolution expressing support for Teen Read Week; to the Committee on Education and Labor.

By Mr. GUTHRIE:

H. Res. 837. A resolution recognizing Kentucky Wesleyan College for over 150 years of service as an institution of higher education; to the Committee on Education and Labor.

By Mr. BILIRAKIS (for himself, Mrs. MALONEY, Mr. SARBANES, Ms. TSONGAS, Ms. TITUS, Mr. ROSKAM, Mr. SPACE, and Mr. GALLEGLY):

H. Res. 838. A resolution welcoming to the United States and to Washington, DC, His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch on his upcoming trip on October 20, 2009, through November 6, 2009; to the Committee on Foreign Affairs.

By Mr. BLUMENAUER (for himself, Mr. PAYNE, and Mr. FALOMAVAEGA):

H. Res. 839. A resolution condemning the illegal extraction of Madagascar's natural resources; to the Committee on Foreign Affairs.

By Mr. BURTON of Indiana (for himself, Ms. ROS-LEHTINEN, and Mr. FRANKS of Arizona):

H. Res. 840. A resolution condemning continuing violations of religious freedom in the Middle East, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GERLACH (for himself, Mr. DENT, Mr. UPTON, Mrs. MILLER of Michigan, Mr. EHLERS, Mr. CASTLE, Mr. CAO, Mrs. BIGGERT, and Mr. BISHOP of New York):

H. Res. 841. A resolution expressing support for designation of November 29, 2009, as "Drive Safer Sunday"; to the Committee on Transportation and Infrastructure.

By Mr. HODES (for himself and Ms. SHEA-PORTER):

H. Res. 842. A resolution expressing the sense of the House of Representatives that The MacDowell Colony in Peterborough, New Hampshire, should be recognized for its contribution to the arts around the world, and the cultural heritage of the United States; to the Committee on Oversight and Government Reform.

By Ms. ZOE LOFGREN of California:

H. Res. 843. A resolution supporting the goals and ideals of Toastmasters International and celebrating its 85th anniversary; to the Committee on Oversight and Government Reform.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 43: Mr. BERMAN and Mr. MITCHELL.  
 H.R. 205: Mr. POE of Texas.  
 H.R. 213: Ms. SHEA-PORTER.  
 H.R. 391: Mr. ROE of Tennessee and Mr. MCCOTTER.  
 H.R. 436: Mr. ETHERIDGE.  
 H.R. 463: Ms. CHU.  
 H.R. 471: Mr. BOCCIERI.  
 H.R. 501: Ms. EDWARDS of Maryland.  
 H.R. 560: Mr. CONNOLLY of Virginia.  
 H.R. 644: Mr. BLUMENAUER.  
 H.R. 678: Mr. ELLSWORTH.  
 H.R. 734: Mr. SESTAK.  
 H.R. 795: Mr. BERMAN.  
 H.R. 836: Mr. MELANCON.  
 H.R. 930: Mr. SMITH of New Jersey.  
 H.R. 1064: Mr. HALL of New York and Mr. MASSA.  
 H.R. 1074: Mr. LINDER.  
 H.R. 1101: Mr. HEINRICH.  
 H.R. 1132: Mr. RUSH, Mr. CAMP, and Mr. GRIJALVA.  
 H.R. 1147: Ms. HIRONO.  
 H.R. 1173: Mr. PUTNAM.  
 H.R. 1177: Mr. GUTHRIE and Ms. ROS-LEHTINEN.  
 H.R. 1194: Mr. HOLDEN.  
 H.R. 1245: Mr. YOUNG of Florida.  
 H.R. 1283: Mr. SCHRADER.  
 H.R. 1322: Mr. CONNOLLY of Virginia.  
 H.R. 1361: Mr. ETHERIDGE.  
 H.R. 1402: Mr. ALTMIRE.  
 H.R. 1408: Mr. ELLISON and Mr. LEWIS of Georgia.  
 H.R. 1427: Mr. YOUNG of Alaska.  
 H.R. 1468: Mr. MCCAUL.  
 H.R. 1469: Mr. MCCOTTER and Ms. WASSERMAN SCHULTZ.  
 H.R. 1470: Mr. MURPHY of New York.  
 H.R. 1570: Mr. MILLER of Florida and Mr. ALTMIRE.  
 H.R. 1578: Ms. HIRONO and Mr. POLIS.  
 H.R. 1690: Mrs. CHRISTENSEN and Mr. OLVER.  
 H.R. 1718: Mr. WOLF and Mr. CONNOLLY of Virginia.  
 H.R. 1740: Mr. TIM MURPHY of Pennsylvania.  
 H.R. 1770: Mr. ARCURI and Ms. SHEA-PORTER.  
 H.R. 1820: Mr. THOMPSON of California.  
 H.R. 1826: Mr. LOEBACK and Mr. ANDREWS.  
 H.R. 1829: Mr. THOMPSON of Pennsylvania and Mr. MITCHELL.  
 H.R. 1849: Ms. SCHAKOWSKY, Ms. MARKEY of Colorado, Ms. LINDA T. SANCHEZ of California, Ms. SCHWARTZ, Mr. PERLMUTTER, Mr. RUSH, Mr. SCOTT of Georgia, Ms. JACKSON-LEE of Texas, Ms. BEAN, Mr. KENNEDY, Mr. MASSA, Mr. FOSTER, Mr. FATTAH, Mr. NEAL of Massachusetts, Ms. MOORE of Wisconsin, Mr. MILLER of North Carolina, Mr. AL GREEN of Texas, Mr. ALTMIRE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. DREIER, Mr. HENSARLING, Mr. SERRANO, Mr. BARROW, Mr. BISHOP of Georgia, Ms. EDWARDS of Maryland, Mr. RODRIGUEZ, Mr. MCNERNEY, Mr. SCOTT of Virginia, Ms. CHU, Mr. PAUL, Mr. BARTLETT, Ms. KOSMAS, and Mr. KISSELL.  
 H.R. 1875: Mr. MICHAUD and Ms. SUTTON.  
 H.R. 1941: Mr. BROWN of South Carolina.  
 H.R. 1977: Mrs. DAHLKEMPER.  
 H.R. 1987: Mr. MCMAHON.  
 H.R. 1993: Mr. MCNERNEY.  
 H.R. 2017: Mr. BARRETT of South Carolina.  
 H.R. 2024: Mr. DONNELLY of Indiana.  
 H.R. 2055: Mr. MCNERNEY.  
 H.R. 2057: Mr. MEEKS of New York.  
 H.R. 2124: Mr. COLE.  
 H.R. 2139: Ms. EDWARDS of Maryland and Mr. KILDEE.  
 H.R. 2194: Mr. LEWIS of Georgia, Mr. RUPPERSBERGER, and Mr. BARTON of Texas.  
 H.R. 2254: Mr. PAULSEN, Mr. CHILDERS, Ms. NORTON, and Mr. POE of Texas.  
 H.R. 2266: Mr. WELCH and Mr. DELAHUNT.  
 H.R. 2267: Mr. WELCH.

H.R. 2275: Mr. MCMAHON, Mr. CONAWAY, Mr. VAN HOLLEN, Mr. LEWIS of Georgia, Mr. MORAN of Virginia, Mr. ABERCROMBIE, Mr. GENE GREEN of Texas, Ms. FUDGE, Mr. DRIEHAUS, Mr. HINOJOSA, Ms. WATERS, and Mrs. CAPPS.  
 H.R. 2279: Mr. MEEKS of New York, Ms. MATSUI, Mr. SPACE, Mr. BUTTERFIELD, Mr. ROSS, Mr. INSLEE, Mr. GONZALEZ, Mr. SARBANES, and Ms. FUDGE.  
 H.R. 2296: Mr. ARCURI.  
 H.R. 2329: Mr. TAYLOR.  
 H.R. 2345: Mr. GARY G. MILLER of California and Mr. FORTENBERRY.  
 H.R. 2360: Mr. MITCHELL, Mr. CUMMINGS, Mr. STEARNS, and Mr. SCALISE.  
 H.R. 2413: Mr. TIERNEY and Mr. MICHAUD.  
 H.R. 2443: Mr. ROTHMAN of New Jersey and Mr. SIRES.  
 H.R. 2446: Mr. MINNICK.  
 H.R. 2452: Mr. ADLER of New Jersey, Mr. ABERCROMBIE, Mr. RODRIGUEZ, Mr. BILIRAKIS, Mr. VISCLOSKEY, Mr. MAFFEI, Mr. GONZALEZ, Mr. GENE GREEN of Texas, and Mr. ORTIZ.  
 H.R. 2478: Mr. THOMPSON of California and Mr. MICHAUD.  
 H.R. 2480: Mr. ROTHMAN of New Jersey and Ms. FUDGE.  
 H.R. 2502: Mr. MCGOVERN and Mr. PAYNE.  
 H.R. 2548: Mr. CAPUANO.  
 H.R. 2567: Mr. RANGEL and Mr. VAN HOLLEN.  
 H.R. 2625: Mr. GRIJALVA, Ms. BERKLEY, Ms. CHU, and Ms. JACKSON-LEE of Texas.  
 H.R. 2672: Mr. SHUSTER.  
 H.R. 2730: Ms. FUDGE.  
 H.R. 2777: Mr. BOSWELL.  
 H.R. 2785: Mr. POE of Texas.  
 H.R. 2788: Mr. BOCCIERI, Mr. LATTA, and Ms. ROS-LEHTINEN.  
 H.R. 2807: Mr. MORAN of Virginia.  
 H.R. 2817: Mr. CONNOLLY of Virginia.  
 H.R. 2844: Mr. LARSEN of Washington.  
 H.R. 2894: Mr. WATT.  
 H.R. 2905: Mr. BURTON of Indiana.  
 H.R. 2946: Mr. ROTHMAN of New Jersey and Mr. LOBONDO.  
 H.R. 2964: Mr. CHAFFETZ.  
 H.R. 3012: Mr. MEEK of Florida.  
 H.R. 3024: Mr. MARSHALL, Mr. HOLT, Mr. CUMMINGS, and Mr. OLVER.  
 H.R. 3044: Mr. FATTAH and Mr. BONNER.  
 H.R. 3116: Mr. GUTHRIE.  
 H.R. 3202: Mr. HOLT.  
 H.R. 3218: Mr. BLUNT.  
 H.R. 3264: Mr. PIERLUISI.  
 H.R. 3265: Mr. SARBANES.  
 H.R. 3276: Mr. BLUNT.  
 H.R. 3337: Mr. WU and Ms. SUTTON.  
 H.R. 3375: Mr. SHULER.  
 H.R. 3401: Mr. NADLER of New York.  
 H.R. 3407: Mr. BUCHANAN and Mr. ELLISON.  
 H.R. 3408: Mr. KILDEE.  
 H.R. 3501: Mr. POLIS of Colorado.  
 H.R. 3519: Mr. HASTINGS of Washington, Mr. THOMPSON of Pennsylvania, and Mr. PUTNAM.  
 H.R. 3554: Mr. MCMAHON and Mr. MCGOVERN.  
 H.R. 3569: Mr. BROWN of Georgia.  
 H.R. 3572: Mr. WEINER.  
 H.R. 3578: Mr. GERLACH.  
 H.R. 3585: Mr. KLEIN of Florida, Mr. HALL of New York, Mr. RODRIGUEZ, Mr. CARNAHAN, Ms. SLAUGHTER, Mrs. HALVORSON, Mr. BISHOP of New York, Mr. WELCH, Mrs. MILLER of Michigan, Mr. MORAN of Virginia, Mrs. DAVIS of California, Mr. HIGGINS, Mr. POLIS of Colorado, Mr. WAMP, Mr. BARTLETT, Mr. ROTHMAN of New Jersey, Mr. HIMES, Mr. YOUNG of Florida, and Mr. THOMPSON of California.  
 H.R. 3597: Mr. WELCH, Ms. FUDGE, and Mr. KILDEE.  
 H.R. 3608: Mr. BACHUS.  
 H.R. 3615: Mr. SMITH of Nebraska.  
 H.R. 3630: Mr. SCHIFF.  
 H.R. 3633: Mr. DOYLE and Mr. MCNERNEY.  
 H.R. 3636: Mr. PAYNE.  
 H.R. 3639: Mr. HODES, Mr. BACA, Mr. SHERMAN, Mr. KISSELL, Mr. HALL of New York, and Ms. ZOE LOFGREN of California.

- H.R. 3644: Mr. PIERLUISI and Ms. PINGREE of Maine.
- H.R. 3651: Mr. REYES.
- H.R. 3654: Mrs. CHRISTENSEN.
- H.R. 3666: Mr. BISHOP of New York and Mr. CUELLAR.
- H.R. 3667: Ms. GINNY BROWN-WAITE of Florida and Mr. KLEIN of Florida.
- H.R. 3669: Mr. FILNER.
- H.R. 3672: Mr. HARE, Mr. MICHAUD, Mr. FILNER, and Mr. MASSA.
- H.R. 3676: Mr. ALEXANDER.
- H.R. 3677: Mr. OLSON, Mr. BONNER, Mr. SCHOCK, Mr. WILSON of South Carolina, and Mr. KIRK.
- H.R. 3691: Mr. DENT, Mr. GERLACH, Mr. LOBIONDO, and Mr. YOUNG of Florida.
- H.R. 3693: Mr. LATOURETTE, Mr. BURTON of Indiana, and Mr. EHLERS.
- H.R. 3696: Mr. ALEXANDER.
- H.R. 3700: Mr. BARTLETT, Ms. FALLIN, Mr. COFFMAN of Colorado, Mr. LAMBORN, Mr. SAM JOHNSON of Texas, Mr. AKIN, Mr. FLEMING, Mr. BONNER, Mr. BISHOP of Utah, Mr. AUSTRIA, Mr. POSEY, Mr. WAMP, Mr. ROONEY, Mr. KING of Iowa, Mr. FRANKS of Arizona, and Mr. GOHMERT.
- H.R. 3710: Mr. DEFAZIO and Mr. WAXMAN.
- H.R. 3712: Mr. CROWLEY, Mr. LEWIS of Georgia, Mr. CONNOLLY of Virginia, and Mr. WESTMORELAND.
- H.R. 3715: Mr. AUSTRIA.
- H.R. 3756: Mr. BRALEY of Iowa, Mr. BOSWELL, Mr. HEINRICH, Mr. TEAGUE, Mr. COURTNEY, and Mr. WALZ.
- H.R. 3760: Mr. JOHNSON of Illinois, Mr. MARIO DIAZ-BALART of Florida, and Ms. GRANGER.
- H.R. 3761: Mr. JOHNSON of Illinois, Mrs. LUMMIS, Mr. EHLERS, Mr. McCOTTER, Mr. SMITH of Nebraska, and Ms. GRANGER.
- H.R. 3762: Mr. POLIS of Colorado.
- H.R. 3763: Mr. LEE of New York and Mr. PAUL.
- H.R. 3765: Mr. WILSON of South Carolina.
- H.R. 3771: Ms. LEE of California.
- H.R. 3781: Mr. TEAGUE.
- H.R. 3790: Mr. BRALEY of Iowa and Mr. AUSTRIA.
- H.R. 3791: Mr. ETHERIDGE, Mr. MASSA, and Mr. NYE.
- H.R. 3792: Mrs. CHRISTENSEN, Ms. DEGETTE, Ms. CASTOR of Florida, Mr. GENE GREEN of Texas, Mr. MARKEY of Massachusetts, Ms. SUTTON, Ms. MATSUI, Ms. SCHAKOWSKY, Mr. INSLEE, Mr. GONZALEZ, Mr. BRALEY of Iowa, Mrs. BONO MACK, Mr. MURPHY of Connecticut, Ms. BALDWIN, Ms. ESHOO, and Mr. ROGERS of Michigan.
- H.R. 3797: Mr. BARTLETT, Mr. ALEXANDER, and Mr. SAM JOHNSON of Texas.
- H.R. 3802: Mr. PITTS.
- H.R. 3810: Mr. WELCH, Ms. SCHAKOWSKY, Mr. KILDEE, and Ms. BORDALLO.
- H. Con. Res. 16: Mr. WOLF.
- H. Con. Res. 102: Mr. BERMAN.
- H. Con. Res. 139: Mr. BARRETT of South Carolina, Mr. CAO, and Mr. JOHNSON of Georgia.
- H. Con. Res. 198: Mr. HALL of Texas, Mr. CUELLAR, and Mr. CAMP.
- H. Res. 274: Mr. POSEY.
- H. Res. 395: Ms. EDDIE BERNICE JOHNSON of Texas.
- H. Res. 510: Mr. LOBIONDO and Mr. McMAHON.
- H. Res. 583: Mr. BOSWELL, Mr. BISHOP of Georgia, Mr. COSTA, Mr. CARDOZA, Mr. MARSHALL, Mr. ELLSWORTH, Mr. WILSON of Ohio, Mr. DONNELLY of Indiana, Mr. SPACE, Mr. ARCURI, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. MELANCON, Mr. BOREN, Mr. HILL, Ms. HERSETH SANDLIN, Mr. MATHESON, Mr. BOYD, Mr. PETERSON, Mr. THOMPSON of California, Mr. KRATOVIL, Mr. NYE, Mr. GORDON of Tennessee, Mr. MCINTYRE, and Mr. CHANDLER.
- H. Res. 604: Mr. CONNOLLY of Virginia.
- H. Res. 605: Mr. ENGEL.
- H. Res. 613: Mr. BRADY of Pennsylvania.
- H. Res. 615: Mr. KINGSTON.
- H. Res. 666: Mr. ARCURI.
- H. Res. 704: Mr. DEAL of Georgia, Mr. RUSH, Ms. SCHWARTZ, and Mr. BUTTERFIELD.
- H. Res. 709: Ms. WASSERMAN SCHULTZ.
- H. Res. 711: Ms. TSONGAS and Mr. HIMES.
- H. Res. 747: Mr. NYE.
- H. Res. 749: Mr. PUTNAM, Mr. BROUN of Georgia, and Mr. GARRETT of New Jersey.
- H. Res. 759: Mr. PITTS, Ms. FALLIN, Mr. COFFMAN of Colorado, Mrs. BACHMANN, Mr. SAM JOHNSON of Texas, Mr. PRICE of Georgia, Mr. AKIN, Mr. ISSA, Mr. BROWN of South Carolina, Mr. BISHOP of Utah, Mr. AUSTRIA, Mr. LUETKEMEYER, Mr. POSEY, Mr. HUNTER, Mr. ROONEY, Mr. KING of Iowa, Mr. GOHMERT, Mr. COLE, Mr. KLEIN of Florida, and Mr. DAVIS of Kentucky.
- H. Res. 773: Mr. FORTENBERRY, Mr. DAVIS of Tennessee, Mr. DICKS, and Mr. LATHAM.
- H. Res. 780: Mr. GRIJALVA, Mr. McCAUL, Mr. SCOTT of Virginia, Mr. FRANKS of Arizona, Mr. CONNOLLY of Virginia, and Ms. EDWARDS of Maryland.
- H. Res. 783: Mr. MCCARTHY of California, Mr. MASSA, Mr. MCNERNEY, and Mrs. CHRISTENSEN.
- H. Res. 787: Mr. RUSH, Ms. MATSUI, Ms. ESHOO, Mr. BUTTERFIELD, Ms. CASTOR of Florida, Mrs. CAPPAS, Mr. SARBANES, Ms. DEGETTE, Mr. WEINER, Mr. INSLEE, Mr. COOPER, Mr. DENT, Mr. SCHOCK, Mr. WELCH, Mr. BRALEY of Iowa, Mr. GORDON of Tennessee, Ms. SUTTON, Mr. BISHOP of New York, Ms. KOSMAS, Mr. HINCHEY, Ms. PINGREE of Maine, Ms. FUDGE, Mr. HARE, and Ms. SLAUGHTER.
- H. Res. 796: Mr. MARCHANT.
- H. Res. 798: Mr. HOLT, Mr. MCNERNEY, Mr. LEWIS of Georgia, and Mr. McMAHON.
- H. Res. 801: Mr. COHEN, Mr. MEEK of Florida, Mr. CONYERS, Mr. OBERSTAR, and Mr. SERRANO.
- H. Res. 811: Mr. VAN HOLLEN and Ms. GIFFORDS.
- H. Res. 812: Mr. CONNOLLY of Virginia and Mr. McCOTTER.
- H. Res. 819: Mr. SHADEGG, Mr. ISSA, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. COLE, Mr. AKIN, Mr. KING of Iowa, Mr. KLINE of Minnesota, Mr. GOHMERT, Mr. BROUN of Georgia, Mr. BISHOP of Utah, Mrs. BACHMANN, Mr. BROWN of South Carolina, Ms. FALLIN, Mr. MARCHANT, Mr. DAVIS of Kentucky, Mr. LAMBORN, Mr. COFFMAN of Colorado, Mr. AUSTRIA, Mr. FLEMING, Mr. LUETKEMEYER, and Mr. McCLINTOCK.
- H. Res. 823: Ms. WOOLSEY, Mr. FALEOMAVAEGA, Mr. CARNAHAN, Mr. CASTLE, Mr. WEXLER, Mr. MEEKS of New York, Mr. INGLIS, Mr. PAYNE, Mr. GENE GREEN of Texas, Ms. JACKSON-LEE of Texas, and Mr. SIREs.
- H. Res. 831: Mr. CAMP, Mr. FRANKS of Arizona, and Mr. COBLE.

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#### 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.R. 1989: Mr. BARTLETT, Mr. LATTA, Mr. BILBRAY, and Mr. SOUDER.
- H.R. 3413: Mr. AL GREEN of Texas and Ms. JENKINS.
- H.R. 3612: Mr. SAM JOHNSON of Texas.