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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. SPEIER).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 8, 2009.

I hereby appoint the Honorable JACKIE SPEIER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

A GREEN LIGHT FOR THE REAUTHORIZATION OF THE SURFACE TRANSPORTATION ACT

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

Mr. BLUMENAUER. Madam Speaker, this is one of those rare occasions where Congress can put everything together for a holiday gift for Americans. People in this city and across the country are obsessed with the concern to create jobs. It is appropriate and imperative that we do so. All the objective evidence suggested that the economic recovery package made a huge difference, but not enough.

NOTICE

If the 111th Congress, 1st Session, adjourns sine die on or before December 23, 2009, a final issue of the *Congressional Record* for the 111th Congress, 1st Session, will be published on Thursday, December 31, 2009, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 30. The final issue will be dated Thursday, December 31, 2009, and will be delivered on Monday, January 4, 2010.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman*.

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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As my friend and colleague Mr. DEFAZIO, from the Transportation and Infrastructure Committee, has documented, the economic recovery package had only 4 percent of its funds dedicated for infrastructure, but it created 25 percent of the jobs. Mr. OBERSTAR, and Subcommittee Chair DEFAZIO, have been working for 3 years on the reauthorization of the biggest infrastructure package that we will look at—the Surface Transportation Act. The evidence is that they are, literally, just weeks away from the opportunity to bring this legislation to the floor.

At the same time, we see the consensus building, at least on the Democratic side of the aisle and with the administration, that it is time to revisit efforts to revitalize the economy, that the original economic recovery package simply wasn't big enough considering the problems that we were facing. There is an opportunity to take unused TARP money, part of the hundreds of billions of dollars that was set aside, to help the financial sector recover after it brought our economy to, literally, the brink of collapse.

Well, we've seen at least that area stabilize. Some of the money is being repaid, and the balance is not likely to be needed for an economic emergency like we saw last year. So we should be able to take a significant portion of that unused TARP money and, rather than sending it to Wall Street, sending it instead to Main Street, perhaps to your street to be able to front-load the reauthorization of the Surface Transportation Act to be able to have 6-year funding certainty.

This is a very important opportunity that we should not lose because, at a time when we are concerned about deficits in the Federal budget, there is a yawning deficit in the highway trust fund which simply is not going to be able to meet the current needs of America's highways and transit projects, let alone its future. At the same time, there is an opportunity for us to improve the Federal balance sheet. There is support for the concepts of having user fees that are available to be able to shore up those trust funds that fund infrastructure.

For instance, the administration has placed in its budget the reimposition of the Superfund tax—a tax on the polluters who created these toxic problems all across America, a tax that expired years ago. The previous folks who ran this place would not allow us even to consider its reenactment. Well, it's in the President's budget, which is one example of where a simple action—having polluters pay—will be able to have the economic activity of cleaning up Superfund sites while we are shoring up the Federal budget.

Madam Speaker, if we move forward with the reauthorization of the Transportation Act, if we deal with water infrastructure, if we beef up our economic recovery efforts, and reenact a Superfund tax, we will have an opportunity to invest in America's future

and to put millions of Americans back to work. Unlike other areas of expenditure, this is truly an investment in America's future, which will generate other economic activities and will help the long-term fiscal health of our Nation while we strengthen our families and our communities.

I hope there is a green light for floor time for the Transportation bill. I hope there is a commitment to front-load the Transportation bill with TARP money and that we can get a Transportation bill passed next month and on its way to the Senate so we can put America back to work.

PUT AMERICA BACK TO WORK AND REBUILD AMERICA'S DE- CREPIT INFRASTRUCTURE

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

Mr. DEFAZIO. Madam Speaker, the President brought the jobs summit to a very unfortunate and, unfortunately, ill-informed close in his summary statement.

The President is skeptical about shovel-ready projects. He said the term "shovel-ready." Let's be honest. It doesn't always live up to its billing. Well, if he is talking about other than infrastructure, he is right.

The Department of Energy managed to commit a tiny fraction of the money in the stimulus bill, and that which they have committed has created thousands of jobs. Yeah. Unfortunately, they are jobs in China of making windmills that will be shipped to the United States of America. Not exactly what we had in mind.

Maybe it's the tax cuts all across America. People every week are grateful for their tax cuts. No. Actually, they don't know that they get a minuscule reduction in their withholdings, and that's what is supposed to rebuild our economy. There was seven times as much money for tax cuts as there was for transportation infrastructure.

Now let's examine the President's statement a little further. I think he is very, very ill-advised by a prejudiced group of economic advisers who, for some reason, were frightened by infrastructure at a young age, perhaps. Whatever the reason, they hate it—plain and simple—because the fact is, as the previous gentleman said, 4 percent of the funding, that which was spent and is already committed and is underway in infrastructure, has created 25 percent of the jobs. All of that money will be spent out by next summer. There are hundreds of billions of dollars in other programs that aren't being spent out so well, but the shovel-ready transportation infrastructure projects are going forward.

We had a report last week. There is \$49 billion more in bridge and highway projects. We have 160,000 bridges that need reconstruction across America. That's steel. That's concrete. That's construction jobs. That's engineering

work. There is no long lead time. There is no lengthy environmental review. We are replacing or rebuilding things that are already in place. In addition to that, there are many other road and highway projects of great merit. That can be committed within 120 days—\$49 billion. It could take place next construction season—\$16 billion in intermodal, port and other access issues.

Then perhaps this will get the attention out at the White House: \$20 billion in transit. We are killing people on our transit systems because of the outmoded, decrepit infrastructure we have. There is an \$80 billion backlog. When you begin to fill that backlog, what you can do within a day in some places, like the Chicago Transit Authority, which spent a quarter of \$1 billion in 30 days, which is all the money they got—they spent it in 30 days because they have a decrepit system. They ordered things that create a huge multiplier effect and jobs across the economy—transit vehicles, buses. Then people who make parts for buses have jobs. We have "buy America" provisions so the jobs aren't going to China like the DOE grants are. These are the kinds of investments we need to be making. These things work.

Now, why won't his advisers wake up and tell him the truth?

Most of the jobs, the real jobs—the private-sector jobs—that were created by this last so-called "stimulus," were in transportation infrastructure. The money has been successfully spent and obligated. We can give him those statistics. I defy them to go to any other part of that bill other than the money that kept teachers working and other things that helped the States or the tax cuts where the money has spent out at such a rapid rate.

So it's time to reorient the thinking down there on the economic team at the White House. If we want to put America back to work next year, we need to dedicate more funds for rebuilding our decrepit infrastructure across this country. Get the huge multiplier effect we get with that. We have a total of close to \$80 billion of projects ready to go in 120 days. These aren't just your resurfacing things like we saw last year. These are major projects—bridge replacements and major work on transit systems—that are ready to go, that are shovel-ready to go. No lie there.

I hope some of his advisers are listening, that they'll look at the facts and will send the President a corrective memo on these issues.

HEALTH CARE REFORM IN AMERICA

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

Mr. YARMUTH. Madam Speaker, this weekend, my Senator and constituent, Minority Leader MITCH MCCONNELL, made a statement on the

floor of the Senate that was, quite honestly, pretty remarkable. It was special, not because it was passionately delivered or because it was well-constructed, but because it so perfectly illuminated just how disconnected from reality the Senate's opponents of health care reform are.

Of the legislation pending in Congress, the minority leader said, "I am sure there are people in Kentucky who are for it. I have not met one."

Not one? Needless to say, this Kentuckian, for one, found the statement difficult to swallow, but that's beside the point.

The point is that my senior Senator made the claim despite poll after poll showing that the majority of the American people are for it, including not one but more than 1 million Kentuckians. The minority leader has read the same polls I have. I would venture to say that he has heard from many of the same thousands of Louisvillians from whom I've gotten calls, letters, e-mails, faxes, and visits. Everywhere I go in Louisville—from the VA hospital to community cookouts to the aisles of Kroger—I hear from people with valid perspectives on both sides of the issues, and we were elected to listen to all of them.

Yet my fellow Louisville resident proudly took the floor of the United States Senate this weekend and bragged that he was ignoring his constituents, half of them at least. He denied them as though a desire for reform is some sort of a preexisting condition that entitles him to abdicate his responsibilities to us.

Senator, you don't have to take my word for it, and I won't ask you to go searching through all of your old mail. If you're listening, I'd like to take this opportunity to introduce you to a few of your constituents and mine—yes, your fellow Kentuckians. Then maybe the next time you exert your considerable power to stop something that you know is of vital importance to many of your constituents, you will take time to consider their views as well.

Elizabeth of Louisville wrote, "I am a single mother with two children. I am offered health insurance through my employer, but due to the high cost of this insurance, I do not always have enough money to go to the doctor when I need to. Health insurance companies have had at least two decades to get it together and fix the system they have in place, but they have chosen not to. Please do not place the citizens of this country at the mercy of some of the wealthiest companies in this country."

Bobby of Okolona wrote, "As a veteran and recently unemployed worker, I want to thank you for taking a stand on health care reform. I lost my job and insurance coverage in May of 2008. Do we need health care reform? You bet."

Mary of Louisville wrote, "I am asking you to support health care reform. We need a public option plan. My brother is a 59-year-old diabetic, and is

unable to get health care coverage. He is excluded from any plan."

Alvin of East End wrote, "Please do not let health care reform fail. I am a Registered Nurse. I've worked as a case manager at a local hospital. I have seen private insurance deny patients acute rehab after a stroke; whereas, with Medicare, we could have seen them."

Elizabeth of the East End wrote, "I am behind health care reform 100 percent. I am worried about our young adult children and how they can afford it. I have a child who had cancer. I've told her she needs to have a job that provides health insurance when she graduates. The insurance companies need to provide for those who need it most, not just the ones who are healthy."

□ 0915

Gregg of Louisville wrote, "Today I received my annual premium increase. My new premium has increased 32 percent. This has followed 18 to 25 percent increases in the last 3 years."

Andrea of Shively wrote, "Please vote for the health care bill. I am a heart attack survivor, and I am praying that I can stay with my company to keep my insurance. I will never be able to leave this company now that I have a preexisting condition."

Sandra of Prospect wrote, "I am totally behind President Obama's health care reform. I have insurance now, but was not allowed to have it for 4 years due to a preexisting condition. I lived in utter terror the entire time, fearing I would lose my house if I became sick."

Phyllis of the Highlands wrote, "I think we need health care for more people. For years, I struggled as a single parent to pay for health insurance for my five children, and it frequently cost me more than 30 percent of my income—in addition to copays."

Christian of Crescent Hill wrote, "I know what it is like not to have this basic human right, and I know how much better the quality of my life is now that I do not have to worry about it. I believe that it is shameful that we are the only developed country in the world without a public health system, and I would like to voice my support of the President's plan."

Finally, Matthew G., a 10-year-old boy from Louisville wrote, "My parents spend \$50,000 per year for my brother's autism, and I think it's a national crisis. It's just not fair, and this is a fair country, and everybody, no matter who they are, including my brother, Eric, should be treated equally."

Senator MCCONNELL, these are your constituents, yours and mine, and they are Americans. They are deserving of your attention and not your scorn. Please come with me to Louisville, and I will introduce you to more of the people who support health care reform for America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 17 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. BALDWIN) at 10 a.m.

PRAYER

Rev. Richard Hynes, Office of Evangelism, Archdiocese of Chicago, Chicago, Illinois, offered the following prayer:

Lord God, on this date, Catholics honor Jesus' mother, her own conception, especially today at the Shrine of the Immaculate Conception in Washington, which is dedicated in her honor as our patroness of the United States of America.

God of peace and justice, 68 years ago today, from this Chamber, President Franklin Roosevelt asked Congress for the permission to respond to terror inflicted on our country in Pearl Harbor the previous day.

Sadly, Lord God, terror continues today. Individuals, groups of individuals, and even some nation-states imagine terror, prepare for terror, and conspire for terror. However, the necessity to protect innocent people, the right of communities to live in peace, the expectation that people can live with differences and in harmony remain deep desires for Americans and for many others of goodwill.

Guide our Nation with right judgment and courage. Encourage all who labor for an end to terror. We shall never cease seeking Your inspiration in our endeavors to imagine peace and to work for justice.

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 Pennsylvania (Mr. SESTAK) come forward and lead the House in the Pledge of Allegiance.

Mr. SESTAK 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.

EXTENDED COBRA CONTINUATION PROTECTION ACT

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

Mr. SESTAK. Madam Speaker, I rise today to ask the House to quickly pass the Extended COBRA Continuation Protection Act to ensure health coverage for millions of Americans who, through no fault of their own, have lost their jobs and now, because Wall Street gambled with their savings, cannot afford the COBRA premiums to keep their health care from their former employer.

So, in the economic stimulus bill we provided 65 percent of the cost of those premiums, but those benefits are now running out for those who were laid off first. I ask this House to quickly pass the bill to extend those COBRA premium subsidies for 6 months.

Take a woman in my district. She pays \$535 for her 35 percent share of the premiums. It will go over \$1,500 very soon if we do not act. And she has a preexisting condition and must keep on her health care plan.

Hundreds have contacted my office regarding this, and I ask this House to quickly help. As we come out of this savage recession, it's not just economic security, but it's health security we must address.

CO₂ IS NOW A POLLUTANT

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, yesterday was a historic day. It will be a day which lives in economic infamy. The EPA administrator yesterday unsheathed the dagger at the heart of our economy when she announced an endangerment finding. Yes, CO₂ is now a pollutant. That means everyone in this Chamber, anyone who out there might be hearing us, you are now polluters. With every breath you take you emit CO₂.

This was never, ever, conceived by Congress when it passed the Clean Air Act. We now have a situation in which administrators are going to effectively control the entire economy and the way in which we live and the way in which we breathe. This is not the idea of freedom. This is, in fact, not an endangerment finding about clean air. This is an endangerment finding about our freedom.

Our freedom took a vicious blow yesterday, and we, as representatives of our people, must act.

ARE WE FIGHTING OR FUNDING THE TALIBAN?

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

Mr. KUCINICH. Madam Speaker, U.S. contractors are paying U.S. tax dollars to the Taliban in order to protect the delivery of U.S. shipments of U.S. goods to U.S. soldiers so that our soldiers can fight against the Taliban.

In an investigative expose, *The Nation* magazine reveals "how U.S. funds the Taliban," and "with Pentagon cash, contractors bribe insurgents not to attack supply lines for U.S. troops." Another quote from the investigation: "The real secret to trucking in Afghanistan is ensuring security on the perilous roads controlled by warlords, tribal militias, insurgents, and Taliban commanders." The American executive I spoke to was fairly specific about it: "The Army is basically paying the Taliban not to shoot at them," and then the Taliban uses that money to shoot at our troops. What a racket.

Are we in Afghanistan to fight or to fund the Taliban or both?

NETWORKS IGNORE CLIMATEGATE SCANDAL

(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, ABC, CBS, and NBC are the winners of this week's Media Fairness Caucus' highly uncoveted "Lap Dog Award" for the most glaring example of media bias. The networks took 2 weeks to devote any coverage to the Climategate scandal on their evening news programs.

We now know that prominent scientists were so determined to advance the idea of human-made global warming that they worked together to hide contradictory temperature data. But for 2 weeks, none of the networks gave the scandal any coverage on their evening news programs, and when they finally did cover it, their reporting was largely slanted in favor of global warming alarmists.

The networks have shown a steady pattern of bias on climate change. During a 6-month period, four out of five network news reports failed to acknowledge any dissenting views about global warming, according to a Business and Media Institute study.

The networks should tell Americans the truth, rather than hide the facts.

FINANCIAL REGULATORY REFORM

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

Mr. BACA. Madam Speaker, last fall our economy began a tailspin into the worst economic crisis since the Great Depression. For years, greed and irresponsibility was allowed to run wild.

Now, we find ourselves beginning to climb out of this hole.

This week, we will consider a comprehensive financial package that is loud and clear: No more, and I state, no more, no more will we allow financial institutions to engage in abusive behavior with other people's money. No more will we allow corporate executives to receive cash bonuses for failed investments. No more will we let consumer protection take a back seat to the bottom line of Bank of America or Citibank. The age of taxpayer funded bailouts is over.

Last fall, Americans lost faith in this country's ability to regulate corporate greed. This week, we have a chance to deliver reform Americans demand. We cannot let them down.

I urge my colleagues to support this bill.

SERVICE ACADEMY APPLICATIONS

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

Mr. PITTS. Madam Speaker, all too often we come to this floor to talk about problems in the country. Today, however, I want to mention some good news about the future of America and the next generation of patriotic men and women.

In my district this year, applications to the military service academies increased by 30 percent. Today's youth, more than ever, are looking to serve this country. And our academies are among the finest universities in the world.

While it may seem counterintuitive that a nation at war would see increased interest in military service, I think that we have remarkable young people who value the sacrifices made by previous generations. They know the value of freedom and liberty and are willing to defend these precious gifts. They're willing to serve a cause greater than themselves.

We just celebrated Thanksgiving, and I believe we need to be thankful for men and women who are eager to wear the uniform and become leaders in our military services.

WE'RE NOT DOING ENOUGH

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

Mr. TEAGUE. Madam Speaker, Congressional Quarterly recently reported that more American military personnel have taken their own lives in 2009 than have been killed in either the Afghanistan or Iraq wars this year, with 334 members of the military service committing suicide. This staggering number means one thing. We're not doing enough.

We're not doing enough to provide adequate mental health care for our returning servicemembers. The National Defense Authorization Act of 2009 was

recently signed into law with a provision that I championed that requires mental health screening for all service-members returning from combat. This is the single most effective thing we can do to identify cases of mental illness, reduce the stigma of mental illness, and ensure our brave men and women in uniform receive the treatment they need and deserve for mental illness. However, we don't have enough mental health professionals to carry out these screenings.

I ask my colleagues to join me in increasing mental health funding and making sure the Defense Department and VA hire the mental health professionals they need to keep our service-members well.

CAP-AND-TRADE

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

Mr. SMITH of Nebraska. Madam Speaker, I rise to express my concerns about the rush of some of my colleagues that they seem to be in to enact cap-and-trade legislation. We are seeing serious doubts on the validity of the science which is driving this flawed policy. In fact, the EPA has formally declared greenhouse gas emissions as dangerous pollutants, an action which could prove costly to America's farms, ranches, and small businesses.

At a time of double-digit unemployment, the last thing our country needs is a jobs-killing tax regime imposed on our family-run small businesses and agriculture producers. Agriculture is an energy-intensive industry, relying on fuel for the truck, fertilizer for the crops, and generators to keep heaters on during the winter.

This national energy tax is the wrong way to go, and it's based on flawed science.

HONORING THE LIVES OF THE FOUR LAKEWOOD CITY POLICE OFFICERS KILLED ON NOVEMBER 30, 2009

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

Mr. INSLEE. Madam Speaker, today in Tacoma, Washington, the State of Washington will honor and memorialize the service and lives of four Lakewood City police officers who were slain while on duty on November 30 this year.

Sergeant Mark Renninger, Officer Ronald Owens, Officer Tina Griswold, and Officer Gregory Richards were killed while in the line of duty. And today, in the Tacoma Dome, thousands of Washingtonians will embrace them in their arms and in their hearts and to show respect for their loss.

But I just want to note that it is the Nation that appropriately honors and memorializes these four officers, and

the reason is that they are symbols of the service of police and sheriff's officers all over this country who are out on dark roads, who are working in dark cities, who are doing the hard detective work it takes to keep us safe. And I hope we will thank the next officer we see for their service.

And I just want to tell these families how I feel. I lost my cousin, a sheriff's deputy, Mark Brown, in 1999 while in the line of duty. My prayers and heart goes out to these families, and I hope all my colleagues will join me in that regard.

□ 1015

THE FINANCIAL SECURITY OF THE UNITED STATES

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

Mrs. SCHMIDT. Madam Speaker, as I was getting ready to come here this morning, I was listening to the television and something was said that really caused me to not just pause but really question what some folks are doing with this country.

Moody's Investment Service has sounded an alarm. It is said that if we do not stop our spending, we will lose our AAA rating. We're in jeopardy of losing our AAA rating in the next 3 to 4 years.

This week we're going to debate an omnibus budget bill that will spend almost a half-trillion dollars—that's a half-trillion dollars more to the deficit we already have. Moody's has warned us we can't sustain the spending, and this is going to cost us our triple-A rating.

Madam Speaker, I question what some folks want to do. We need to pause before we spend the taxpayer dollars. We need to make sure that we do not ruin the financial security of our Nation.

CONGRATULATING CENTRAL ARIZONA COLLEGE'S CROSS-COUNTRY TEAM

(Mrs. KIRKPATRICK of Arizona asked and was given permission to address the House for 1 minute.)

Mrs. KIRKPATRICK of Arizona. Madam Speaker, I rise to honor the accomplishments of Central Arizona College's women's cross-country team.

On November 14, the Vaqueras earned their second National Junior College Athletic Association Championship in 5 years. The squad had four runners in the top 12 at the Championship meet, with last year's national title winner, Rose Tanui, placing second. The team has shown an unwavering commitment to excellence. They have been practicing six mornings a week starting at 5:59 a.m. since the start of the school year, and now all their hard work and lost sleep has paid off. Winning the title was a perfect sendoff for Coach

Mike Gray, the NJCAA coach of the year who is retiring after leading the Vaqueras for over a decade.

I would like to congratulate Coach Gray and the entire team on this amazing end to their tremendous season.

“LET WALL STREET PAY FOR THE RESTORATION OF MAIN STREET” ACT

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

Ms. HIRONO. Madam Speaker, out-of-control financial speculation on Wall Street contributed to the deep economic hole we're in today. Taxpayers have paid the price, risking around \$3 trillion to stabilize the financial system. Astonishingly, the top three bailed-out firms are reportedly on track to pay \$30 billion in bonuses to top executives this year. In the meantime, furloughs, unemployment, and foreclosure are weighing on American families. Limited access to lending is still a problem for many small businesses.

It's time for us to institute a modest transaction tax on trades of stocks, options, and swaps. Even a small tax of a quarter percent on these securities could raise up to \$150 billion a year. Part of this revenue should be used to invest in our Nation's infrastructure, creating jobs and putting Americans back to work again.

I ask my colleagues to support the “Let Wall Street Pay for the Restoration of Main Street Act.” Wall Street needs to be part of the solution, not an ongoing part of the problem.

USING BAILOUT FUNDS AS A SLUSH FUND VIOLATES THE LAW

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

Mr. PENCE. Last year I opposed the Wall Street bailout because I thought it was just wrong to take \$700 billion in bad decisions on Wall Street and transfer that debt burden to Main Street and future generations of Americans.

But while I believe the action taken by Congress a year ago was wrong, the TARP legislation actually rightly demanded that any money not used to purchase toxic assets in the bill be used to pay down the national debt. The legislation specifically says that any leftover TARP money goes to deficit reduction.

That's why I have to tell you, Madam Speaker, I was astonished when I heard Speaker NANCY PELOSI last week suggest that her source to pay for a new so-called stimulus bill would be leftover TARP funding. And if press reports are true, the President of the United States will address the Brookings Institution this morning and suggest the same.

Let me be clear on this point. To use money from the TARP fund in the

manner that is being discussed by the White House and congressional Democrats would be a violation of the law, and it would betray the trust of the American people.

It seems the Democrats' policy on spending is, If we got it, spend it—no matter where it comes from.

WALL STREET REFORM AND CONSUMER PROTECTIONS ACT

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

Mrs. CAPPS. Madam Speaker, I rise today in strong support of the Wall Street Reform and Consumer Protection Act. This historic legislation will strengthen our financial regulatory system and better protect consumers from abuse by the lending and credit industries. Most importantly, this historic legislation ends "too big to fail" and government bailouts.

Never again will taxpayer dollars be used to bail out Wall Street and their overpaid executives. Large financial institutions like AIG or Lehman Brothers at risk of collapse will be dissolved in an orderly and controlled process, and this process will be paid for by the shareholders, by creditors, and the assets of failed companies—not by the taxpayers.

For years, Wall Street has reaped the spoils of success with no penalties for failure. This bill will end this injustice and force Wall Street to accept responsibility for its failings.

I urge my colleagues to support this bill.

MOTION TO INSTRUCT CONFEREES ON H.R. 3288, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. OLVER. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

Mr. LATHAM. Madam Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Latham moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3288 be instructed as follows:

(1) To disagree to any proposition in violation of clause 9 of Rule XXII which:

(a) Includes matter not committed to the conference committee by either House;

(b) Modifies specific matter committed to conference by either or both Houses beyond the scope of the specific matter as committed to the conference committee.

(2) That they shall not record their approval of the final conference agreement (as such term is used in clause 12(a)(4) of rule XXII of the Rules of the House of Representatives) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 72 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Iowa (Mr. LATHAM) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Iowa.

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

Madam Speaker, this is a very basic motion to instruct on what could be a very complicated bill. This motion simply instructs the conferees to restrain from adding any extraneous materials—like other appropriation bills and any other issues outside the provisions included in either the House- or Senate-passed Transportation HUD bill, or THUD bill. This motion also provides any conference report will be available for no less than 72 hours before the conference report will be brought up for final passage in the House.

Madam Speaker, the THUD bill, like every appropriations bill this year, was slammed through the House in July under an unprecedented closed and restrictive rule, all in the name of completing these bills in "regular order."

The Senate, even with all of its scheduling issues, managed to pass a regular THUD bill in an open process with amendments—and I might add by September 17.

This THUD bill should have been considered and passed by early October at the latest. Instead, here we are now in December.

According to the plan as presented to me, Chairman OBEY is planning on lumping five other bills with the THUD bill to create an omnibus. Three of those bills—Financial Services, Foreign Operations, and the Labor H bills—weren't even considered on the Senate floor. Two of the other bills—the Military Construction-VA and the Commerce, Justice, Science bills—have passed both the House and the Senate, and there is no reason these bills shouldn't have their own free-standing conferences. In fact, the Commerce, Justice, Science bill was supposed to go to conference on November 17, but that conference got yanked due to some cold feet on the part of the majority at the prospect of having their Members have to vote on Guantanamo Bay policy.

By voting for this motion to instruct, you are voting for regular order process on these bills. We should be able to

vote on veterans issues separate from the D.C. issues, the foreign aid issues, and all of the other issues we don't want stacked together. There are other things like railroad issues, immigration issues. They should all be done separately.

Further, this motion to instruct provides that the House will make available the full text of the conference report to the conferees at least 72 hours prior to consideration. There are billions of dollars at stake and a lot of policy to digest. It's our responsibility that we, as elected Representatives representing our districts, know what we're voting on. Further, I believe this motion is not inconsistent with Speaker PELOSI's policy.

I urge a "yes" vote on the simple motion to instruct.

I reserve the balance of my time.

Mr. OLVER. Madam Speaker, the motion that we have before us is essentially the same motion that we had earlier back in September, September 23, when the Legislative branch appropriations bill was brought to the floor and we were considering doing a continuing resolution for a period of time, which ended up leading to a second continuing resolution at the point that the first one had run out.

The only difference from that motion is that this one now calls for 72 hours rather than 48 hours, thereby making the time constraint a more difficult one given the circumstances that we are in and given the time at which we are supposed to have another continuing resolution run out.

□ 1030

So that's a very small point, because at 48 hours, it would be easier to deal with. Madam Speaker, in a perfect world, we would have 72 hours to further review this bill. However, we cannot guarantee that for the reason that the current CR expires on the 18th and the bills that have been mentioned by the gentleman from Iowa fund critical programs.

The Departments that are funded in these bills cannot wait much longer for the funds, and we want to get the bills enacted for the entire year. It's already December 8. And we need to get these bills done. Plus, we all know that we need to have plenty of time for our colleagues on the Senate side to act.

Now, Madam Speaker, I would just like to point out that in recent years, in 2005—and all of these, of course, were while the present minority was in the majority, and so they were in control of the procedures that were being followed—in 2005, the omnibus at that time included Agriculture, Commerce, Energy-Water, Foreign Operations, Interior, Labor-HHS-Education, the Leg Branch, Transportation, Treasury, VA-HUD and Foreign Operations and that year happened to be the vehicle being used to bring that process to a conclusion.

So the number of bills that were involved in that process were nine plus

the vehicle, 10 of the 12 bills. In that instance, the Agriculture bill had never been considered in the Senate; the Commerce, Justice and State bills had never been considered in the Senate. In fact, that was before—that was Justice and Judiciary at that point, it was a more complicated bill. Energy-Water never were considered in the Senate, Interior had never been considered in the Senate, Labor-HHS had never been considered in the Senate, Leg Branch had never appointed conferees, Transportation and Treasury had never been considered in the Senate, and the VA-HUD bill was never considered in either body.

Yet all of those bills were in that continuing resolution. And so this has been done in the past. That was the omnibus bill that finished up our work for the fiscal year 2005 budget.

Going back a year, we considered an appropriations bill to finish up the fiscal year 2004 sequence that included Agriculture, Commerce, State, Justice, District of Columbia, Foreign Operations, Labor-Health-Education, Transportation, Treasury and VA-HUD; and Agriculture was the vehicle. And CJS was never considered in the Senate. D.C. had not appointed conferees. The Foreign Operations bill had appointed conferees, but never reported a conference report. A report had never been agreed to. Labor-HHS, the conferees had been appointed, but then the conference, the conferees discharged from their appointment and brought it back to the full committee. And so VA-HUD never had appointed conferees. And so it goes.

The conferees in these instances included a series of Members from the majority side, from the variety of the committees in each case. At that time, Mr. YOUNG of Florida was the chairman of the Appropriations Committee. And I could go on here. In 2003, the consolidated appropriations resolution that completed the 2003 budgetary events included Agriculture, Commerce, District of Columbia, those were still part of it, except it was still a separate subcommittee, Energy-Water Development, Foreign Operations, Interior, Labor-HHS, Legislative Branch, Transportation, Treasury and Postal Service were now getting back at least two different reorganizations of the jurisdictions of the Appropriations Committee, all during the period that the present minority making the motion was in control and moved very quickly on the actions.

In that year, 2003, every one of the bills that I have mentioned had never been considered in one or the other branch. Several of them had not been considered in the House, and several of them had not been considered in the Senate. Well, I'm wrong actually. In the House, Leg Branch had never appointed conferees, but it had been considered and the bill had been passed. But in the others, the others had never been considered in either House, in one of the two branches at least.

So it is a time-honored process. When one gets here, we have known we've had now for 3 months since the end of the fiscal year, almost 3 months since the end of the fiscal year, and all of these bills have been put forward in conference in continuing resolutions, and the final continuing resolution ends on the 18 of December, 10 days away. The bill that we have before us is the Transportation, Treasury bill.

My ranking member, Mr. LATHAM, I want to express my strong appreciation for all the work that he has done on the legislation thus far that is the carrying legislation here. And he has mentioned that there are several bills that are being added, and I'm not going to exactly repeat those because they are already now a part of the RECORD, and they do not complete our—there is one left. There is a Defense bill that is left.

So we are in a time constraint. We need to move. We have a situation that we understand quite well if I were to go through and list the dates on which the Senate acted finally on several of these bills, they have been passed in the Senate in the case of Commerce at least and Veterans Affairs and Military Construction, but they weren't passed in the Senate until well after the end of the fiscal year 2009. All of our bills have been passed through the House by the end of fiscal year 2009. So we were ready to move forward with individual bills at a much earlier stage.

As I have already stated, we cannot guarantee 72 hours. It would be nice in a perfect world to be able to do that. But we must get this legislation done, or we are putting enormous pressures on the executive Departments of this government and on our own procedures as we move forward toward the appropriations process for fiscal year 2011, which comes quickly on the tail of getting finished with the needs that we have for finishing fiscal year 2010.

I reserve the balance of my time.

Mr. LATHAM. Madam Speaker, while I appreciate the chairman reciting history, also you should look at fiscal year 2006 when every bill was passed individually, signed into law in regular order with an open, free process. And so I think that is a model that we should all be looking for, and hopefully that would be the case. And there's no reason to put all of these bills together. And certainly there's no reason that we shouldn't have enough time to look at—it's about a half a trillion dollars of spending—to have 72 hours to finally look at the bill.

Again, Madam Speaker, there really is no controversy here. This is a simple motion to instruct, directing the committee to, number one, keep the THUD bill clean and within its scope of the conference, and, number two, to allow the conference agreement to be available to conferees 72 hours in advance of final passage.

I ask for a "yes" vote.

I reserve the balance of my time.

Mr. OLVER. Madam Speaker, I would just like to reiterate that the bill that

we are considering bringing to conference this morning is the Transportation, Housing and Urban Development, and related agencies bill.

I want to thank, again, my ranking member. This is his first year that Mr. LATHAM has been the ranking member, and I have enjoyed greatly the communications that we have had, sporadic as they have been. We work kind of in fits and starts because there has been a lot of waiting in the process to get to where we are today.

But I want to thank him in particular for the cooperation and the work that he and his staff have done. And I would name the minority clerk, Dena Baron, and on the minority side David Gibbons and Allison Peters and Janine Scianna. And on our side, I want to give the strongest praise to our staff and to our clerk and that staff with Kate Hallahan, who has given me a list that doesn't even have her name on it. She is so modest here. David Napoliello, Kate Hallahan, Laura Hoghead, Alex Gillen, Sylvia Garcia who is, in this lengthened process, a replacement in the middle of the process of bringing out this legislation for a previous staff member who has now gone on to greener pastures.

And with that, I yield back the balance of my time.

Mr. LATHAM. I want to express my appreciation to the chairman for his patience. This has been a difficult process. As he mentioned, we start and stop, start and stop and back and forth; but it has been a real pleasure for me in my first year on this subcommittee to work with the chairman. And while we don't always agree on everything, we always have a very, very open dialogue. And I appreciate that very much.

Again, Madam Speaker, this really is very simple. With all the money that we are spending in this bill that we are pulling together a bunch of extraneous bills that have nothing to do with Transportation and HUD, the idea that we should just limit the conference to this bill, there are other avenues for doing the other bills. And certainly when you are spending this much money, there is no doubt that people should have a chance, at least 72 hours, to look at this bill in advance of passage.

I would ask for a "yes" vote.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate having expired, without objection, the previous question is ordered.

There was no objection.

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

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

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

The yeas and nays were ordered.

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

□ 1045

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

REQUESTING REPORT ON ANTI-AMERICAN INCITEMENT TO VIOLENCE IN THE MIDDLE EAST

Mr. COSTA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2278) to direct the President to transmit to Congress a report on anti-American incitement to violence in the Middle East, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2278

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

SECTION 1. ANTI-AMERICAN INCITEMENT TO VIOLENCE IN THE MIDDLE EAST.

(a) FINDINGS.—Congress finds the following:

(1) Freedom of the press and freedom of expression are the foundations of free and prosperous societies worldwide, and with the freedom of the press and freedom of expression comes the responsibility to repudiate purveyors of incitement to violence.

(2) For years, certain media outlets in the Middle East, particularly those associated with terrorist groups, have repeatedly published or broadcast incitements to violence against the United States and Americans.

(3) Television channels that broadcast incitement to violence against Americans, the United States, and others have demonstrated the ability to shift their operations to different countries and their transmissions to different satellite providers in order to continue broadcasting and to evade accountability.

(4) Television channels such as al-Manar, al-Aqsa, al-Zawra, and others that broadcast incitement to violence against the United States and Americans aid Foreign Terrorist Organizations in the key functions of recruitment, fundraising, and propaganda.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to—

(1) designate as Specially Designated Global Terrorists satellite providers that knowingly and willingly contract with entities designated as Specially Designated Global Terrorists under Executive Order 13224, to broadcast their channels, or to consider implementing other punitive measures against satellite providers that transmit al-Aqsa TV, al-Manar TV, al-Rafidayn TV, or any other terrorist owned and operated station;

(2) consider state-sponsorship of anti-American incitement to violence when determining the level of assistance to, and frequency and nature of relations with, all states; and

(3) urge all governments and private investors who own shares in satellite companies or otherwise influence decisions about satellite transmissions to oppose transmissions of telecasts by al-Aqsa TV, al-Manar TV, al-

Rafidayn TV, or any other Specially Designated Global Terrorist owned and operated stations that openly incite their audiences to commit acts of terrorism or violence against the United States and its citizens.

(c) REPORT.—

(1) REQUIREMENT FOR REPORTS.—Beginning 6 months after the date of the enactment of this Act and annually thereafter, the President shall transmit to the appropriate congressional committees a report on anti-American incitement to violence in the Middle East.

(2) CONTENT.—The reports required under paragraph (1) shall include—

(A) a country-by-country list and description of media outlets that engage in anti-American incitement to violence; and

(B) a list of satellite companies that carry mediums described in subparagraph (A) or designated under Executive Order 13224.

(d) DEFINITIONS.—In this section:

(1) ANTI-AMERICAN INCITEMENT TO VIOLENCE.—The term “anti-American incitement to violence” means the act of persuading, encouraging, instigating, advocating, pressuring, or threatening so as to cause another to commit a violent act against any person, agent, instrumentality, or official of, is affiliated with, or is serving as a representative of the United States.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(3) MIDDLE EAST.—The term “Middle East” means Algeria, Bahrain, Egypt, Iran, Iraq, Israel, the West Bank and Gaza Strip, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, and Yemen.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. COSTA) and the gentleman from Florida (Ms. ROSLEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. COSTA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Mr. COSTA. I yield myself as much time as I may consume as I rise in strong support of this resolution.

Madam Speaker, I want to commend my friend from Florida (Mr. BILIRAKIS) for introducing this piece of legislation as well as my friend and colleague from New York, JOE CROWLEY, for his leadership on this issue.

This is an important matter. The Obama administration has brought a new, more positive tone to American foreign policy in the Middle East. Yet, despite the President's desire to seek a new beginning between the United States and Muslims around the world, there still lies fanatical anti-American and anti-Semitic efforts which continue to incite people around the world through broadcasts in the Middle East by television stations for those Muslim viewers.

Without a doubt, freedom of the press and freedom of expression are the foundations of free and prosperous societies throughout the world. Yet with this important freedom comes the great responsibility to reject and repudiate that incitement to violence. This resolution attempts to remind us of that fact.

For years, certain media outlets in the Middle East, particularly those associated with terrorist groups, have repeatedly published or have broadcast incitement to violence against the United States and our allies. Television stations, such as Hezbollah's al-Manar, Hamas' al-Aqsa, the Iraq-based Al-Zawra, and others that broadcast incitement to violence against the United States aid foreign terrorist organizations in their key functions to recruit, to fund-raise, and to incite further propaganda. This must not continue. Some of these stations are broadcast throughout the region by two prominent Arab world satellites—Egypt's Nilesat and the Arab League's Arabsat—in which both Saudi Arabia and Kuwait are the leading shareholders. Saudi Arabia and Kuwait have relations with our country.

This is unfortunate. This propaganda threatens long-term U.S. interests in the region, and it does a great deal of damage to the prospect of improving bilateral relations between America and our allies in the Arab world. In addition, it undermines the prospects for Arab-Israeli peace. Make no doubt about that.

Americans have witnessed the direct connection between the charged rhetoric of the jihadist narrative, as Tom Friedman called it in his recent column that many of us have read, and it incites actual violence. This incitement creates an environment conducive to and accepting of terrorism, terrorism that impacts all of us throughout the world. As the U.S. and other nations join in fighting this terrorism, there must be renewed vigilance against the purveyors of anti-American hatred abroad and of the consequences for inaction, inattention, or state sponsorship of this hatred.

This legislation requires the State Department to submit to Congress an annual report that details, country by country, Middle Eastern media outlets that engage in anti-American incitement to violence and of the satellite companies that transmit them. They are the enablers.

It also establishes as U.S. policy that satellite providers which knowingly and willingly contract with terrorist entities can be legally designated as “specially designated global terrorists,” under Executive Order 13224, for perpetrating this incitement. In addition, it calls upon our government to consider the state sponsorship of anti-American incitement to violence when determining the level of assistance to and the frequency and nature of relations with Middle Eastern states. We ought to reflect and make an analysis

of this effort. This legislation attempts to do so.

Finally, H.R. 2278 urges all governments and private investors who are involved with satellite transmissions to oppose the broadcasting of telecasts by any specially designated global terrorist-owned-and-operated stations which openly incite their audiences to commit acts of terrorism or acts of violence against the United States and its citizens or against citizens throughout the world.

I know that the terrorist likes of Hamas and Hezbollah will not soon abandon their mass media attempts of promoting hatred and violence, but there are efforts that we can and should pursue. It is longtime past for all state-owned and privately owned satellite companies, wherever they are located, to cease transmitting these ugly messages which encourage the murder of Americans and our allies. That is why, Madam Speaker, I strongly support this legislation, and I urge all of my colleagues to join me in that support.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Madam Speaker, I also rise in strong support of this legislation authored by my good friend and colleague from Florida, Congressman GUS BILIRAKIS, and I am a proud cosponsor of this important bill.

I thank Mr. BILIRAKIS for his vision, and I also wish to extend my gratitude to our colleague from New York, Congressman JOE CROWLEY. They have been leaders on this important issue.

The bill before us, Madam Speaker, is a successor to a resolution that was passed last Congress condemning the broadcasting of incitement to violence against Americans and the United States in media based in the Middle East and calling for the designation of al-Aqsa TV as a specially designated global terrorist entity.

As we commemorate the 68th anniversary of the United States' entry into World War II, we know well the power that words have for either good or evil. Before there were factories to drive the Nazi war machine, there were hateful and violent words. Before there were bricks to build concentration camps, there were ugly, dehumanizing words. As we have witnessed, such charged rhetoric invites violent action, and such incitement creates an environment accepting of and conducive to violent Islamic extremism.

As we too sadly learned on September 11, 2001, purveyors of anti-American incitement to violence traffic not only in words but in deeds. Accordingly, this important and critical legislation before us this morning requires that the President submit a report to Congress on the activities of media outlets which engage in anti-American incitement to violence and on the satellite providers that carry out these messages of hate.

Furthermore, Mr. BILIRAKIS' legislation seeks to document the threat

posed by the broadcasts of incitement to violence against Americans and the United States on television channels and other media which are accessible in the United States. It will highlight how the threat may increase the risk of radicalization and recruitment of Americans into extremist organizations which seek to carry out attacks against American targets and on American soil.

We cannot allow satellite providers which traffic in and profit from anti-American incitement to violence to remain in the shadows. We must join with the majority of those throughout the Middle East and right here at home who value pluralism, who value tolerance, and, in both word and deed, who reject the purveyors of anti-American incitement to violence and their enablers.

Madam Speaker, I strongly urge my colleagues to support this critical legislation. I thank the author of this important bill, my colleague from Florida (Mr. BILIRAKIS), for its introduction. As well, I thank our friend from New York (Mr. CROWLEY).

With that, Madam Speaker, I yield such time as he may consume to my friend from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Madam Speaker, I rise today in support of H.R. 2278.

I want to thank the gentleman from California, of course my good friend from Florida, and also the gentleman from New York (Mr. CROWLEY).

My legislation will direct the President to transmit to Congress a report on anti-American incitement to violence in the Middle East. This nefarious activity is escalating in quality and quantity and is fueled by the rapid growth of satellite television throughout the Arab world.

In 2008, al-Manar TV, which is run by Hezbollah, broadcast over two dozen video clips of insurgents' bombings against U.S. and coalition forces in Iraq. Further, Iranian state-controlled TV channels, such as al-Rafidayn, repeatedly broadcast calls for "death to America." Al-Aqsa TV, an arm of Hamas, broadcast a puppet show depicting an Arab child stabbing the President of the United States.

Instead of denouncing such incitement, many countries in the region provide financial, material, and technological support to the purveyors of incitement. Al-Manar and al-Aqsa, among others, are transmitted on the satellite providers Nilesat, which is controlled by the Egyptian Government, and Arabsat, which is controlled by the Arab League. Given the dangers such incitement poses to American soldiers and civilians in the region and at home, it is long past time for the U.S. and other responsible nations to stop this growing threat. The passage of H.R. 2278 is therefore critical.

This legislation seeks to designate, under Executive Order 13224, specially designated global terrorist satellite providers which knowingly engage in contracts with entities already des-

ignated as specially designated global terrorists.

This bill would also make it the policy of the U.S. to urge all governments and private investors who own shares in satellite companies to oppose transmissions of telecasts by any station that openly incites its audience to commit acts of terrorism or violence against the United States and its citizens.

This bill requires the President to transmit a report to Congress that must include a country-by-country list and description of media outlets that engage in anti-American incitement to violence in the Middle East and a list of satellite companies which carry such media.

Most importantly, it must be the policy of the United States, in crafting its foreign policy, to consider the state sponsorship of anti-American incitement to violence when determining the level of assistance to and frequency in nature of relations with regional states.

Finally, Madam Speaker, the broadcast of incitement to violence against Americans in our country on television channels and on other media that are accessible in the U.S. may increase the risk of the radicalization and recruitment of individuals into foreign terrorist organizations that seek to carry out acts of violence against American targets on American soil. This is a concerning trend that must be halted.

Madam Speaker, I urge the passage of this very important measure, which I hope will improve our national security and the safety of our soldiers and citizens overseas.

Again, I thank the gentleman from California and the gentlewoman from Florida. I appreciate it very much.

Ms. ROS-LEHTINEN. Madam Speaker, I reserve the balance of my time.

Mr. COSTA. Madam Speaker, I ask unanimous consent to turn the management of this measure and of the other remaining items to my friend, the gentleman from New York (Mr. ENGEL).

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

There was no objection.

Mr. ENGEL. Madam Speaker, I rise in strong support of this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. With that, Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COSTA) that the House suspend the rules and pass the bill, H.R. 2278, 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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1100

WESTERN HEMISPHERE DRUG POLICY COMMISSION ACT OF 2009

Mr. ENGEL. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2134) to establish the Western Hemisphere Drug Policy Commission, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2134

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 "Western Hemisphere Drug Policy Commission Act of 2009".

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the Substance Abuse and Mental Health Services Administration's (SAMHSA) National Survey on Drug Use and Health, in 2008 in the United States, there were an estimated 25,768,000 users of marijuana, 5,255,000 users of cocaine, 850,000 users of methamphetamine, and 453,000 users of heroin.

(2) Nearly 100 percent of the United States cocaine supply originates in the Andean countries of Bolivia, Colombia, and Peru and over 90 percent of the United States heroin supply originates in Colombia and Mexico.

(3) In those countries, the cultivation, production and trafficking of cocaine and heroin generate violence, instability and corruption.

(4) In the transit countries of Central America, Mexico, Venezuela, Ecuador, Haiti, and other Caribbean countries, drug trafficking is central to the growing strength of organized criminals to threaten local and national law enforcement, political institutions, citizen security, rule of law, and United States security and interests.

(5) Drug-related violence is on the rise in Mexico and along the United States-Mexico border. 5,661 people died in Mexico in 2008 alone as a result of drug-related violence. This is more than double the 2007 total of 2,773.

(6) According to the Department of State's June 2009 Trafficking in Persons report, organized criminal networks in Mexico also "traffic Mexican women and girls into the United States for commercial sexual exploitation".

(7) Extremist groups and their supporters in the Western Hemisphere, including the Revolutionary Armed Forces of Colombia (FARC) and Hezbollah, often use drug trafficking to finance terrorist activities.

(8) From 1980-2008, United States counternarcotics assistance from the State and Defense Departments to Latin America and the Caribbean totaled about \$11,300,000,000.

SEC. 3. ESTABLISHMENT OF WESTERN HEMISPHERE DRUG POLICY COMMISSION.

There is established an independent commission to be known as the "Western Hemisphere Drug Policy Commission" (in this Act referred to as the "Commission").

SEC. 4. PURPOSE.

The Commission shall review and evaluate United States policy regarding illicit drug

supply reduction and interdiction, with particular emphasis on international drug policies and programs directed toward the countries of the Western Hemisphere, along with foreign and domestic demand reduction policies and programs. The Commission shall identify policy and program options to improve existing international and domestic counternarcotics policy.

SEC. 5. DUTIES OF THE COMMISSION.

(a) REVIEW OF ILLICIT DRUG SUPPLY REDUCTION AND DEMAND REDUCTION POLICIES.—The Commission shall conduct a comprehensive review of United States policy regarding illicit drug supply reduction, interdiction, and demand reduction policies and shall, at a minimum, address the following topics:

(1) An assessment of United States international illicit drug control policies in the Western Hemisphere.

(2) An assessment of drug interdiction efforts, crop eradication programs, and the promotion of economic development alternatives to illicit drugs.

(3) The impact of the Andean Counterdrug Initiative (ACI), the Merida Initiative, the Caribbean Basin Security Initiative, and other programs in curbing drug production, drug trafficking, and drug-related violence in the Western Hemisphere.

(4) An assessment of how to better deploy and employ available technology to target major drug cartels.

(5) An assessment of efforts to curb the trafficking of chemical precursors for illicit drugs.

(6) An assessment of how the United States drug certification process serves United States interests with respect to United States international illicit drug control policies.

(7) An assessment of the nature and extent of the United States population's demand for illicit drugs.

(8) An assessment of United States drug prevention and treatment programs, including anti-drug coalitions, drug courts, and programs aimed at preventing recidivism.

(9) An assessment of the extent to which the consumption of illicit drugs in the United States is driven by individuals addicted to or abusive of illicit drugs, and the most effective experiences in the United States and throughout the world in treating those individuals and reducing the damage to themselves and to society.

(10) Recommendations on how best to improve United States policies aimed at reducing the supply of and demand for illicit drugs.

(11) Assessing the value of supporting relevant government entities and nongovernmental institutions in other countries of the Western Hemisphere in promoting the reduction of supply of and demand for illicit drugs.

(12) An assessment of whether the proper indicators of success are being used in United States illicit drug control policy.

(b) COORDINATION WITH GOVERNMENTS, INTERNATIONAL ORGANIZATIONS, AND NONGOVERNMENTAL ORGANIZATIONS (NGOS) IN THE WESTERN HEMISPHERE.—In conducting the review required under subsection (a), the Commission shall consult with—

(1) government, academic, and nongovernmental leaders, as well as leaders from international organizations, from throughout the United States, Latin America, and the Caribbean; and

(2) the Inter-American Drug Abuse Control Commission (CICAD) to examine what changes would increase its effectiveness.

(c) REPORT.—

(1) IN GENERAL.—Not later than 12 months after the first meeting of the Commission, the Commission shall submit to the Com-

mittee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate, the Secretary of State, the Secretary of Defense, the Secretary of Health and Human Services, the Attorney General, and the Director of the Office of National Drug Control Policy (ONDCP) a report that contains a detailed statement of the recommendations, findings, and conclusions of the Commission, including summaries of the input and recommendations of the leaders and organizations with which is consulted under subsection (b).

(2) PUBLIC AVAILABILITY.—The report required under this subsection shall be made available to the public.

SEC. 6. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of ten members, to be appointed as follows:

(1) The majority leader and minority leader of the Senate shall each appoint two members.

(2) The Speaker and the minority leader of the House of Representatives shall each appoint two members.

(3) The President shall appoint two members.

(b) APPOINTMENTS.—The Commission may not include Members of Congress or other currently elected Federal, State, or local government officials.

(c) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Commission. Any vacancies shall not affect the power and duties of the Commission, but shall be filled in the same manner as the original appointment.

(d) DATE.—Members of the Commission shall be appointed not later than 30 days after the date of the enactment of this Act.

(e) INITIAL MEETING AND SELECTION OF CHAIRPERSON.—Not later than 60 days after the date of the enactment of this Act, the Commission shall hold an initial meeting to develop and implement a schedule for completion of the review and report required under section 5. At the initial meeting, the Commission shall select a Chairperson from among its members.

(f) QUORUM.—Six members of the Commission shall constitute a quorum.

(g) TRAVEL EXPENSES.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code, while away from their homes or regular places of business in performance of services for the Commission.

SEC. 7. POWERS.

(a) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of its members.

(b) HEARINGS.—The Commission may hold such hearings and undertake such other activities as the Commission determines necessary to carry out its duties.

(c) OTHER RESOURCES.—The Commission shall have reasonable access to documents, statistical data, and other such information the Commission determines necessary to carry out its duties from the Library of Congress, the Office of National Drug Control Policy, the Department of State, the Department of Health and Human Services, the Department of Justice, the Drug Enforcement Administration, the Department of Defense (including the United States Southern Command), and other agencies of the executive

and legislative branches of the Federal Government. The Chairperson of the Commission shall make requests for such access in writing when necessary. The General Services Administration (GSA) shall make office space available for day-to-day Commission activities and for scheduled Commission meetings. Upon request, the Administrator of General Services shall provide, on a reimbursable basis, such administrative support as the Commission requests to fulfill its duties.

(d) **AUTHORITY TO USE THE UNITED STATES MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) **AUTHORITY TO CONTRACT.**—Subject to the Federal Property and Administrative Services Act of 1949, the Commission is authorized to enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of its duties and responsibilities. A contract, lease, or other legal agreement entered into by the Commission may not extend beyond the date of termination of the Commission.

SEC. 8. STAFF.

(a) **EXECUTIVE DIRECTOR.**—The Commission shall have a staff headed by an Executive Director. The Executive Director and such staff as is needed shall be paid at a rate not more than the rate of pay for level IV of the Executive Schedule.

(b) **STAFF APPOINTMENT.**—With the approval of the Commission, the Executive Director may appoint such personnel as the Executive Director determines to be appropriate. The Commission may appoint and fix the compensation of such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule under section 5316 of such title.

(c) **EXPERTS AND CONSULTANTS.**—With the approval of the Commission, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(d) **DETAIL OF GOVERNMENT EMPLOYEES.**—Upon the request of the Commission, the head of any Federal agency may detail, without reimbursement, any of the personnel of such agency to the Commission to assist in carrying out the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the personnel.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated \$2,000,000 to carry out this Act.

(b) **AVAILABILITY.**—Amounts appropriated pursuant to subsection (a) shall remain available, without fiscal year limitation, until expended.

SEC. 10. SUNSET.

The Western Hemisphere Drug Policy Commission shall terminate 60 days after the submission to Congress of its report under section 5(c).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. ENGEL. Madam Speaker, I rise in strong support of H.R. 2134, a bill that I authored to establish a Western Hemisphere Drug Policy Commission.

I thank Foreign Affairs Chairman HOWARD BERMAN and Ranking Member ILEANA ROS-LEHTINEN for their support of this bill.

I am particularly grateful to CONNIE MACK, the ranking member of the Western Hemisphere Subcommittee, which I chair, for being my lead Republican cosponsor of this bill.

Madam Speaker, billions of U.S. taxpayer dollars have been spent over the years to fight the drug trade in Latin America and the Caribbean. In spite of our efforts, drug use in the United States has increased.

According to the Brookings Institution, since the peak of the heroin and cocaine epidemics of the mid-1980s, consumption rates for these narcotics have remained more or less stable. At the same time, amphetamine use has spread.

As Members of Congress, we owe it to our constituents to do a better job combating the drug trade and taking illegal drugs off of our cities' streets. I believe that we are long past due in re-examining our counternarcotics efforts here at home and throughout the Americas.

H.R. 2134 will create an independent commission to evaluate U.S. drug policies and programs aimed at reducing illicit drug supply in the Americas and the demand for these drugs here at home. This commission will assess all aspects of the illegal drug trade, including prevention and treatment programs in the United States.

The Western Hemisphere Drug Policy Commission will be required to submit recommendations on future U.S. drug policy to Congress and various Cabinet secretaries, including the Secretary of State, the Secretary of Defense, the Secretary of Health and Human Services, and the Attorney General.

To tackle our Nation's horrific drug problem once and for all, we must have a better sense of what works and what does not work. The citizens of our great country, who deal every day with illegal drugs on their streets, and our partners in the Americas, who have worked with us in fighting the drug trade for years, deserve no less.

Madam Speaker, I have long thought that, as we try to combat the growing of crops that produce drugs, we also need to combat the consumption side here at home, and this report will help

us to understand what we can do more effectively. I urge my colleagues to support this crucial legislation.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 5, 2009.

Hon. HOWARD BERMAN,
Chairman, Committee on Foreign Affairs, House
of Representatives, Washington, DC.

DEAR HOWARD. This is to advise you that, as a result of your having consulted with us on provisions in H.R. 2134, the Western Hemisphere Drug Policy Commission Act of 2009, that fall within the rule X jurisdiction of the Committee on the Judiciary, we are able to agree to discharging our committee from further consideration of the bill, in order that it may proceed without delay to the House floor for consideration.

The Judiciary Committee takes this action with the understanding that by forgoing further consideration of H.R. 2134 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill moves forward, so that we may address any remaining issues on matters in our jurisdiction. We also reserve the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this important legislation, and request your support if such a request is made.

I would appreciate your including this letter in your committee report, or in the Congressional Record during consideration of the bill on the House floor. Thank you for your attention to our requests, and for the cooperative relationship between our two committees.

Sincerely,

JOHN CONYERS, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 20, 2009.

Hon. JOHN CONYERS, JR.,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2134, the "Western Hemisphere Drug Policy Commission Act of 2009."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on the Judiciary. I acknowledge that your Committee will not formally consider the bill and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill which fall within the Committee's Rule X jurisdiction.

Further, as to any House-Senate conference on the bill, I understand that your Committee reserves the right to seek the appointment of conferees for consideration of portions of the bill that are within the Committee's jurisdiction, and I agree to support a request by the Committee with respect to serving as conferees on the bill, consistent with the Speaker's practice in this regard.

I will ensure that our exchange of letters is included in the Congressional Record, and I look forward to working with you on this important legislation.

Sincerely,

HOWARD L. BERMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 28, 2009.
Hon. HOWARD BERMAN,
Chairman, House Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN BERMAN: I am writing to confirm our understanding regarding H.R. 2134, the "Western Hemisphere Drug Policy Commission Act of 2009." As you know, this bill was referred to the Committee on Energy and Commerce, which has jurisdictional interest in provisions of the bill.

In light of the interest in moving this bill forward promptly, I do not intend to exercise the jurisdiction of the Committee on Energy and Commerce by conducting further proceedings on H.R. 2134. I do this, however, only with the understanding that foregoing further consideration of H.R. 2134 at this time will not be construed as prejudicing this Committee's jurisdictional interests and prerogatives on the subject matter contained in this or similar legislation. In addition, we reserve the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor. Thank you for your cooperation on this matter.

Sincerely,

HENRY A. WAXMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 2, 2009.
Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy & Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2134, the "Western Hemisphere Drug Policy Commission Act of 2009."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce. I acknowledge that your Committee will not formally consider the bill and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill which fall within the Committee's Rule X jurisdiction.

Further, as to any House-Senate conference on the bill, I understand that your Committee reserves the right to seek the appointment of conferees for consideration of portions of the bill that are within the Committee's jurisdiction, and I agree to support a request by the Committee with respect to serving as conferees on the bill, consistent with the Speaker's practice in this regard.

I will ensure that our exchange of letters is included in the Congressional Record, and I look forward to working with you on this important legislation.

Sincerely,

HOWARD L. BERMAN,
Chairman.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the United States has been involved in multilateral international drug control efforts for nearly a century.

Over the years, our agencies have used a wide array of tools to counter the drug trade in our hemisphere, rang-

ing from multilateral cooperation and foreign assistance restrictions, to crop eradication, alternative development, interdiction, and institutional capacity building. Here within our own hemisphere the U.S. remains a major supporter and participant of the Inter-American Drug Abuse Control Commission.

Regionally and bilaterally the U.S. has also worked closely with responsible partners on counternarcotics efforts through important programs such as the Merida Initiative, the Andean Counterdrug Initiative, Plan Colombia, and the upcoming Caribbean Basin Security Initiative. Through these programs and others, at least eight U.S. agencies are involved in implementing U.S. international counternarcotics activities.

The Western Hemisphere Drug Policy Commission, created by this bill, H.R. 2134, will be responsible for assessing the promotion of economic development alternatives to illicit drugs, how to better employ technology to target major drug cartels, U.S. drug prevention and treatment programs, and the value of working with other governments and NGOs to promote the reduction of supply and demand for illicit drugs.

After this 1-year review, the commission will complete its mandate by providing a report to Congress that provides an assessment of overall U.S. international illicit drug control policies in our Western Hemisphere and recommendations on how to best improve these policies. It is critical that the appropriate measures be taken to ensure that U.S. drug policy, both here at home and abroad, is responsible and is effective.

Already we have seen tremendous results from some of our efforts. For example, in the last 2 years, the price of cocaine in the United States has increased nearly 80 percent while its purity has decreased nearly 30 percent. Drugs not only poison our children and our communities, but drugs fund and sustain many of the violent criminal groups and extremist organizations lurking in our hemisphere.

Within the last year or so, two major drug rings with ties to Hezbollah have been caught operating in our Western Hemisphere. The comfort with which these criminals traipse around the region is alarming.

However, with leaders like Hugo Chavez and Daniel Ortega bending over backwards to let rogue states like Iran expand its presence in the region, it really is no surprise that extremist groups like Hezbollah would also make their homes here.

We cannot allow the Western Hemisphere to become a staging ground for extremists. From money laundering to drug smuggling to arms trafficking, extremist groups like the FARC and Hezbollah, the regimes who support them, and their enablers are putting the people of the Americas in direct danger.

The United States must continue to work with our democratic allies to stamp out these threats. I am hopeful that this commission will help us to do just that.

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

Mr. ENGEL. Madam Speaker, let me just say that I have listened to everything that my good friend and colleague from Florida, Congresswoman ROS-LEHTINEN, said and I concur with every word that she said.

This is a very important bill. It's a very important subject, and I urge my colleagues to support the bill.

Mrs. BONO MACK. Madam Speaker, I rise in support of H.R. 2134, the Western Hemisphere Drug Policy Commission Act of 2009.

Tackling substance abuse among all age groups will take a domestic and international effort that continually evolves to meet the challenge. The U.S. Government's approach to reducing the supply of and demand for drugs in the Western Hemisphere is a crucial place to start. This is the primary reason I strongly support this legislation. The challenge is one that not only affects so many families across our country, but also everything from our law enforcement efforts to scientific research, and diplomatic priorities.

The need to act on all fronts—prevention, treatment, research, and law enforcement—is crucial. There's no silver bullet.

In particular, I have serious concerns with the trends we are seeing among our youth toward prescription drug abuse. Drugs like OxyContin are being abused across our country, with 2,500 kids a day using a prescription drug to get high for the first time. Just because it's sitting in the medicine cabinet doesn't mean it is safe, and these drugs are often used as a gateway to street drugs.

The Commission created in the legislation is necessary, as it will allow us to better find the solutions to reducing the numbers of those using these dangerous substances, which are staggering within our own borders. According to the National Survey on Drug Use and Health, in 2008, over 20 million Americans aged 12 or older were current illicit drug users.

I hope to continue to work with the Foreign Affairs Committee as well as the Energy and Commerce Committee to create a foundation for a domestic and international drug policy that balances maintaining our vital law enforcement efforts with an augmented demand-side effort toward reducing substance abuse and addiction.

Finally, I appreciated the time I was able to take with the Chairman and Ranking Member along with other dignitaries to raise this issue at the Summit of the Americas. We'll only make progress if we are serious about an international coordinated effort.

Mr. ENGEL's legislation is a positive step toward addressing this issue, and I look forward to the bipartisan support of our colleagues today on H.R. 2134.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and pass the bill, H.R. 2134, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ENCOURAGING HUNGARY TO RESPECT THE RULE OF LAW

Mr. ENGEL. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 915) encouraging the Republic of Hungary to respect the rule of law, treat foreign investors fairly, and promote a free and independent press.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 915

Whereas, on October 23, 1956, some 100,000 Hungarian citizens began a nation-wide revolt against the Communist government of Hungary and its domination by the Soviet Union;

Whereas the Hungarian people fought bravely for freedom, democracy, and human rights;

Whereas, on March 12, 1999, the Government of Hungary, reflecting the will of the Hungarian people, formally became a member of NATO and on May 1, 2005, Hungary became a full member of the European Union;

Whereas the United States has invested over \$9,000,000,000 in Hungary since 1989 and the United States is the fourth-largest contributor and largest non-European contributor to foreign investment in Hungary according to the U.S. Department of Commerce;

Whereas the Hungarian Investment and Trade Development Agency reports that foreign direct investment has been crucial in boosting Hungary's economic performance and remains the driving force behind Hungary's economic success;

Whereas in 1997, the Hungarian National Radio and Television Board (ORTT) awarded licenses for two national radio stations, which are set to expire on November 19, 2009;

Whereas the two licenses are the only ones that allow for nationwide coverage by commercial, rather than state, radio-broadcast services in Hungary;

Whereas one of these licenses was awarded to a United States company and the other to a European company, each for a total of 12 years;

Whereas the Financial Times reported on November 6, 2009, that before the bids for renewal of their national licenses were due, these companies were approached by individuals claiming to represent the Socialist and Fidesz Parties in Hungary offering to extend their licenses if the parties received 50 percent of the companies' equity;

Whereas the Financial Times also reported on November 6, 2009, that both stations refused this alleged extortion attempt and the ORTT delegates from Fidesz and the ruling Socialist party voted to award the licenses to two politically-connected local bidders instead;

Whereas the Wall Street Journal reported on November 10, 2009, that Hungary's Prime Minister and the Chair of the ORTT have publicly decried the process by which these licenses were awarded;

Whereas the Economist reported on November 7, 2009, that the Chair of the ORTT resigned in protest and refused to sign the politically-motivated contracts;

Whereas United States investors are an important part of the Hungarian economy and deserve equitable treatment in accordance with United States and Hungarian laws;

Whereas unfair treatment of foreign companies will deter investment and hinder economic growth in Hungary; and

Whereas respect for the rule of law and a free and independent press will spur investor confidence in Hungary: Now, therefore, be it Resolved, That the House of Representatives—

(1) condemns the recent action by the Hungarian National Radio and Television Board that awarded the national community radio licenses;

(2) encourages the Republic of Hungary to respect the rule of law and treat foreign investors fairly; and

(3) encourages the Republic of Hungary to maintain its commitment to a free and independent press.

Mr. KUCINICH. Madam Speaker, I seek to claim time in opposition.

The SPEAKER pro tempore. Is the gentleman from Florida opposed to the resolution?

Ms. ROS-LEHTINEN. Madam Speaker, I do not oppose this resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. ENGEL. Madam Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

Madam Speaker, I thank my good friend from Indiana (Mr. DONNELLY) for introducing this important resolution.

Let me just say in 1989 Hungary joined its Central and Eastern European neighbors in throwing off the mantle of communist rule. By taking the brave and unprecedented decision in that year to open its borders to Austria and to allow East Germans to travel freely to the West, Hungary played a decisive role in bringing about the end of the Cold War. In the 20 years since, Hungary has become a member of NATO, the European Union and a strong partner of the United States.

Hungary is working side-by-side with the U.S. in Afghanistan, where it leads the provincial reconstruction team in Baghlan Province, and it has been a partner in conflicts in Iraq and in the Balkans. We greatly appreciate Hungary's staunch support in these and many areas.

However, we have become concerned about recent reports of possible unfair treatment of foreign investors in Hungary and possible efforts to inject politically motivated demands into the commercial process. In particular, we are concerned by the actions of the Hungarian National Radio and Television Board, ORTT, in deciding not to

renew the national radio licenses for two foreign companies, one of which is American-owned, and to award them instead to two local bidders.

In 1997, the ORTT awarded to the foreign companies the only two licenses to provide commercial, rather than state-owned, nationwide broadcast services. Those licenses expired on November 19 of this year.

According to widespread media reporting, the two foreign companies have alleged that before their renewal bids were due, they were approached by representatives of Hungary's two leading political parties, offering to ensure their licenses would be extended if they agreed to the representatives' demands for a percentage of the company's equity and a say in editorial content.

The two foreign companies refused, and the ORTT awarded the licenses to the two local bidders instead, who had submitted tenders that many outside experts have said are not commercially viable.

The day following the award, the chairman of the ORTT resigned in protest, claiming that the two local bidders' contracts were flawed and economically unsound. Numerous commentators have indicated that on the face of it, the ORTT's decision clearly appears to have been politically motivated and have ignored the economic feasibility of the two local bidders' tenders.

Madam Speaker, American companies have invested over \$9 billion in Hungary since 1989. Hungary's economy, as with every other country, has been severely affected by the global economic downturn. We support U.S. companies' investment in Hungary, but we note that events such as this case give rise to questions about the fairness and transparency of doing business in Hungary.

We welcome the Prime Minister's commitment to investigate any complaint relating to foreign investments, and the decision by the Hungarian Parliament's Constitutional and Justice Committee to set up a body to examine the radio license transaction.

Hungary is a close friend and ally of the United States, and we urge the government to take all necessary steps to ensure that foreign investors are treated fairly. I urge all of my colleagues to support this important resolution.

Madam Speaker, I ask unanimous consent to split the time evenly in favor of the resolution with my colleague, Ms. ROS-LEHTINEN of Florida.

PARLIAMENTARY INQUIRY

Mr. KUCINICH. Madam Speaker, parliamentary inquiry.

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

Mr. KUCINICH. The gentleman asks for unanimous consent to split the time between himself and Ms. ROS-LEHTINEN. I have already claimed time in opposition. What does the Chair rule on that?

The SPEAKER pro tempore. The gentleman from Ohio will control 20 minutes in opposition.

Is there objection to the request of the gentleman from New York that the gentlewoman from Florida control 10 minutes of the time in support?

Without objection, the gentlewoman from Florida will control 10 minutes.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio.

□ 1115

Mr. KUCINICH. Madam Speaker and my colleagues, as Chair of the Hungarian American Caucus, I want to bring to the attention of this Congress the concerns that have been raised about H. Res. 915, legislation which "encourages the Republic of Hungary to respect the rule of law, treat foreign investors fairly, and promote a free and independent press."

This legislation issues broad condemnation of the Republic of Hungary without regard to current legal proceedings that should receive more discussion. I urge my colleagues to consider the consequence of this legislation before casting a vote.

It's already been stated that the Hungarian Prime Minister has given statements questioning the award of the contract, that there is a parliamentary committee looking into it, that courts are reviewing it, and that, in fact, there's a prosecutorial investigation in the offing.

I have contacted the Hungarian Government, and in response to this congressional inquiry, the Hungarian Government pointed out that the licenses awarded to two national radio stations by the Hungarian National Radio and Television Board are under judicial review before the court: "A criminal procedure related to the issue was launched with the prosecutor's office."

Now, if this doesn't indicate a responsiveness by the government to the award of the contract, I don't know what does. The question then comes, Why is this even on the floor of the House as a suspension?

I stand by the right of every Member of this body to protect the interest of any business in any district. That's what we're here for. But I think that to put this resolution before the House for passage before any committee meetings have been held to review the actual extent of the Hungarian Government's involvement or lack thereof is really not consistent with our duties and due diligence on every piece of legislation.

Now, the Hungarian National Radio and Television Board awarded 12-year licenses to two national radio stations in 1997, to two companies, one based in the United States and another in Europe. The licenses expired last month and are the only licenses that allow for nationwide coverage by commercial rather than state-run radio broadcast services in Hungary. Following a national bidding process, the licenses were awarded to two Hungarian companies. Members across the political

spectrum in Hungary have raised concerns regarding the manner in which the licenses were issued, and a U.S.-based telecommunication company filed legal proceedings in Hungarian court.

Now, the legislation accurately states the importance of foreign investment and a need for equitable treatment in accordance with the United States and Hungarian laws. However, broad condemnation of the Republic of Hungary, charging the country, or implying, that there's widespread corruption without allowing legal processes to take place is more than problematic. This dispute should be resolved in Hungarian courts, which can render judgment and provide sufficient remedy to the injured party including, if they care to, revoke existing licenses, forcing a new round of competitive bidding, or awarding compensation. I mean, these are all things that the Republic of Hungary has the opportunity to do.

But I just want to go back to the legislation itself, which raises questions about the integrity of the government itself. And, frankly, I don't think that's appropriate given the scope of the legislation and the grievances that Members have about the contract-awarding procedure.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

The bill before us, House Resolution 915, encourages the Republic of Hungary to respect the rule of law, treat foreign investors fairly, and promote a free and independent press.

Since breaking the chains of communist dictatorship and Soviet domination, Hungary has made significant progress in implementing democracy and economic reforms. I congratulate the Hungarian people and its government for these significant steps. It has also become a full member of the Trans-Atlantic community, having joined both the NATO alliance and the European Union.

In light of how far Hungary has come in just two decades since the fall of the Iron Curtain in integrating itself in Western institutions and embracing basic freedoms, some recent developments in that country regarding the freedom of the press and the rule of law have raised some concern.

Specifically, political appointees to a government body that administers Hungary's airwaves have reportedly taken away two radio licenses from foreign-owned stations, one of them an American company, and have given the licenses to local firms that have links to Hungary's major political parties. The chairman of that government body administering the airwaves has resigned as a result, stating that the decision to take the licenses away from the foreign firms violated the law.

Madam Speaker, the manner in which this Hungarian Government body reportedly treated these foreign

companies also may raise concerns about Hungary's full commitment to a free and independent press. Political cronyism, corruption, and restriction on the media are relics of the old communist system and the old parties. The Hungarian people do not wish to resurrect these harmful policies. Not just foreign investors in Hungary but the Hungarian people deserve much better. They have worked too hard. They have gone through too much to make their beautiful country, Hungary, a free and democratic nation.

The sponsors of this measure, Mr. DONNELLY, Mr. PENCE and Mr. BURTON, have introduced this resolution which condemns the recent action by the Hungarian National Radio and Television Board. It encourages the Republic of Hungary to continue to promote and respect the rule of law and treat foreign investors fairly. And, lastly, it encourages the Republic of Hungary to maintain its strong and vibrant commitment to a free and independent press.

Madam Speaker, I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY of Indiana. Madam Speaker, I rise in support of House Resolution 915, a resolution that encourages Hungary to respect the rule of law, treat foreign investors fairly, and to promote a free and independent press.

I appreciate the words of my good friend from Ohio, but I would just like to say that this resolution expresses our concern and condemns the Hungarian Radio and Television Board's process in granting these licenses. It does not question the Government of Hungary's efforts and it does not question our full confidence in their ability to resolve this matter. We welcome the government's steps in moving this forward.

For decades the Hungarian people fought against communist rule for the chance at freedom and democracy. They have been our ally, they joined NATO in 1999, and the country of Hungary is a good and dear friend of the United States of America. We must ensure that this friendship continues to maintain in a healthy and engaged way and that it continues to foster economic growth for our countries.

In 1997 the Hungarian National Radio and Television Board, ORTT, awarded licenses for two national radio stations. One of these licenses was awarded to an American company, the other to a European company, each for a total of 12 years. These terms ended on November 19 of this year. The Financial Times reported on November 6 that shortly before these bids of renewal for the national licenses were due that the companies were approached by individuals claiming to represent various parties in Hungary.

They offered to extend these companies' licenses if they received 50 percent of the equity. Both companies refused this attempt, and the ORTT voted to award these licenses to two connected local bidders instead.

We want to ensure the fullness and fairness that will be provided by the Government of Hungary's review, and we want to make sure that this resolution expresses our concern and condemns the actions of the ORTT.

U.S. investors are an important part of the Hungarian economy and deserve equitable treatment. We have invested over \$9 billion in Hungary since 1989. The friendship is strong, the friendship is unbreakable, and we are the fourth largest contributor to direct foreign investment in Hungary.

This resolution, as indicated, expresses our concerns and condemns the ORTT's actions, and we ask the Government of Hungary to treat foreign investors fairly and fully respect the rule of law, as we know they will. I urge my colleagues to support this resolution, to pass House Resolution 915.

Ms. ROS-LEHTINEN. Madam Speaker, I continue to reserve the balance of my time.

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

Mr. KUCINICH. Madam Speaker, this resolution encourages the Republic of Hungary to respect the rule of law. Now, if you're encouraging someone to respect the law, the underlying assumption is that they don't.

I think that to look at the action of a single agency and to put a broad brush on an entire national government is really grossly unfair. To imply that Hungary does not respect the law is actually an insult to the people of Hungary, who put their lives on the line in 1956 fighting to break free of domination by the Soviet Union, who put their lives on the line to be able to establish a democracy and self-determination.

□ 1130

Is this what they deserve? Do the people of Hungary really deserve to be treated this way? This should have been handled diplomatically. This should have been handled at a committee level before bringing it to the floor of the House of Representatives. And with respect to foreign investors, since the Government of Hungary has itself launched an investigation into the award of this contract, doesn't that show that they want foreign investors to be treated fairly? Doesn't it show that they respect the rule of law by going forward to raise the potential of prosecution of people involved in the award of this contract? Don't we already have what it is that this legislation supposedly aspires to, evidence of respect for the law and fair treatment of foreign investors?

There is no evidence that the Republic of Hungary has suddenly taken a tilt towards Soviet-type control of the press; I hope that no one is seriously

asserting that. Hungary is a proud and free society, and we should be very careful about moving forward with resolutions that in any way imply otherwise, not to say simultaneously, well, Hungary is a law-abiding nation, and then say, well, they ought to respect the law.

So again, I wish that the sponsors of this legislation, who I deeply respect and who I know are working very hard for their constituents and the business community as well as for all the people in their districts. I would say take another look at this and maybe send it to committee so that we could have the opportunity to have a deeper discussion about the advisability of the legislation, and maybe to tailor it even more firmly. I mean, I could agree with questioning the action by the Hungarian National Radio and Television Board—the Hungarian Government is questioning that action, but to challenge the entire government's integrity when the government has already taken action to raise questions itself about the award of a contract, really we have to ask what we're doing here.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time and I thank the gentleman from New York.

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

I just want to answer the gentleman from Ohio, for whom I have profound respect. And I want to do it by just reading what this resolution says because I don't think it implies what he thinks it implies.

First of all, at the start of the resolution we talk about the brave people of Hungary and how they rose up against domination, Communist domination, Soviet domination in 1956, and whereas the Hungarian people fought bravely for freedom, democracy and human rights. And we talk about celebrating the fact that they have become a member of NATO and a member of the European Union. And at the end the bill simply says, and let me read it, "Resolved, that the House of Representatives (1) condemns the recent action by the Hungarian National Radio and Television Board that awarded the national community radio licenses; (2) encourages the Republic of Hungary to respect the rule of law and treat foreign investors fairly; and (3) encourages the Republic of Hungary to maintain its commitment to a free and independent press." I don't think that implies anything; I think that it encourages them.

And obviously this resolution is bipartisan. It was a company from Indiana that was wronged, and that is why you have Mr. DONNELLY, Mr. BURTON and Mr. PENCE from different parties, but all from Indiana, very concerned about this as well. So I don't think this casts any aspersions on Hungary, its people, or its government; quite the opposite, I think clearly in the resolution

it celebrates the great partnership and alliance that we have with Hungary and all the brave things that the Hungarian people did during the past 50 years. I just wanted to point that out.

I reserve the balance of my time.

Mr. KUCINICH. May I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Ohio controls 11½ minutes.

Mr. KUCINICH. I question why this resolution was brought before this House under suspension. I question why an effort by the proponents of the legislation wasn't made to contact the Hungarian Government and to learn that their position is in fact that there is a judicial review and that there is a criminal procedure related to the issue that was launched with the prosecutor's office because that would clearly indicate action being taken on the part of the government to look at this particular contract.

Why is this matter on the floor of the House of Representatives? Why are we taking this time to look at something that is already under review by the Hungarian Government and doing it in the context of urging the Hungarian Government to have respect for law? That's what they're doing, they are showing respect for law by taking this forward. Why do they need to be encouraged? Everyone here understands what that means; we're implying that they don't respect the law unless their judicial response is a certain way. That is not an appropriate way to proceed here. And again, it is very difficult when you have a colleague who you want to agree with on everything present a resolution with which you don't agree.

I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the author of this resolution, the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY of Indiana. And I, too, have the greatest respect and friendship for my colleague from Ohio, but I did want to comment that we, in fact, did meet with the Hungarian Ambassador and did meet with him in my office here at the Capitol. And there is no implication in any way that Hungary does not respect the rule of law; in fact, we are very, very proud of the partnership and friendship that has been built with Hungary. What we are trying to do is express our concern about the conduct of the Hungarian Radio and Television Board, a concern we also expressed to the Hungarian Ambassador. And we are hopeful that this will be resolved in the near future.

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

Mr. KUCINICH. As my colleague has stated, this resolution is intended to address the actions of the Hungarian National Radio and Television Board; they are the ones who awarded the contract. But yet, in the same breath, we're asking the Hungarian Government to respect the rule of law. Is

there any other example, other than the action of a single board, that any proponent of this legislation can point to which indicates that the Republic of Hungary does not respect the rule of law? Or are we simply talking about one agency? Because if we're talking about one agency, then the resolution should have been written in a different way. Because the impact of this resolution is not going to be just to talk about the decision of one agency, it is going to imply, very broadly, that the Government of Hungary does not respect the rule of law. That passage should have been struck from this legislation.

I ask my colleague, Mr. ENGEL, if you look at the second part of the enactment clause, if he would consider striking that.

I yield to the gentleman from New York.

Mr. ENGEL. Well, let me say to my friend that it is not my resolution; it is Mr. DONNELLY's resolution. I don't think it is appropriate for me to strike anything.

PARLIAMENTARY INQUIRY

Mr. KUCINICH. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. KUCINICH. Is a motion to strike in order by the manager of the bill, or would the sponsor of the bill have to ask for such a motion?

The SPEAKER pro tempore. A motion to suspend the rules is not amendable.

Mr. KUCINICH. So since this legislation is being offered under suspension, then no motion to strike would be in order; is that right?

The SPEAKER pro tempore. The gentleman is correct. A motion to suspend the rules is not amendable.

Mr. KUCINICH. Okay. I withdraw my request for a colloquy with my friend from New York.

I just think if it was so important to bring this to the floor, it should have been tailored quite narrowly to talk about the Hungarian National Radio and Television Board and not to take a broad brush with which we paint the Government of Hungary.

I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from New York has 1½ minutes remaining. The gentleman from Ohio controls 7 minutes.

The gentleman from New York has the right to close.

Mr. KUCINICH. I think that in the time that I had allotted, I had an opportunity to present my point here. And I just hope that when my colleagues vote on this later on in the day that they will consider the diplomatic implications of voting for this resolution.

And I will say again, and this is really a concern that I have that I want to express to the leaders of the House of Representatives, we have a lot of bills that come to this floor under suspen-

sion that appropriately should be discussed in committee before they come to the floor of the House. I think this is a good example of such a bill. And I would ask our leadership to please pay more careful attention to these issues because this House has very valuable time, and while we have the freedom of speech on this floor, the speech gets very expensive when there are so many other issues waiting for discussion on the floor.

I appreciate the opportunity here. I want to thank my colleague, ILEANA ROS-LEHTINEN, for what she has expressed and for the concerns that Mr. DONNELLY and Mr. ENGEL have expressed.

I yield back the balance of my time.

Mr. ENGEL. Madam Speaker, I would just urge my colleagues to support this bipartisan bill. This really is not a controversial bill. This is really, with all due respect, a tempest in a teapot. I think that simply, again, I will read the first sentence—

Mr. KUCINICH. Will the gentleman yield?

Mr. ENGEL. Let me just finish and I will be happy to yield. I would read the first sentence in this resolution, which says, "Encouraging the Republic of Hungary to respect the rule of law, treat foreign investors fairly, and promote a free and independent press." I don't think anyone can disagree with that, not even my friend from Ohio. And I will now yield to him.

Mr. KUCINICH. With all due respect to my good friend, Mr. ENGEL, you have compared this to a tempest in a teapot. It's your teapot and it's your tempest.

Mr. ENGEL. Well, let me say to my friend, it's not my tempest and it's not my teapot. I wish the gentleman had come to us earlier before we were having the vote scheduled. We did not know of his objections prior to this debate. And perhaps if he had come to us a little bit earlier we might have been willing to accommodate him, but not knowing about it and being blindsided by his objection, I think it's kind of a little bit difficult to change it.

Mr. KUCINICH. Will the gentleman yield?

Mr. ENGEL. No, I have yielded enough.

Mr. PENCE. Madam Speaker, I rise in support of H. Res. 915, a resolution of the House of Representatives encouraging the Republic of Hungary to respect the rule of law, treat foreign investors fairly, and promote a free and independent press.

I would like to thank my Indiana colleagues, especially Congressmen JOE DONNELLY and BARON HILL, for their yeoman's work on this issue. Chairman HOWARD BERMAN and Ranking Member ILEANA ROS-LEHTINEN also were instrumental in bringing this important resolution to the floor.

What could and should have been a fair competition to rebid Hungary's only two national, commercial FM radio broadcast licenses is now mired in allegations of political corruption. As nine embassies in Hungary including the United States warned in a joint letter last month, we are concerned that such in-

stances of non-transparent behavior affecting investors could discourage foreign investment and hamper economic growth in Hungary. This concern is underscored by a report commissioned by the Public Procurement Council in Hungary, which recently found that between 70 and 90 percent of all public procurements in Hungary are tainted by corruption.

The broadcast licenses previously held by Slager Radio (owned by an Indianapolis-based company) and Danubius Radio (owned by a Vienna-based private equity firm) were recently awarded by the Hungarian National Radio and Television Board (ORTT) to other bidders despite unrealistic business plans and irregularities in those bids that I am told should have disqualified them under Hungarian media law. Not only that, but prior to the ORTT's highly controversial decision, Slager and Danubius were reportedly approached by agents of the Fidesz and Socialist parties seeking to acquire partial control of the stations to ensure their licenses would be renewed. Although the ORTT chairman resigned in protest and refused to sign the contracts, the delegates appointed to the ORTT by the Fidesz and Socialist parties all voted in favor of the two new stations. A poll of Hungarians suggested that six of out ten agreed that the decision to end the broadcast rights of Slager Radio and Danubius was "outrageous."

Slager and Danubius have appealed the ORTT decision, but litigation could drag on for years, while their popular broadcasts were forced off the air on November 18 of this year, the same day we introduced this resolution. In addition, the Hungarian parliament voted to investigate the matter and a prosecutor is looking into whether criminal charges are warranted. I am encouraged by these steps and it is certainly my hope that the matter will be expeditiously resolved.

U.S. and other foreign investors deserve equitable treatment in accordance with Hungarian law. It bears mentioning that the United States is the fourth-largest contributor to foreign investment in Hungary and the largest non-European source of investment. The United States has invested over nine billion dollars in Hungary since 1989.

Unfair treatment of foreign companies will deter investment and hinder economic growth, while upholding the rule of law and promoting a free and independent press—as we urge in this resolution—would instead spur investor confidence.

In conclusion, we bring this resolution to the floor of the U.S. House of Representatives today in solidarity with all Hungarians demanding a thorough and expeditious investigation into the highly questionable circumstances surrounding the awarding of these radio licenses and fair competitions in public procurements that will demonstrate Hungary's commitment to respect the rule of law, treat foreign investors fairly and promote a free and independent press.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 915.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1145

EXPRESSING SOLIDARITY WITH EL SALVADOR

Mr. ENGEL. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 213) expressing the sense of Congress for and solidarity with the people of El Salvador as they persevere through the aftermath of torrential rains which caused devastating flooding and deadly mudslides, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 213

Whereas, on November 9, 2009, parts of El Salvador were decimated by floods brought on by Hurricane Ida;

Whereas Hurricane Ida caused the death of over 190 people in El Salvador, and made over 14,000 homeless, with both of those numbers likely to rise;

Whereas over 1,800 homes have been destroyed by the mudslides;

Whereas the small coffee growing town of Verapaz, population 7,000, has almost been completely destroyed;

Whereas reports have stated that up to 10,000 Salvadorians may need emergency food assistance;

Whereas Hurricane Ida also left about 13,000 people homeless in Nicaragua and damaged about 100 homes in Guatemala;

Whereas neighboring nations of El Salvador have provided relief to the people of El Salvador;

Whereas the United States, through the U.S. Agency for International Development and U.S. Southern Command, has provided significant emergency relief and assistance to the people of El Salvador in the wake of Hurricane Ida; and

Whereas El Salvador has begun the process of recovering from this natural disaster: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) expresses solidarity with all people affected by Hurricane Ida;

(2) commends the brave efforts of the people of El Salvador and Central America as they recover from Hurricane Ida;

(3) applauds the coordination between the countries of Central America during the relief effort in providing relief to the people of El Salvador;

(4) acknowledges the efforts of the government of El Salvador to work closely and promptly with the United States to assist the affected population;

(5) recognizes the progress made by El Salvador on disaster preparedness capacity and their efforts to invest in disaster risk reduction; and

(6) urges the President to continue to make available assistance to help mitigate the effects of the recent natural disasters that have devastated El Salvador.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentle-

woman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. ENGEL. Madam Speaker, I rise in strong support of H. Con. Res. 213, a resolution expressing our support for the people of El Salvador as they persevere through the aftermath of floods brought on by Hurricane Ida. I am the chairman of the Western Hemisphere Subcommittee of the House Foreign Affairs Committee, and I feel especially strongly about a resolution like this. I want to thank the ranking member of my subcommittee, CONNIE MACK, the gentleman from Florida, for introducing this important resolution.

On November 9, a large portion of El Salvador was devastated by floods brought on by Hurricane Ida; 196 people were killed, 78 people are missing, and nearly 14,000 individuals are displaced from their homes. Our thoughts are with the people and Government of El Salvador as they cope with these difficult losses.

The United States, through USAID and the U.S. Southern Command, has provided significant emergency relief and assistance to the people of El Salvador in the wake of Hurricane Ida. The President of El Salvador, Mauricio Funes, and his government have worked closely with the United States to assist the affected populations.

Let me add that I attended the inauguration of President Funes in El Salvador with Secretary of State Hillary Clinton just a few months ago, and I am glad that our governments are working so closely together. And let me say that I have great confidence in President Funes as he takes on these crucial disaster relief efforts. I had the pleasure, when I attended the inauguration of Mr. Funes with Secretary Clinton, of meeting with then President-elect Funes at the Summit of the Americas in Trinidad as well, so I have discussed things with him twice.

As I have said, the U.S. and other countries have already done a great deal to assist El Salvador during this difficult time, but I believe much more remains to be done. I urge my colleagues to support this crucial legislation, and I again thank Representative MACK for his important initiative.

I encourage the Obama administration to also support disaster relief efforts in Nicaragua and Guatemala, and we need to continue to assist the government and people of El Salvador and prevent future disasters by investing in the country's infrastructure. And I want to, again, say that Hurricane

Ida's damages were not limited to El Salvador. Guatemala and Nicaragua were impacted as well.

So I want to thank my friend, Congressman MACK, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I'd like to yield myself such time as I may consume.

Madam Speaker, I rise today to join my colleagues in support for the people of El Salvador and, specifically, the bill before us, H. Con. Res. 213, a resolution introduced by my colleague from Florida, my good friend, Mr. CONNIE MACK, the ranking member of our important Subcommittee on the Western Hemisphere.

Last month, as we have heard, the torrential rains of Hurricane Ida took a devastating toll on the people of El Salvador. Nearly 200 people lost their lives, and more than 14,000 were left homeless. Up to 10,000 Salvadorans were left in reported need of emergency food supplies. The devastation did not stop at the borders of El Salvador, however. Hurricane Ida also left about 13,000 people homeless in Nicaragua and damaged about 100 homes in Guatemala.

This important resolution expresses our solidarity with all of the people impacted by this horrendous storm, and it commends the brave efforts of all who helped to contribute in the relief efforts in its aftermath. Specifically, I would like to recognize and commend the significant and immediate efforts undertaken by our most generous country, the United States of America, in the wake of this horrific storm. Through the U.S. Agency for International Development's Office of U.S. Foreign Disaster Assistance and the U.S. Southern Command, the United States was able to help airlift emergency relief supplies, finance humanitarian assistance projects, support medical evacuations, assess infrastructure repair projects, and deliver emergency and food supplies to the worst-hit and isolated communities in El Salvador.

This resolution also recognizes the coordination among the countries of Central America in the relief efforts following the storm. It is critical that responsible nations continue to work together to better prepare ourselves and our democratic partners for natural disasters such as this one.

Again, I would like to commend the brave efforts of the people of El Salvador and, in fact, all of Central America as they recover from Hurricane Ida and to express our strong support during this most difficult time.

Specifically, I would like to congratulate my friend from Florida (Mr. MACK) for his authorship of this important resolution, and I would like to recognize him at this time, Madam Speaker, to speak on this resolution. And I would ask him if he would also speak on the Drug Commission on the Western Hemisphere of which he and Mr. ENGEL were the authors.

At this time, Madam Speaker, I would like to yield such time as he may consume to the gentleman from Florida (Mr. MACK), the ranking member of the Foreign Affairs Subcommittee on the Western Hemisphere and the author of this measure.

Mr. MACK. Thank you to Chairman BERMAN, and a special thanks to Ranking Member ROS-LEHTINEN for all of her efforts and her leadership, for bringing this resolution to the floor. I'd also like to thank my colleague from New York, Congressman TOWNS, for joining me in introducing this resolution. Finally, I also want to thank my chairman, Chairman ENGEL, for his leadership in the hemisphere. It has been a pleasure working with Chairman ENGEL on the important issues facing the Western Hemisphere.

Madam Speaker, the people of El Salvador were hit hard by Hurricane Ida. As a Floridian, I understand how destructive and devastating a hurricane can be. We in Florida know what it's like to see the eye of a hurricane coming our way and how it impacts our lives. My heart goes out to the thousands of men, women, and children who have had their lives completely changed by Hurricane Ida and who are, as we speak, picking up the pieces and slowly rebuilding their destroyed villages.

As the ranking member of the Western Hemisphere Subcommittee, I believe it's important that the people of El Salvador understand that the people of the United States support them during these difficult times. I also think it's important to note how several nations worked together and continue to do so to ensure the people of El Salvador are getting the help they need to rebuild. From Honduras, our forces were able to lift those in need out of harm's way. From south Florida, we were able to airlift much-needed supplies. Those who have participated in these relief efforts should be commended for their help. We are honored by their service.

Madam Speaker, we in Congress remain committed to ensure that the people of El Salvador recover from this disaster, and I urge my colleagues to support this important resolution.

I'd also like to make a quick note, if I could, on an earlier resolution that was brought up, H.R. 2134. And I want to thank, again, Chairman ENGEL for his leadership for introducing the Western Hemisphere Drug Policy Act. The problem of illegal drugs impact people across borders, cultures, and socioeconomic status. When we evaluate the U.S. drug policy in the Americas, we must take an all-encompassing approach to the problem.

This legislation is a positive step towards evaluating U.S. policy. Some have focused on treatment or better education; others have focused on supply and the law enforcement aspect of the problem. But let me be clear, we must make sure that we attack the problem from both angles and all perspectives.

As we continue to address U.S. drug policy in the hemisphere, I know that there will be, as there have been, many obstacles. Some of these include countries that simply refuse to cooperate with the United States. And even worse, Madam Speaker, there are governments that have chosen to be part of or facilitate the flow of drugs into the United States.

According to President Obama, Venezuela has failed during the past year when it comes to counternarcotic efforts. The Obama administration has strong evidence that Venezuela has refused to cooperate on almost all counternarcotic issues. Hugo Chavez' refusal to act responsibly not only hurts Americans, but now Venezuela has the second highest murder rate in the world. The Venezuelan Government's alignment with drug lords is so pervasive that ministers of the Chavez government are now categorized as "Tier II Kingpins." It's pretty clear cut, Madam Speaker, that Chavez and the flow of drugs into the United States is something we cannot ignore.

I want to thank Chairman ENGEL again for his leadership, and urge my colleagues to vote "yes" on the Western Hemisphere Drug Policy Commission Act, H.R. 2134.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of our time.

Mr. ENGEL. Madam Speaker, let me just say very quickly, it's been a pleasure to work with the gentleman from Florida (Mr. MACK), as well as the ranking member of our subcommittee.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 213, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SYMPATHY TO THE PHILIPPINES

Mr. ENGEL. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 218) expressing sympathy for the 57 civilians who were killed in the southern Philippines on November 23, 2009.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 218

Whereas, on November 23, 2009, 57 unarmed civilians were slain in Maguindanao in the worst politically motivated violence in recent Philippine history;

Whereas those killed were on their way to file nomination papers on behalf of Ismael Mangudadatu, vice mayor of Buluan, who intended to run against Andal Ampatuan, Jr. who is currently mayor of Datay Unsu, in

next year's gubernatorial elections to succeed Andal Ampatuan, Sr., the father of Andal Ampatuan, Jr.;

Whereas many of those killed were women and children, including the wife of Vice Mayor Ismael Mangudadatu and his two sisters;

Whereas most of the women were reportedly raped and their bodies were mutilated after being shot;

Whereas as of December 2, 2009, initial charges have been filed in connection with the massacre, according to press reports;

Whereas the Freedom Fund for Filipino Journalists reports that at least 30 journalists and media workers were killed in the Maguindanao massacre;

Whereas, the Committee to Protect Journalists reports that prior to the Maguindanao massacre, 30 journalists had been killed in the Philippines since 2000, and suspects were prosecuted in no more than 4 cases, putting into question the safety of journalists and the integrity of independent journalism in the Philippines;

Whereas government prosecutors and judges with jurisdiction over the massacre have allegedly received threats and have been told to "go slow" on the investigation;

Whereas President Gloria Macapagal Arroyo declared a state of emergency in Maguindanao the day after the massacre, vowing that "no effort will be spared to bring justice to the victims";

Whereas extrajudicial killings and election-related violence are common in the Philippines, though never on this scale and rarely with this level of brutality; and

Whereas the United States and the Philippines share a strong friendship based on shared history and the commitment to democracy and freedom: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) regrets the senseless killing of unarmed civilians and expresses its deepest condolences to the families of the 57 victims;

(2) condemns the culture of impunity that continues to exist among clans, politicians, armed elements, and other persons of influence in the Philippines;

(3) calls for a thorough, transparent, and independent investigation and prosecution of those who are responsible for the massacre, including those who committed the killings and anyone who may have ordered them, and that the proceedings be conducted with the highest possible level of professionalism, impartiality, and regard for witness protection to assure the Filipino people that all the responsible persons are brought to justice;

(4) calls for an end to extrajudicial killings and election-related violence;

(5) calls for freedom of press and the safety of the reporters investigating the massacre;

(6) urges the Departments of State and Justice and other United States Government agencies to review their assistance programs to the Government of the Philippines, and to offer any technical assistance, such as forensics support, that Philippine authorities may request; and

(7) reaffirms the United States commitment to working alongside Philippine authorities to combat corruption, terrorism, and security threats.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ENGEL. Madam Speaker, I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. ENGEL. Madam Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

Madam Speaker, this concurrent resolution extends our profound condolences to the people of the Philippines who witnessed the worst election-related violence in the country's recent history. I'd like to thank the chairman of our committee, HOWARD BERMAN, for his leadership in bringing this resolution before the House.

On November 23, 57 civilians were killed in Maguindanao in the southern Philippines. They were on their way to file nomination papers on behalf of Ismael Mangudadatu, who intended to run against Andal Ampatuan, Jr., the son of the incumbent governor in next year's elections. Many of those killed were women and children, and at least 30 journalists were also killed, putting into question the safety of journalists and the integrity of independent journalism in the Philippines.

I want to extend my deepest sympathy and support for President Gloria Macapagal Arroyo, who has taken strong measures to hold accountable those who are responsible for this atrocity, vowing that "no effort will be spared to bring justice to the victims." The United States and the Philippines maintain strong bilateral ties based upon historical relations, common interests, and shared Values.

□ 1200

This resolution underscores our commitment to its important relationship during these difficult times.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I'd like to yield myself such time as I may consume.

Madam Speaker, I rise in support of this resolution which commemorates the victims of the worst political violence in recent Philippine history. The wholesale massacre of 57 innocent persons, including women, children, and journalists, can only be termed as shocking even in this era of mass violence. The fact that this attack, which included mutilation and rape, took place on a convoy headed to register a candidate for election is a cause for concern for all who uphold democratic values and the rule of law.

I held discussions earlier this fall with my Filipino friends, keen political observers who warned of the potential for corruption, intimidation, and even violence in the run-up to elections in May of next year.

Extrajudicial killings have sadly become rather commonplace in the Republic of the Philippines. Over 30 jour-

nalists have reportedly been killed since the year 2000, with prosecutions in only four cases. The pen may be mightier than the sword, but no pen can maintain its strength if so easily cut down.

The Philippines is, after all, no ordinary republic. It is the only Asian nation that first incorporated democratic values as a territory of the United States of America. It was to the Philippines that General Douglas MacArthur vowed to return after the courage of the defense of Corregidor and the agony of the Bataan death march.

American blood was shed, American treasure expended, American youth lost to give birth to the Philippine democracy in the post-World War II world. That is why the massacre of November 23 must be of concern to all of us as the political heirs to those brave veterans of the Philippines. Anything less than a thorough, transparent, and independent investigation of this massacre is unacceptable.

The success of the global war on terror in this volatile southern region of the Philippines depends on a full implementation of transparency and the rule of law.

The People Power Revolution of 1986—which the United States both celebrated and assisted—requires open, fair, and violence-free Presidential elections in May of 2010. Anything less would besmirch the memory of those who have fought and died so that the Philippines might have government of the people, for the people, and by the people. This dream, Madam Speaker, may only be achieved if the truth of the November 23 massacre is fully disclosed.

With that, Madam Speaker, I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield 1 minute to the gentleman from Texas, Congressman AL GREEN.

Mr. AL GREEN of Texas. I thank the Chair and the ranking member.

I would like to quickly give 200,000 reasons why we should be concerned about this incident—200,000. That's the number of persons from the Philippines who served with the United States military in World War II.

The Philippines have earned our respect, and they've earned our necessity to step forward in times of difficulty for them. We owe it to ourselves to make sure that injustice in the Philippines is addressed, because injustice there is a threat to justice here, just as a threat to justice for us was a threat to justice for them.

I support this resolution, and I strongly urge my colleagues to vote in favor of it.

I thank you.

Ms. ROS-LEHTINEN. I have no further requests for time. I yield back the balance of our time.

Mr. ENGEL. Madam Speaker, I just would very quickly like to point out that, besides expressing our deep concern, we also express the concern about the culture of impunity that continues

to exist among politicians, clans, armed forces, and other persons in the Philippines. And this calls on the United States to offer any kind of assistance, technical assistance, that we can, and we stand by the Philippine government's efforts to bring peace, rule of law, and security to the southern province.

Mr. SMITH of New Jersey. Madam Speaker, I rise today in support of H. Con. Res 218, expressing Congress's deepest condolences to the families of the 57 victims of the Maguindanao massacre. I thank my good friend from California, Mr. BERMAN, for authoring the resolution, which I am proud to co-sponsor.

Madam Speaker, when a friend is struck by a tragedy, perhaps the death of a family member, we all know what to do. We call them up, we visit them, we reach out to them. That is what they need at that moment—to know they are not alone, that they are accompanied by friends. I am confident this is happening in the Philippines right now. The Filipino people have strong families, and a gift for friendship.

I think it is like that with nations too. What happened in Maguindanao was such a terrible tragedy that other nations have to reach out and remind the Filipino people that they are part of a great human family, and that other nations grieve with them.

Madam Speaker, lest anyone doubt the importance of this gesture, let me remind them of the outpouring of support, which came from every corner of the globe, after the September 11 attacks in 2001. That meant so much to us.

But, Madam Speaker, the Filipino people also need justice. When a crime is committed on such a scale and in such a manner as the Maguindanao massacre, fundamental issues of justice and human rights are raised. The ambush of 57 people travelling in broad daylight to file a candidate's nomination papers, their forced march to a prepared killing field, their grisly shooting, mutilation, including the sexual mutilation and reportedly rape of women, and attempted burial by government-owned equipment—something is deeply wrong. And let's remember that the murder of 30 journalists is a full-scale attack on freedom of expression—the Committee to Protect Journalists says this massacre was the deadliest attack on journalists since it began monitoring in 1992.

My good friend's resolution addresses these issues. It condemns the "culture of impunity" that precedes and enables such a crime, and calls for a "transparent and independent investigation and prosecution" of those responsible, and the proceedings to be conducted with the highest possible level of "impartiality and regard for witness protection." And this is the issue: whether in our own country or elsewhere, whenever a government is unwilling to administer justice, it prepares the ground for human rights violations.

This resolution also calls for an end to extrajudicial killings and political violence, and for press freedom and safety. Finally, it urges our government to offer technical assistance to the investigation.

Madam Speaker, let us ask God to comfort all those who have lost family members and friends in this terrible crime. I urge my colleagues to support this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 218.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to instruct conferees on H.R. 3288, by the yeas and nays;

Suspending the rules and agreeing to: H. Con. Res. 199, by the yeas and nays;

H. Con. Res. 206, by the yeas and nays;

H. Res. 940, by the yeas and nays.

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

MOTION TO INSTRUCT CONFEREES ON H.R. 3288, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 3288 offered by the gentleman from Iowa (Mr. LATHAM) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

The vote was taken by electronic device, and there were—yeas 212, nays 193, not voting 29, as follows:

[Roll No. 931]

YEAS—212

Aderholt	Boustany	Conaway
Adler (NJ)	Brady (TX)	Cooper
Akin	Braley (IA)	Costa
Alexander	Bright	Crenshaw
Altmire	Brown (SC)	Cuellar
Austria	Brown-Waite,	Culberson
Bachmann	Ginny	Dahlkemper
Bachus	Buchanan	Davis (KY)
Baird	Burgess	Deal (GA)
Barrow	Burton (IN)	Dent
Bartlett	Buyer	Diaz-Balart, L.
Barton (TX)	Calvert	Diaz-Balart, M.
Bean	Camp	Doggett
Biggert	Cantor	Donnelly (IN)
Bilbray	Cao	Dreier
Bilirakis	Capito	Duncan
Bishop (UT)	Carney	Ehlers
Blackburn	Carter	Ellsworth
Blunt	Cassidy	Emerson
Boccheri	Castle	Flake
Boehner	Chaffetz	Fleming
Bonner	Childers	Forbes
Bono Mack	Coble	Fortenberry
Boozman	Coffman (CO)	Foster
Boren	Cole	Fox

Franks (AZ)	Lungren, Daniel	Rogers (KY)
Frelinghuysen	E.	Rogers (MI)
Gallegly	Mack	Rohrabacher
Garrett (NJ)	Manzullo	Rooney
Gerlach	Marchant	Ros-Lehtinen
Giffords	Marshall	Roskam
Gingrey (GA)	McCarthy (CA)	Royce
Gohmert	McCaul	Rush
Goodlatte	McClintock	Ryan (WI)
Granger	McCotter	Scalise
Graves	McHenry	Schmidt
Griffith	McIntyre	Schock
Guthrie	McKeon	Schrader
Hall (NY)	McMahon	Sensenbrenner
Harper	McMorris	Sessions
Hastings (WA)	Rodgers	Sestak
Heller	McNerney	Shadegg
Hensarling	Mica	Shimkus
Herger	Michaud	Shuster
Himes	Miller (FL)	Simpson
Hodes	Miller (MI)	Skelton
Hunter	Minnick	Smith (NE)
Inglis	Mitchell	Smith (NJ)
Issa	Moran (KS)	Smith (TX)
Jenkins	Murphy (CT)	Souder
Jones	Murphy (NY)	Space
Jordan (OH)	Murphy, Tim	Stearns
King (IA)	Myrick	Sullivan
King (NY)	Neugebauer	Taylor
Kingston	Nunes	Teague
Kirk	Nye	Terry
Klein (FL)	Olson	Thompson (PA)
Kline (MN)	Owens	Thornberry
Kosmas	Paulsen	Tiahrt
Kratovil	Pence	Tiberi
Lamborn	Perriello	Turner
Lance	Pitts	Upton
Latham	Platts	Walden
LaTourette	Poe (TX)	Wamp
Latta	Pomeroy	Westmoreland
Lee (NY)	Posey	Whitfield
Lewis (CA)	Price (GA)	Wilson (SC)
Linder	Putnam	Wittman
LoBiondo	Radanovich	Wolf
Lucas	Rehberg	Young (AK)
Luetkemeyer	Roe (TN)	Young (FL)
Lummis	Rogers (AL)	

NAYS—193

Ackerman	Fattah	Lowey
Andrews	Filner	Lujan
Baca	Frank (MA)	Lynch
Baldwin	Fudge	Maffei
Becerra	Garamendi	Maloney
Berkley	Gonzalez	Markey (CO)
Berry	Gordon (TN)	Markey (MA)
Bishop (GA)	Grayson	Massa
Bishop (NY)	Green, Al	Matheson
Blumenauer	Green, Gene	Matsui
Boswell	Grijalva	McCarthy (NY)
Boyd	Gutierrez	McCollum
Brady (PA)	Halvorson	McDermott
Brown, Corrine	Hare	McGovern
Butterfield	Harman	Meek (FL)
Capps	Hastings (FL)	Meeke (NY)
Cardoza	Heinrich	Melancon
Carnahan	Herseth Sandlin	Miller (NC)
Carson (IN)	Higgins	Miller, George
Castor (FL)	Hill	Mollohan
Chandler	Hinchee	Moore (KS)
Chu	Hinojosa	Moore (WI)
Clarke	Hirono	Murphy, Patrick
Clay	Holden	Nadler (NY)
Cleaver	Holt	Napolitano
Clyburn	Honda	Oberstar
Cohen	Hoyer	Obey
Connolly (VA)	Inslee	Olver
Conyers	Israel	Ortiz
Costello	Jackson (IL)	Pallone
Courtney	Jackson-Lee	Pascarell
Crowley	(TX)	Pastor (AZ)
Cummings	Johnson (GA)	Payne
Davis (CA)	Johnson, E. B.	Perlmutter
Davis (IL)	Kanjorski	Peters
Davis (TN)	Kaptur	Peterson
DeFazio	Kennedy	Pingree (ME)
DeGette	Kildee	Polis (CO)
DeLauro	Kilpatrick (MI)	Price (NC)
Dicks	Kilroy	Quigley
Dingell	Kissell	Rahall
Doyle	Kucinich	Rangel
Driehaus	Langevin	Reyes
Edwards (MD)	Larsen (WA)	Richardson
Edwards (TX)	Larson (CT)	Rodriguez
Ellison	Lee (CA)	Ross
Engel	Levin	Rothman (NJ)
Eshoo	Lewis (GA)	Roybal-Allard
Etheridge	Loebsack	Ruppersberger
Farr	Lofgren, Zoe	Ryan (OH)

Salazar	Slaughter	Visclosky
Sanchez, Linda	Snyder	Walz
T.	Speier	Wasserman
Sanchez, Loretta	Spratt	Schultz
Sarbanes	Stark	Waters
Schakowsky	Stupak	Watson
Schauer	Sutton	Watt
Schiff	Tanner	Waxman
Schwartz	Thompson (CA)	Weiner
Scott (GA)	Thompson (MS)	Welch
Scott (VA)	Tierney	Wilson (OH)
Serrano	Titus	Woolsey
Shea-Porter	Tonko	Wu
Sherman	Tsongas	Yarmuth
Shuler	Van Hollen	
Sires	Velázquez	

NOT VOTING—29

Abercrombie	Fallin	Moran (VA)
Arcuri	Hall (TX)	Murtha
Barrett (SC)	Hoekstra	Neal (MA)
Berman	Johnson (IL)	Paul
Boucher	Johnson, Sam	Petri
Brown (GA)	Kagen	Reichert
Campbell	Kind	Smith (WA)
Capuano	Kirkpatrick (AZ)	Towns
Davis (AL)	Lipinski	Wexler
Delahunt	Miller, Gary	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1239

Messrs. GRIJALVA, HOLT, Ms. HARMAN, Messrs. RODRIGUEZ, HOYER, GARAMENDI, BLUMENAUER, BECERRA, Ms. FUDGE, Mr. SCHAUER, Ms. LINDA T. SANCHEZ of California, Messrs. HASTINGS of Florida, LYNCH, PALLONE, ELLISON, Ms. LORETTA SANCHEZ of California, Messrs. GEORGE MILLER of California, CLEAVER, GRAYSON, MCGOVERN, MOLLOHAN, BISHOP of Georgia, KANJORSKI, Ms. SLAUGHTER, Ms. SPEIER, Ms. RICHARDSON, Messrs. TIERNEY, DAVIS of Tennessee, GUTIERREZ, RYAN of Ohio, Mrs. HALVORSON, Mr. MELANCON, Ms. DEGETTE, and Mr. COHEN changed their vote from “yea” to “nay.”

Messrs. HENSARLING, POE of Texas, BARTON of Texas, YOUNG of Alaska, Mrs. DAHLKEMPER, Messrs. ADLER of New Jersey, DOGGETT, and HODES changed their vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PETRI. Madam Speaker, on rollcall No. 931, I was unavoidably detained. Had I been present, I would have voted “yea.”

RECOGNIZING ECHO COMPANY OF 100TH BATTALION OF THE 442D INFANTRY

The SPEAKER pro tempore (Mr. BLUMENAUER). The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 199, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 199, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 34, as follows:

[Roll No. 932]
YEAS—400

Ackerman	Cuellar	Hunter
Aderholt	Culberson	Inglis
Adler (NJ)	Cummings	Insliee
Akin	Dahlkemper	Israel
Alexander	Davis (CA)	Issa
Altmire	Davis (IL)	Jackson (IL)
Andrews	Davis (KY)	Jackson-Lee
Austria	Davis (TN)	(TX)
Baca	Deal (GA)	Jenkins
Bachmann	DeFazio	Johnson, E. B.
Bachus	DeGette	Jones
Baird	DeLauro	Jordan (OH)
Baldwin	Dent	Kanjorski
Barrow	Diaz-Balart, L.	Kaptur
Bartlett	Diaz-Balart, M.	Kennedy
Barton (TX)	Dicks	Kildee
Bean	Dingell	Kilpatrick (MI)
Becerra	Doggett	Kilroy
Berkley	Donnelly (IN)	King (IA)
Berry	Doyle	King (NY)
Biggert	Dreier	Kingston
Billray	Driehaus	Kirk
Bilirakis	Duncan	Kissell
Bishop (GA)	Edwards (MD)	Klein (FL)
Bishop (NY)	Edwards (TX)	Kline (MN)
Bishop (UT)	Ehlers	Kosmas
Blackburn	Ellison	Kratovil
Blumenauer	Ellsworth	Lamborn
Blunt	Emerson	Lance
Bocchieri	Engel	Langevin
Boehner	Eshoo	Larsen (WA)
Bonner	Etheridge	Latham
Bono Mack	Farr	LaTourette
Boozman	Fattah	Latta
Boren	Filner	Lee (CA)
Boswell	Flake	Lee (NY)
Boustany	Fleming	Levin
Boyd	Forbes	Lewis (CA)
Brady (PA)	Fortenberry	Lewis (GA)
Brady (TX)	Foster	Linder
Braley (IA)	Fox	LoBiondo
Bright	Frank (MA)	Loeb
Brown (SC)	Franks (AZ)	Lofgren, Zoe
Brown, Corrine	Frelinghuysen	Lowe
Brown-Waite,	Fudge	Lucas
Ginny	Gallely	Luetkemeyer
Buchanan	Garamendi	Lujan
Burgess	Gerlach	Lummis
Burton (IN)	Giffords	Lungren, Daniel
Butterfield	Gingrey (GA)	E.
Buyer	Gohmert	Lynch
Calvert	Gonzalez	Mack
Camp	Goodlatte	Maffei
Cantor	Gordon (TN)	Maloney
Cao	Granger	Manzullo
Capito	Graves	Marchant
Capps	Grayson	Markey (CO)
Cardoza	Green, Al	Markey (MA)
Carnahan	Green, Gene	Marshall
Carney	Griffith	Massa
Carson (IN)	Grijalva	Matheson
Carter	Guthrie	Matsui
Cassidy	Gutierrez	McCarthy (CA)
Castle	Hall (NY)	McCarthy (NY)
Castor (FL)	Halvorson	McCaul
Chaffetz	Hare	McClintock
Chandler	Harman	McCollum
Childers	Harper	McCotter
Chu	Hastings (FL)	McDermott
Clarke	Hastings (WA)	McGovern
Clay	Heinrich	McHenry
Cleaver	Heller	McIntyre
Clyburn	Hensarling	McKeon
Coble	Herger	McMahon
Coffman (CO)	Herse	McMorris
Cohen	Higgins	Rodgers
Cole	Hill	McNerney
Conaway	Himes	Meek (FL)
Connolly (VA)	Hinche	Meeks (NY)
Conyers	Hinojosa	Melancon
Cooper	Hirono	Mica
Costa	Hodes	Michaud
Costello	Holden	Miller (FL)
Courtney	Holt	Miller (MI)
Crenshaw	Honda	Miller (NC)
Crowley	Hoyer	Miller, George

Minnick	Rodriguez	Speier
Mitchell	Roe (TN)	Spratt
Mollohan	Rogers (AL)	Stark
Moore (KS)	Rogers (KY)	Stearns
Moore (WI)	Rogers (MD)	Stupak
Moran (KS)	Rohrabacher	Sullivan
Murphy (CT)	Ros-Lehtinen	Sutton
Murphy (NY)	Roskam	Tanner
Murphy, Patrick	Ross	Taylor
Murphy, Tim	Rothman (NJ)	Teague
Myrick	Roybal-Allard	Terry
Nadler (NY)	Royce	Thompson (CA)
Napolitano	Ruppersberger	Thompson (MS)
Neugebauer	Rush	Thompson (PA)
Nunes	Ryan (OH)	Thornberry
Nye	Ryan (WI)	Tiahrt
Oberstar	Salazar	Tiberi
Obey	Sánchez, Linda	Tierney
Olson	T.	Titus
Oliver	Sanchez, Loretta	Tonko
Ortiz	Sarbanes	Tsongas
Owens	Scalise	Turner
Pallone	Schakowsky	Upton
Pascarella	Schauer	Van Hollen
Pastor (AZ)	Schiff	Velázquez
Paulsen	Schmidt	Visclosky
Payne	Schock	Walden
Perce	Schrader	Walz
Perlmutter	Schwartz	Wamp
Perriello	Scott (GA)	Wasserman
Peters	Scott (VA)	Schultz
Peterson	Sensenbrenner	Waters
Petri	Sessions	Watson
Pingree (ME)	Sestak	Watt
Pitts	Shadeg	Waxman
Platts	Shea-Porter	Weiner
Poe (TX)	Sherman	Welch
Polis (CO)	Shimkus	Westmoreland
Pomeroy	Shuler	Whitfield
Posey	Shuster	Wilson (OH)
Price (GA)	Simpson	Wilson (SC)
Price (NC)	Sires	Wittman
Putnam	Skelton	Wolf
Quigley	Slaughter	Woolsey
Radanovich	Smith (NE)	Wu
Rahall	Smith (NJ)	Yarmuth
Rangel	Smith (TX)	Young (AK)
Rehberg	Snyder	Young (FL)
Reyes	Souder	
Richardson	Space	

NOT VOTING—34

Abercrombie	Hall (TX)	Moran (VA)
Arcuri	Hoekstra	Murtha
Barrett (SC)	Johnson (GA)	Neal (MA)
Berman	Johnson (IL)	Paul
Boucher	Johnson, Sam	Reichert
Broun (GA)	Kagen	Rooney
Campbell	Kind	Serrano
Capuano	Kirkpatrick (AZ)	Smith (WA)
Davis (AL)	Kucinich	Towns
Delahunt	Larson (CT)	Wexler
Fallin	Lipinski	
Garrett (NJ)	Miller, Gary	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1246

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

The result of the vote was announced as above recorded.

The title was amended so as to read: "Concurrent resolution recognizing the 10th Anniversary of the redesignation of Company E, 100th Battalion, 442d Infantry Regiment of the United States Army and the sacrifice of the soldiers of Company E and their families in support of the United States."

A motion to reconsider was laid on the table.

Stated for:

Mr. ROONEY. Mr. Speaker, on rollcall No. 932, had I been present, I would have voted "yea."

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 932, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. BROUN of Georgia. Madam Speaker, on rollcall No. 931, making appropriations for the Departments of Transportation, HUD, and related agencies for FY 2010, and on rollcall No. 932, recognizing the 10th anniversary of the activation of Echo Company of the 100th Battalion of the 442d Infantry, and the sacrifice of the soldiers and families in support of the United States, had I been present, I would have voted "yea."

COMMENDING THE SOLDIERS AND CIVILIAN PERSONNEL STATIONED AT FORT GORDON

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 206, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 206, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 30, as follows:

[Roll No. 933]
YEAS—404

Ackerman	Brown-Waite,	Dahlkemper
Aderholt	Ginny	Davis (CA)
Adler (NJ)	Buchanan	Davis (IL)
Akin	Burgess	Davis (KY)
Alexander	Burton (IN)	Davis (TN)
Altmire	Butterfield	Deal (GA)
Andrews	Buyer	DeFazio
Austria	Calvert	DeGette
Baca	Camp	DeLauro
Bachmann	Cantor	Dent
Bachus	Cao	Diaz-Balart, L.
Baird	Capito	Diaz-Balart, M.
Baldwin	Capps	Dicks
Barrow	Cardoza	Dingell
Bartlett	Carnahan	Doggett
Barton (TX)	Carney	Donnelly (IN)
Bean	Carson (IN)	Doyle
Becerra	Carter	Dreier
Berkley	Cassidy	Driehaus
Berry	Castle	Duncan
Biggert	Castor (FL)	Edwards (MD)
Billray	Chaffetz	Edwards (TX)
Bilirakis	Chandler	Ehlers
Bishop (GA)	Childers	Ellison
Bishop (NY)	Chu	Ellsworth
Bishop (UT)	Clarke	Emerson
Blackburn	Clay	Engel
Blumenauer	Cleaver	Eshoo
Blunt	Clyburn	Etheridge
Bocchieri	Coble	Farr
Boehner	Coffman (CO)	Fattah
Bonner	Cohen	Filner
Bono Mack	Cole	Flake
Boozman	Conaway	Fleming
Boren	Connolly (VA)	Forbes
Boswell	Conyers	Fortenberry
Boustany	Cooper	Foster
Boyd	Costa	Fox
Brady (PA)	Costello	Frank (MA)
Brady (TX)	Courtney	Franks (AZ)
Braley (IA)	Crenshaw	Frelinghuysen
Bright	Crowley	Fudge
Brown (SC)	Cuellar	Gallely
Brown, Corrine	Culberson	Garamendi
	Cummings	Gerlach

Wasserman	Welch	Wolf
Schultz	Westmoreland	Woolsey
Watson	Whitfield	Wu
Watt	Wilson (OH)	Yarmuth
Waxman	Wilson (SC)	Young (AK)
Weiner	Wittman	Young (FL)

NOT VOTING—33

Abercrombie	DeLauro	Miller, Gary
Arcuri	Fallin	Moran (VA)
Barrett (SC)	Hall (TX)	Murtha
Berman	Heinrich	Neal (MA)
Boucher	Hoekstra	Paul
Broun (GA)	Johnson (GA)	Pence
Campbell	Johnson (IL)	Reichert
Capuano	Johnson, Sam	Smith (WA)
Chu	Kagen	Towns
Davis (AL)	Kind	Waters
Delahunt	Lipinski	Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

1301

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BROUN of Georgia. Mr. Speaker, on rollcall No. 934, recognizing and honoring the National Guard on the occasion of its 373rd anniversary, had I been present, I would have voted "yea."

APPOINTMENT OF CONFEREES ON H.R. 3288, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 3288:

Messrs. OLVER, PASTOR of Arizona, Ms. KAPTUR, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Mr. BERRY, Ms. KILPATRICK of Michigan, Mrs. LOWEY, Messrs. OBEY, LATHAM, WOLF, TIAHRT, WAMP, and LEWIS of California.

There was no objection.

ROY RONDENO, SR. POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3951) to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3951

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

SECTION 1. ROY RONDENO, SR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, shall be known and designated as the "Roy Rondeno, Sr. Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility re-

ferred to in subsection (a) shall be deemed to be a reference to the "Roy Rondeno, Sr. Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Louisiana (Mr. CAO) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Mr. Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am pleased to present H.R. 3951 for consideration. This legislation will designate the United States Postal Service facility located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building."

Introduced by my colleague, Representative ANH "JOSEPH" CAO of Louisiana on October 28, 2009, and reported out of the Oversight and Government Reform Committee on November 18, 2009 by unanimous consent, H.R. 3951 enjoys the support of the entire Louisiana House delegation.

A native of New Orleans, Louisiana, Roy Rondeno, Sr. served his beloved community as a dedicated employee of the United States Postal Service for over 30 years. Notably, Mr. Rondeno worked at the United States Postal Service facility at Uptown Station located at 2000 Louisiana Avenue in New Orleans, the very facility that we seek to designate in his honor.

The true embodiment of the old adage that "neither rain, nor snow, nor sleet" will keep a postman from completing his rounds, Mr. Rondeno was roundly known as a dedicated and beloved letter carrier who would never fail to deliver even the smallest package in the pouring rain.

As noted by the New Orleans Times-Picayune newspaper, many residents along Mr. Rondeno's route had formed a close relationship with this letter carrier and described him as a charismatic man who always had a kind word for everyone. According to friend and Uptown resident Susan Hereford, Mr. Rondeno did not only deliver the mail every day but rather also delivered "a little piece of himself" and connected with everyone on his route. Dr. Brian Ghery, another Uptown resident, further describes Mr. Rondeno as "an exceptional human being, a great letter carrier, and a real credit to his profession."

The extent of Mr. Rondeno's commitment to his job and his Uptown residents that he was proud to serve was

never more evident than on September 26 of this year. Mr. Rondeno volunteered to work on his day off given that the Uptown Station lacked enough letter carriers to cover the day's route. As Mr. Rondeno was sorting mail on the back of his truck, he was struck by a car and tragically lost both of his legs as a result of the accident.

The outpouring of support for Mr. Rondeno and his family that followed his hospitalization stands as a true testament to Mr. Rondeno's standing in Uptown New Orleans as a model public servant and community member. Notably, local merchants and community leaders promptly established a donation fund to assist Mr. Rondeno in his recovery, and signs of support for the letter carrier could be seen hanging in a variety of local storefronts along his route.

Regrettably, on October 2, only 6 days after this accident, Mr. Rondeno died from heart failure during surgery. Mr. Rondeno was only 57 years old at the time of his death, and he had planned on retiring from the postal service early next year so as to focus his attention on serving his New Orleans community in a different capacity, through an outreach ministry that he had recently founded with his beloved wife, Shirley.

As noted by Acting Louisiana District Manager Peter Sgro upon Mr. Rondeno's passing, "Roy was a dedicated postal employee who wore his uniform proudly. Everybody who knew him agreed he had a tremendous work ethic and always worked to provide the best service to his customers and the postal service."

Mr. Speaker, while Mr. Rondeno is no longer with us, his memory will undoubtedly live on through his wife, Shirley; his three sons, Roy, Richard, and Ryan; and all those who were fortunate enough to know this dedicated and hardworking public servant.

Mr. Speaker, it is my hope that we can pay tribute to the life and legacy of Mr. Roy Rondeno, Sr. through the passage of this legislation to designate the Uptown postal facility in his honor. I urge all of my colleagues to join us and Mr. CAO, the chief sponsor of this measure, in supporting H.R. 3951.

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

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

Mr. Speaker, I rise today in support of H.R. 3951 to designate the Uptown post office building located at 2000 Louisiana Avenue in New Orleans, Louisiana, in honor of Roy Rondeno, Sr., a 34-year USPS letter carrier and military veteran, who was the epitome of a loyal and beloved public servant and community member.

In late September 2009, while working on his day off because the postal service was short-staffed, Mr. Rondeno was sorting through mail in the back of his truck when he was hit by a car. The vehicle blew through a stop sign

and critically injured him. Six days later, on October 2, 2009, he died from heart failure during surgery, a few weeks short of his plan to retire and spend time with his family and recently founded outreach ministry.

Mr. Rondeno, a native of New Orleans, Louisiana, lived in Metairie and worked at the USPS Uptown Station in New Orleans. He was known as a dedicated, charismatic, and beloved letter carrier. Survivors include his wife Shirley of Metairie; and sons Richard of Houston, Ryan of Los Angeles, and Roy, Jr. of Metairie.

Mr. Rondeno's accident and subsequent death came as a complete shock to those whom he loyally and lovingly served for and with during the past 37 years. The merchants and community members whom Mr. Rondeno served established a donation fund in his honor and organized a block party to raise funds for his family. Shortly thereafter, the community members and Louisiana district postal employees asked that we dedicate this post office in his honor.

According to the Times-Picayune, those whom Mr. Rondeno served said they formed a "close bond" with Mr. Rondeno and described him as a "happy man with a kind word for everyone and a dutiful postman who introduced himself to new residents, never delivered junk mail addressed to previous tenants, and would stand outside in pouring rain to deliver even the smallest package."

As one constituent, Susan Hereford, expressed to the Times-Picayune regarding Mr. Rondeno's service to and passion for those whom he served: "To have that constancy with someone who doesn't just have his head down and drop mail in your box, he connected with everyone on his route. And they connected with him."

To those whom he served, Mr. Rondeno was a great letter carrier, civil servant, New Orleanian, American, veteran, and friend. To those he leaves behind, he was a loyal and loving husband, father, brother, uncle, and friend. I am proud of his service to the postal service, the United States Military, and the citizens of New Orleans, and I am proud to dedicate this post office in his honor.

As another constituent, Mary Nass, said to the Times-Picayune: "The outpouring of grief on the part of hundreds of people following Roy's death should teach us that we do not need to know others intimately to positively impact their lives. Here was a kind, humble, and conscientious man who made each and every person whose path he crossed feel a little happier, a little more connected to the human race, after his daily passing. No one could have left us a finer legacy."

Mr. Rondeno was beloved by the community, his colleagues, and his wonderful family. And I can think of no greater way to honor him than to dedicate the Uptown post office located at 2000 Louisiana Avenue in New Orleans, Lou-

isiana, in his name as a reminder for all who go there of the dedication and passion of this public servant.

I urge all Members to support the passage of H.R. 3951.

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

Mr. LYNCH. Mr. Speaker, in closing, I urge all our colleagues to join Mr. CAO, the principal author of this bill, to support House Resolution 3951, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3951.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANN MARIE BLUTE POST OFFICE

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4017) to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4017

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

SECTION 1. ANN MARIE BLUTE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, shall be known and designated as the "Ann Marie Blute Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Ann Marie Blute Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Louisiana (Mr. CAO) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

Mr. LYNCH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. McGOVERN), the chief sponsor of this measure.

Mr. McGOVERN. I thank the gentleman for yielding.

Mr. Speaker, I am proud today to rise in support of H.R. 4017 to rename the post office at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office."

Mrs. Blute was a beloved and active member of the tight-knit Shrewsbury community, which is located in my district. She passed away on May 1 of this year after suffering a stroke, and she is dearly missed by her family and all who knew her.

Mrs. Blute was a true pillar of her community. Her life revolved around helping others, especially children. She once told her son Joseph that all she ever wanted to be was a mother. Along with her husband, Dr. Robert Blute, Sr., she did just that, raising 11 wonderful children, including former Congressman Peter Blute.

□ 1315

Over the years, she took great pride in watching her children, and later her 23 grandchildren and four great-grandchildren, thrive and prosper. What truly distinguished Mrs. Blute, however, is that she was not only a mother to her own children, but she was also a mother figure to so many of the children she came in contact with through her volunteer work.

Mrs. Blute had a deep and unwavering passion for social justice and committed herself to helping the sick and the poor. The diversity of Mrs. Blute's community work is truly impressive. She volunteered with the Nazareth Home for Boys, which provides stable housing and a nurturing environment for young boys in difficult times. She also worked with the Mustard Seed, a volunteer soup kitchen that offers hot meals to the homeless. A devout Roman Catholic, she was especially active in St. Mary's Church in Shrewsbury where she served on the Women's Guild and as a catechism teacher and a Eucharistic minister.

One of Mrs. Blute's proudest moments came in 1994, when Cardinal John J. O'Connor called her to St. Patrick's Cathedral in New York City to receive the title of Dame of Malta. This is one of the highest honors bestowed by the Catholic church and is given to those individuals who demonstrate an intense devotion to service. I can think of no one more deserving of this prestigious honor than Mrs. Blute.

Mr. Speaker, all too often we fail to adequately recognize one of the toughest yet most important jobs of all, being a mother. Mrs. Blute exemplified all of the best qualities of a mother—kindness, compassion, dedication, and hard work. She was kind enough to share herself not only with her own children and family, but also with the entire Shrewsbury community. Hundreds of children in central Massachusetts are no doubt better off today because they had the privilege of knowing Mrs. Blute.

We are all eternally grateful for her service and her lasting kindness. The

world would be a better place with more people like Ann Marie Blute. Mr. Speaker, naming the Shrewsbury Post Office after Mrs. Blute is a permanent reminder of her beautiful life and commitment to service. I hope that it will also inspire others to take up the call of service that Mrs. Blute answered with such passion.

Mr. Speaker, I urge all of my colleagues to vote "yes" on H.R. 4017, and I thank the gentleman from Massachusetts, my colleague, Mr. LYNCH, for yielding me the time.

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

Mr. Speaker, I rise today in support of H.R. 4017, which designates the United States Postal Facility located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the Ann Marie Blute Post Office.

Ann Marie Blute was born on May 30, 1925 in Boston, Massachusetts. As the oldest of eight, she helped raise her siblings, which would only help prepare her for raising 11 children of her own one day. In 1947, she married Dr. Robert Blute, Sr., an Army doctor, and sailed to Germany where they lived for 2 years. After returning to the States, her husband began practicing medicine in Worcester, Massachusetts, while she raised her family and volunteered tirelessly within the Catholic church.

A parishioner at St. Mary's Church in Shrewsbury since 1954, Mrs. Blute served on many committees as a mother at the school. She taught catechism, worked with the Women's Guild, and was a Eucharistic minister. In 1994, she received the ultimate honor for all of her service to the Shrewsbury community through the Catholic church with the title of Dame of Malta, one of the oldest Catholic religious orders dedicated to charitable service.

Her generosity extended outside of her family and her neighbors. After her children had left for college, Mrs. Blute offered her home and her hospitality to young Vietnamese immigrant, Lucy Hoang, who was searching for a better life. Ms. Hoang, now 44 years old and a chemical engineer, said of her host, "When I first came here, she was standing at the door waiting for me with arms wide open. I felt shaky, but as I came to her, she hugged me." Ann Marie Blute's kindness knew no bounds.

Mrs. Blute sadly passed away at the age of 84. She is survived by her husband, children, and large extended family. Please join me in supporting this bill in honor of Ann Marie Blute who fervently served her community in Shrewsbury.

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

Mr. LYNCH. Mr. Speaker, as a procedural matter, H.R. 4017 was introduced by my friend and colleague, Representative JIM MCGOVERN, who we heard from earlier, on November 4, 2009, and was favorably reported out of the House Oversight Committee by unanimous consent on November 18, 2009. In

addition, I am proud to say that I am an original cosponsor of H.R. 4017, which enjoys the support of the entire Massachusetts House delegation.

A beloved resident of the town of Shrewsbury, Massachusetts, Mrs. Ann Marie Blute passed away on May, 1, 2009 at the age of 83. While Mrs. Blute is no longer with us, she will forever be remembered for her dedication to her loving family as well as her genuine and longstanding commitment to public service.

Born in the city of Boston on May 30, 1925, and as the oldest daughter of eight children, Mrs. Blute quickly learned how to help in raising a large and very busy family. In addition, Mrs. Blute was also able to witness the value of public service at a very early age as her father, Colonel Paul Hines, a distinguished veteran of World War I, went on to serve in the Massachusetts House of Representatives. As noted by the Boston Globe upon Mrs. Blute's passing, a commitment to public service "ran in the genes" of the Blute family, as Mrs. Blute's brother, Peter, served as chairman of the Boston city council and her son, Peter, as has been mentioned earlier by Mr. MCGOVERN, was elected to the United States Congress.

After receiving her education in the Boston public school system, Mrs. Blute accepted a position in the business office at the Boston Post newspaper where her mother, Margaret Galvin Hines, worked as a reporter. In 1947, however, Mrs. Blute left Boston for the town of Bremerhaven, Germany, after marrying Dr. Robert Blute, a doctor with the United States Army and Mrs. Blute's beloved husband for the next 62 years. Together, Mr. and Mrs. Blute would go on to have 11 children—five sons and six daughters.

Upon their return from Germany, the Blute family settled in the town of Shrewsbury, Massachusetts, where Mrs. Blute embarked on her life's work and journey as a mom, not only to her own 11 children but also to the many neighborhood children that entered her life. In addition, Mrs. Blute's arrival in Shrewsbury also marked the continuation of her lifelong dedication to serving others. A devout Roman Catholic and devoted parishioner of St. Mary's, as has been mentioned, Mrs. Blute actively participated in a variety of church community programs and activities. Specifically, Mrs. Blute served on the Women's Guild, taught catechism, as Mr. CAO has mentioned, and became a Eucharistic minister. In addition, she was a founding member of the Associates of the Sisters of Notre Dame de Namur, based in Ipswich, Massachusetts. And in 1994, Mrs. Blute, as Mr. MCGOVERN has mentioned, was called to St. Patrick's Cathedral in New York by Cardinal John O'Connor to receive the title of Dame of Malta, granted to those who demonstrate an intense devotion to service and one of the Catholic church's highest honors.

Moreover, Mrs. Blute also served as a dedicated board member of various

community organizations, some of which have been mentioned, including the Nazareth Home for Boys in Leicester, Massachusetts, and the Mustard Seed homeless shelter in the city of Worcester.

In addition, Mrs. Blute's community work included her service as a trustee of the Shrewsbury Library, as well as her membership in the Shrewsbury Garden Club, the Ladies Auxiliary of St. Vincent's Hospital, and the Ladies Auxiliary of the Massachusetts Medical Society. Notably, Mrs. Blute also spent several years volunteering for the non-profit organization, Aid to Incarcerated Mothers.

As so eloquently stated by her beloved husband, Robert, Mrs. Blute's lifelong ambition was "to perform each of the works of mercy—to feed the hungry, to help the poor, to visit the prisoner, and give aid to the sick and the stranger." Mrs. Blute's driving purpose was evidenced time and time again through her many good deeds. Among them was the kindness and generosity that she displayed toward Lucy Hoang, a Vietnamese immigrant who Mrs. Blute lovingly took into her home for 3 years.

Mr. Speaker, the life of Mrs. Ann Marie Blute stands as a testament to public service. Her memory will undoubtedly live on through her husband, Robert; their 11 children, 23 great grandchildren, four great-grandchildren, her four siblings, and the countless friends and neighbors for whom Mrs. Blute's dedication to community service made the ultimate difference. It is my hope that we can pay further tribute to Mrs. Blute's remarkable legacy through the passage of this legislation to rename the Shrewsbury post office in her honor. I urge my colleagues to join Mr. MCGOVERN, the chief sponsor of this bill, in doing so and supporting H.R. 4017.

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

Mr. CAO. Mr. Speaker, I urge all Members to support the passage of H.R. 4017, and I would like to congratulate Mr. MCGOVERN.

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

Mr. LYNCH. Again, Mr. Speaker, in closing, I urge Members on both sides of the aisle to support Mr. MCGOVERN in the sponsorship of this measure, H.R. 4017.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 4017.

The question was taken.

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

Mr. LYNCH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

SPECIAL AGENT SAMUEL HICKS FAMILIES OF FALLEN HEROES ACT

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2711) to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2711

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 "Special Agent Samuel Hicks Families of Fallen Heroes Act".

SEC. 2. TRANSPORTATION OF DEPENDENTS, REMAINS, AND EFFECTS OF CERTAIN FEDERAL EMPLOYEES.

(a) IN GENERAL.—Subchapter II of chapter 57 of title 5, United States Code, is amended by inserting after section 5724c the following:

"§ 5724d. Transportation of dependents, remains, and effects of certain Federal employees

"(a) IN GENERAL.—Under regulations prescribed under section 5738 and when the head of the agency concerned (or a designee thereof) authorizes or approves, if a covered employee dies while performing official duties or as a result of the performance of, official duties, the agency may pay from Government funds—

"(1) the qualified expenses of the immediate family of the employee, if the place where the family will reside following the death of the employee is—

"(A) different from the place where the family resided at the time of the employee's death; and

"(B) within the United States; and

"(2) the expenses of preparing and transporting the remains of the deceased to—

"(A) the place where the immediate family will reside following the death of the employee; or

"(B) such other place, appropriate for interment, as is determined by the agency head (or designee).

"(b) QUALIFIED EXPENSES.—For purposes of this section, the term 'qualified expenses', as used with respect to a family changing its place of residence, means the moving expenses, transportation expenses, and relocation expenses of the family which are attributable to the change in place of residence.

"(c) DEFINITIONS.—For purposes of this section—

"(1) the term 'covered employee' means—

"(A) a law enforcement officer, as defined by section 8331 or 8401; and

"(B) any employee in or under the Federal Bureau of Investigation who is not described in subparagraph (A);

"(2) the term 'moving expenses', as used with respect to a family, includes the expenses of transporting, packing, crating, temporarily storing, draying, and unpacking the household goods and personal effects of such family, not in excess of 18,000 pounds net weight; and

"(3) the term 'relocation expenses' has the meaning given such term under regulations prescribed under section 5738, including relocation expenses and relocation services described in sections 5724a and 5724c, respectively."

(b) CLERICAL AMENDMENT.—The analysis for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5724c the following:

"5724d. Transportation of dependents, remains, and effects of certain Federal employees."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Louisiana (Mr. CAO) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Mr. Speaker, on behalf of the chairman of the full Committee on Oversight and Government Reform, Chairman TOWNS, and its members, I am proud to present H.R. 2711, the Special Agent Samuel Hicks Families of Fallen Heroes Act, for consideration.

This bipartisan legislation was introduced on June 4, 2009, by Representative MIKE ROGERS of Michigan and several members of the Oversight Committee, including Chairman ED TOWNS and Representatives BILL FOSTER, ELIJAH CUMMINGS, and BRIAN BILBRAY. In addition, this legislation was favorably reported out of the Oversight Committee on September 10, 2009, by voice vote. H.R. 2711 is a worthy and important issue and I am pleased to be an original cosponsor of this bill.

As reported by the Oversight Committee, the legislation would authorize the FBI to pay the relocation and moving expenses for families of FBI agents who are killed in the line of duty. Under current law, the FBI is only authorized to pay these expenses if an FBI agent or an employee is killed overseas, but cannot pay for relocation if the death occurs in the U.S.

FBI employees and their families are moved routinely by the Bureau within the United States to take on assignments that further the mission of the agency and the security of the country. While we wish this legislation was not necessary, tragically there have been instances in the recent past where such authority was needed to support the families of agents or employees who gave their lives.

Of course, untimely deaths in the Federal law enforcement community are not limited to the FBI, and the Bureau is not the only Federal agency that relocates its employees to better protect the country. Recognizing this,

the bill we are considering on the floor today includes a straightforward but important amendment that recognizes the service and sacrifice of all Federal law enforcement officers. The amendment simply extends the authority in this legislation to the other agencies that employ Federal law enforcement officers.

This amendment has strong support from the Federal law enforcement community. I should also note that the costs associated with this bill remain small as the number of Federal law enforcement officers killed annually is approximately 12 to 15 officers. We can and should assist each and every one of these families by supporting this amendment and this bill. Moreover, the amendment also pays tribute to the memory and service of Special Agent Samuel Hicks by renaming the legislation in his honor. Special Agent Hicks was assigned to the Pittsburgh FBI office and was shot fatally on November 19, 2008 at the age of 33 while executing a Federal search warrant associated with a drug distribution ring. He is survived by his wife and their 2-year-old son.

Special Agent Hicks was a former police officer with the Baltimore police department. He and his family relocated to Pittsburgh when he became an FBI agent. Unfortunately, after the loss of Special Agent Hicks, the Bureau was unable to assist the Hicks family in moving back to Baltimore because of statutory limitations.

□ 1330

This legislation would correct this problem and prevent future families from suffering additional unnecessary grief and hardship. I encourage all the Members to support Mr. ROGERS and his legislation.

I reserve the balance of our time.

Mr. CAO. Mr. Speaker, I yield as much time as he may consume to my friend and colleague from the State of Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, Mr. LYNCH and Mr. TOWNS, thank you very, very much for your work in a bipartisan way on this very important piece of legislation.

Sometimes, with all of the big issues that we deal with, we do pause and pay attention to issues that impact lives like some circumstances like no other. And if you imagine the Federal law enforcement community—and I used to serve proudly as an FBI agent and was proud to count myself as one of them—that every single day somebody suits up quietly, with a search warrant or an arrest warrant to serve it somewhere in America. And we forget because they are exceptionally good at doing what they do without getting hurt or harmed, but it is incredibly dangerous work. They get drug dealers and they get child pornographers and they get bank executives committing bank fraud. They get Mafia dons, and they get terrorists of the hardest sort, and they bring them to justice as a part of

defending the Constitution and the communities of the United States of America.

And what this particular case exemplified is that there was a glitch in the law, because we ask these Federal law enforcement officers to move and uproot from their communities. They swear an oath to their country and their Constitution and to uphold the law of the United States. And then we ask them to leave their hometowns of, say, Baltimore or New York or small towns anywhere in America and take their families with them to these new places to fight crime wherever they find it. And this pointed out one very, very significant glitch is that if an officer, a Federal law enforcement officer was killed in the line of duty in the United States, their families had no means, the Federal Government could not assist them in moving back home, the very place that they stood up and said they would serve proudly with their loved one wherever that mission would take them.

Many, the FBI, specifically, makes it very well known that you have no right to serve where you want. You will serve at the needs of the FBI. And other agencies serve in the same capacity, and their families suffer the same sacrifice when we ask them to move.

This is a small token, just a small token of what we can do for those families who have sacrificed so much and lost their loved one while killed in the line of duty. And it's named after a very, very brave FBI agent who risked his life for his country serving a narcotics warrant in Pittsburgh. I mean, this is someone who had a strong history of public service. He was a teacher. He was a Baltimore police officer.

His FBI agent colleagues described him as brave and courageous and the anchor. When they were going through their training at the FBI academy, they said this is the guy that you wanted to go in the door with. He's the guy that would anchor and teach them how to safely get in and safely get out of homes in very dangerous situations. And the agents and all that were interviewed were certainly, by press reports, tearing up and reliving the memories of what was a great American who was absolutely committed to the ideals of the FBI: fidelity and bravery and integrity. And in that pursuit, in his pursuit to live up to the standards of the FBI, he risked and ultimately gave his life for his community and his country.

So what this bill does, with the help of Mr. LYNCH and Mr. TOWNS and so many others, Mr. CAO—thank you—is it says that we will respect what you have given your country, and we will help those families move back to where they call home in that final, final rest and trip in remembrance of someone who did something so great for their country.

His peers also described him, Mr. Speaker, as a humble and giving man, an outstanding FBI agent, somebody whose dream job was to wear and carry the badge of a special agent of the FBI.

He is survived by his wife, Brooke, and his 3-year-old son, Noah.

And for all that he has done, I think it's so fitting that the committee sought to name this bill after one agent. And in the Bureau, it's never anyone's particular case. He didn't own that case. He didn't own that incident, but he was part of a bigger team. And so, when you name this bill after an agent like this, it really sends great condolences to the family and respect to every officer that falls in the line of duty. His name may be on the bill, but it is a gift to every family who risks their lives every day in the service of this great Nation in the law enforcement community.

And I would, again, urge all of us to support this with vigor.

And I also want to thank the FBI Agents Association for their work and diligence on this. The Department of Justice has been very, very good to work with, and the FBI itself has given their time and commitment, once again proving their commitment to the family of the FBI and the work that they do.

Again, I thank you all for the work that you have done. I think his family would be humbled. I think the FBI agents are humbled, and I think our Federal law enforcement community is humbled that we would pause in all of the debate and remember their service and sacrifice to the United States.

Mr. LYNCH. Mr. Speaker, I thank the gentleman from Michigan for his kind words and articulate words.

At this time, Mr. Speaker, I would like to yield to the gentleman from Maryland (Mr. CUMMINGS), who is also a driving force behind this bill, for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise today in support of H.R. 2711, the Special Agent Samuel Hicks Families of Fallen Heroes Act.

This legislation, as has been said, honors Pittsburgh FBI Special Agent Samuel Hicks, who was shot and killed while executing a Federal search warrant on November 19, 2008. Before joining the FBI, Special Agent Hicks was a teacher and a city police officer in my hometown and the Congressional district I represent in Baltimore, Maryland. When arrangements were made for Special Agent Hicks to return to his final resting place in Baltimore, moving expenses for his family to relocate were not covered.

This legislation would provide funds for the moving, transportation, and relocation expenses attributed to a change of residence within the United States of the immediate family of an FBI employee who dies in the performance of official duties. It also covers the expenses of preparing and transporting the remains of the deceased to the place where the family will reside following the employee's death.

I must commend Mr. ROGERS for this legislation. I think it's very much due. As I was reading over the legislation, I could not help but think to myself, I

hope we don't have to use the provisions of this legislation too often, because I think all of us mourn whenever one of our law enforcement officers is harmed or killed. It's a sad day. I've often said, and we've often heard the words, they are, indeed, our thin blue line. If you don't think they're the thin blue line, you let something happen to you and they don't show up.

One of Special Agent Hicks' colleagues said of him, He was very skilled in everything, encouraging, always had a positive attitude, and the first to step forward and volunteer for anything. His colleague went on to say, He was just the kind of guy who was a role model for other people in the academy who maybe didn't have experience or come from different backgrounds.

Mr. Speaker, this is just one of many examples of how dangerous a job like being an FBI agent can be, but it is one that so many take on every single day, not wondering whether they will return home to their families, return to their neighborhoods. His sacrifice is always going to be remembered through his family, colleagues, and hopefully through the passage of this legislation.

On May 2, 2009, Special Agent Hicks' name was added to the National Law Enforcement Officers Memorial here in Washington, but that is simply not enough. We must honor those who have made the ultimate sacrifice by taking care of their loved ones who have also made a tremendous sacrifice.

Again, I commend Congressman ROGERS of Michigan and the House Oversight and Government Reform Committee, Mr. LYNCH, especially those original cosponsors, of which I'm one, for the leadership with regard to this legislation. With the passage of H.R. 2711, we can honor Special Agent Hicks and prevent future families from additional heartache and hardship at a very, very difficult moment in their lives.

I encourage all the Members to support this legislation.

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

When we passed this bill out of the Oversight Committee on September 9, this bill only applied to FBI officers who died in the performance of official duties. After working with our Democratic colleagues, this bill, as amended, would authorize the employing agency of any Federal law enforcement officer who dies in the performance of his or her duties as defined under title 5, section 5541, to pay the moving, transportation, and relocation expenses due to a change of residence within the United States of the immediate family of the officer. It would also authorize the employing agency to cover the expenses of preparing and transporting the remains of the deceased to the place where the family will reside following the employee's death.

Federal law enforcement officers are often asked to relocate to new areas all across the country and the world, and, frequently, these officers bring their

families with them to these new areas. In the case of Federal law enforcement officers who die in the performance of official duties, the family is often left stranded, with no means to return to an area they call home. Caring for the families of these heroes who have died while serving this Nation is a priority for Congress, and the costs of H.R. 2711 are relatively insignificant.

Mr. Speaker, I support this measure and I urge all Members to support the passage of H.R. 2711.

I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, in closing, I want to thank Mr. CAO and Mr. ROGERS, the gentleman from Michigan, as well as the gentleman from Maryland (Mr. CUMMINGS), and one other driving force behind this, our own chairman, ED TOWNS, for supporting this measure, H.R. 2711, as it really provides Federal law enforcement agencies with the necessary authority to support these families in their greatest time of need.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2711, as amended.

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

A motion to reconsider was laid on the table.

□ 1345

RECOGNIZING 100TH ANNIVERSARY OF THE GRAND CONCOURSE

Mr. LARSEN of Washington. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 907) recognizing the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx and an important nexus of commerce and culture for the City of New York.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 907

Whereas the Grand Concourse was designed by engineer Louis Aloys Risse beginning in 1894;

Whereas the Grand Concourse opened in 1909;

Whereas the 4-mile thoroughfare stretches from 138th Street to Van Cortland Park in the Bronx;

Whereas Edgar Allan Poe wrote the poem "Annabel Lee" in his Bronx cottage which now stands on the Grand Concourse;

Whereas Babe Ruth, Stanley Kubrick, Milton Berle, Penny and Garry Marshall, and E.L. Doctorow all at one time made their homes on the Grand Concourse;

Whereas the Grand Concourse hosts such New York landmarks as Yankee Stadium, Loews Paradise Theater, and the Concourse Plaza Hotel;

Whereas the Grand Concourse has the largest collection of Art Deco and Art Moderne buildings in the United States;

Whereas the Grand Concourse is registered as a National Historic Place;

Whereas the Grand Concourse has been designated as a special preservation district by the City of New York;

Whereas the Grand Concourse is known as the Champs Elysées of the Bronx;

Whereas the Grand Concourse is the central north-south artery of the Bronx;

Whereas the Concourse serves the 4, 5, B, and D subway lines as well as several bus routes and is a major transportation route in New York City;

Whereas the \$18,000,000 that was provided for the Grand Concourse in January 2006 led to improving the streetscape and creating better access for pedestrians;

Whereas the Bronx Museum of the Arts is celebrating the roadway in its exhibition, "Intersections: The Grand Concourse at 100";

Whereas the Grand Concourse has seen the arrival of countless new immigrants as well as people arriving from other parts of the country, including Puerto Rico, and has been their launching point for the valuable contributions that they have made;

Whereas the people of the Bronx enjoy spending time on the beautiful parks adjoining the Grand Concourse, making it a center for socializing and recreating;

Whereas the Grand Concourse has fulfilled and exceeded its planners' intentions over a series of generations, occupying a central place in the hearts and minds of Bronxites past and present; and

Whereas the Grand Concourse since its inception has been an integral part of the cultural life and economic development of the Bronx: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx and an important nexus of commerce and culture for the City of New York; and

(2) directs the Clerk of the House of Representatives to transmit a copy of this resolution to The Bronx County Historical Society located at 3309 Bainbridge Avenue, The Bronx, NY 10467, for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. LARSEN) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. LARSEN of Washington. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on House Resolution 907.

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

There was no objection.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 907, a resolution recognizing the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx and as an important nexus of commerce and culture for the city of New York. I commend the gentleman from New York (Mr. SERRANO) for his work on this resolution to honor a historic roadway in advance of this milestone.

First conceived of in 1890 as a means of connecting the borough of Manhattan to the northern Bronx, the Grand Concourse was designed by Louis Aloys Risse and opened to the public in 1909. The project was originally completed for a total cost of \$14 million, the equivalent of \$340 million today.

Over the past 100 years, the Grand Concourse has served as the backdrop to many historic New York City landmarks, while the apartment buildings along the roadway have been home to the likes of Babe Ruth, Stanley Kubrick, Milton Berle, and other famous New Yorkers.

Among the many landmarks along the Grand Concourse is the Loew's Paradise Theater, which was constructed in 1929 and was at one time the largest movie theater in New York City. The old Yankee Stadium opened near the Grand Concourse at 161st Street in 1923 and has served as an important centerpiece for the Bronx and the city of New York ever since.

In the course of over 100 years, the Grand Concourse has played a long-standing role in defining the Bronx community, serving as the central north-south artery of the borough. Covering over 4 miles in length, it is lined with parks, fountains, and other pedestrian-friendly community assets that add aesthetic, cultural, and transportation value to the borough.

Recently, \$18 million was invested in the infrastructure of the Grand Concourse to make it more pedestrian friendly and restore the roadway's beauty that has made it vital to the cultural and economic development of the Bronx for 100 years.

So, Mr. Speaker, in honor of this historic landmark and its contributions to both the city of New York and the borough of the Bronx over the past century, I urge my colleagues to join me in supporting House Resolution 907.

I reserve the balance of my time.

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

Mr. Speaker, as the ranking minority member on the Highways and Transit Subcommittee, I have been asked to speak on this resolution, and I rise in support of House Resolution 907, a resolution—as the gentleman from Washington State just described—a resolution recognizing the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx and an important nexus of commerce and culture in the city of New York.

The Grand Concourse is a rare blend of history, culture, and infrastructure that has accommodated the likes of Babe Ruth, Stanley Kubrick, and Edgar Allan Poe. The Grand Concourse also plays host to the iconic Yankee Stadium, Loew's Paradise Theater, and the Concourse Plaza Hotel. Few roads in our Nation's history have reflected the personality of the local culture better than the Grand Concourse has done for the Bronx.

Mr. Speaker, I urge all of my colleagues to support this very timely and appropriate resolution.

I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I would now like to recognize for as much time as he may consume the gentleman from New York (Mr. SERRANO), the sponsor of the resolution.

Mr. SERRANO. I thank the gentleman for the time, and I thank both him and the ranking member for the support.

Too often we take for granted those places where we live in terms of the landmarks that are around us, and this is a celebration of a roadway that—it was stated before—it was set up or thought of originally to link the borough of Manhattan to the Bronx, but it became much more than that. It became a cultural icon. It became part of a community. And as the city grew and up to today, in its 100th anniversary, it has become grander year by year.

We are now celebrating 100 years of the Grand Concourse, and this, as said, was designed by a French immigrant in 1894, and when it opened in 1909, it was something spectacular that had not been seen before. Those of you who have come on many occasions, I'm sure—and hopefully in the future—to visit the Bronx and to visit Yankee Stadium will know that the Grand Concourse, that 4-mile thoroughfare that stretches from 138th Street to Van Cortland in my borough, the Bronx, is really majestic in form and so full of history.

The Grand Concourse has the largest collection of Art Deco buildings in the United States, and those Art Deco buildings are those that you walk into and the lobbies are so special with the artwork and the murals that were painted, especially during World War II and in the late 1930s. Those buildings are now part of the National Registry.

In accordance, the Grand Concourse itself has been designated and registered as a National Historic Place and has also been designated as a special preservation district by the city of New York.

And as was mentioned before, if you go to the Grand Concourse you will see the cottage known as Poe Cottage where Edgar Allan Poe wrote the poem "Annabel Lee," and that is still standing there.

Many folks, as we mentioned today, have lived on the Grand Concourse. Of course I live on the Grand Concourse, and I certainly did not have the kind of year that Babe Ruth had in 1927, but I've had a pretty good year in this past year.

This Congress saw fit a couple years ago to designate \$18 million that was used to renovate parts of the Grand Concourse and its infrastructure. That was in January of 2006. And now as part of that celebration, the Bronx Museum of the Arts is celebrating the roadway in its exhibition "Intersections: The Grand Concourse at 100."

What's interesting about the Grand Concourse, I believe, is that it mirrors so much of what New York City is and what this country is. Because as you travel the Concourse not only physically but through its history, you see the different groups of people who came to New York, who came to the Bronx, who settled on the Concourse, as we called it, and became part of America.

And so as we see people enjoying the park and enjoying and socializing on the Concourse, we see the different groups that have arrived from throughout the world and from my birthplace of Puerto Rico.

The Grand Concourse has, for them, fulfilled and exceeded its planners' intentions over a series of generations—occupying a central place in the hearts and minds of Bronxites past and present.

So I have come here today in support of this resolution. I would hope everyone votes for it. I thank the committee, the chairman, and the ranking member for their support.

Mr. OBERSTAR. Mr. Speaker, I rise today in support of H. Res. 907, recognizing the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx, which serves as an important nexus of commerce and culture for the City of New York. I commend the gentleman from New York (Mr. SERRANO) for his work on this Resolution. Designed by Louis Aloys Risse and opened to the public in 1909, this beautiful, tree-lined thoroughfare was first conceived of in 1890 as a means of connecting the borough of Manhattan to the northern Bronx.

The original cost of the project was \$14 million, the equivalent of \$340 million today. Over the past 100 years, this investment has leveraged significant private and public economic development activity in the Bronx, and has served as the backdrop to many historic New York City landmarks. Among these landmarks is the Loews Paradise Theater—at one time the largest movie theater in New York City—which was constructed in 1929 along the Grand Concourse. In 1923, the old Yankee Stadium opened near the Grand Concourse at 161st Street and has remained an important landmark in the surrounding Bronx community ever since.

Over the course of its 100 years, the Grand Concourse has played a longstanding role in defining the Bronx community, serving as the central north-south artery of the borough. For over 4 miles, the Grand Concourse is lined by several parks, fountains, and other pedestrian-friendly community treasures. The apartment buildings along the Grand Concourse have been home to the likes of Babe Ruth, Stanley Kubrick, Milton Berle and other famous New Yorkers over the years.

Reflecting much of the tumultuous history of the Bronx itself, the Grand Concourse is preparing for the rebirth and restoration of key social, economic and environmental infrastructure. Recently, \$18 million was committed to upgrading the Grand Concourse to make it more pedestrian-friendly and to restore the roadway's beauty that has made it vital to the cultural and economic development of the Bronx for 100 years.

Mr. Speaker, it is for these great contributions to the City of New York and to the Borough of the Bronx over the past 100 years that I urge my colleagues to join me in supporting H. Res. 907.

Mr. ENGEL. Mr. Speaker, I rise today to recognize the 100th anniversary of the Grand Concourse. As a proud, lifelong resident of the Bronx, I am pleased to co-sponsor H. Res. 907 recognizing the Grand Concourse as one of the most important and historic commerce and cultural centers of New York City.

The Grand Concourse is both the backbone and the heart of the Bronx. Each and every day, thousands of Bronxites travel up and down the concourse, connecting our borough from the north and south of the borough. It unifies the Bronx and enables people to interact and frequent the scores of businesses and cultural landmarks which run up and down the highway.

I grew up only four blocks from the Grand Concourse, and I have very fond memories of those days and the time spent along the thoroughfare. So much of my life, and the lives of my constituents, are tied to the Grand Concourse and I would not trade one moment of it for anything. As a child I watched films at the Loews Theater, I've attended numerous games at Yankee Stadium, and driven north along the Grand Concourse to visit Van Cortlandt Park.

I look forward to the start of the next 100 years in the life of the Grand Concourse, and Mr. Speaker, I encourage my colleagues to come to the Bronx and do the same.

Mr. DUNCAN. Mr. Speaker, I urge support of this resolution, and I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, we have no further speakers, and as a result, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. LARSEN) that the House suspend the rules and agree to the resolution, H. Res. 907.

The question was taken.

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

Mr. LARSEN of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXTENSION OF AUTHORITY TO EXPEDITE THE PROCESSING OF PERMITS

Mr. LARSEN of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4165) to extend through December 31, 2010, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4165

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

SECTION 1. FUNDING TO PROCESS PERMITS.

Section 214(c) of the Water Resources Development Act of 2000 (33 U.S.C. 2201 note; 114 Stat. 2594; 119 Stat. 2169; 120 Stat. 318; 120 Stat. 3197; 121 Stat. 1067) is amended by striking “2009” and inserting “2010”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. LARSEN) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. LARSEN of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4165.

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

There was no objection.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4165. This bill would extend section 214 of the Water Resources Development Act of 2000 for another year through December 31, 2010. Section 214 is currently authorized through December 31, 2009.

The section 214 program allows local governments to fund additional U.S. Army Corps of Engineers staff time to expedite the processing of permits for infrastructure and ecosystem restoration projects. Section 214 was enacted by Congress because the Corps of Engineers' permitting process had become cumbersome for both the Corps staff and applicants as the number of permit applications rose.

By funding additional specific staff to work on specific, time-intensive permits, existing Corps staff are able to process significant current backlogs more quickly. Funding for additional Corps staff has resulted in a reduction of permanent wait times not only for the funding entity, but also for any individual or organization seeking a permit. As a result, local governments are able to move forward with infrastructure and ecosystem restoration projects.

Section 214 is currently being used by over 41 public agencies in 20 separate Corps districts. The city of Seattle in my home State of Washington was the first public entity in the country to develop and use this facilitated permitting process. The city has used the section 214 program for 285 projects representing over \$1.1 billion in capital investments. Seven years of using the program has resulted in an estimated cost savings of \$10.6 million. The average review time per project has been reduced from over 808 days to an average of between 47–166 days.

In a region where we must balance the most difficult environmental issues

in the country with the second-highest commerce and trade demands of any region in the country, section 214 has become key to overcoming permitting delays and other challenges.

The authority granted by section 214 by the WRDA 2000 has worked well in practice. This authority needs to be renewed so the additional staff can remain on the job without interruption. Therefore, I urge the House to pass H.R. 4165.

With that, I reserve the balance of my time.

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

Mr. Speaker, I rise in qualified support of H.R. 4165, to authorize an extension of the Army Corps of Engineers' section 214 program. Section 214 of the Water Resources Development Act of 2000 allows the Army Corps of Engineers to accept and expand funds provided by non-Federal public entities to hire additional personnel to process regulatory permits.

Mr. Speaker, I say I offer qualified support for H.R. 4165 because while this legislation is needed, my colleague from Texas (Mr. OLSON) has offered a better piece of legislation. Mr. OLSON's legislation, H.R. 4162, will authorize a permanent extension of the program—not a 1-year temporary extension offered by H.R. 4165. The Congress has been forced to temporarily expand this program five times since it was authorized by the Water Resources Development Act in 2000, yet the Committee on Transportation and Infrastructure has heard from Members on both sides of the aisle supporting permanent extension of the 214 program.

I have heard no Member object to a permanent expansion of the section 214 program. The Corps of Engineers now has adequate experience in running the program, and recent Government Accountability Office observations concur with this assessment. Yet here we are again on the House floor moving a temporary extension of an excellent program.

Authority for this program expires on December 31 of this calendar year. If this program expires, the Corps will have to fire some regulatory personnel, reducing its ability to process permits in a timely manner.

I want to thank Representative OLSON and Representative LARSEN for their efforts on this issue. I urge all Members to vote in favor of H.R. 4165, but I do wish that we were passing a permanent, or at least a long-term, extension of the section 214 program today, not a temporary one.

I reserve the balance of my time.

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

Mr. BOOZMAN. Mr. Speaker, I yield to the gentleman from Texas (Mr. OLSON) whatever time he might consume.

□ 1400

Mr. OLSON. Mr. Speaker, I thank my colleague from Arkansas, Congressman

BOOZMAN, for yielding me time; and I rise today to express my disappointment that we are only considering a 1-year extension of the section 214 language.

Section 214 of the Water Resources Development Act of 2000 allows the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits through the Army Corps of Engineers. By funding additional staff to work on permanent evaluation, existing Corps staff are able to process significant backlogs more quickly. Hiring additional staff results in a reduction of permit waiting times not only for the local funding entity, but also for any individual or organization that makes an application with the Corps district.

In my district, the Harris County Flood Control District has used section 214 for the past 6 months to move forward with vital infrastructure and maintenance projects that have minimal environmental impact. According to a letter they sent my office, Harris County Flood Control District has “already noticed a significant improvement in the length of time it is taking to receive our reviews and permits that are required to proceed to construction of our projects.”

In the past 9 years, section 214 has been extended five times. Two of these extensions were for less than 1 year. This program has been hamstrung by short-term extensions that discourage both Corps districts and local public entities from participating. And today, we again add to the uncertainty of this program by extending it for 1 additional year with no guarantee of continuing it past that.

I sponsored legislation that would make section 214 authority permanent and ensure non-Federal project sponsors have the ability to move forward with vital water resources infrastructure projects and maintenance more efficiently year after year.

My bill is ready for consideration; but, instead, we are considering another short-term extension.

I will reluctantly support this 1-year extension but hope that as we move forward with the debate on the Water Resources Development Act that we can have a serious conversation about making this provision permanent. Non-Federal project sponsors need to be able to count on the longevity of section 214 in order to make the most out of it.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, in response to the gentleman from Texas, I do want to say I'm extremely sympathetic to his position, and I fully, in fact, agree with the request that we make section 214 permanent. And I, along with many others, have asked for that consideration within the context of the reauthorization of the Water Resources Development Act of 2010. I am hopeful we can

work in a bipartisan approach to work with the committee's leadership to make Mr. OLSON's, as well as many others who made the same request, to make that request a reality.

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

Mr. BOOZMAN. Mr. Speaker, again, I do support H.R. 4165 and urge my fellow Members to vote for the bill. I appreciate Mr. LARSEN. I know that he has worked hard on this in trying to bring the issue forward and provide a permanent fix.

My hope is that in the reauthorization of WRDA that we can all, as was mentioned, work in a very bipartisan way, because this is an entity that has worked very, very well. And I think all of us agree that it really is a success story. So hopefully we can work together, he and Mr. OLSON and our leadership on the committee, so that we can provide for a permanent fix of the program, a permanent authorization, and not have to go through this every year.

Mr. OBERSTAR. Mr. Speaker, I am pleased to support H.R. 4165, a bill to extend authority of the Secretary of the Army to accept funds from non-Federal public entities for the consideration of permits under the Clean Water Act and the Rivers and Harbor Act of 1899.

This language is modeled after language included in the Water Resources Development Act of 2007 that included a short-term extension of the U.S. Army Corps of Engineers, corps, section 214 permit review authority. That authority expires at the end of the current calendar year, and this legislation will continue the program through the end of December 2010.

I have been carefully monitoring the implementation of this authority. While this authority is very popular for the local public entities that have used it, we need to ensure that this authority does not affect the objectivity of the regulator.

In May 2007, the Government Accountability Office, GAO, issued a report, upon my request, which expressed concern with the overall implementation of the section 214 authority. This report recommended several improvements to increase the overall transparency and impartiality of corps' permit reviews conducted with outside funds.

Earlier this year, I requested GAO to re-evaluate whether these recommendations had been implemented by the corps. In November, the staff of the Subcommittee on Water Resources and Environment received a briefing by GAO that suggested additional improvements to the program were still warranted.

As a track record of implementation develops, the Committee on Transportation and Infrastructure, committee, will have an opportunity to further review the implementation of this authority, and ensure that the corps' review of permit applications is a fair and equitable process.

The committee will further consider this issue next year during its development of the Water Resource Development Act. However, because that process will take place after the existing program authority expires, it is appropriate that we provide for an additional, short-term extension of the section 214 authority.

I urge my colleagues to join me in supporting H.R. 4165.

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

Mr. LARSEN of Washington. Mr. Speaker, I urge everyone to support H.R. 4165, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. LARSEN) that the House suspend the rules and pass the bill, H.R. 4165.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WATER RESOURCES DEVELOPMENT ACT OF 1992 AMENDMENT

Mr. LARSEN of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1854) to amend the Water Resources Development Act of 1992 to modify an environmental infrastructure project for Big Bear Lake, California.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1854

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

SECTION 1. BIG BEAR LAKE, CALIFORNIA

Section 219(f)(84) of the Water Resources Development Act of 1992 (121 Stat. 1259) is amended to read as follows:

“(84) BIG BEAR LAKE, CALIFORNIA.—\$9,000,000 for water supply infrastructure improvements for Big Bear Lake, California.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. LARSEN) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. LARSEN of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1854.

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

There was no objection.

Mr. LARSEN of Washington. Mr. Speaker, I ask the House to consider H.R. 1854 to amend the Water Resources Development Act of 1992 to modify the environmental infrastructure project for Big Bear Lake, California. This bill provides technical corrections to the Big Bear Lake project, originally authorized in the Water Resources Development Act of 2007.

H.R. 1854 changes the authorized purpose of the Big Bear Lake project from wastewater treatment to water supply infrastructure. In addition, the authorized funding level is reduced by \$6 million to a \$9 million authorized funding level. We have no objections to this bill as introduced.

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

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in support of H.R. 1854, amending the Water Resources Development Act of 1992 to modify a project in the vicinity of Big Bear, California.

The Water Resources Development Act of 2007 was enacted in November 2007. Included in the bill is a project that authorized assistance for the city of Big Bear, California. As authorized, the bill provided \$15 million of assistance to the city to construct a wastewater treatment facility.

Since enactment, however, the city has decided against constructing the project and would instead use the authority to upgrade its water supply distribution system at a lower cost than originally authorized. The new cost of the project is \$9 million.

This project is especially critical to this region of California which is typically subjected to catastrophic wildfires. Upgrades to the water supply in the vicinity of Big Bear would increase water pressure at peak demand periods and improve water quality.

It's not often that a Member of Congress asks us to cut authorized levels of funding for their congressional district. This bill is an act of good governance and truth-in-budgeting.

I want to thank Representative LEWIS for his leadership on this issue and urge all Members to vote in favor of H.R. 1854.

Mr. LEWIS of California. Madam Speaker, I rise in support of H.R. 1854.

This bill will revise a previously authorized project to allow the mountain community of Big Bear, which is located in the 41st Congressional District, to move forward with the Army Corps of Engineers to begin replacement of an aging water infrastructure. The bill reduces the authorized amount of the project by \$3 million.

The city of Big Bear Lake currently distributes water through pipes that are over 70 years old and crumbling by the minute. This lack of integrity from the water infrastructure has led to declining water quality, massive water loss, and dangerously low flow levels that do not meet firefighting standards.

California is in the midst of a water crisis, and San Bernardino County has been granted Federal disaster status due to extreme drought conditions. In a misguided effort to protect fish, the Federal Government has shut off pumps for the California Aqueduct, further reducing water supplies for southern California communities. Under these severe conditions, we cannot overlook any opportunity to conserve what water we have. This bill will provide immediate and measurable conservation.

Equally dire, Big Bear is located within the San Bernardino National Forest. Because of lack of consistent management in the past, the San Bernardino National Forest has become a powder keg for wildfire. We have made some progress at reducing the threat through aggressive hazardous fuels removal, but the danger remains extreme. Replacing the water infrastructure will help protect the Big Bear community and provide the U.S. Forest Service with another vital weapon in the event of catastrophic wildfire.

As a side benefit, the increased pressure in the pipes will also drastically reduce the power consumption currently needed to pump water throughout the system. It has been a priority of this Congress to implement policies that conserve resources and I believe this bill is consistent with those goals.

I urge a "yes" vote of H.R. 1854.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 1854, offered by the gentleman from California (Mr. LEWIS), to amend the Water Resources Development Act of 1992 to modify an environmental infrastructure project for Big Bear Lake, California. The Big Bear Lake project was originally authorized in Water Resources Development Act of 2007 for the purpose of wastewater treatment at a funding level of \$15 million. This bill modifies the Big Bear Lake Project, reducing the authorized funding to \$9 million and changing the project purpose to water supply infrastructure.

I urge my colleagues to join me in supporting H.R. 1854.

Mr. BOOZMAN. Mr. Speaker, having no further speakers, I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. LARSEN) that the House suspend the rules and pass the bill, H.R. 1854.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR SMITHSONIAN INSTITUTION TO CONSTRUCT A VEHICLE MAINTENANCE BUILDING

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3224) to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3224

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

SECTION 1. VEHICLE MAINTENANCE BUILDING, SUITLAND, MARYLAND.

(a) AUTHORITY TO PLAN, DESIGN, AND CONSTRUCT.—The Board of Regents of the Smithsonian Institution is authorized to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland.

(b) PURPOSE OF BUILDING.—The purpose of the building shall be to provide a facility to be used for housing, maintaining, and repairing vehicles and transportation equipment of the Smithsonian Institution.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act \$4,000,000 for fiscal year 2010.

The SPEAKER pro tempore (Mr. LARSEN of Washington). Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the consideration of H.R. 3224.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, H.R. 3224 would authorize \$4 million in fiscal year 2010 for the Smithsonian Institution to plan, design and construct a vehicle maintenance building at its facilities in Suitland, Maryland. Our committee ordered the bill reported unanimously.

The new building would absorb the vehicle maintenance functions for the entire Smithsonian complex in the Washington area. These are currently performed in a constricted and increasingly dysfunctional space at the General Services Building within the National Zoo in northwest Washington, D.C.

The vehicle maintenance functions, which cover the maintenance, repair and fueling of about 780 Smithsonian-owned vehicles and pieces of equipment, are not compatible with the surrounding environment at the zoo and would be better served at the Suitland facility, which has more space and is isolated from public access. The space being vacated at the zoo would be converted to other uses.

□ 1415

The bill authorizes the planning, design and construction of this project, which would give the Committee on House Administration primary jurisdiction. The Committee on Transportation and Infrastructure, which has an additional referral, also reported this bill. The fiscal year 2010 Interior appropriations conference report, which has been enacted into law, contains the necessary funding for this bill, and I urge the approval of the legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of this bill, which will provide for the construction of a vehicle maintenance branch at the National Zoo to benefit the zoo and larger Smithsonian Institution operations. The course of action prescribed by this bill is the result of a careful analysis of alternatives, which has demonstrated that the onsite construction of a vehicle maintenance facility would prove to be, roughly, 40 percent cheaper than developing an off-site facility. Additionally, this bill will provide for the better environmental stewardship in the operations of the

National Zoo and of the Smithsonian Institution.

I want to thank Mr. BECERRA for bringing this forward. Accordingly, I request that my colleagues on this side of the aisle support this suspension.

Mr. Speaker, I just want to thank Mr. LUNGREN for his efforts on this measure, and I yield back the balance of my time.

Mr. BRADY of Pennsylvania. I would like to thank Mr. LUNGREN, too, for his cooperation on this and for hurrying over just a second or two late.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 3224, a bill to authorize the Board of Regents of the Smithsonian Institution to plan, design and construct a vehicle maintenance facility at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland.

Currently the bulk of the Smithsonian's vehicle maintenance is conducted from the National Zoo's General Services Building. The Vehicle Maintenance Branch is responsible for maintenance, repair, and fueling of more than 780 Smithsonian vehicles and pieces of equipment valued at over \$17 million. However, the vehicle maintenance operations over the years have become incompatible with the other needs of the General Services Building. After researching the potential of leasing a facility, the Smithsonian Institution determined the most economical method of housing its fleet management and maintenance operations was to request authority to build a facility on government-owned property located in Suitland, Maryland.

Transferring the vehicle maintenance operations to a new site will increase the ability of the Smithsonian to use alternative fuels in its vehicles. The proposed site at Suitland currently has both a compressed natural gas fueling station and a gasoline fueling station. Furthermore, the Smithsonian plans to install E-85 and bio-diesel above-ground fuel tanks at the facility. The Zoo's General Services Building does not have the space available to accommodate these alternative fuel tanks.

I urge my colleagues to join me in supporting H.R. 3224.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 3224.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FUNDING FOR CONTINUED TYPE 1 DIABETES RESEARCH

Mrs. CAPPS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 35) expressing the sense of the House of Representatives that Congress should provide increased Federal funding for continued type 1 diabetes research.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 35

Whereas as many as 3,000,000 Americans suffer from type 1 diabetes, a chronic, genetically determined, debilitating disease affecting every organ system;

Whereas more than 15,000 children each year are diagnosed with type 1 diabetes, a disease caused by an autoimmune attack that destroys the insulin-producing beta cells of the pancreas;

Whereas diabetes is one of the most costly chronic diseases, costing the United States economy more than \$174,000,000,000 and costing individuals with diabetes an average of \$13,000 in annual health care costs, compared to \$2,600 for individuals without diabetes;

Whereas insulin treats but does not cure this potentially deadly disease and does not prevent the complications of diabetes, which include blindness, heart attack, kidney failure, stroke, nerve damage, and amputations;

Whereas the National Institutes of Health has established 6 goal areas to guide type 1 diabetes research focused on the reduction, prevention, and cure of type 1 diabetes and its complications;

Whereas Federal funding has enabled research focused on determining the underlying genetic and environmental causes of diabetes and testing of promising new treatments to halt and reverse the autoimmune attack causing type 1 diabetes;

Whereas a cure for type 1 diabetes will require restoring beta cell function either by replacement with transplantation or by beta cell regeneration;

Whereas the development of a "closed-loop" artificial pancreas would greatly alleviate the daily burden of disease management for type 1 diabetes patients by continuously monitoring blood sugar levels, infusing insulin as necessary when blood glucose levels become too high, and warning patients when blood glucose levels become dangerously low;

Whereas continued progress toward a cure for type 1 diabetes depends on training the next generation of diabetes researchers;

Whereas a strong public-private partnership to fund type 1 diabetes exists between the Federal Government and the Juvenile Diabetes Research Foundation International, a foundation which has awarded more than \$1,000,000,000 for diabetes research since its founding and in fiscal year 2008 provided more than \$156,000,000 for diabetes research in 20 countries;

Whereas Congress has provided \$150,000,000 annually through fiscal year 2011 for the Special Statutory Funding Program for type 1 Diabetes Research;

Whereas the National Institutes of Health devoted a total of \$433,000,000 in fiscal year 2009 for type 1 diabetes research; and

Whereas leading type 1 diabetes researchers have recommended a total funding level of \$4,100,000,000 for fiscal years 2009 through 2013 in order to meet the National Institutes of Health's type 1 research goals: Now, therefore, be it

Resolved, That Federal funding for diabetes research should be increased to meet the National Institutes of Health's goals so that a cure for type 1 diabetes can be found.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to

include extraneous materials into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 35, expressing the sense of the House that Congress should provide increased Federal research funding for type 1 diabetes. Diabetes is one of the most prevalent and costly chronic conditions in the United States today.

According to the Centers for Disease Control and Prevention, nearly 24 million Americans—that's roughly 8 percent of the United States population—have diabetes. Direct and indirect costs of diabetes totaled \$174 billion in 2007, \$120 billion of which were direct medical costs attributable to diabetes.

Three million Americans have type 1 diabetes, which results when the body's immune system destroys insulin-producing cells in the pancreas that regulate blood glucose levels. Individuals with type 1 diabetes depend on insulin, but even with adherence to insulin treatment, individuals with type 1 diabetes are still very vulnerable to the many complications that this disease offers, which are blindness, kidney failure, and amputation.

As a school nurse, I became intimately aware of the challenges faced by children with type 1 diabetes and of the impact it has on their families and on their classmates as well. During the years I cared for those students, we discussed the potential for a cure by now. Unfortunately, we still have a ways to go.

The Federal funding of diabetes research has resulted in tremendous advancements for our understanding and our treatment of the disease. We have successfully determined underlying genetic and environmental causes of diabetes, and we are testing and promising new treatments, but there is still much more work to be done.

The National Institutes of Health devoted \$433 million in fiscal year 2009 for type 1 diabetes research. This resolution calls for a doubling of annual NIH funding to meet leading researchers' estimates of the funding needed to accomplish NIH's six goals related to type 1 diabetes.

Mr. Speaker, I am pleased to join my colleagues in calling for the passage of this resolution and of increased research funding to find a cure for type 1 diabetes. I want to thank my colleague on the Energy and Commerce Committee, Congressman GENE GREEN, for his leadership on this important issue. I reserve the balance of my time.

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

Mr. Speaker, as a member of the Diabetes Caucus and throughout most of the 1990s, I was a member of our regional diabetes board for the ADA. In fact, I call myself a perpetual vice

chairman of our region. So it is with great pride that I am here in support and that I encourage my colleagues to support H. Res. 35.

I want to recognize the 23.6 million Americans who suffer from diabetes. Diabetes can lead to serious complications and premature death, but people with diabetes can take steps to control the disease and to lower their risks of complications.

The Centers for Disease Control has stated that the progression of diabetes among those with prediabetes is not inevitable, and studies have shown that people with prediabetes who lose weight and who increase their physical activity can prevent or delay diabetes and can return their blood pressure to near normal. Through regular exercise and a steady diet, Americans can return to a healthier state of living and can avoid diabetes.

Because diabetes affects individuals in different ways, it is important that we educate our communities about the causes and about effective ways to avoid diabetes through living a healthy lifestyle. Additionally, we must continue to research the causes, treatment, education, and eventual cure for diabetes through public and private partnerships.

I do believe that the 1,000-page health reform bill, which was rushed through the House of Representatives by the other side of the aisle to establish a government takeover of health care, will negatively impact those with diabetes and will severely curtail our ability to find a cure. I fail to see how a massive government takeover of our health care system and how the creation of scores of new bureaucracies will revitalize our economy or will give Americans better care.

Instead, the House Tri-Committee bill would ration health care like it is done in the U.K. and Canada. This rationing of health care will not be better for the patients. It will lead to many diabetics in need of dialysis and care who will be turned away or who will have longer wait times when they need access to physicians.

In addition to nearly a \$1 trillion health reform bill which was pushed on the American public, the recent stimulus legislation provided an extra \$10 billion of funding to the NIH for the advancement of scientific research. Unfortunately, long-held processes on the length and structure of trials have been ignored in order to spend the funds as quickly as possible and in as many Congressional districts as possible.

Instead of rushing to spend billions of dollars for a political photo op, it would have been more responsible, both scientifically and fiscally, to continue to have the NIH determine what trials' processes deserve the most merit. If we hadn't rushed to spend in the name of "stimulus," I believe that some of the \$10 billion could have been used for research into type 1 diabetes.

I want to see Americans recognizing the significance of monitoring their

own and members of their families' health in getting the proper and timely treatment for diabetes. I would also like to see, through public-private partnerships, a continued commitment to diabetes research so that, one day, we may have a cure.

I would like to thank the sponsor of this bill, Representative GENE GREEN from Texas, for his work on this resolution. I stand, once again, in support of this legislation, and I hope my colleagues will join me.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I wish to respond to my friend and colleague from Nebraska by reminding us all that, with the health care and insurance reform legislation that has been proposed, one of the effects would be that more Americans would have access to preventative and primary care, which would, hopefully, mitigate the onset of diabetes and its effects on Americans.

Now it is my great pleasure to yield as much time as he may consume to my colleague from Texas, GENE GREEN. He is the resolution sponsor.

Mr. GENE GREEN of Texas. I would like to thank the vice Chair of the Energy and Commerce Committee for yielding to me.

Mr. Speaker, this resolution discusses type 1 diabetes, which is typically the early onset of juvenile diabetes in some of us, but it does sometimes affect older children. Type 1 diabetes is a chronic, genetically determined, and debilitating disease caused by an autoimmune attack that destroys the insulin-producing beta cells of the pancreas, and it affects every organ system. As many as 3 million Americans suffer from type 1 diabetes, with more than 15,000 children being diagnosed with the disease annually.

Diabetes is one of the most costly chronic diseases, costing the United States economy more than \$174 billion annually in direct and indirect health care costs. On average, individuals with diabetes pay \$13,000 in annual health care costs compared to \$2,600 for individuals without diabetes.

Insulin treats but does not cure this potentially deadly disease nor does it prevent the complications of diabetes, which include blindness, heart attacks, kidney failure, strokes, nerve damage, and amputations. Diabetes is also the leading cause of legal blindness in working-age adults, and nearly all of type 1 diabetes patients exhibit some degree of eye disease after living with diabetes for 15 to 20 years.

A special diabetes program was created that provides significant support to the Diabetic Retinopathy Clinical Research Network, which is a nationwide network involving 163 clinical sites in 43 States, in order to address the number of individuals diagnosed with type 1 diabetes and to find a cure.

The National Institutes of Health has established six goal areas to guide type 1 diabetes research, which are focused on the reduction, prevention, and cure

of type 1 diabetes and its complications. The National Institutes of Health devoted \$433 million in fiscal year 2009 for type 1 diabetes research. Congress currently provides \$150 million annually, through fiscal year 2011, for the Special Statutory Funding Program for type 1 diabetes research. Promising advances have been made in determining root causes of the disease, and finding a cure will depend on funded research initiatives and on training the next generation of diabetes researchers.

Congress can do more to advance the research on type 1 diabetes. This resolution calls for the doubling of annual NIH funding to meet leading researchers' estimates of funding needed to meet NIH's six goals related to type 1 diabetes.

I am pleased to sponsor this resolution with the 101 other Members who are calling for research funding to find a cure for type 1 diabetes. I want to thank all of my cosponsors, including both of my colleagues—the vice Chair of the Energy and Commerce Committee, Congresswoman CAPPS; and also Congressman TERRY from Nebraska, who is also, like I said, a cosponsor of the resolution.

Hopefully, our national health care plan will actually help those who have either type 1 diabetes or type 2 diabetes to make sure they can go see physicians when they need to.

□ 1430

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

Mr. Speaker, as I mentioned, from my activities in the Diabetes Caucus, I have learned that, as I stated in the main statement, that education, nutrition, and exercise leads to prevention of much of type 1 and type 2. Today is the sixth anniversary of the Medicare and Medicaid Reform Act that was passed in 2003 on a nearly partisan vote. It was then that we recognized that the Republicans, who authored that bill, supported that bill and that actually this is the first time that Medicare would pay for education, nutrition counseling.

I thought it was very odd that under Medicare for a diabetic, that Medicare would pay for an amputation or kidney dialysis, but it wouldn't pay \$150 to prevent those from happening by way of education, diabetic education classes, which included nutrition and exercise and such. We have come a long way in recognizing prevention.

Certainly we don't need the government, through its history of not wanting to cover preventive care—I think we could do a better job within the private side or free enterprise side. We don't need government running health care to make sure that people that are in need of diabetes education, nutrition, a dietician, exercise, counseling, could receive that.

I again want to thank GENE GREEN for bringing this much-needed resolution. Once again, I rise in support of this resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of House Resolution 35 to express the sense of the House of Representatives that Congress should provide increased federal funding for continued type 1 diabetes research.

This legislation is particularly timely as roughly 3 million people suffer from type 1 diabetes across the country. It is important for us to move forward in the fight against this disease and increase funding for research that aims to prevent and treat diabetes. It is estimated that over \$4 billion will be necessary to fund the National Institute of Health's research goals for type 1 diabetes through 2013, and as this disease continues to affect millions of people across America, it is imperative that we fund research at increased levels to see its end.

I would also like to mention one of the efforts that we are undertaking in North Texas to help combat diabetes. Recently the Baylor Health Care System announced that it would be transforming the Juanita J. Craft Recreation Center in south Dallas to the area's first and only diabetes health and wellness institute. This center will help to save lives by offering improved diabetes care, educational programs, and conducting research in addition to encouraging healthy lifestyles for those living with the disease. The center will also educate the community on preventative measures for type 2 diabetes so that a preventative lifestyle becomes a natural and normal part of everyday life in this neighborhood. It is my hope that increased funding for diabetes research will encourage similar centers to be created across the country.

Mr. Speaker, I encourage my fellow colleagues to join me in supporting this important resolution so that we recognize the need for diabetes research funding and help countless people across the country living with the disease.

Mr. TERRY. I have no further speakers, and I yield back the balance of my time.

Mrs. CAPPS. I have no remaining speakers on this side, and I also urge our colleagues to support this resolution.

I yield back the balance of our time.

The SPEAKER pro tempore (Mr. CUELLAR). The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and agree to the resolution, H. Res. 35.

The question was taken.

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

Mrs. CAPPS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

NATIONAL PRADER-WILLI SYNDROME AWARENESS MONTH

Mrs. CAPPS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 55) expressing support

for the designation of a National Prader-Willi Syndrome Awareness Month to raise awareness of and promote research into this challenging disorder.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 55

Whereas Prader-Willi syndrome is a complex genetic disorder that occurs in approximately 1 out of every 15,000 births, and is the most commonly known genetic cause of life-threatening obesity;

Whereas Prader-Willi syndrome affects males and females with equal frequency and affects all races and ethnicities;

Whereas Prader-Willi syndrome causes an extreme and insatiable appetite, often resulting in morbid obesity, which is the major cause of death for individuals with the syndrome;

Whereas Prader-Willi syndrome also causes cognitive and learning disabilities, and behavioral difficulties, such as obsessive-compulsive disorder and difficulty controlling emotions;

Whereas the hunger, metabolic, and behavioral characteristics of Prader-Willi syndrome force affected individuals to require constant and lifelong supervision in a controlled environment;

Whereas studies have shown that there is a high morbidity and mortality rate for individuals with Prader-Willi syndrome;

Whereas there is no known cure for Prader-Willi syndrome;

Whereas early diagnosis of Prader-Willi syndrome allows families to access treatment, intervention services, and support from health professionals, advocacy organizations, and other families who are dealing with the syndrome;

Whereas recently discovered treatments, such as human growth hormone, are improving the quality of life for individuals with the syndrome and offer new hope to families, but many difficult symptoms associated with Prader-Willi syndrome remain untreated;

Whereas increased research into Prader-Willi syndrome can lead to a better understanding of the disorder, more effective treatments, and an eventual cure for Prader-Willi syndrome;

Whereas increased research into Prader-Willi syndrome is likely to improve our understanding of common public health concerns, including childhood obesity and mental health; and

Whereas advocacy organizations have designated May as Prader-Willi Syndrome Awareness Month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports raising awareness and educating the public about Prader-Willi syndrome;

(2) applauds the efforts of advocates and organizations that encourage awareness, promote research, and provide education, support, and hope to those impacted by Prader-Willi syndrome;

(3) recognizes the commitment of parents, families, researchers, health professionals, and others dedicated to finding an effective treatment and eventual cure for Prader-Willi syndrome;

(4) supports increased funding for research into the causes, treatment, and cure for Prader-Willi syndrome; and

(5) expresses support for the designation of a National Prader-Willi Syndrome Awareness Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from

California (Mrs. CAPPS) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material into the RECORD.

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

There was no objection.

Mrs. CAPPS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 55. This resolution supports raising awareness and educating the public about Prader-Willi syndrome and expresses the support for designating National Prader-Willi Syndrome Awareness Month.

Prader-Willi syndrome is a genetic disorder that occurs in approximately 1 in every 15,000 births. Individuals with this syndrome have lower metabolic rates and lack normal hunger and satiety cues. The combination of these factors results in morbid obesity and associated complications if gone untreated.

Individuals with Prader-Willi syndrome are also affected by nonobesity-related conditions such as cognitive and learning disabilities and some behavioral difficulties. The link between Prader-Willi syndrome and obesity is one that cannot be ignored. Obesity is one of the fastest-growing public health challenges in the United States.

The Centers for Disease Control and Prevention estimates that 16 percent of American children and one-third of American adults are obese. That's an astounding fact.

A recently released report supported by the United Health Foundation, the American Public Health Association, and the Partnership for Prevention concluded that, if current trends continue, over 100 million American adults will be obese by 2018. This would translate to over \$300 billion of health care costs attributable to obesity if the rates continue to increase at current trends.

As my colleagues are aware, obesity is a complex health issue. Behavioral, environmental, and genetic factors also contribute to this epidemic. Most often we talk about eating a healthy diet and exercising. In recent months, I am proud of how we have prioritized investments in community-level prevention and wellness activities.

Interventions in schools, workplaces, and other settings are essential to reinforce and facilitate individual efforts to maintain a healthy weight. The resolution we are considering today presents us with an opportunity to focus on how genes affect obesity.

I am pleased to join my colleagues in drawing attention to the Prader-Willi syndrome. I urge passage this resolution.

I want to thank my colleagues from California, Congressman ROYCE and Congresswoman HARMAN, for their leadership on this issue.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of House Resolution 55 and encourage the designation of National Prader-Willi Syndrome Awareness Month.

Prader-Willi syndrome is a complex genetic disorder that can cause life-threatening symptoms such as an extreme and insatiable appetite. Often resulting in morbid obesity, Prader-Willi syndrome occurs in males and females equally and in all races. Estimates of the prevalence of Prader-Willi syndrome vary, with the most likely figure being 1 out of every 15,000 children.

Children with PWS have sweet and loving personalities, but they are also characterized by weight-control issues and motor development delays, along with some behavior problems and unique medical issues. PWS typically causes low muscle tone, short stature if not treated with growth hormone, incomplete sexual development, and a chronic feeling of hunger that, coupled with a metabolism that utilizes drastically fewer calories than normal, can lead to excessive eating and life-threatening obesity. The food compulsion requires constant supervision on the part of the family members, along with regular attention to many of the other difficult symptoms.

It is the commitment of researchers and health professionals that has led to effective treatments and, hopefully, an eventual cure for the families afflicted by this disorder.

I would like to thank Representative ROYCE from California for his commitment to raising awareness about Prader-Willi syndrome. I encourage all of my colleagues to vote for this resolution.

At this time, I yield to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of House Resolution 55, authored by myself and my colleague from the State of California, Congresswoman JANE HARMAN.

This resolution calls for the establishment of a National Prader-Willi Syndrome Awareness Month, and it encourages continued Federal research of this syndrome. Now, this syndrome is recognized as a common genetic cause of childhood obesity, and for too many children, it is an affliction which causes them not even to be able to reach their teens. Many of them don't reach their 20th birthday as a result of this malady.

Mr. Speaker, 7½ years ago I was in the position of most Members of this House and most Americans in that I had never heard of Prader-Willi syndrome. Then a little girl named Abby Porter was born. I can still remember

that day and the phone call that came telling me that Abby had arrived but that something was wrong. Abby was sleeping almost 24 hours a day, was unable to eat on her own, and had almost no muscle tone at all.

Thanks to the persistence and strong will of Abby's parents, she was sent to Children's Hospital in Denver where she underwent extensive testing. At 2 weeks of age we all learned that Abby had a genetic disorder called Prader-Willi syndrome.

Many of you are now asking what I asked on that day of the phone call. What is Prader-Willi syndrome? In short, it is a complex condition characterized by morbid obesity, by insatiable appetite, by poor muscle tone and failure to thrive during infancy, among many other maladies. Twenty years ago a child with Prader-Willi syndrome was likely to die of morbid obesity before they reached adulthood. Most of these children were either never diagnosed or diagnosed later in life when treatment was far less effective.

Abby Porter is actually one of the lucky ones, as she received a very early diagnosis. As a result of this early diagnosis she was able to begin human growth hormone treatments at the age of 3 months. A relatively new treatment for Prader-Willi at the time of her birth, growth hormone enabled Abby to begin building the muscle tone she needed to eat, to hold up her head, to sit up, crawl, and finally to walk. As a result she was able to reach all of her developmental milestones at roughly the appropriate times. She was also able to develop cognitively at a more normal rate than she would have without this treatment.

Abby and I want every child with Prader-Willi syndrome to have this same opportunity. We want to increase awareness of this genetic disorder among health care providers and pediatricians and parents and teachers and communities. We want children to get diagnosed early so that they can begin immediate treatment.

We want parents to be able to find out the information that they need to make decisions about the treatment and development of their children. We want teachers to understand the cognitive and emotional struggles that come with Prader-Willi and that must be dealt with in order for these children to learn.

We want neighbors and community members to learn about this syndrome so that they will understand the actions and behavior of some of the children with Prader-Willi; thus, they will not reject them outright and will instead teach their own children about the acceptance of differences.

Abby and I want these families with Prader-Willi children to know that the families are not alone in this fight to search for cures and treatments that will improve the future of their children.

For that reason, we are both proud today to see this House call for a Na-

tional Prader-Willi Syndrome Awareness Month and to express support for further research in this disorder.

I want to again thank my colleague, Congresswoman JANE HARMAN from California, for her support and efforts on behalf of this resolution. I urge all my colleagues to support this bill.

Mrs. CAPPs. I am pleased now to yield whatever time she may consume to my colleague and friend from California, JANE HARMAN.

Ms. HARMAN. Let me first commend Mrs. CAPPs, who, as a registered nurse, has brought so much understanding and depth to our ongoing negotiations on health care in the Energy and Commerce Committee.

Second, let me commend a good friend and frequent partner, Mr. ROYCE, whose focus on this issue and personal compassion on behalf of his friend, Abby, and enormously caring staff, have brought this issue to my attention.

It resonates in my California congressional district, where there is an incredible community of activists who are committed to increasing awareness and supporting research on Prader-Willi syndrome. Two of those activists, Tom and Renay Compere, are parents of a child with PWS. They have brought other Prader-Willi families together with groups of students, teachers, and other members of the community to spread awareness and raise funds to combat this devastating disease.

Tom Compere says, "The thing that has kept us going over the years has been the optimism that a cure for PWS will be found and that our son will have a normal life. What a concept. A normal life was something, until recently, that I took for granted."

That's the goal of this resolution. By increasing awareness and promoting research at the national level, we can give the Compere family and thousands of families like them a chance to lead a normal life.

Two years ago, Mr. Speaker, I attended the annual walkathon for Prader-Willi research in Mar Vista, a wonderful community in my district. The warmth and excitement of the children I met there was touching, especially in the face of the challenges they face on a daily basis.

Prader-Willi patients suffer, as you have heard, from cognitive disabilities, poor muscle tone, and constant feelings of hunger. They often look different from other children, which makes it difficult to fit in or be accepted as a normal kid. Some cutting-edge treatments, like the ones Abby received, can improve the physical development of children with Prader-Willi so they can fit in, but this is contingent on early diagnosis and treatment, and that often doesn't happen.

By passing H. Res. 55 and raising the profile of this disease, this House can give these children better odds at doing something most of us take for granted: Living a normal life.

I urge passage of the resolution and again commend my friends from California for their role.

Mr. TERRY. We have no further speakers and, therefore, encourage the passage of this resolution.

I yield back the balance of my time.

Mrs. CAPPs. I wish to commend the personal commitment of our colleagues from California, Congressman ROYCE and Congresswoman JANE HARMAN, and I urge support for this resolution.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPs) that the House suspend the rules and agree to the resolution, H. Res. 55.

The question was taken.

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

Mrs. CAPPs. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

□ 1445

DATA ACCOUNTABILITY AND TRUST ACT

Mr. RUSH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2221) to protect consumers by requiring reasonable security policies and procedures to protect computerized data containing personal information, and to provide for nationwide notice in the event of a security breach, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2221

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 "Data Accountability and Trust Act".

SEC. 2. REQUIREMENTS FOR INFORMATION SECURITY.

(a) GENERAL SECURITY POLICIES AND PROCEDURES.—

(1) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Commission shall promulgate regulations under section 553 of title 5, United States Code, to require each person engaged in interstate commerce that owns or possesses data containing personal information, or contracts to have any third party entity maintain such data for such person, to establish and implement policies and procedures regarding information security practices for the treatment and protection of personal information taking into consideration—

(A) the size of, and the nature, scope, and complexity of the activities engaged in by, such person;

(B) the current state of the art in administrative, technical, and physical safeguards for protecting such information; and

(C) the cost of implementing such safeguards.

(2) REQUIREMENTS.—Such regulations shall require the policies and procedures to include the following:

(A) A security policy with respect to the collection, use, sale, other dissemination, and maintenance of such personal information.

(B) The identification of an officer or other individual as the point of contact with responsibility for the management of information security.

(C) A process for identifying and assessing any reasonably foreseeable vulnerabilities in the system or systems maintained by such person that contains such data, which shall include regular monitoring for a breach of security of such system or systems.

(D) A process for taking preventive and corrective action to mitigate against any vulnerabilities identified in the process required by subparagraph (C), which may include implementing any changes to security practices and the architecture, installation, or implementation of network or operating software.

(E) A process for disposing of data in electronic form containing personal information by shredding, permanently erasing, or otherwise modifying the personal information contained in such data to make such personal information permanently unreadable or undecipherable.

(F) A standard method or methods for the destruction of paper documents and other non-electronic data containing personal information.

(3) TREATMENT OF ENTITIES GOVERNED BY OTHER LAW.—Any person who is in compliance with any other Federal law that requires such person to maintain standards and safeguards for information security and protection of personal information that, taken as a whole and as the Commission shall determine in the rulemaking required under paragraph (1), provide protections substantially similar to, or greater than, those required under this subsection, shall be deemed to be in compliance with this subsection.

(b) SPECIAL REQUIREMENTS FOR INFORMATION BROKERS.—

(1) SUBMISSION OF POLICIES TO THE FTC.—The regulations promulgated under subsection (a) shall require each information broker to submit its security policies to the Commission in conjunction with a notification of a breach of security under section 3 or upon request of the Commission.

(2) POST-BREACH AUDIT.—For any information broker required to provide notification under section 3, the Commission may conduct audits of the information security practices of such information broker, or require the information broker to conduct independent audits of such practices (by an independent auditor who has not audited such information broker's security practices during the preceding 5 years).

(3) ACCURACY OF AND INDIVIDUAL ACCESS TO PERSONAL INFORMATION.—

(A) ACCURACY.—

(i) IN GENERAL.—Each information broker shall establish reasonable procedures to assure the maximum possible accuracy of the personal information it collects, assembles, or maintains, and any other information it collects, assembles, or maintains that specifically identifies an individual, other than information which merely identifies an individual's name or address.

(ii) LIMITED EXCEPTION FOR FRAUD DATABASES.—The requirement in clause (i) shall not prevent the collection or maintenance of information that may be inaccurate with respect to a particular individual when that in-

formation is being collected or maintained solely—

(I) for the purpose of indicating whether there may be a discrepancy or irregularity in the personal information that is associated with an individual; and

(II) to help identify, or authenticate the identity of, an individual, or to protect against or investigate fraud or other unlawful conduct.

(B) CONSUMER ACCESS TO INFORMATION.—

(i) ACCESS.—Each information broker shall—

(I) provide to each individual whose personal information it maintains, at the individual's request at least 1 time per year and at no cost to the individual, and after verifying the identity of such individual, a means for the individual to review any personal information regarding such individual maintained by the information broker and any other information maintained by the information broker that specifically identifies such individual, other than information which merely identifies an individual's name or address; and

(II) place a conspicuous notice on its Internet website (if the information broker maintains such a website) instructing individuals how to request access to the information required to be provided under subclause (I), and, as applicable, how to express a preference with respect to the use of personal information for marketing purposes under clause (iii).

(ii) DISPUTED INFORMATION.—Whenever an individual whose information the information broker maintains makes a written request disputing the accuracy of any such information, the information broker, after verifying the identity of the individual making such request and unless there are reasonable grounds to believe such request is frivolous or irrelevant, shall—

(I) correct any inaccuracy; or

(II)(aa) in the case of information that is public record information, inform the individual of the source of the information, and, if reasonably available, where a request for correction may be directed and, if the individual provides proof that the public record has been corrected or that the information broker was reporting the information incorrectly, correct the inaccuracy in the information broker's records; or

(bb) in the case of information that is non-public information, note the information that is disputed, including the individual's statement disputing such information, and take reasonable steps to independently verify such information under the procedures outlined in subparagraph (A) if such information can be independently verified.

(iii) ALTERNATIVE PROCEDURE FOR CERTAIN MARKETING INFORMATION.—In accordance with regulations issued under clause (v), an information broker that maintains any information described in clause (i) which is used, shared, or sold by such information broker for marketing purposes, may, in lieu of complying with the access and dispute requirements set forth in clauses (i) and (ii), provide each individual whose information it maintains with a reasonable means of expressing a preference not to have his or her information used for such purposes. If the individual expresses such a preference, the information broker may not use, share, or sell the individual's information for marketing purposes.

(iv) LIMITATIONS.—An information broker may limit the access to information required under subparagraph (B)(i)(I) and is not required to provide notice to individuals as required under subparagraph (B)(i)(II) in the following circumstances:

(I) If access of the individual to the information is limited by law or legally recognized privilege.

(II) If the information is used for a legitimate governmental or fraud prevention purpose that would be compromised by such access.

(III) If the information consists of a published media record, unless that record has been included in a report about an individual shared with a third party.

(v) RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Commission shall promulgate regulations under section 553 of title 5, United States Code, to carry out this paragraph and to facilitate the purposes of this Act. In addition, the Commission shall issue regulations, as necessary, under section 553 of title 5, United States Code, on the scope of the application of the limitations in clause (iv), including any additional circumstances in which an information broker may limit access to information under such clause that the Commission determines to be appropriate.

(C) FCRA REGULATED PERSONS.—Any information broker who is engaged in activities subject to the Fair Credit Reporting Act and who is in compliance with sections 609, 610, and 611 of such Act with respect to information subject to such Act, shall be deemed to be in compliance with this paragraph with respect to such information.

(4) REQUIREMENT OF AUDIT LOG OF ACCESSED AND TRANSMITTED INFORMATION.—Not later than 1 year after the date of the enactment of this Act, the Commission shall promulgate regulations under section 553 of title 5, United States Code, to require information brokers to establish measures which facilitate the auditing or retracing of any internal or external access to, or transmissions of, any data containing personal information collected, assembled, or maintained by such information broker.

(5) PROHIBITION ON PRETEXTING BY INFORMATION BROKERS.—

(A) PROHIBITION ON OBTAINING PERSONAL INFORMATION BY FALSE PRETENSES.—It shall be unlawful for an information broker to obtain or attempt to obtain, or cause to be disclosed or attempt to cause to be disclosed to any person, personal information or any other information relating to any person by—

(i) making a false, fictitious, or fraudulent statement or representation to any person; or

(ii) providing any document or other information to any person that the information broker knows or should know to be forged, counterfeit, lost, stolen, or fraudulently obtained, or to contain a false, fictitious, or fraudulent statement or representation.

(B) PROHIBITION ON SOLICITATION TO OBTAIN PERSONAL INFORMATION UNDER FALSE PRETENSES.—It shall be unlawful for an information broker to request a person to obtain personal information or any other information relating to any other person, if the information broker knew or should have known that the person to whom such a request is made will obtain or attempt to obtain such information in the manner described in subparagraph (A).

(C) EXEMPTION FOR CERTAIN SERVICE PROVIDERS.—Nothing in this section shall apply to a service provider for any electronic communication by a third party that is transmitted, routed, or stored in intermediate or transient storage by such service provider.

SEC. 3. NOTIFICATION OF INFORMATION SECURITY BREACH.

(a) NATIONWIDE NOTIFICATION.—Any person engaged in interstate commerce that owns or possesses data in electronic form containing personal information shall, following the discovery of a breach of security of the system

maintained by such person that contains such data—

(1) notify each individual who is a citizen or resident of the United States whose personal information was acquired or accessed as a result of such a breach of security; and
(2) notify the Commission.

(b) SPECIAL NOTIFICATION REQUIREMENTS.—
(1) THIRD PARTY AGENTS.—In the event of a breach of security by any third party entity that has been contracted to maintain or process data in electronic form containing personal information on behalf of any other person who owns or possesses such data, such third party entity shall be required to notify such person of the breach of security. Upon receiving such notification from such third party, such person shall provide the notification required under subsection (a).

(2) SERVICE PROVIDERS.—If a service provider becomes aware of a breach of security of data in electronic form containing personal information that is owned or possessed by another person that connects to or uses a system or network provided by the service provider for the purpose of transmitting, routing, or providing intermediate or transient storage of such data, such service provider shall be required to notify of such a breach of security only the person who initiated such connection, transmission, routing, or storage if such person can be reasonably identified. Upon receiving such notification from a service provider, such person shall provide the notification required under subsection (a).

(3) COORDINATION OF NOTIFICATION WITH CREDIT REPORTING AGENCIES.—If a person is required to provide notification to more than 5,000 individuals under subsection (a)(1), the person shall also notify the major credit reporting agencies that compile and maintain files on consumers on a nationwide basis, of the timing and distribution of the notices. Such notice shall be given to the credit reporting agencies without unreasonable delay and, if it will not delay notice to the affected individuals, prior to the distribution of notices to the affected individuals.

(c) TIMELINESS OF NOTIFICATION.—

(1) IN GENERAL.—Unless subject to a delay authorized under paragraph (2), a notification required under subsection (a) shall be made not later than 60 days following the discovery of a breach of security, unless the person providing notice can show that providing notice within such a time frame is not feasible due to extraordinary circumstances necessary to prevent further breach or unauthorized disclosures, and reasonably restore the integrity of the data system, in which case such notification shall be made as promptly as possible.

(2) DELAY OF NOTIFICATION AUTHORIZED FOR LAW ENFORCEMENT OR NATIONAL SECURITY PURPOSES.—

(A) LAW ENFORCEMENT.—If a Federal, State, or local law enforcement agency determines that the notification required under this section would impede a civil or criminal investigation, such notification shall be delayed upon the written request of the law enforcement agency for 30 days or such lesser period of time which the law enforcement agency determines is reasonably necessary and requests in writing. A law enforcement agency may, by a subsequent written request, revoke such delay or extend the period of time set forth in the original request made under this paragraph if further delay is necessary.

(B) NATIONAL SECURITY.—If a Federal national security agency or homeland security agency determines that the notification required under this section would threaten national or homeland security, such notification may be delayed for a period of time which the national security agency or home-

land security agency determines is reasonably necessary and requests in writing. A Federal national security agency or homeland security agency may revoke such delay or extend the period of time set forth in the original request made under this paragraph by a subsequent written request if further delay is necessary.

(d) METHOD AND CONTENT OF NOTIFICATION.—

(1) DIRECT NOTIFICATION.—

(A) METHOD OF NOTIFICATION.—A person required to provide notification to individuals under subsection (a)(1) shall be in compliance with such requirement if the person provides conspicuous and clearly identified notification by one of the following methods (provided the selected method can reasonably be expected to reach the intended individual):

(i) Written notification.
(ii) Notification by email or other electronic means, if—

(I) the person's primary method of communication with the individual is by email or such other electronic means; or

(II) the individual has consented to receive such notification and the notification is provided in a manner that is consistent with the provisions permitting electronic transmission of notices under section 101 of the Electronic Signatures in Global Commerce Act (15 U.S.C. 7001).

(B) CONTENT OF NOTIFICATION.—Regardless of the method by which notification is provided to an individual under subparagraph (A), such notification shall include—

(i) a description of the personal information that was acquired or accessed by an unauthorized person;

(ii) a telephone number that the individual may use, at no cost to such individual, to contact the person to inquire about the breach of security or the information the person maintained about that individual;

(iii) notice that the individual is entitled to receive, at no cost to such individual, consumer credit reports on a quarterly basis for a period of 2 years, or credit monitoring or other service that enables consumers to detect the misuse of their personal information for a period of 2 years, and instructions to the individual on requesting such reports or service from the person, except when the only information which has been the subject of the security breach is the individual's first name or initial and last name, or address, or phone number, in combination with a credit or debit card number, and any required security code;

(iv) the toll-free contact telephone numbers and addresses for the major credit reporting agencies; and

(v) a toll-free telephone number and Internet website address for the Commission whereby the individual may obtain information regarding identity theft.

(2) SUBSTITUTE NOTIFICATION.—

(A) CIRCUMSTANCES GIVING RISE TO SUBSTITUTE NOTIFICATION.—A person required to provide notification to individuals under subsection (a)(1) may provide substitute notification in lieu of the direct notification required by paragraph (1) if the person owns or possesses data in electronic form containing personal information of fewer than 1,000 individuals and such direct notification is not feasible due to—

(i) excessive cost to the person required to provide such notification relative to the resources of such person, as determined in accordance with the regulations issued by the Commission under paragraph (3)(A); or

(ii) lack of sufficient contact information for the individual required to be notified.

(B) FORM OF SUBSTITUTE NOTIFICATION.—Such substitute notification shall include—

(i) email notification to the extent that the person has email addresses of individuals to whom it is required to provide notification under subsection (a)(1);

(ii) a conspicuous notice on the Internet website of the person (if such person maintains such a website); and

(iii) notification in print and to broadcast media, including major media in metropolitan and rural areas where the individuals whose personal information was acquired reside.

(C) CONTENT OF SUBSTITUTE NOTICE.—Each form of substitute notice under this paragraph shall include—

(i) notice that individuals whose personal information is included in the breach of security are entitled to receive, at no cost to the individuals, consumer credit reports on a quarterly basis for a period of 2 years, or credit monitoring or other service that enables consumers to detect the misuse of their personal information for a period of 2 years, and instructions on requesting such reports or service from the person, except when the only information which has been the subject of the security breach is the individual's first name or initial and last name, or address, or phone number, in combination with a credit or debit card number, and any required security code; and

(ii) a telephone number by which an individual can, at no cost to such individual, learn whether that individual's personal information is included in the breach of security.

(3) REGULATIONS AND GUIDANCE.—

(A) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Commission shall, by regulation under section 553 of title 5, United States Code, establish criteria for determining circumstances under which substitute notification may be provided under paragraph (2), including criteria for determining if notification under paragraph (1) is not feasible due to excessive costs to the person required to provide such notification relative to the resources of such person. Such regulations may also identify other circumstances where substitute notification would be appropriate for any person, including circumstances under which the cost of providing notification exceeds the benefits to consumers.

(B) GUIDANCE.—In addition, the Commission shall provide and publish general guidance with respect to compliance with this subsection. Such guidance shall include—

(i) a description of written or email notification that complies with the requirements of paragraph (1); and

(ii) guidance on the content of substitute notification under paragraph (2), including the extent of notification to print and broadcast media that complies with the requirements of such paragraph.

(e) OTHER OBLIGATIONS FOLLOWING BREACH.—

(1) IN GENERAL.—A person required to provide notification under subsection (a) shall, upon request of an individual whose personal information was included in the breach of security, provide or arrange for the provision of, to each such individual and at no cost to such individual—

(A) consumer credit reports from at least one of the major credit reporting agencies beginning not later than 60 days following the individual's request and continuing on a quarterly basis for a period of 2 years thereafter; or

(B) a credit monitoring or other service that enables consumers to detect the misuse of their personal information, beginning not later than 60 days following the individual's request and continuing for a period of 2 years.

(2) **LIMITATION.**—This subsection shall not apply if the only personal information which has been the subject of the security breach is the individual's first name or initial and last name, or address, or phone number, in combination with a credit or debit card number, and any required security code.

(3) **RULEMAKING.**—As part of the Commission's rulemaking described in subsection (d)(3), the Commission shall determine the circumstances under which a person required to provide notification under subsection (a)(1) shall provide or arrange for the provision of free consumer credit reports or credit monitoring or other service to affected individuals.

(f) **EXEMPTION.**—

(1) **GENERAL EXEMPTION.**—A person shall be exempt from the requirements under this section if, following a breach of security, such person determines that there is no reasonable risk of identity theft, fraud, or other unlawful conduct.

(2) **PRESUMPTION.**—

(A) **IN GENERAL.**—If the data in electronic form containing personal information is rendered unusable, unreadable, or indecipherable through encryption or other security technology or methodology (if the method of encryption or such other technology or methodology is generally accepted by experts in the information security field), there shall be a presumption that no reasonable risk of identity theft, fraud, or other unlawful conduct exists following a breach of security of such data. Any such presumption may be rebutted by facts demonstrating that the encryption or other security technologies or methodologies in a specific case, have been or are reasonably likely to be compromised.

(B) **METHODOLOGIES OR TECHNOLOGIES.**—Not later than 1 year after the date of the enactment of this Act and biannually thereafter, the Commission shall issue rules (pursuant to section 553 of title 5, United States Code) or guidance to identify security methodologies or technologies which render data in electronic form unusable, unreadable, or indecipherable, that shall, if applied to such data, establish a presumption that no reasonable risk of identity theft, fraud, or other unlawful conduct exists following a breach of security of such data. Any such presumption may be rebutted by facts demonstrating that any such methodology or technology in a specific case has been or is reasonably likely to be compromised. In issuing such rules or guidance, the Commission shall consult with relevant industries, consumer organizations, and data security and identity theft prevention experts and established standards setting bodies.

(3) **FTC GUIDANCE.**—Not later than 1 year after the date of the enactment of this Act the Commission shall issue guidance regarding the application of the exemption in paragraph (1).

(g) **WEBSITE NOTICE OF FEDERAL TRADE COMMISSION.**—If the Commission, upon receiving notification of any breach of security that is reported to the Commission under subsection (a)(2), finds that notification of such a breach of security via the Commission's Internet website would be in the public interest or for the protection of consumers, the Commission shall place such a notice in a clear and conspicuous location on its Internet website.

(h) **FTC STUDY ON NOTIFICATION IN LANGUAGES IN ADDITION TO ENGLISH.**—Not later than 1 year after the date of enactment of this Act, the Commission shall conduct a study on the practicality and cost effectiveness of requiring the notification required by subsection (d)(1) to be provided in a language in addition to English to individuals known to speak only such other language.

(i) **GENERAL RULEMAKING AUTHORITY.**—The Commission may promulgate regulations necessary under section 553 of title 5, United States Code, to effectively enforce the requirements of this section.

(j) **TREATMENT OF PERSONS GOVERNED BY OTHER LAW.**—A person who is in compliance with any other Federal law that requires such person to provide notification to individuals following a breach of security, and that, taken as a whole, provides protections substantially similar to, or greater than, those required under this section, as the Commission shall determine by rule (under section 553 of title 5, United States Code), shall be deemed to be in compliance with this section.

SEC. 4. APPLICATION AND ENFORCEMENT.

(a) **GENERAL APPLICATION.**—The requirements of sections 2 and 3 shall only apply to those persons, partnerships, or corporations over which the Commission has authority pursuant to section 5(a)(2) of the Federal Trade Commission Act.

(b) **ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.**—

(1) **UNFAIR OR DECEPTIVE ACTS OR PRACTICES.**—A violation of section 2 or 3 shall be treated as an unfair and deceptive act or practice in violation of a regulation under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) regarding unfair or deceptive acts or practices.

(2) **POWERS OF COMMISSION.**—The Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act. Any person who violates such regulations shall be subject to the penalties and entitled to the privileges and immunities provided in that Act.

(3) **LIMITATION.**—In promulgating rules under this Act, the Commission shall not require the deployment or use of any specific products or technologies, including any specific computer software or hardware.

(c) **ENFORCEMENT BY STATE ATTORNEYS GENERAL.**—

(1) **CIVIL ACTION.**—In any case in which the attorney general of a State, or an official or agency of a State, has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by any person who violates section 2 or 3 of this Act, the attorney general, official, or agency of the State, as *parens patriae*, may bring a civil action on behalf of the residents of the State in a district court of the United States of appropriate jurisdiction—

(A) to enjoin further violation of such section by the defendant;

(B) to compel compliance with such section; or

(C) to obtain civil penalties in the amount determined under paragraph (2).

(2) **CIVIL PENALTIES.**—

(A) **CALCULATION.**—

(i) **TREATMENT OF VIOLATIONS OF SECTION 2.**—For purposes of paragraph (1)(C) with regard to a violation of section 2, the amount determined under this paragraph is the amount calculated by multiplying the number of days that a person is not in compliance with such section by an amount not greater than \$11,000.

(ii) **TREATMENT OF VIOLATIONS OF SECTION 3.**—For purposes of paragraph (1)(C) with regard to a violation of section 3, the amount determined under this paragraph is the amount calculated by multiplying the number of violations of such section by an amount not greater than \$11,000. Each failure to send notification as required under section 3 to a resident of the State shall be treated as a separate violation.

(B) **ADJUSTMENT FOR INFLATION.**—Beginning on the date that the Consumer Price Index is first published by the Bureau of Labor Statistics that is after 1 year after the date of enactment of this Act, and each year thereafter, the amounts specified in clauses (i) and (ii) of subparagraph (A) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(C) **MAXIMUM TOTAL LIABILITY.**—Notwithstanding the number of actions which may be brought against a person under this subsection the maximum civil penalty for which any person may be liable under this subsection shall not exceed—

(i) \$5,000,000 for each violation of section 2; and

(ii) \$5,000,000 for all violations of section 3 resulting from a single breach of security.

(3) **INTERVENTION BY THE FTC.**—

(A) **NOTICE AND INTERVENTION.**—The State shall provide prior written notice of any action under paragraph (1) to the Commission and provide the Commission with a copy of its complaint, except in any case in which such prior notice is not feasible, in which case the State shall serve such notice immediately upon instituting such action. The Commission shall have the right—

(i) to intervene in the action;

(ii) upon so intervening, to be heard on all matters arising therein; and

(iii) to file petitions for appeal.

(B) **LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.**—If the Commission has instituted a civil action for violation of this Act, no State attorney general, or official or agency of a State, may bring an action under this subsection during the pendency of that action against any defendant named in the complaint of the Commission for any violation of this Act alleged in the complaint.

(4) **CONSTRUCTION.**—For purposes of bringing any civil action under paragraph (1), nothing in this Act shall be construed to prevent an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State—

(A) conduct investigations;

(B) administer oaths or affirmations; or

(C) compel the attendance of witnesses or the production of documentary and other evidence.

(d) **AFFIRMATIVE DEFENSE FOR A VIOLATION OF SECTION 3.**—

(1) **IN GENERAL.**—It shall be an affirmative defense to an enforcement action brought under subsection (b), or a civil action brought under subsection (c), based on a violation of section 3, that all of the personal information contained in the data in electronic form that was acquired or accessed as a result of a breach of security of the defendant is public record information that is lawfully made available to the general public from Federal, State, or local government records and was acquired by the defendant from such records.

(2) **NO EFFECT ON OTHER REQUIREMENTS.**—Nothing in this subsection shall be construed to exempt any person from the requirement to notify the Commission of a breach of security as required under section 3(a).

SEC. 5. DEFINITIONS.

In this Act the following definitions apply:

(1) **BREACH OF SECURITY.**—The term "breach of security" means unauthorized access to or acquisition of data in electronic form containing personal information.

(2) **COMMISSION.**—The term "Commission" means the Federal Trade Commission.

(3) **DATA IN ELECTRONIC FORM.**—The term "data in electronic form" means any data stored electronically or digitally on any

computer system or other database and includes recordable tapes and other mass storage devices.

(4) **ENCRYPTION.**—The term “encryption” means the protection of data in electronic form in storage or in transit using an encryption technology that has been adopted by an established standards setting body which renders such data indecipherable in the absence of associated cryptographic keys necessary to enable decryption of such data. Such encryption must include appropriate management and safeguards of such keys to protect the integrity of the encryption.

(5) **IDENTITY THEFT.**—The term “identity theft” means the unauthorized use of another person’s personal information for the purpose of engaging in commercial transactions under the name of such other person.

(6) **INFORMATION BROKER.**—The term “information broker” —

(A) means a commercial entity whose business is to collect, assemble, or maintain personal information concerning individuals who are not current or former customers of such entity in order to sell such information or provide access to such information to any nonaffiliated third party in exchange for consideration, whether such collection, assembly, or maintenance of personal information is performed by the information broker directly, or by contract or subcontract with any other entity; and

(B) does not include a commercial entity to the extent that such entity processes information collected by or on behalf of and received from or on behalf of a nonaffiliated third party concerning individuals who are current or former customers or employees of such third party to enable such third party directly or through parties acting on its behalf to (1) provide benefits for its employees or (2) directly transact business with its customers.

(7) **PERSONAL INFORMATION.**—

(A) **DEFINITION.**—The term “personal information” means an individual’s first name or initial and last name, or address, or phone number, in combination with any 1 or more of the following data elements for that individual:

(i) Social Security number.

(ii) Driver’s license number, passport number, military identification number, or other similar number issued on a government document used to verify identity.

(iii) Financial account number, or credit or debit card number, and any required security code, access code, or password that is necessary to permit access to an individual’s financial account.

(B) **MODIFIED DEFINITION BY RULEMAKING.**—The Commission may, by rule promulgated under section 553 of title 5, United States Code, modify the definition of “personal information” under subparagraph (A)—

(i) for the purpose of section 2 to the extent that such modification will not unreasonably impede interstate commerce, and will accomplish the purposes of this Act; or

(ii) for the purpose of section 3, to the extent that such modification is necessary to accommodate changes in technology or practices, will not unreasonably impede interstate commerce, and will accomplish the purposes of this Act.

(8) **PUBLIC RECORD INFORMATION.**—The term “public record information” means information about an individual which has been obtained originally from records of a Federal, State, or local government entity that are available for public inspection.

(9) **NON-PUBLIC INFORMATION.**—The term “non-public information” means information about an individual that is of a private nature and neither available to the general public nor obtained from a public record.

(10) **SERVICE PROVIDER.**—The term “service provider” means a person that provides electronic data transmission, routing, intermediate and transient storage, or connections to its system or network, where the person providing such services does not select or modify the content of the electronic data, is not the sender or the intended recipient of the data, and such person transmits, routes, stores, or provides connections for personal information in a manner that personal information is undifferentiated from other types of data that such person transmits, routes, stores, or provides connections. Any such person shall be treated as a service provider under this Act only to the extent that it is engaged in the provision of such transmission, routing, intermediate and transient storage or connections.

SEC. 6. EFFECT ON OTHER LAWS.

(a) **PREEMPTION OF STATE INFORMATION SECURITY LAWS.**—This Act supersedes any provision of a statute, regulation, or rule of a State or political subdivision of a State, with respect to those entities covered by the regulations issued pursuant to this Act, that expressly—

(1) requires information security practices and treatment of data containing personal information similar to any of those required under section 2; and

(2) requires notification to individuals of a breach of security resulting in unauthorized access to or acquisition of data in electronic form containing personal information.

(b) **ADDITIONAL PREEMPTION.**—

(1) **IN GENERAL.**—No person other than a person specified in section 4(c) may bring a civil action under the laws of any State if such action is premised in whole or in part upon the defendant violating any provision of this Act.

(2) **PROTECTION OF CONSUMER PROTECTION LAWS.**—This subsection shall not be construed to limit the enforcement of any State consumer protection law by an Attorney General of a State.

(c) **PROTECTION OF CERTAIN STATE LAWS.**—This Act shall not be construed to preempt the applicability of—

(1) State trespass, contract, or tort law; or

(2) other State laws to the extent that those laws relate to acts of fraud.

(d) **PRESERVATION OF FTC AUTHORITY.**—Nothing in this Act may be construed in any way to limit or affect the Commission’s authority under any other provision of law.

SEC. 7. EFFECTIVE DATE.

This Act shall take effect 1 year after the date of enactment of this Act.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Commission \$1,000,000 for each of fiscal years 2010 through 2015 to carry out this Act.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RUSH) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RUSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, the first bill that I am urging adoption of is H.R. 2221, the Data Accountability and Trust Act, known as the DATA Act.

H.R. 2221 addresses data breaches by requiring for-profit entities holding data containing people’s personal information to have reasonable and appropriate security measures in place to protect that data. H.R. 2221 would also require them to notify consumers who are U.S. citizens or residents and the Federal Trade Commission when a breach occurs.

For the past 5 years, the Privacy Rights Clearinghouse contends that nearly 340 million records “containing sensitive personal information” have been involved in security breaches. High-profile data breaches have plagued financial institutions, nationwide retailers, online merchants, information brokers, credit card processors, health care institutions, high-tech companies, research facilities, and government agencies.

Currently, several laws address data security requirements for narrow categories of information or specific sectors of the marketplace. These laws include the Gramm-Leach-Bliley Act Safeguards Rule, which contains data security requirements for financial institutions and the Fair Credit Reporting Act Disposal Rule, which imposes safe disposal obligations on entities that maintain consumer report information.

In addition, FTC has used its enforcement authority under the FTC Act to bring actions against companies that have made misleading claims about data security procedures or who have failed to employ reasonable security measures in circumstances causing substantial injury.

However, there is no comprehensive Federal law that requires all companies that hold consumers’ personal information to implement reasonable measures to protect that data. Also, there is no Federal law that requires companies that experience a data breach to provide notice to those consumers whose personal information was compromised. Those entities who determine that there is no reasonable risk of identity theft, fraud, or other unlawful conduct would be exempt from providing nationwide notice to affected persons under H.R. 2221.

The DATA Act establishes a rebuttal presumption in the law that encryption-based technologies and methodologies adequately meet the determination standard in section 3, subsection (f)(2)(A) of the bill. More narrow exemptions are provided for a defined category of personal information holders known as “service providers” in addition to information brokers who handle protective data but only for the limited purposes of preventing fraud.

In promulgating the regulations under this subsection, the FTC may determine to be in compliance any person who is required under any other Federal law to maintain standards and

safeguards for information security and protection of personal information that provide equal or greater protection than H.R. 2221.

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

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

Mr. Speaker, I rise in support of H.R. 2221, the Data Accountability and Trust Act, and I am very pleased and gratified that we're considering this bill today. I've taken an active part and interest in data privacy, and I am happy that the House Members will now finally have an opportunity to vote on this important legislation which, frankly, I introduced in its original form in the 109th Congress.

As former chairman of the Subcommittee on Commerce, Trade, and Consumer Protection, CTCP, of the Energy and Commerce Committee, I held two hearings in 2005 on identity theft and security breaches involving personal information. These hearings led me to introduce the Data Accountability and Trust Act, which would require any entity that experiences a simple breach of security, such as a business, to notify all those folks in the United States whose information was acquired by an unauthorized person as a result of this breach. My bill was reported out of the Energy and Commerce Committee by a unanimous vote, but, unfortunately, it never made its way to the House floor for a final vote.

But today we're considering legislation that is almost identical to the bill I sponsored when I was chairman of the CTCP Subcommittee. So I would like to commend Chairman BOBBY RUSH for his leadership in introducing this bill, and I'm proud to be the original cosponsor of the bill.

My colleagues, importantly, this bill requires an audit of a data broker's security practices following a breach of security. The legislation also directs the Federal Trade Commission to create rules requiring persons in interstate commerce that own or possess data to simply establish and implement security policies and procedures that protect this data from unauthorized use and requires data brokers to establish reasonable procedures to verify the accuracy of their data and also to allow consumers access to such information while also including important protections to prevent fraudsters from accessing this same information.

The DATA bill also directs the Federal Trade Commission, the FTC, to post data breaches on its Web site, making important data breach information readily available to the public.

The CTCP Subcommittee worked in a bipartisan manner to address a few concerns that were raised about the broad scope of this bill, such as worries about duplicative regulations; but our staff committee worked in a bipartisan manner to solve these problems. So they have been mitigated.

Importantly, H.R. 2221 does not impose duplicative, inconsistent, or overlapping regulations. The bill ensures that any person who is in compliance with a similar data security law will then be deemed to be in compliance with H.R. 2221. Additionally, with respect to concerns that were raised about the access and dispute resolution requirements for information brokers, the DATA bill provides that if an information broker is in compliance with similar relevant laws, then the information broker will also be deemed to be in compliance with respect to that information.

Members should also note that the Data Accountability and Trust Act only applies to those entities that are subject to Federal Trade Commission jurisdiction. Banks, savings and loan institutions, thrifts, and the business of insurance are not subject to the requirements of this bill.

Consideration of this bill today is timely, as data security, data privacy problems continue to affect countless Americans each year. In fact, according to Privacy Rights Clearinghouse, almost 340 million records containing "sensitive personal information" have been "involved in security breaches since 2005."

One of the largest known breaches in our country actually occurred in January of this year at Heartland Payment Systems. In this case over 180 million personal records were compromised. Furthermore, universities across this Nation have had names, photos, phone numbers, and addresses of their students and their staff compromised or stolen. Sensitive technology companies such as SAIC, Science Application International Corporation, and large financial institutions such as Bank of America have also experienced these breaches. Hundreds of hospitals have had the personal information of their patients in their hospitals compromised.

Earlier this year, hackers broke into a Virginia State Web site used by pharmacists to track prescription drug abuse. They successfully deleted records of more than 8 million patients and replaced the site's home page with a ransom note demanding \$10 million for the return of these records.

Breaches have also occurred in the Department of Motor Vehicles; the IRS; the Federal Trade Commission itself; the FDIC, which is the Federal Deposit Insurance Corporation; the State Department; the Department of Veterans Affairs; the Department of Justice. Of course, the list goes on and on.

□ 1500

Oftentimes, these data security breaches can lead to credit card fraud and even identity theft, which can require time and a whole lot of money and energy from consumers to simply repair their good name and to restore their credit history.

Consideration of this bill, the Data Accountability and Trust Act, is time-

ly and necessary to give the record number of data breaches that are occurring across this country their due and protection. So I urge my colleagues at this time to support the bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RUSH. Mr. Speaker, as has been noted, and as is obvious here, H.R. 2221 is a bipartisan bill that is the result of a cooperative process. This bill was first introduced in the 109th Congress by Representative STEARNS as the lead sponsor when the Republicans were in the majority. It was voted out of full committee by a unanimous recorded vote. This year, it was introduced by myself as lead sponsor, and after making further improvements to the bill, it was voted out of full committee by voice vote. Compromises were made on all sides to produce an effective piece of legislation.

I would like to thank both Members and staff from both sides of the aisle for their work on this bill. I want to thank Mr. STEARNS, Mr. BARTON, Mr. RADANOVICH, Ms. SCHAKOWSKY, and the chairman of the full committee, Mr. WAXMAN, for working in a bipartisan fashion to move this important legislation forward.

Mr. Speaker, it is, again, unacceptable that in 2009 there is no comprehensive Federal law that requires all companies that hold consumers' personal information to protect that data. It is equally unacceptable that there is no Federal law requiring companies that experience a data breach to provide notice to those consumers whose personal information was compromised. This bill creates uniform, nationwide standards for breach notification. That's not only good for consumers, but uniform standards are also good for business, good for Americans, and good for our constituents. We need this law, and I urge my colleagues to support and pass H.R. 2221.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 2221, as amended.

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

The title was amended so as to read: "A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach."

A motion to reconsider was laid on the table.

INFORMED P2P USER ACT

Mr. RUSH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1319) to prevent the inadvertent disclosure of information on a computer through the use of certain "peer-

to-peer” file sharing software without first providing notice and obtaining consent from the owner or authorized user of the computer, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1319

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 “Informed P2P User Act”.

SEC. 2. CONDUCT PROHIBITED.

(a) NOTICE AND CONSENT REQUIRED FOR FILE-SHARING SOFTWARE.—

(1) NOTICE AND CONSENT REQUIRED PRIOR TO INSTALLATION.—It is unlawful for any covered entity to install on a protected computer or offer or make available for installation or download on a protected computer a covered file-sharing program unless such program—

(A) immediately prior to the installation or downloading of such program—

(i) provides clear and conspicuous notice that such program allows files on the protected computer to be made available for searching by and copying to one or more other computers; and

(ii) obtains the informed consent to the installation of such program from an owner or authorized user of the protected computer; and

(B) immediately prior to initial activation of a file-sharing function of such program—

(i) provides clear and conspicuous notice of which files on the protected computer are to be made available for searching by and copying to another computer; and

(ii) obtains the informed consent from an owner or authorized user of the protected computer for such files to be made available for searching and copying to another computer.

(2) NON-APPLICATION TO PRE-INSTALLED SOFTWARE.—Nothing in paragraph (1)(A) shall apply to the installation of a covered file-sharing program on a computer prior to the first sale of such computer to an end user, provided that notice is provided to the end user who first purchases the computer that such a program has been installed on the computer.

(3) NON-APPLICATION TO SOFTWARE UPDATES.—Once the notice and consent requirements of paragraphs (1)(A) and (1)(B) have been satisfied with respect to the installation or initial activation of a covered file-sharing program on a protected computer after the effective date of this Act, the notice and consent requirements of paragraphs (1)(A) and (1)(B) do not apply to the installation or initial activation of software modifications or upgrades to a covered file-sharing program installed on that protected computer at the time of the software modifications or upgrades so long as those software modifications or upgrades do not—

(A) make files on the protected computer available for searching by and copying to one or more other computers that were not already made available by the covered file-sharing program for searching by and copying to one or more other computers; or

(B) add to the types or locations of files that can be made available by the covered file-sharing program for searching by and copying to one or more other computers.

(b) PREVENTING THE DISABLING OR REMOVAL OF CERTAIN SOFTWARE.—It is unlawful for any covered entity—

(1) to prevent the reasonable efforts of an owner or authorized user of a protected computer from blocking the installation of a covered file-sharing program or file-sharing function thereof; or

(2) to prevent an owner or authorized user of a protected computer from having a reasonable means to either—

(A) disable from the protected computer any covered file-sharing program; or

(B) remove from the protected computer any covered file-sharing program that the covered entity caused to be installed on that computer or induced another individual to install.

SEC. 3. ENFORCEMENT.

(a) UNFAIR AND DECEPTIVE ACTS AND PRACTICES.—A violation of section 2 shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) FEDERAL TRADE COMMISSION ENFORCEMENT.—The Federal Trade Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act.

(c) PRESERVATION OF FEDERAL AND STATE AUTHORITY.—Nothing in this Act shall be construed to limit or supersede any other Federal or State law.

SEC. 4. DEFINITIONS.

As used in this Act—

(1) the term “commercial entity” means an entity engaged in acts or practices in or affecting commerce, as such term is defined in section 4 of the Federal Trade Commission Act (15 U.S.C. 44);

(2) the term “covered entity” means—

(A) a commercial entity that develops a covered file-sharing program; and

(B) a commercial entity that disseminates or distributes a covered file-sharing program and is owned or operated by the commercial entity that developed the covered file-sharing program;

(3) the term “protected computer” has the meaning given such term in section 1030(e)(2) of title 18, United States Code; and

(4) the term “covered file-sharing program”—

(A) means a program, application, or software that is commercially marketed or distributed to the public and that enables—

(i) a file or files on the protected computer on which such program is installed to be designated as available for searching by and copying to one or more other computers owned by another person;

(ii) the searching of files on the protected computer on which such program is installed and the copying of any such file to a computer owned by another person—

(I) at the initiative of such other computer and without requiring any action by an owner or authorized user of the protected computer on which such program is installed; and

(II) without requiring an owner or authorized user of the protected computer on which such program is installed to have selected or designated a computer owned by another person as the recipient of any such file; and

(iii) the protected computer on which such program is installed to search files on one or more other computers owned by another person using the same or a compatible program, application, or software, and to copy files from the other computer to such protected computer; and

(B) does not include a program, application, or software designed primarily to—

(i) operate as a server that is accessible over the Internet using the Internet Domain Name system;

(ii) transmit or receive email messages, instant messaging, real-time audio or video communications, or real-time voice communications; or

(iii) provide network or computer security, network management, hosting and backup services, maintenance, diagnostics, technical support or repair, or to detect or prevent fraudulent activities; and

(5) the term “initial activation of a file-sharing function” means—

(A) the first time the file sharing function of a covered file-sharing program is activated on a protected computer; and

(B) does not include subsequent uses of the program on that protected computer.

SEC. 5. RULEMAKING.

The Federal Trade Commission may promulgate regulations under section 553 of title 5, United States Code to accomplish the purposes of this Act. In promulgating rules under this Act, the Federal Trade Commission shall not require the deployment or use of any specific products or technologies.

SEC. 6. NONAPPLICATION TO GOVERNMENT.

The prohibition in section 2 of this Act shall not apply to the Federal Government or any instrumentality of the Federal Government, nor to any State government or government of a subdivision of a State.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RUSH) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RUSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, this second bill which I am urging adoption of is H.R. 1319, the Informed P2P User Act.

H.R. 1319 was originally introduced by the gentlelady from California, Mrs. BONO MACK; Ranking Member BARTON, the gentleman from Texas; and Mr. BARROW, the gentleman from Georgia.

H.R. 1319, similar to H.R. 2221, would better enable consumers to secure personal information. The focus under H.R. 1319 is on personal information which resides on “protected computers.” By making these users of file-sharing software programs more aware of the risk involved in downloading and running these programs, the P2P Act will reduce inadvertent disclosures of sensitive information over the Internet.

Under H.R. 1319, developers of file-sharing software programs would be prohibited from installing their software or from making it available for installation or downloading without first notifying consumers that their software is capable of searching and copying files from their computers. Developers would also have to provide consumers with a reasonable means to disable or remove the file-sharing program. H.R. 1319 would not require user notice prior to installation for software that was installed prior to the initial

sale of a computer so long as notice of the installation of a covered program is provided in some other form.

The P2P Act would also provide the FTC with discretionary rulemaking authority and expressly states that it does not apply to the Federal Government.

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

Mr. STEARNS. Mr. Speaker, I yield myself such time as I may consume, and I also rise in support of H.R. 1319, the Informed P2P User Act of 2009.

For the second consecutive Congress, Mrs. BONO MACK has introduced this legislation because too many American consumers are having their personal information stolen and their lives wrecked by the careless distribution of file-sharing software which more often than not is used to distribute copyright-infringing content and child pornography. These file-sharing software distributors can no longer be trusted to do the right thing.

The problem of inadvertent file sharing caused by peer-to-peer programs has been felt by thousands of consumers and widely reported by the press. Recent high profile cases, like Marine One schematics being found on a network in Iran, the public availability of United States Supreme Court Justice Breyer's financial records, and the compromising of our own House Committee on Standards of Official Conduct's network security only serve to underscore the dangers associated with file-sharing software and the importance of providing American consumers with the tools and information they need to make wise decisions online.

As a believer in the power of the free market, I am willing to afford commercial interest the opportunity to simply self-regulate; however, the distributors of file-sharing software have proven they are either unable or unwilling to handle their affairs without intervention. This bill is the logical consequence.

In the House of Representatives alone, inadvertent file sharing has been the subject of at least five congressional hearings in three separate committees. In each hearing, distributors of file-sharing software have come forth with a list of voluntary best practices or a commitment to correct the problem, but in each instance they have failed to deliver.

The Informed P2P User Act improves upon existing law because its substantive requirements very narrowly target the critical problem of inadvertent sharing. Unfortunately, many users of the software—particularly preteens or teenage children and their parents—are unaware of the potential dangers of file-sharing software. Today, by passing the Informed P2P User Act, we will move that much closer to arming American consumers with the information they need to protect their personal information.

Now, I thought I would go into what the bill includes:

One, it will create a system where users of file-sharing programs are provided with conspicuous notice and forced to give consent prior to installation and activation of a file-sharing program. And two, requires entities that develop file-sharing programs to make it reasonably simple to block or remove these programs once they are installed.

Additionally, this act will require an easy-to-understand notice and consent rule for file-sharing software. It is my belief that when the consumer is provided with this information, he or she will make a more informed choice.

Finally, my colleagues, the Informed P2P User Act ensures a narrow scope by exempting technologies like e-mail, instant messaging, real-time audio or video communications, and real-time voice communications.

This bill has broad bipartisan support, including 36 cosponsors, written endorsement of 41 State Attorneys General, and the full backing of child safety groups such as Stop Child Predators.

I would like to commend Congresswoman BONO MACK for all the work she has done here; the ranking member on our committee, Mr. BARTON; obviously Mr. RUSH for being on the floor; and Congressman BARROW for his leadership on this issue. I encourage the passage of this bill.

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

Mr. RUSH. Mr. Speaker, it is my pleasure to now yield 5 minutes to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. I thank the chairman of the subcommittee for his leadership on this issue and for yielding.

Mr. Speaker, I rise today in support of H.R. 1319, the Informed Peer-to-Peer User Act, which I introduced with Representatives BONO MACK and BARTON.

We live in a world where digital technology connects people in ways that make all kinds of collaboration and innovation possible. There is no question about the benefits of this technology; what I am worried about is the cost. This technology has made us all more productive all right, but it has also made it easier for others to invade our personal records and reveal private information about us and our families that we would never choose to disclose. This bill will protect consumers by making Internet users more aware of the inherent privacy and security risks associated with peer-to-peer file-sharing programs.

All too often, folks who connect to these networks don't even realize that their most personal and private files are visible to everyone else on the network at any time. They are posting their tax returns, their financial records, and personal messages on the Internet and they don't even know it. Recent reports have shown that peer-to-peer software was implicated in a security breach involving Marine One—the helicopter used by President Obama—and another high profile case

involved Supreme Court Justice Stephen Breyer.

There are all kinds of legitimate peer-to-peer software packages out there, and we are working real hard to make sure that none of those are impacted or limited by what is proposed by this legislation, and the committee members are going to continue to make sure that the scope of this bill doesn't interfere with the productive capacity of this technology. But this bipartisan bill is critical to protecting the privacy and Internet safety of American families. We have truth in lending and truth in labeling. I think it's time we had truth in networking.

I want to thank Congresswoman BONO MACK for her leadership and Congressman BARTON for his sponsoring this bill and working with me on this important legislation. I urge my colleagues to vote in support of the Informed Peer-to-Peer User Act.

Mr. STEARNS. Mr. Speaker, I yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I am pleased to rise in support of the Informed Peer-to-Peer User Act.

As we are hearing today on the floor, it is imperative that we heighten public awareness of the dangers associated with P2P file sharing, and Mr. BARROW just spoke so well to those points.

The reason that this legislation is needed and why it effectively requires software applications to provide clear warnings to their users is because, as the gentleman from Georgia indicated, many people are not aware of what they are finding themselves in the middle of as their information is exposed on the Internet.

In addition, the Seventh District of Tennessee, my district, is home to some of the country's most talented and creative minds in the music industry, and they rely heavily on P2P file sharing in crafting and bringing forward their music.

□ 1515

However, P2P programs are notorious for stealing copyrighted work, and this legislation does much to curb the piracy and the copyright infringement while stepping up penalties that are badly needed for those that are knowingly and willingly carrying out these violations. Unknown and untracked predators have been given fertile ground to steal intellectual property in a system that had been previously void of any centralized mechanism to track, monitor, and prosecute the violators.

I do want to commend those on both sides of the aisle, especially Mr. BARROW, Mrs. BONO MACK, Mr. BARTON, and Mr. STEARNS, for all their hard work in crafting this bill, and I encourage everyone to support the legislation.

Mr. STEARNS. Mr. Speaker, I have no further speakers.

I would just conclude by saying, oftentimes when we come to the floor, we have very controversial bills. We've had two consecutive bills here that had

bipartisan support. So it's important, I think, the American people realize that Congress can get things done, and these two bills are the best example of it. And so I urge all my colleagues to support this act.

I yield back the balance of my time. Mr. RUSH. Mr. Speaker, I yield myself as much time as I may consume for a closing statement.

Mr. Speaker, again, as the gentleman from Florida has indicated, this is a bipartisan bill. It is the result of a very intense and cooperative process. It was voted out of the full committee by a unanimous recorded vote.

Mr. Speaker, I would like to thank both Members and the staffs on both sides of the aisle for their hard work on this important piece of legislation. I want to thank, in particular, Mrs. BONO MACK, Mr. BARTON, Mr. BARROW, Mr. WAXMAN, Mr. RADANOVICH, and others for working in a true bipartisan fashion to move this important piece of legislation and to move it forward.

Mr. Speaker, I urge all my colleagues to vote for this bill and to approve this bill.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 1319, as amended.

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

The title was amended so as to read: "A bill to prevent the inadvertent disclosure of information on a computer through certain 'peer-to-peer' file sharing programs without first providing notice and obtaining consent from an owner or authorized user of the computer."

A motion to reconsider was laid on the table.

FISCAL YEAR 2010 FEDERAL AVIATION ADMINISTRATION EXTENSION ACT, PART II

Mr. LEWIS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4217) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4217

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 "Fiscal Year 2010 Federal Aviation Administration Extension Act, Part II".

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code

of 1986 is amended by striking "December 31, 2009" and inserting "March 31, 2010".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "December 31, 2009" and inserting "March 31, 2010".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "December 31, 2009" and inserting "March 31, 2010".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2010.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "January 1, 2010" and inserting "April 1, 2010"; and

(2) by inserting "or the Fiscal Year 2010 Federal Aviation Administration Extension Act, Part II" before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking "January 1, 2010" and inserting "April 1, 2010".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2010.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103(7) of title 49, United States Code, is amended to read as follows:

"(7) \$2,000,000,000 for the 6-month period beginning on October 1, 2009."

(2) OBLIGATION OF AMOUNTS.—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2010, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the 6-month period beginning on October 1, 2009, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2010 were \$4,000,000,000; and

(B) then reduce by 50 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "December 31, 2009," and inserting "March 31, 2010,".

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(1)(7) of title 49, United States Code, is amended by striking "January 1, 2010," and inserting "April 1, 2010,".

(b) Section 44302(f)(1) of such title is amended—

(1) by striking "December 31, 2009," and inserting "March 31, 2010,"; and

(2) by striking "March 31, 2010," and inserting "June 30, 2010,".

(c) Section 44303(b) of such title is amended by striking "March 31, 2010," and inserting "June 30, 2010,".

(d) Section 47107(s)(3) of such title is amended by striking "January 1, 2010," and inserting "April 1, 2010,".

(e) Section 47115(j) of such title is amended by striking "January 1, 2010," and inserting "April 1, 2010,".

(f) Section 47141(f) of such title is amended by striking "December 31, 2009," and inserting "March 31, 2010,".

(g) Section 49108 of such title is amended by striking "December 31, 2009," and inserting "March 31, 2010,".

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking "January 1, 2010," and inserting "April 1, 2010,".

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking "January 1, 2010," and inserting "April 1, 2010,".

(j) The amendments made by this section shall take effect on January 1, 2010.

SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1)(F) of title 49, United States Code, is amended to read as follows:

"(F) \$4,676,574,750 for the 6-month period beginning on October 1, 2009."

SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(6) of title 49, United States Code, is amended to read as follows:

"(6) \$1,466,888,500 for the 6-month period beginning on October 1, 2009."

SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(14) of title 49, United States Code, is amended to read as follows:

"(14) \$92,500,000 for the 6-month period beginning on October 1, 2009."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LEWIS) and the gentleman from Ohio (Mr. TIBERI) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. LEWIS of Georgia. Mr. Speaker, I ask unanimous consent to give Members 5 legislative days to revise and extend their remarks on H.R. 4217.

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

There was no objection.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 4217, the Fiscal Year 2010 FAA Extension Act, Part II, extends the financing and spending authority for the Airport and Airway Trust Fund. The trust fund taxes and spending authority are scheduled to expire on December 31, 2009, a few days from now. This bill simply extends these taxes for 3 months.

Earlier this year, the House passed legislation allowing the trust fund to operate through 2012. Unfortunately, the Senate has not considered this important legislation. Today's bill simply keeps the Airport and Airway Trust Fund taxes and operations in place until a long-term measure can be signed into law.

Air travel plays a critical role in our economy and in our lives. The world's busiest passenger airport, Hartsfield-Jackson Atlanta International Airport, is located in my congressional district. This airport alone has a direct impact of \$24 billion on our economy. Failure to act will prevent the FAA from spending funds that are already in the trust fund. As a result, important airport construction projects around the country would shut down.

This bill also extends a number of authorizing provisions that are under the

jurisdiction of the Transportation and Infrastructure Committee, led by my good and close friend, Chairman OBERSTAR. All of those provisions were passed by this body in a similar bill that extended these expiring tax provisions. If we fail to act on this bill, Mr. Speaker, I will repeat, if we fail to act on this bill, the trust fund will lose the revenue that we need for airport construction and the air traffic control system.

I hope all of my colleagues will join me in supporting this good and necessary bill.

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

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

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

Mr. TIBERI. Mr. Speaker, I rise in support of H.R. 4217.

Mr. Speaker, this is a straightforward bill, one that will provide a 3-month extension of various excise taxes that support the Airport and Airway Trust Fund, as well as the trust fund's expenditure authorities. These taxes and authorities are currently scheduled to expire at the end of the month, and today's legislation will permit this Congress the time it needs to consider a longer-term FAA reauthorization bill.

As the ranking member of the Select Revenue Subcommittee within the Ways and Means Committee, I'm pleased that Chairman RANGEL held a hearing earlier this year to examine tax issues related to the Airport and Airway Trust Fund. I certainly look forward to working with Chairman RANGEL, Chairman LEWIS, and all the members of our committee over the months ahead as we determine whether modifications to the financing structure of the Airport and Airway Trust Fund are warranted going forward. Ways and Means is clearly the appropriate committee of jurisdiction regarding these tax issues, and I anticipate working with other Ways and Means members of both parties to ensure that our committee continues to shape FAA reauthorization as it proceeds forward.

I would note for my colleagues that under the Congressional Budget Office baseline, expiring excise taxes that are dedicated to a trust fund are assumed to be extended at current rates for budgeting purposes. Consequently, the Joint Committee on Taxation is expected to score H.R. 4217 as having no revenue effect, just as it has with similar short-term extensions of FAA taxes in the past. While many Members on our side of the aisle would argue that the Congressional Budget Office and Joint Tax should make the same assumption about expiring tax relief as well, that is a bigger debate for another day. For now, it's important that we extend the current FAA excise taxes on a temporary basis, and I'm pleased to join with my colleagues on

the other side of the aisle in support of this legislation today.

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

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Illinois, the chairman of the Aviation Subcommittee, my good friend, Mr. COSTELLO.

Mr. COSTELLO. Mr. Speaker, I rise in support of H.R. 4217, Fiscal Year 2010 Federal Aviation Administration Extension Act. I want to thank Chairman RANGEL and Ranking Member CAMP as well as Chairman OBERSTAR and Ranking Member MICA and Mr. PETRI for bringing this to the floor today.

The FAA has been operating under a string of short-term extensions for over 2 years, since the last FAA reauthorization bill expired. Short-term extensions and uncertain funding levels can be disruptive to the aviation industry and to communities because they do not allow them to plan for long-term growth. Every month that goes by without a long-term FAA authorization is a lost opportunity to improve aviation safety, security, and to create and maintain jobs around the country.

Mr. Speaker, the House did its job and passed H.R. 915, the FAA Reauthorization Act of 2009, a 3-year authorization of the FAA programs. For several months, we have been waiting on the other body to bring a bill to the floor and to pass it. The Airport and Airways Trust Fund will expire on December 31, 2009, and the bill before us today, H.R. 4217, extends aviation taxes and expenditures authority and the Airport Improvement Program contract authority until March 31, 2010.

H.R. 4217 also provides an additional \$2 billion in AIP contract authority, resulting in an annualized amount of \$4 billion for fiscal year 2010. Four billion dollars for AIP is consistent with the House and Senate reauthorization bills, as well as the fiscal year 2010 concurrent budget resolution. These additional funds will allow airports to continue critical safety and capacity enhancement projects.

Congress must ensure that this extension passes to reduce delays and congestion, improve safety and efficiency, stimulate the economy and create jobs. Mr. Speaker, I urge my colleagues to support this bill.

Mr. TIBERI. Mr. Speaker, I yield 5 minutes to an expert on transportation issues in this Congress, a true leader, the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. In the 110th Congress, the House passed the FAA Reauthorization Act of 2007, and that legislation reauthorized FAA for 4 years. In May of this year, the House voted again to pass a comprehensive reauthorization bill, this time H.R. 915, the FAA Reauthorization Act of 2009. Unfortunately, the Senate has been unable to come to an agreement on its bill over the last two Congresses. So, for the past 2 years, Congress has passed extensions of the Federal Aviation Administra-

tion's funding and authority through the end of calendar year 2009. The latest extension expires at the end of this month, so today we're considering another extension.

H.R. 4217 would extend the taxes, programs, and funding of the FAA through March of 2010. This bill extends FAA funding and contract authority for 3 months, provides \$1 billion in airport improvement funding through March 2010, extends the War Risk Insurance program, and extends the Small Community Air Service Development Program. The bill before us, H.R. 4217, will ensure that our national aviation system continues to operate until a full FAA reauthorization can be enacted.

As I've indicated many times since the passage of the House FAA reauthorization bill back in 2007, we need to pass a long-term bill so that we can meet the growing demands placed on our Nation's aviation infrastructure. Modernizing our antiquated air traffic control system and repairing our crumbling infrastructure need to be at the top of our priorities.

While I have some concerns with the House-passed bill, I look forward to addressing these issues in conference to develop bipartisan solutions on some of the more controversial provisions of the act. I urge my colleagues in the other body to complete their work on a comprehensive FAA reauthorization package in a timely fashion. And while I'm disappointed that the FAA has gone so long without a comprehensive reauthorization, I support this extension as the best alternative to keep the FAA and the National Airspace System running safely until we can take up and pass a bipartisan and bicameral bill.

□ 1530

Mr. LEWIS of Georgia. I reserve the balance of my time.

Mr. TIBERI. I will close by asking, again, my colleagues to support the measure. I yield back the balance of my time.

Mr. LEWIS of Georgia. Mr. Speaker, I fully support H.R. 4217. Simply said, Mr. Speaker, we must make sure that the FAA remains funded. I urge my colleagues on both sides of the aisle to vote "yes" on this bill.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 4217, the "Fiscal Year 2010 Federal Aviation Administration Extension Act, Part II".

The previous long-term Federal Aviation Administration (FAA) reauthorization act, the Vision 100—Century of Aviation Reauthorization Act (P.L. 108–176) expired on September 30, 2007. Although the House passed an FAA reauthorization bill last Congress, the Senate did not, resulting in the need for a series of short-term extension acts that, unfortunately, continues to this day.

At the outset of this Congress, the House again passed a long-term FAA reauthorization bill. On May 21, 2009, the House passed H.R. 915, the "FAA Reauthorization Act of 2009", which reauthorizes FAA programs for fiscal years (FY) 2010 through 2012.

However, this legislation is still pending in the Senate, as the other body has been unable to complete action on a long-term FAA reauthorization bill. Given that the current authority for aviation programs expires on December 31, an extension of current law is necessary to continue financing of aviation programs until a multi-year reauthorization bill can be completed. H.R. 4217 provides a three-month extension of aviation programs, through March 31, 2010.

H.R. 4217 provides \$2 billion in contract authority for the Airport Improvement Program (AIP) through the end of March. This \$2 billion will enable airports to move forward with important safety and capacity projects. When annualized, this level of AIP funding equals \$4 billion, which is consistent with both the House and Senate FAA reauthorization bills, and the FY 2010 Concurrent Budget Resolution.

The bill also authorizes appropriations for FAA Operations, Facilities and Equipment (F&E), and Research, Engineering, and Development (RE&D) programs, consistent with average funding levels of the FY 2010 House-approved appropriations bill and the Senate-approved appropriations bill.

In addition, H.R. 4217 extends the aviation excise taxes through March 31, 2010. These taxes are necessary to support the Airport and Airway Trust Fund, which funds a substantial portion of the FAA's budget. With an uncommitted cash balance of just \$251 million at the end of FY 2009, any lapse in the aviation taxes could put the solvency of the Trust Fund at risk.

In addition to extending the aviation taxes, H.R. 4217 extends the FAA's authority to make expenditures from the Airport and Airway Trust Fund through March 2010.

To allow aviation programs to continue under the same terms and conditions as were in effect during the previous authorization period, H.R. 4217 also extends several other provisions of Vision 100.

I thank Chairman RANGEL, Chairman of the Committee on Ways and Means, for introducing this measure, and for his assistance in ensuring the continued operation of aviation programs. I also thank Ways and Means Committee Ranking Member CAMP and my Committee colleagues, Ranking Member MICA, Subcommittee Chairman COSTELLO, and Subcommittee Ranking Member PETRI, for working with me on this critical legislation.

I strongly urge my colleagues to join me in supporting H.R. 4217.

Mr. LEWIS of Georgia. With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 4217.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NO SOCIAL SECURITY BENEFITS FOR PRISONERS ACT OF 2009

Mr. TANNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4218) to amend titles II and XVI

of the Social Security Act to prohibit retroactive payments to individuals during periods for which such individuals are prisoners, fugitive felons, or probation or parole violators.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4218

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 "No Social Security Benefits for Prisoners Act of 2009".

SEC. 2. PROHIBITION OF RETROACTIVE TITLE II AND TITLE XVI PAYMENTS TO PRISONERS, FUGITIVE FELONS, AND PROBATION OR PAROLE VIOLATORS.

(a) AMENDMENTS TO TITLE II.—Section 204(a)(1)(B) of the Social Security Act (42 U.S.C. 404(a)(1)(B)) is amended—

(1) by striking "(B) With" and inserting "(B)(i) Subject to clause (ii), with"; and

(2) by adding at the end the following:

"(ii) No payment shall be made under this subparagraph to any person during any period for which monthly insurance benefits of such person—

"(I) are subject to nonpayment by reason of section 202(x)(1), or

"(II) in the case of a person whose monthly insurance benefits have terminated for a reason other than death, would be subject to nonpayment by reason of section 202(x)(1) but for the termination of such benefits, until section 202(x)(1) no longer applies, or would no longer apply in the case of benefits that have terminated.

"(iii) Nothing in clause (ii) shall be construed to limit the Commissioner's authority to withhold amounts, make adjustments, or recover amounts due under this title, title VIII or title XVI that would be deducted from a payment that would otherwise be payable to such person but for such clause."

(b) AMENDMENTS TO TITLE XVI.—Section 1631(b) of such Act (42 U.S.C. 1383(b)) is amended by adding at the end the following new paragraph:

"(7)(A) In the case of payment of less than the correct amount of benefits to or on behalf of any individual, no payment shall be made to such individual pursuant to this subsection during any period for which such individual—

"(i) is not an eligible individual or eligible spouse under section 1611(e)(1) because such individual is an inmate of a public institution that is a jail, prison, or other penal institution or correctional facility the purpose of which is to confine individuals as described in clause (ii) or (iii) of section 202(x)(1)(A), or

"(ii) is not an eligible individual or eligible spouse under section 1611(e)(4), until such person is no longer considered an ineligible individual or ineligible spouse under section 1611(e)(1) or 1611(e)(4).

"(B) Nothing in subparagraph (A) shall be construed to limit the Commissioner's authority to withhold amounts, make adjustments, or recover amounts due under this title, title II, or title VIII that would be deducted from a payment that would otherwise be payable to such individual but for such subparagraph."

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective for payments that would otherwise be made on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. TANNER) and the gentleman from Texas (Mr. SAM JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. TANNER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 4218.

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

There was no objection.

Mr. TANNER. Mr. Speaker, I yield myself such time as I might consume.

Mr. JOHNSON and I bring this bill to the floor today. It's a stopgap measure, Mr. Speaker.

The Social Security Act already prohibits payment of Social Security and SSI benefits to individuals in prison and to those who are fleeing to avoid prosecution, custody, or confinement for a felony. The law also prohibits payments to individuals violating a condition of parole or probation. However, payments of retroactive benefits owed to such individuals are not currently barred by law, and this ensures that retroactive payments are treated the same as monthly benefits.

The need for this law to be done quickly is because of a recent court determination that the Social Security Administration's implementation of this prohibition for those fleeing prosecution or imprisonment was applied too broadly. Without this legislation, the Social Security Administration will be obligated under court order to make payments to some of these individuals as early as next week.

What Mr. JOHNSON and I wanted to do was to bring this bill today and pass it so we can get it to the Senate and give some guidance to the Social Security Administration in this regard.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, the point of this bill is simple. Social Security and supplemental security income benefits should not be paid to prisoners, probation, or parole violators or fugitive felons. That is why I joined the Ways and Means Social Security Subcommittee with JOHN TANNER, who is great about looking into these things, and we cosponsored this bill. And I ask all of my colleagues to support it.

This stopgap measure addresses a glitch in the current law discovered when Social Security began to implement a nationwide class-action settlement agreement reached in September in the case of *Martinez v. Astrue*. That agreement reduced the number and type of felony arrest warrants used to prohibit benefit payments, resulting in retroactive payments to certain recipients.

In the first phase of settlement implementation, notices will be issued beginning this week to 28,000 individuals. Of these, Social Security recently identified 150 as prisoners.

Current law already prohibits prisoners, fugitive felons, and probation/parole violators from receiving benefits. The same law should apply to retroactive benefits as well but right now

it doesn't. That is why we need to pass this bill. If we don't, prisoners eligible for payments from before they were in jail may soon receive a lump sum retroactive check, some covering back benefits over 3 or 4 years.

Thanks in large part to the work of my Ways and Means colleague, WALLY HERGER, those with outstanding felony arrest warrants, known as fugitive felons, have not been able to receive supplemental security income, Social Security, or Social Security disability benefits.

According to the Office of the Inspector General, their data-sharing efforts with local, State, and Federal law enforcement agencies contributed to over 83,000 arrests since the program's inception in 1996. While well-intentioned, the Martinez settlement nevertheless requires Social Security to pay benefits that had been suspended. And as a result, taxpayers are now on the hook for millions of dollars. We can and we must do better.

I look forward to working with Chairman TANNER to right this wrong and draft legislation to suspend payments for those fugitives wanted for the most heinous crimes while permitting lenience in cases where good cause exemptions make sense.

I reserve the balance of my time.

Mr. TANNER. I reserve the balance of my time.

Mr. SAM JOHNSON of Texas. At this time, I'd like to recognize and yield to the gentleman from California (Mr. HERGER), a member of the Ways and Means Committee and one of our staunch allies, as much time as he may consume.

Mr. HERGER. I thank my good friend from Texas.

I rise today to discuss an issue I have been involved with for many years.

The landmark 1996 welfare reform included legislation I drafted that denies fugitive felons, along with probation and parole violators, Supplemental Security Income checks. GAO long recognized those SSI disability payments were at a high risk for fraud and abuse and encouraged Congress to act. Subsequent legislation expanded that 1996 ban to include certain Social Security checks. These provisions have been successful in saving millions of taxpayer dollars and have assisted law enforcement in making over 86,000 arrests and getting felons off the street, including a man wanted in Texas for 20 counts of child molestation.

Due to a recent court action, however, the Social Security Administration now is required to ban payments only to fugitive felons issued a warrant for trying to escape arrest rather than the broader group of fugitives with an outstanding felony arrest warrant. That action also compels SSA to restore benefits denied earlier, which will result in large retroactive payments of as much as \$30,000 per individual. Not only will this cost taxpayers millions of dollars, but I'm deeply concerned that the effectiveness of the program

we set up in 1996 could be greatly reduced.

The bill before us would immediately prevent checks for past-due Social Security and SSI benefits from being sent to currently incarcerated individuals, including checks that, without this action, could pay inmates tens of thousands of dollars while they are behind bars. Thus, the bill before us is a step in the right direction of addressing issues created by the court decision.

But there are more steps to take.

Following release of an October 2009 report from the SSA Inspector General that brought to light concerns with SSA's fugitive felon policy, I joined other Ways and Means members in requesting additional information on how SSA has used the good cause exemptions it is already allowed to make in certain cases. I believe the Social Security Administration should continue to suspend payments for those fugitives wanted based on the most heinous crimes while using the authority it already has to make good cause exemptions as appropriate.

As the legislation before us suggests, many of those made eligible for disability payments under the recent court action continue to break the law and can and do wind up in jail, costing taxpayers thousands of dollars.

I look forward to the Inspector General's response to our inquiry so that Congress can determine the best way forward to improve this important program and prevent the misuse of taxpayer dollars while protecting those who truly merit relief.

Let's stop these payments from going to prisoners today, and then keep working to ensure the right people are getting the right benefits and that taxpayer dollars are spent wisely to help only those truly in need.

Mr. TANNER. Mr. Speaker, I want to thank Mr. JOHNSON for working with us on this.

I yield back the balance of my time.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and pass the bill, H.R. 4218.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 845, by the yeas and nays;

H.R. 2278, by the yeas and nays;

H. Res. 915, by the yeas and nays;

H. Res. 907, by the yeas and nays.

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

RECOGNIZING THE AIR FORCE AND DYESS AIR FORCE BASE ON ACHIEVING ENERGY SAVINGS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 845, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the resolution, H. Res. 845, as amended.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 25, as follows:

[Roll No. 935]

YEAS—409

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

Jackson-Lee (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan (OH)
 Kanjorski
 Kaptur
 Kennedy
 Kildee
 Kilpatrick (MI)
 Kilroy
 King (IA)
 King (NY)
 Kingston
 Kirk
 Kirkpatrick (AZ)
 Kissell
 Klein (FL)
 Kline (MN)
 Kosmas
 Kratovil
 Kucinich
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Lee (NY)
 Levin
 Lewis (CA)
 Lewis (GA)
 Linder
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lucas
 Luetkemeyer
 Luján
 Lummis
 Lungren, Daniel E.
 Lynch
 Mack
 Maffei
 Maloney
 Manzullo
 Marchant
 Markey (CO)
 Markey (MA)
 Marshall
 Massa
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McClintock
 McCollum
 McCotter
 McDermott
 McGovern
 McHenry
 McIntyre
 McKeon
 McMahon
 McMorris
 Rodgers
 McNerney
 Meek (FL)

Meeks (NY)
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Minnick
 Mitchell
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Murphy (CT)
 Murphy (NY)
 Murphy, Patrick
 Murphy, Tim
 Myrick
 Nadler (NY)
 Napolitano
 Neal (MA)
 Neugebauer
 Nunes
 Nye
 Oberstar
 Obey
 Olson
 Olver
 Ortiz
 Owens
 Pallone
 Pascrell
 Pastor (AZ)
 Paul
 Paulsen
 Perlmutter
 Perriello
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Polis (CO)
 Pomeroy
 Posey
 Price (GA)
 Price (NC)
 Putnam
 Quigley
 Rahall
 Rangel
 Rehberg
 Reyes
 Richardson
 Rodriguez
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothman (NJ)
 Roybal-Allard
 Royce
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Ryan (WI)
 Salazar
 Sánchez, Linda T.
 Sanchez, Loretta
 Sarbanes
 Scalise

Schakowsky
 Schauer
 Schiff
 Schmidt
 Schock
 Schrader
 Schwartz
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Sessions
 Sestak
 Shadegg
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Shuster
 Sires
 Skelton
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Snyder
 Souder
 Space
 Speier
 Spratt
 Stark
 Stearns
 Stupak
 Sullivan
 Sutton
 Tanner
 Taylor
 Teague
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiahrt
 Tiberi
 Tierney
 Titus
 Tonko
 Towns
 Turner
 Upton
 Van Hollen
 Velázquez
 Berry
 Visclosky
 Walden
 Walz
 Wamp
 Wasserman
 Schultz
 Waters
 Watson
 Rooney
 Watt
 Waxman
 Weiner
 Welch
 Westmoreland
 Whitfield
 Wilson (OH)
 Wilson (SC)
 Wittman
 Wolf
 Braley (IA)
 Woolsey
 Wu
 Yarmuth
 Young (AK)
 Young (FL)

NOT VOTING—25

Abercrombie
 Arcuri
 Barrett (SC)
 Berman
 Bono Mack
 Boucher
 Broun (GA)
 Capuano
 Carney

Davis (AL)
 Grijalva
 Hoekstra
 Kagen
 Kind
 Melancon
 Moran (VA)
 Murtha
 Payne

Pence
 Poe (TX)
 Radanovich
 Reichert
 Simpson
 Smith (WA)
 Tsongas

□ 1611

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.

REQUESTING REPORT ON ANTI-AMERICAN INCITEMENT TO VIOLENCE IN THE MIDDLE EAST

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2278, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COSTA) that the House suspend the rules and pass the bill, H.R. 2278, as amended.

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 395, nays 3, answered “present” 9, not voting 27, as follows:

[Roll No. 936]
 YEAS—395

Ackerman
 Aderholt
 Adler (NJ)
 Akin
 Alexander
 Altmire
 Andrews
 Austria
 Baca
 Bachmann
 Bachus
 Pomeroy
 Cole
 Conaway
 Connolly (VA)
 Barrow
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Crenshaw
 Crowley
 Cuellar
 Culberson
 Cummings
 Dahlkemper
 Bishop (CA)
 Bishop (NY)
 Bishop (UT)
 Blackburn
 Blumenauer
 Blunt
 Boccieri
 Boehner
 Bonner
 Boozman
 Boren
 Boswell
 Boustany
 Boyd
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Bright
 Brown (SC)
 Brown, Corrine
 Brown, Waite, Ginny
 Buchanan
 Burgess
 Burton (IN)
 Butterfield
 Buyer
 Calvert
 Camp
 Campbell
 Cantor
 Cao
 Capito
 Capps
 Cardoza
 Carnahan
 Carson (IN)
 Carter
 Cassidy
 Castle
 Castor (FL)
 Chaffetz

Kirkpatrick (AZ)
 Kissell
 Klein (FL)
 Kline (MN)
 Kratovil
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (NY)
 Levin
 Lewis (CA)
 Lewis (GA)
 Linder
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lucas
 Luetkemeyer
 Luján
 Lummis
 Lungren, Daniel E.
 Lynch
 Mack
 Maffei
 Maloney
 Manzullo
 Marchant
 Markey (CO)
 Markey (MA)
 Marshall
 Massa
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 Cohen
 McClintock
 McCollum
 McCotter
 McGovern
 McHenry
 McIntyre
 McKeon
 McMahon
 McMorris
 Rodgers
 McNerney
 Meek (FL)
 Meeks (NY)
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Minnick
 Mitchell
 Mollohan
 Moore (KS)
 Moran (KS)

NAYS—3
 Johnson, E. B. Paul

ANSWERED “PRESENT”—9
 Edwards (MD)
 Kucinich
 Lee (CA)
 McDermott
 Moore (WI)
 Stark
 Waters
 Watt
 Woolsey

NOT VOTING—27

Abercrombie
 Arcuri
 Barrett (SC)
 Berman
 Bono Mack
 Boucher
 Broun (GA)
 Capuano
 Carney
 Davis (AL)
 Grijalva
 Gutierrez
 Hoekstra
 Kagen
 Kind
 Kosmas
 Melancon
 Moran (VA)
 Murtha
 Owens
 Payne
 Pence
 Radanovich
 Reichert
 Schrader
 Smith (WA)
 Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1619

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BROWN of Georgia. Mr. Speaker, on rollcall No. 935, H. Res. 845—recognizing the United States Air Force and Dyess Air Force Base for their success in achieving energy savings and developing energy-saving innovations during Energy Awareness Month, and rollcall No. 936, H.R. 2278, to direct the President to transmit to Congress a report on anti-American incitement to violence in the Middle East, and for other purposes, had I been present, I would have voted “yea.”

ENCOURAGING HUNGARY TO RESPECT THE RULE OF LAW

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 915, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 915.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 333, nays 74, answered “present” 3, not voting 24, as follows:

[Roll No. 937]
YEAS—333

Ackerman	Buyer	Doyle
Aderholt	Calvert	Dreier
Adler (NJ)	Camp	Edwards (TX)
Akin	Campbell	Ehlers
Alexander	Cantor	Ellison
Altmire	Cao	Ellsworth
Andrews	Capito	Emerson
Austria	Capps	Engel
Baca	Cardoza	Eshoo
Bachmann	Carnahan	Etheridge
Bachus	Carson (IN)	Fallin
Baird	Carter	Farr
Barrow	Cassidy	Fattah
Bartlett	Castle	Filner
Barton (TX)	Castor (FL)	Flake
Bean	Chandler	Fleming
Berkley	Childers	Forbes
Berry	Chu	Fortenberry
Biggert	Clay	Foster
Bilbray	Cleaver	Fox
Billirakis	Clyburn	Frank (MA)
Bishop (GA)	Coble	Franks (AZ)
Bishop (NY)	Coffman (CO)	Frelinghuysen
Blackburn	Conaway	Gallely
Blunt	Cornolly (VA)	Garamendi
Boehner	Cooper	Garrett (NJ)
Bonner	Costa	Gerlach
Boozman	Courtney	Giffords
Boren	Crenshaw	Gingrey (GA)
Boswell	Crowley	Gohmert
Boustany	Cuellar	Gonzalez
Boyd	Culberson	Goodlatte
Brady (PA)	Cummings	Godton (TN)
Brady (TX)	Davis (CA)	Granger
Braley (IA)	Davis (IL)	Graves
Bright	Davis (KY)	Grayson
Brown (SC)	Davis (TN)	Green, Al
Brown, Corrine	Deal (GA)	Green, Gene
Brown-Waite,	DeGette	Griffith
Ginny	Delahunt	Guthrie
Buchanan	DeLauro	Gutierrez
Burgess	Dent	Hall (NY)
Burton (IN)	Dicks	Hall (TX)
Butterfield	Donnelly (IN)	Halvorson

Hare	Markey (CO)	Roybal-Allard
Harman	Marshall	Royce
Harper	Matheson	Ruppersberger
Hastings (FL)	Matsui	Rush
Hastings (WA)	McCarthy (CA)	Ryan (WI)
Heinrich	McCaul	Salazar
Heller	McClintock	Sánchez, Linda
Hensarling	McCollum	T.
Herger	McHenry	Sanchez, Loretta
Herseeth Sandlin	McIntyre	Sarbanes
Higgins	McKeon	Scalise
Hill	McMorris	Schakowsky
Himes	Rodgers	Schauer
Hinojosa	McNerney	Schiff
Hodes	Meek (FL)	Schock
Holden	Meeke (NY)	Schrader
Holt	Mica	Schwartz
Hoyer	Miller (NC)	Scott (GA)
Hunter	Miller, Gary	Scott (VA)
Inglis	Miller, George	Sensenbrenner
Inslee	Minnick	Sessions
Israel	Mitchell	Sestak
Issa	Moore (KS)	Shadegg
Jackson (IL)	Moran (KS)	Shea-Porter
Jackson-Lee	Murphy (CT)	Sherman
(TX)	Murphy (NY)	Shimkus
Jenkins	Murphy, Patrick	Shuler
Johnson (GA)	Murphy, Tim	Simpson
Johnson (IL)	Myrick	Sires
Johnson, Sam	Nadler (NY)	Skelton
Jordan (OH)	Neal (MA)	Slaughter
Kanjorski	Neugebauer	Smith (NE)
Kennedy	Nye	Smith (NJ)
King (IA)	Oberstar	Smith (TX)
King (NY)	Obey	Souder
Kingston	Olson	Space
Kirk	Ortiz	Spratt
Kirkpatrick (AZ)	Owens	Stearns
Kissell	Pallone	Stupak
Klein (FL)	Pascrell	Sullivan
Kline (MN)	Paulsen	Sutton
Kosmas	Pence	Teague
Kratovil	Perlmutter	Terry
Lamborn	Peters	Thompson (CA)
Lance	Peterson	Thompson (MS)
Langevin	Pitts	Thompson (PA)
Larsen (WA)	Platts	Thornberry
Larson (CT)	Poe (TX)	Tiahrt
Latham	Polis (CO)	Titus
Latta	Pomeroy	Tonko
Lee (NY)	Posey	Towns
Levin	Price (GA)	Upton
Lewis (CA)	Price (NC)	Van Hollen
Lewis (GA)	Putnam	Visclosky
Linder	Quigley	Walden
Lipinski	Rangel	Wamp
LoBiondo	Rehberg	Wasserman
Lowe	Richardson	Schultz
Lucas	Rodriguez	Watson
Luetkemeyer	Roe (TN)	Watt
Lujan	Rogers (AL)	Weiner
Lummis	Rogers (KY)	Westmoreland
Lungren, Daniel	Rogers (MI)	Wilson (OH)
E.	Rohrabacher	Wilson (SC)
Mack	Rooney	Wittman
Maffei	Ros-Lehtinen	Wolf
Maloney	Roskam	Wu
Manzullo	Ross	Yarmuth
Marchant	Rothman (NJ)	Young (FL)

NAYS—74

Baldwin	Jones	Paul
Becerra	Kaptur	Perriello
Bishop (UT)	Kildee	Petri
Blumenauer	Kilpatrick (MI)	Pingree (ME)
Bocchieri	Kilroy	Rahall
Chaffetz	Kucinich	Reyes
Clarke	LaTourette	Ryan (OH)
Cohen	Lee (CA)	Schmidt
Cole	Loeb sack	Serrano
Conyers	Lofgren, Zoe	Sherano
Costello	Lynch	Shuster
Dahlkemper	Markey (MA)	Snyder
DeFazio	Massa	Stark
Diaz-Balart, L.	McCotter	Taylor
Diaz-Balart, M.	McDermott	Tiberi
Dingell	McGovern	Tierney
Doggett	McMahon	Turner
Driehaus	Michaud	Velázquez
Duncan	Miller (MI)	Walz
Edwards (MD)	Mollohan	Waters
Fudge	Moore (WI)	Waxman
Hinchev	Napolitano	Welch
Hirono	Nunes	Whitfield
Honda	Oliver	Woolsey
Johnson, E. B.	Pastor (AZ)	Young (AK)

ANSWERED “PRESENT”—3

McCarthy (NY)	Speier	Tanner
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NOT VOTING—24

Abercrombie	Carney	Moran (VA)
Arcuri	Davis (AL)	Murtha
Barrett (SC)	Grijalva	Payne
Berman	Hoekstra	Radanovich
Bono Mack	Kagen	Reichert
Boucher	Kind	Smith (WA)
Broun (GA)	Melancon	Tsongas
Capuano	Miller (FL)	Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1629

Messrs. COHEN, NUNES, McMAHON, MOLLOHAN, YOUNG of Alaska, LYNCH, Ms. ZOE LOFGREN of California, Messrs. DRIEHAUS, WELCH, and Mrs. SCHMIDT changed their vote from “yea” to “nay.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING 100TH ANNIVERSARY OF THE GRAND CONCOURSE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 907, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. LARSEN) that the House suspend the rules and agree to the resolution, H. Res. 907.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 0, not voting 29, as follows:

[Roll No. 938]
YEAS—405

Ackerman	Boustany	Clay
Aderholt	Boyd	Cleaver
Adler (NJ)	Brady (PA)	Clyburn
Akin	Brady (TX)	Coble
Alexander	Braley (IA)	Coffman (CO)
Altmire	Bright	Cohen
Andrews	Brown (SC)	Cole
Austria	Brown, Corrine	Conaway
Baca	Brown-Waite,	Connolly (VA)
Bachmann	Ginny	Conyers
Bachus	Buchanan	Cooper
Baird	Burgess	Costa
Baldwin	Burton (IN)	Costello
Barrow	Butterfield	Courtney
Bartlett	Buyer	Crenshaw
Barton (TX)	Calvert	Crowley
Bean	Camp	Cuellar
Becerra	Campbell	Cummings
Berkley	Cantor	Dahlkemper
Berry	Cao	Davis (CA)
Biggert	Capito	Davis (IL)
Bilbray	Capps	Davis (KY)
Billirakis	Cardoza	Davis (TN)
Bishop (GA)	Carnahan	Deal (GA)
Bishop (NY)	Carson (IN)	DeFazio
Bishop (UT)	Carter	DeGette
Blackburn	Cassidy	Delahunt
Blumenauer	Castle	DeLauro
Blunt	Castor (FL)	Dent
Bocchieri	Chaffetz	Diaz-Balart, L.
Bonner	Chandler	Diaz-Balart, M.
Boozman	Childers	Dicks
Boren	Chu	Dingell
Boswell	Clarke	Doggett

Donnelly (IN) Kucinich
Doyle Lamborn
Dreier Lance
Driehaus Langevin
Duncan Larsen (WA)
Edwards (MD) Larson (CT)
Edwards (TX) Latham
Ehlers LaTourette
Ellison Latta
Ellsworth Lee (CA)
Emerson Lee (NY)
Engel Levin
Eshoo Lewis (CA)
Etheridge Lewis (GA)
Fallin Linder
Farr Lipinski
Fattah LoBiondo
Filner Loeb sack
Flake Lofgren, Zoe
Fleming Lowey
Forbes Lucas
Fortenberry Luetkemeyer
Foster Luján
Foxy Lummis
Frank (MA) Lungren, Daniel
Franks (AZ) E.
Frelinghuysen Lynch
Fudge Mack
Gallegly Maffei
Garamendi Maloney
Gerlach Manzullo
Giffords Marchant
Gingrey (GA) Markey (CO)
Gohmert Markey (MA)
Gonzalez Marshall
Goodlatte Massa
Gordon (TN) Matheson
Granger Matsui
Graves McCarthy (CA)
Grayson McCarthy (NY)
Green, Al McCaul
Green, Gene McClintock
Griffith McCollum
Guthrie McCotter
Gutierrez McDermott
Hall (NY) McGovern
Hall (TX) McHenry
Halvorson McIntyre
Hare McKeon
Harman McMahan
Harper McMorris
Hastings (FL) Rodgers
Hastings (WA) McNeerney
Heinrich Meek (FL)
Heller Meeks (NY)
Hensarling Mica
Herger Michaud
Herseeth Sandlin Miller (FL)
Higgins Miller (MI)
Hill Miller (NC)
Himes Miller, Gary
Hinchev Miller, George
Hinojosa Minnick
Hirono Mitchell
Hodes Mollohan
Holden Moore (KS)
Holt Moore (WI)
Honda Moran (KS)
Hunter Murphy (CT)
Inglis Murphy (NY)
Inslee Murphy, Patrick
Israel Murphy, Tim
Issa Myrick
Jackson (IL) Nadler (NY)
Jackson-Lee Napolitano
(TX) Neal (MA)
Jenkins Nunes
Johnson (GA) Nye
Johnson (IL) Oberstar
Johnson, E. B. Obey
Johnson, Sam Olson
Jones Oliver
Jordan (OH) Ortiz
Kanjorski Owens
Kaptur Pallone
Kennedy Pascrell
Kildee Pastor (AZ)
Kilpatrick (MI) Paul
Kilroy Paulsen
King (IA) Pence
King (NY) Perlmutter
Kingston Perriello
Kirk Peters
Kirkpatrick (AZ) Peterson
Kissel Petri
Klein (FL) Pingree (ME)
Kline (MN) Pitts
Kosmas Platts
Kratovil Poe (TX)

Westmoreland
Wexler
Whitfield
Wilson (OH)

Wilson (SC)
Wittman
Wolf
Woolsey

Wu
Yarmuth
Young (AK)
Young (FL)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 3, 2009.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Today, as the White House convenes its jobs summit and examines ways to speed job growth in a slow-moving economy, please accept my sincere appreciation and best wishes for a successful event. I am pleased to hear that Mayor Ashley Swearingin of Fresno, CA is one of five U.S. mayors invited to participate today, since the region that she and I represent has suffered from severe economic hardships including a crippling drought, a collapse of the dairy market and precipitous drop in the housing market. Mayor Swearingin's presence is especially timely as she navigates unprecedented fiscal challenges in the city's operating budget which include employee furloughs, fire station closures and over one hundred employee layoffs.

As you are well aware from our prior meetings and my correspondence, California is in the midst of a water supply crisis and likely heading into the fourth consecutive year of a crippling drought. I urge you to keep California's San Joaquin Valley in the forefront of your economic recovery dialogue. I would be remiss if I did not point out that one way to bring people back to work in the San Joaquin Valley immediately is to use all the discretion within your power under the law to get water flowing this growing season. This action alone would allow tens of thousands of hard-working farmers, farm workers, and farm communities to return to the honest work of putting food on America's dinner table.

Water is the lifeblood of the Valley, and without it, our cities and towns have literally been withering and drying out. Unless Mother Nature intervenes and you take action now to implement short, mid, and long-term solutions to alleviate the crisis, all of California will have to prepare for the devastating impacts of the drought. On Tuesday of this week, the California Department of Water Resources announced its projected allocation for water deliveries to two-thirds of Californians at 5 percent of contracted totals. For your reference, this is the lowest initial allocation in State Water Project history. It is my understanding that the announcement from the Bureau of Reclamation will not be far behind. Mr. President, farmers cannot get bank loans to sustain their businesses with water supply delivery allocations this low. Many communities throughout the Valley are facing unemployment levels that rival any in recent memory—up to forty percent. I believe that every region of California deserves a sustainable water supply, and your direct commitment and leadership is necessary to help with California's short-term water needs.

In addition, I am disappointed that the released list of attendees at your jobs summit today did not include community bankers from a diverse cross-section of the country. As you know, community bankers have continued to lend to consumers and small businesses in communities where the largest banks have closed branches or reduced access to credit. The ability to obtain credit is essential to any sustainable growth in the small business sector, and I urge you to invite community bankers to share their solutions for growth with your administration.

The San Joaquin Valley can benefit from additional investments in our highway infrastructure. Just yesterday, House Transportation and Infrastructure Committee Chairman Jim Oberstar held a press conference

NOT VOTING—29

Abercrombie
Arcuri
Barrett (SC)
Berman
Boehner
Bono Mack
Boucher
Broun (GA)
Capuano
Carney

Culberson
Davis (AL)
Garrett (NJ)
Grijalva
Hoekstra
Hoyer
Kagen
Kind
Melancon
Moran (VA)

Murtha
Neugebauer
Payne
Radanovich
Reichert
Roybal-Allard
Smith (WA)
Tsongas
Waters

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

□ 1643

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BROUN of Georgia. Mr. Speaker, on rollcall No. 937, H. Res. 915, encouraging the Republic of Hungary to respect the rule of law, treat foreign investors fairly, and promote a free and independent press, and rollcall No. 938, H. Res. 907, recognizing the Grand Concourse on its 100th anniversary as the pre-eminent thoroughfare in the borough of the Bronx and an important nexus of commerce and culture for the City of New York, had I been present, I would have voted "yea."

JOBS BILL

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

Mr. COSTA. Madam Speaker, I rise today to discuss the importance of jobs and our economy, and the importance of putting Americans back to work to really spur the economic growth that I think we all desire.

I was pleased that the mayor of Fresno last week was one of the five mayors to participate in the jobs forum in the White House since she and I represent a region that has suffered severe economic hardships, including a drought, a devastating drought, that has impacted much of the San Joaquin Valley and other aspects of California, the collapse of the dairy market, and the precipitous drop in housing markets that has put housing and foreclosures of the utmost concern. We need to do everything we can to invest in our infrastructure and transportation, schools, and water.

California is in the midst of a water crisis, and I urge the administration to use all of the flexibility within its power to get water flowing for next year's growing season to allow tens of thousands of hardworking farmworkers, farmers, to return to work, to putting food on America's dinner table. Water equals jobs, equals food. That's what we need to do.

I'd like to submit a letter for the RECORD that I wrote to the President concerning this crisis.

with The American Association of State Highway and Transportation Officials (AASHTO) regarding infrastructure investment. They identified 120 ready-to-go highway projects in California worth \$4.012 billion. Investment in our highways will put people back to work immediately, and improve transit in the San Joaquin Valley.

In addition, a renewed focus on high-speed rail would greatly impact the local economy in the San Joaquin Valley. Top economists have indicated that direct investment in infrastructure projects is the best way to create jobs and stimulate the economy. The short-term and long-term economic impacts of a high-speed rail system would be tremendous for California's economy. Construction of the system is estimated to generate almost 300,000 jobs, and following construction, the system will provide 450,000 permanent jobs in California. These jobs will have a huge ripple effect into other areas of California's economy such as the service and manufacturing industries. Overall, for every dollar spent on this system, we will see two dollars in return. I urge you and Secretary LaHood to approve California's Track 2 application for federal high-speed rail funds, and would be happy to join you when this funding is announced next year.

Thank you for your consideration of these requests, and I look forward to continue working with your administration to bring jobs and long-term economic growth to California's San Joaquin Valley.

Sincerely,

JIM COSTA,
Member of Congress.

□ 1645

THE "TREAT TERRORISTS NICE GANG" AND THE NAVY SEALS

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

Mr. POE of Texas. Madam Speaker, Navy SEALs were in court yesterday accused of punching a terrorist. The SEALs are Matthew McCabe, Jonathan Keefe, and Julio Huertas. In a nighttime raid last September, they were part of SEAL Team 10 that captured the most wanted terrorist in Iraq.

Ahmed Hashim Abed planned the barbaric ambush of four Blackwater security guards in 2004. Madam Speaker, the Americans were murdered. They were drug through the streets, mutilated, burned, and hung from a bridge in Fallujah. During the public executions, our enemies cheered in front of news cameras. Abed didn't say he was allegedly assaulted until he was turned over to Iraqi authorities, however. The al Qaeda manual tells members when captured to complain of torture and mistreatment; it doesn't matter if it's true or not. And besides killing, these folks lie. Now SEALs are being court-martialed on the word of a braggadocios murderer.

Al Qaeda has learned to play the "Treat Terrorists Nice Gang" like useful misfits. One word from a killer and the accusers become the accused. The military should try the terrorist for murder and give the SEALs medals for capturing him.

And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. FUDGE). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

IT'S TIME FOR A NEW ATTITUDE DOWNTOWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Madam Speaker, America's infrastructure is in an extraordinarily sad state of disrepair, in fact, endangering and killing Americans. We need a new attitude in terms of rebuilding our infrastructure and bringing it up to a state of good repair at the White House.

There seems to be some reluctance. The President said after his jobs summit that he just had to admit that shovel ready wasn't always shovel ready, and he seemed to be referring to infrastructure. But actually, the infrastructure money is already 60 percent spent and underway and the other 40 percent will be obligated before spring to begin to catch up with that deficit.

Now, the Department of Energy has already spent about 8 percent of their money; HUD, I don't know if they've spent any of it. There are all sorts of fantasy programs out there that were in the stimulus where money hasn't been expended, but in transportation and infrastructure it has been invested and it is going to save lives and it is going to get people to work with less congestion and less damage to their vehicles by bringing the infrastructure up to date.

I would like to try and bring this home to the White House because they just don't seem to be listening. This was—or is—a lag bolt; it's about 60 years old. You can see it's kind of missing the bottom. Well, this lag bolt was involved in an accident on the Chicago Transit Authority. This is what holds down the metal plates that hold down the rail. They have a life span of about 40 years. There are thousands of them on the system waiting to fail.

Now, when the Chicago Transit Authority got \$250 million—that's a lot of money—under the stimulus bill, they spent the money in 30 days. Thirty days. These aren't just your old public works construction jobs; these are, first off, almost all private sector jobs bid out on contract. Secondly, much of it was invested in sophisticated equipment and manufactured goods. So that \$250 million produced a huge multiplier

effect. They were buying new buses because their buses are decrepit. People who build buses were getting good wages. The people who build things to go on buses—tires, brakes, all that because of "Made in America"—they were getting jobs, too. So actually, the shovel-ready stuff was ready and is underway when it comes to transit and highway infrastructure.

Like this failed bolt in Chicago, the Chicago Transit Authority could spend another \$6.5 billion just to bring their system up to a state of good repair, and they can spend that money very quickly with a huge multiplier effect. Why can't the economic team at the White House understand that? Their pointy-head theories about, oh, infrastructure takes so long and it doesn't have a good multiplier, unlike giving people a little bit of money in withholding—or green grid, whatever that is, where a penny hasn't been spent. Somehow this is just too old school for them, fixing up our country, putting people to work, manufacturing and construction jobs.

We have 160,000 bridges on the Federal system that should be posted. The American people should see a big sign saying, "Danger, the bridge over which you are about to drive is either weight limited, structurally deficient, or functionally obsolete." One hundred sixty thousand bridges. Now, if we began a program to replace those, it doesn't take long, look how quickly we replaced the bridge in Minnesota. It doesn't require lengthy environmental impact statements or planning, it's replace and fix the bridges, it's concrete, it's steel, it's workers, it's aggregate, it's made in America. You can't export those jobs.

But somehow the people on the President's economic team don't get that, or maybe from the back seat of their limousines they can't see that the bridges and the infrastructure are deteriorated, and they sure as heck aren't on the creaky public transit systems that are falling apart and here in D.C. killing people because the infrastructure is so outmoded and so substandard.

It is embarrassing for the greatest nation on Earth to be devolving toward a fourth-world infrastructure—we're not even third world. We are investing less of our GDP in our infrastructure than are many third-world countries. We are formerly first world, formerly world leader. Now we are watching our competitors around the world vault ahead of us with high-speed rail, with modern transit, with beautiful new highways, with safe bridges that are designed to current standards. But no, we can't afford it. And even if we could afford it, like taking some of that unspent TARP money or maybe some of the other unspent stimulus money, they don't want to do it downtown.

It's time for a new attitude downtown. Don't jeopardize the people of America with this kind of outmoded infrastructure anymore. Get it, guys. This means jobs, and it's something the American people believe in.

THE COST OF WAR IN
AFGHANISTAN

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. Madam Speaker, I follow the gentleman from Oregon (Mr. DEFAZIO) and I do share his frustration as well. Mine is a little different, though. It is the cost of war in Afghanistan. My concern is, as the President has decided to send 30,000 additional troops to Afghanistan, I join my colleagues in both parties, and BARBARA LEE from California, in saying that we should debate this policy on the floor of the House.

I am one that is very upset that this Nation, since World War II, we never declare war anymore, we just pass resolutions on the floor and we give the President, whether it be a Republican or Democrat, the authority to make decisions to go ahead and send troops into certain areas.

I do agree with Mr. Obama, the war should have always been Afghanistan and we should not have gone into Iraq, but that is history now. The problem is we are 9 years after we went into Afghanistan and now we are trying to catch up for the 8 years we spent in Iraq.

Down in Camp Lejeune, which is in my district, the Third District of North Carolina, the day that Mr. Obama made the announcement that we would send 30,000 more troops to combat in Afghanistan, I want to read, Madam Speaker, just a few comments that were in the Jacksonville paper—again, that is the home paper for Jacksonville, North Carolina and, again, the home of Camp Lejeune Marine Base.

“With White House officials saying that President Obama will order about 30,000 more troops, including a brigade of marines from Camp Lejeune, into combat in Afghanistan, local military are reacting to the news with skepticism and concern.”

Further down in the article, it says: Marine Sergeant Doug Copeland, who is scheduled to deploy with his 1st Battalion, 8th Marines in October, said he approved of the troop surge as a means to assist troops already on the ground, but believed a date for leaving the country was coming too late. “We should have dealt with Afghanistan in the first place,” Copeland said. “We’ve already been in this war for 7 or 8 years. We’ve got to call it quits. Our country needs to focus on our country now.”

That is exactly what Mr. DEFAZIO was saying. This country is in bad financial shape, we are losing jobs every day, and what we need to do is concentrate on this country itself.

I will read just another comment, Madam Speaker:

“HM2 Cagney Noland, a corpsman currently with Combat Logistics Regiment 27, said he doubted the proposed timeline would see troops out of Afghanistan.”

Madam Speaker, the number of our troops with PTSD, with TBI, and with mental depression and anxiety is growing each and every day. Again, I have gotten to know many of the marines down at Camp Lejeune, from privates all the way up to generals. They will go and fight for this country, they want to do everything they can to defend this country and they will give their life, but we need to take into consideration the stress that we are putting on these troops.

There is another article I want to make brief reference to that was in the New York Times on December 3 by Nicholas Kristof. It’s called, “Johnson, Gorbachev, Obama.” It is about the Vietnam War, it is about the Russians involved in Afghanistan, and now Mr. Obama’s decision.

I am not trying to second-guess the President. He’s got a very difficult job, and I wish him well. In fact, I was one of the few Republicans that thanked him for taking his time before he decided what the solution should be or what the strategy should be for Afghanistan. But Madam Speaker, I think that we as a Congress should debate the policy.

I said this just a moment ago, and I would like to say it again, I joined BARBARA LEE in a letter to the Speaker of the House asking the Speaker of the House to please let us debate the policy of what we should be doing in Afghanistan before we pass any type of supplemental to financially support the troops. So, therefore, it is my hope that maybe in January or February of 2010 we will be granted a debate on the floor, whether it be for sending more troops to Afghanistan or fewer troops to Afghanistan, and we will come closer to meeting our constitutional responsibility than we have done, truthfully, since World War II.

Madam Speaker, I would like to close as I always do. I have signed over 8,000 letters to families and extended families in this country because I regret that I ever voted to give President Bush the authority to send troops to Iraq. That is my pain that I’ve lived with, and writing the letters and signing the letters to the families is my way of saying I’m sorry that I did not meet my constitutional responsibility and vote my conscience on the floor of this House.

With that, Madam Speaker, I would like to close these brief comments by asking God to please bless our men and women in uniform, ask God to please bless the families of our men and women in uniform, and ask God to please, in his loving arms, hold the families who have given a child dying for freedom in Afghanistan and Iraq. I would like to ask God to please give the House and Senate strength to do what is right for the next generation. I would like to ask God to give strength and wisdom and courage to the President of the United States. And I close by asking three times, God please, God please, God please continue to bless America.

RETURN TO JOB GROWTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. CONNOLLY) is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. Madam Speaker, in our ongoing efforts to stabilize the economy and ensure a return to prosperity, our focus must remain fixed on the saving and creation of American jobs. The actions of this administration and this Congress have shown progress. Job losses fell dramatically, and the unemployment rate dropped in November from 10.2 percent to 10 percent.

The recession began in 2007 and has been the worst since World War II. Unemployment hit a 26-year high, consumer confidence plummeted, the gross domestic product contracted at near unprecedented levels, the stock market plunged, home prices tumbled and foreclosures skyrocketed, and millions of Americans found themselves out of work.

Monthly job losses continued to worsen each month. In September of 2008, the monthly losses were more than 300,000. By December of 2008 and January of 2009, in the waning days of the Bush administration, job losses exceeded 700,000. And it wasn’t just 2008. Under the Clinton administration, from 1993 to 2000 the average monthly private job growth was 217,000, one of the most robust job growths in American history. During the Bush 8 years, that average monthly job creation was just 2,000.

□ 1700

As this Congress and the Obama administration took office in January, we were facing a job market in free fall. We immediately took action on a number of fronts.

The Recovery Act provided critically important investments, saving or creating 1.6 million jobs so far. States and localities faced with growing budget deficits would have been forced to lay off hundreds of thousands of teachers, police and fire fighters, but the Recovery Act saved those jobs, including, in my district, 404 teachers in Fairfax County and 304 in Prince William County. The Recovery Act created thousands of additional jobs in road construction, clean energy, and medical research. Businesses in my district received at least 205 contracts, grants, and loans, totaling almost \$200 million, thanks to the Recovery Act. They have had a noticeable impact.

The employment rate in my district began to fall in advance of the national rate, declining in October from 5.3 to 5.2 percent in Prince William County, and from 4.7 to 4.5 percent in Fairfax, half the national average.

The House of Representatives reauthorized the COPS program, which will add 50,000 police officers nationwide. The 21st Century Green Schools Act and the Student Aid and Fiscal Responsibility Act invested billions of more dollars to modernize public

schools and community college campuses, creating tens of thousands of new construction jobs. The American Clean Energy and Security Act creates incentives for new research and development, creating thousands of new job opportunities related to the production of advanced batteries, wind turbines, solar power, and other sustainable technologies. In addition, Madam Speaker, we passed a number of bills to spur small business job creation through tax incentives and employment opportunities for our veterans.

Ultimately, for sustainable job growth, the private sector must feel comfortable to return to hiring employees. Large companies will not expand while the value of their firm drops. Small companies will not expand while the owners' assets are disappearing. And those assets did drop. From its high of over 14,000 in October of 2007, the Dow Jones Industrial Average began a precipitous decline to just over 6,600 in March of this year. Since then, thanks to our actions, the market has recovered more than 50 percent.

Companies will not expand while consumer confidence declines, and it did decline to 25 points in February of this year, the lowest level since the conference board's inception in 1967. Since then, thanks again to our actions, consumer confidence has continued to improve, hitting 48.7 in October, almost doubling.

Companies will not expand, Madam Speaker, while the national economy is contracting, and it did indeed contract, starting in the third quarter of 2008. It declined an astounding 6.3 percent in the fourth quarter and 5.7 percent in the first quarter of 2009, but our actions have helped. GDP increased 2.8 percent in the third quarter of 2009 and continues to grow this quarter as well.

This February, the horrific pace of job losses began to ease. Job losses in May fell to 300,000. In August through October, they averaged 135,000 a month. In November, just 11,000 jobs, net, were lost in the American economy, continuing to contribute to the decline in the unemployment rate.

Madam Speaker, we're not out of the woods just yet. Millions of Americans are still out of work. But we've started to turn the economy around. We've begun to stabilize the stock market, the housing sector, and the GDP. Madam Speaker, we've begun to create conditions for job growth, and now we must partner with the private sector to ensure that millions of Americans can return to work.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. DICKS) is recognized for 5 minutes.

(Mr. DICKS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRATULATIONS TO THE REDMEN OF SMITH CENTER HIGH SCHOOL

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. Madam Speaker, on the Kansas prairie, in a small town named Smith Center, an exceptional tradition has been built and maintained over the course of decades. The Redmen of Smith Center High School have achieved great things on the football field.

There are few, if any, high school football fans in Kansas who are unaware of Smith Center's reputation. The parents and boosters of Smith Center High School have watched with pride as their sons bested opponents on the gridiron in 79 consecutive contests. Coach Roger Barta and his Redmen football team have won over 300 games in the past 32 seasons. They've racked up eight State championships, five of them in a row.

Smith Center was on the longest active 11-man high school football winning streak in the Nation. The streak was snapped in the Kansas State 2-1A championship game 2 weeks ago. Every player on the Redman football squad, from freshman to senior, experienced their first high school defeat at the hands of the Centralia High School Panthers. It was a heartbreaking loss for an extraordinary group of boys.

I had the opportunity to participate in several pregame coin flips over the past few seasons, including this year's State title game. Each time I witnessed a very talented football team with a very spirited group of fans. Yet, all the success the team has enjoyed on the field has never been what makes them so remarkable. Football is just what attracts notoriety and our applause. It's the building of character and lifelong traits that matter in Smith Center. Following their first loss in 6 years, Coach Barta reminded his players, "We've never judged ourselves on wins and losses."

The truly exceptional work being done on the plains of Kansas is the development of character in the boys of the Smith Center football team and the students of Smith Center High School. It is the respect each athlete is taught by their coaches. It's the insistence of integrity insisted upon by their teachers. It's the values instilled in each son by their parents and community.

Joe Drape, a New York Times Sports writer, recently authored a book entitled, "Our Boys: A Perfect Season on the Plains with the Smith Center Redmen." In his book, Mr. Drape extols the virtues we, in rural America, hold dear. Humility, sacrifice, unwavering commitment, all are characteristics that are exemplified by the Redmen and their fans. Additionally, as I was told by one of the game officials after the State title game, this is the only team that year after year, every game, they gather on the field, hold hands,

and a prayer is offered by one of the coaches or one of the players on the team.

Redmen football is what received the attention, but behind the scenes is where the most impressive and longest lasting accomplishments are discovered. Football is simply a teaching tool used by the community. Coach Barta was quoted in the book as stating, "None of this is really about football. What we're doing is sending kids into life who know that every day means something."

This attitude exemplifies the teaching, coaching, and parenting philosophy of rural America. Our population may be dwindling and our communities aging, but our commitment to raising good children and preparing them for life after high school is something that will never diminish. School pride is important to a community, but it pales in comparison to the role a teacher, coach, or parent plays when he or she helps a child succeed. I'm thankful that Coach Barta and his staff understand this, and I'm thankful to come from a part of the country that understands this.

Congratulations to the Smith Center Redmen, their football team, for their remarkable success, and thanks to the team, the community, and the school that are such great ambassadors for our way of life on the plains of Kansas.

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.)

HONORING THE LIFE OF REAR ADMIRAL DAVID M. STONE, USN (RET.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

Mr. SESTAK. Madam Speaker, I rise to honor and mourn the loss of a great American. Rear Admiral David M. Stone, United States Navy (Retired) recently passed away, and as a result, we are a lesser Nation. He was a proud son of Illinois, not the Commonwealth of Pennsylvania, my State, but I am compelled to see that the achievements of this remarkable man are forever captured in the record of our proceedings because Dave Stone was my shipmate.

We graduated from the United States Naval Academy in 1974 and served together as fellow Surface Warfare Officers at sea and ashore for nearly three decades. In the course of those years, I witnessed Dave Stone consistently offer our Nation all of his enormous talent and energy. At the Academy, he led Navy's basketball team with an unmatched passion and competitive spirit.

Upon commissioning as an ensign, he went to sea with the work ethic, sense of responsibility, and selflessness that characterized the very best of the graduates of Annapolis, his reputation across the fleet reflecting an unflinching dedication to leading sailors from the front, by example, and with a total commitment to their personal and professional excellence. He never forgot the importance of a sailor's family, and he put in countless hours tending to the concerns of the parents, wives, and children who sacrifice so much in offering their loved ones to the naval service.

Tactically, his fighting spirit and natural sense of competition drove him to constantly press his systems, operators, and decisionmakers to outthink and outfight every adversary. When our fleet was challenged by serious maintenance concerns, he rolled up his sleeves and took charge of the most complex engineering plant the Navy had devised. He set a standard for engineering readiness that astounded only those who did not know him. As a result, his rise through the ranks was deservedly fast.

Every ship and sailor he served reached new standards of excellence. He commanded the USS *John Hancock* (DD 981), Destroyer Squadron 50, NATO's Standing Naval Force Mediterranean, and the USS *Nimitz* Aircraft Carrier Battle Group with skill, courage, and extraordinary professionalism.

He was the officer our Nation needed in the Persian Gulf as that theater became increasingly dangerous. He was the surface warrior best qualified to support actions in the Adriatic that helped close hostilities in Kosovo quickly and favorably. On his promotion to admiral, he was an officer with precisely the strategic vision, intellect, and sense of the world our Navy and Nation needed to meet the challenges of the 21st century.

Following retirement from the naval service, his patriotism and sense of responsibility continued unabated. As the first Federal Security Director at Los Angeles International Airport, and later as head of the Transportation Security Administration, he helped secure our national transportation infrastructure so quickly and so completely that his work stands out as one of our government's greatest and most impressive post-9/11 achievements.

However, Dave always considered his greatest achievement the fortune to fall in love with and marry his wonderful bride, Cynthia Faith Voth of Clearwater, Florida. Together, Dave and Faith represented all that was right and good about life in the naval service. They were partners and best friends through the joy and pain of countless deployments, household moves, and the pressures of ever-increasing responsibilities for the safety of our Nation's greatest treasure—the young men and women who wear the uniform of our military.

Madam Speaker, I ask that we pause to reflect upon the many contributions Admiral Dave Stone made to our country and the world and to thank Faith Stone for inspiring her husband to serve us all so proudly. Through the pain and frustration of losing this great shipmate, everyone who knew, loved, and respected Dave is comforted by the fact that today, there are countless Midshipmen at Annapolis who will follow his example and seek to model their life on his legacy. Therein lies the greatness of the United States Navy and our Nation and our shipmate and classmate, Dave Stone.

DEMOCRACY IN HONDURAS

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. Madam Speaker, following the antics of Zelaya, Chavez, and Ortega, there were growing concerns over the ability of free people in the Western Hemisphere to defend democratic principles and institutions against the assaults of these and other oppressors belonging to ALBA. However, the fierce commitment to democracy and the rule of law demonstrated by the people of Honduras have renewed our optimism about the future of freedom and the consolidation of democracy in our region.

Last week the Honduran National Congress voted decisively to reject Manuel Zelaya's return to office. The Supreme Court made the same ruling months ago, and now it is final. The Honduran Supreme Court, the Attorney General, the National Commission for Human Rights, and the Honduran General Accounting Office were all consulted prior to this congressional vote and unanimously rejected Zelaya's return.

□ 1715

The United States has accepted the decision as a matter left to the discretion of the national Congress, and even some of Manuel Zelaya's strongest supporters inside Honduras have finally publicly stated that their mission is no longer publicly focused on his resolution.

The writing is on the wall, Madam Speaker. The people of Honduras are ready to write the post-Zelaya chapter of their nation's history. The newly elected President, Porfirio Lobo Sosa, has already taken steps to help bring national reconciliation to Honduras. Last week, he began meeting with individuals from broad spectrums of the Honduran government and society to discuss long-term goals for the future and stability of Honduras, and he has already warned Chavez not to intervene with Honduras' sovereignty.

The Honduran people have had enough of Chavez's meddling in their internal affairs. It is time for responsible nations—and specifically for us in the United States—to turn the page

and rebuild the relationship with the people of Honduras.

I am pleased that the Obama administration has finally lifted the travel alert on Honduras, which has had a severe economic impact on the well-being of American businesses operating in the country. However, this is just the beginning. Honduras is a traditional ally of the United States and a vital partner to us in our regional counternarcotics effort. It is under attack by narcotraffickers and their violent network. Just this morning, General Julian Aristides Gonzalez, the top anti-drug official in Honduras, was assassinated. Witnesses report that his body was riddled with bullets. General Gonzalez and other high-ranking law enforcement officials engaged in the counternarcotics efforts in Honduras are declared targets of the drug-trafficking network in the country. The use of Honduras as a drug transit country threatens our vital security interests.

As such, the U.S. must immediately restore all assistance, particularly counternarcotics cooperation, to Honduras. Visas and other nonsecurity-related assistance must also be reinstated.

Today, Honduran President-elect Lobo travels to San Jose to meet with President Oscar Arias. Tomorrow he will meet with Panamanian President Ricardo Martinelli in Tegucigalpa. Also on Thursday, Lobo will visit the Dominican Republic to meet with President Leonel Fernandez.

Meanwhile, Zelaya stays hidden. He cannot face the truth of his transgressions. He has said, "As long as I have Brazil's support, I will be here." Well, Brazil, the OAS and any other country or body should not help him be so cowardly. The OAS should stand up to Zelaya and the enablers of oppression so that freedom can prevail.

Regrettably, the MERCOSUR countries—of which Brazil is a member—announced during their meeting just today that they will not recognize the Honduran elections. But the Honduran people will not be deterred. They have spoken loud and clear. The Honduran people were brave enough to put their principles to the test. They looked to their Congress, they looked to their Supreme Court, and finally they looked to themselves and carried out peaceful and successful elections.

In closing, Madam Speaker, I would like to quote from Honduran President-elect Lobo, who perhaps best summarized recent developments in Honduras. Following his victory—which was resounding—he said, there were "no winners or losers, only democracy has triumphed. I am happy looking toward to the future. You keep asking, 'And Zelaya?' Zelaya is history, he is part of the past."

Madam Speaker, may democracy and freedom continue to triumph in the hemisphere and throughout the world.

Thank you for the time.

REQUIRE THE PRESIDENT TO WITHDRAW FROM AFGHANISTAN AND PAKISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KUCINICH) is recognized for 5 minutes.

Mr. KUCINICH. Madam Speaker, this morning I stood before this House and pointed out that *The Nation* magazine did an investigation that showed that U.S. tax dollars were going to U.S. contractors who then gave the Taliban money so that the Taliban wouldn't attack a shipment of U.S. goods to U.S. troops. And of course U.S. troops would use those resources to attack the Taliban.

The war in Afghanistan is a racket. We have a strategy to pay off insurgents, warlords, the Taliban, in pretending that somehow this practice is going to help make an already corrupt central government more stable. I have been in this House now for seven terms, and I have seen the slow and steady erosion of the Constitution of the United States and, in particular, congressional authority with respect to article 1, section 8 of the Constitution, which very explicitly puts the power to create war in the hands of the United States Congress, not in the hands of the executive.

When the Founders crafted the Constitution, they were very clear that they did not want a monarchy. They wanted to what was called "restrain the dogs of war" by placing the power to commit men and women into combat in the hands of an elected Congress, in this case in the hands of the House of Representatives. Unfortunately, over a few generations, we have seen that power of Congress erode.

Today, according to ABC News, Hamid Karzai, the President of Afghanistan, in a joint press conference with Secretary of Defense Robert Gates, said that his country's security forces will need financial and training assistance from the United States for the next 15 to 20 years.

Now, since we're already spending at least \$100 billion to \$150 billion a year in Afghanistan, we are now committed, through Mr. Karzai, we're embarked on a strategy that could lead us to spend \$2 trillion, maybe more.

We've had speakers precede me today speak about the need for jobs in the United States. It goes without saying we should start taking care of things here instead of endeavoring to pour our resources into a corrupt administration, and furthermore, engage in a kind of corruption through trying to pay off warlords and even the Taliban to create shipments to our troops.

As President Obama prepares to escalate military operations in Afghanistan and Pakistan, we must reinstate our prerogative as it relates to war. The United States has been involved in military action—both in Afghanistan and Pakistan—since the inception of this administration despite the fact that the President has never submitted

a report to Congress pursuant to section 4(a)(1) of the War Powers Resolution.

Madam Speaker, when Congress returns in 2010, I intend to bring to the floor of the House privileged resolutions reasserting this congressional prerogative. My bills will trigger a timeline for timely withdrawal of U.S. troops from Afghanistan and Pakistan, invoke the War Powers Resolution of 1973, and secure the constitutional role of Congress as directly elected representatives of the people under article 1, section 8 of the Constitution for Congress to decide whether or not America enters into a war or continues a war or otherwise introduces Armed Forces or materials into combat zones.

Despite the President's assertion that previous congressional action gives him the authority to respond to the attacks of September 11, 2001, a careful reading of the authorization of military force makes clear that this authorization did not supersede any requirement of the War Powers Resolution and therefore did not undermine Congress' ability to revisit the constitutional question of war powers at a later date.

We will have an opportunity in this House in January to vote on this issue of Afghanistan and Pakistan, and I urge my colleagues to join the resolution, which I'll begin to circulate the notice of starting tomorrow.

Thank you.

RESOLUTION ON THE IMPORTANCE OF SCIENTIFIC INTEGRITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HALL) is recognized for 5 minutes.

Mr. HALL of Texas. Mr. Speaker, in the last few weeks there has been some very disturbing correspondence that's surfaced and presents a real dilemma for the scientific community and an even greater dilemma for this Congress as the United Nations Climate Change Conference begins in Copenhagen.

As ranking member of the Science Committee, I'm concerned about these revelations dubbed by the press as "Climate-gate" and their implication for the scientific community, Congress, and the American people. Allegations of manipulation of scientific data would be troublesome under any circumstance. The fact that the scientific data in question here is to be used as the basis for global agreement to limit greenhouse gas emissions or changes to the regulatory regime of the United States makes these allegations that much more disturbing.

I've introduced a resolution which highlights concerns about moving forward with greenhouse gas emissions regulations or an agreement in Copenhagen on the basis of scientific data which email exchanges indicate has been manipulated, enhanced, or deleted in order to advance a political agenda. Forcing Americans to meet carbon

emission reductions may worsen our high unemployment rate and slow our economy while other nations advance their own growth at our expense.

Considering the loss of confidence in the scientific process, it's even more troubling that policymakers are pushing forward with a scheme that could irrevocably alter our economy and our prosperity.

In the past few weeks, through the disclosure of more than a thousand emails, there is extensive evidence that many researchers across the globe discussed the destruction, alteration, and suppression of data that did not support global warming claims. These exchanges include a leading climate scientist encouraging other scientists to alter data that is the basis of climate modeling across the globe by using the "trick of adding in the real temps to each series . . . to hide the decline [in temperature]."

The U.S. National Science and Technology Council defines research misconduct as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

All of this would be troubling enough on the basis that much of this research is taxpayer funded. However, it is even more troubling when one considers that this data is held up as the reason to implement new regulations and laws and potentially enter into global agreements, all in the name of reducing emissions. Policymakers are asking citizens to agree to alter the economic structure of our country and possibly sacrifice jobs in the name of preserving this warming planet, even as these scientists fail to follow accepted scientific practices and seek to stifle contrary points of view.

Federal policy for addressing research misconduct requires a full inquiry and investigation of the misconduct, as well as a correction of the research record, and potential referral to the Department of Justice. I have sent a letter to the chairman of the Science Committee asking there be an investigation into these matters.

Even more troubling is that these exchanges describe attempts to silence academic journals that publish research skeptical of significant man-made global warming and refer to efforts to exclude contrary views from publication in the scientific journals. Some scientists even encouraged the deletion of data and emails to avoid disclosure in the event of a Freedom of Information request.

All of this presents a troubling pattern of attempts not only to misrepresent the data on global warming to meet expectations contained in the theories, but also to silence any dissenters and cover up inappropriate data manipulation.

□ 1730

The emails show that raw data not meeting the expectations of the scientists or showing a pattern of warm

were altered and the raw data in question was destroyed so as to ensure no further examination. When accepted scientific practices are not followed, there can be implications well beyond the scope of the narrowly focused project. I believe that this is the situation we have before us.

These documents reveal actions that may constitute a serious breach of scientific ethics and violation of the public trust. Certain actions appear to qualify under the definition of U.S. Federal policy on research misconduct.

While this investigation is an important step, the resolution states that the United States should not consider limitations on emissions until sufficient scientific protocols and a robust oversight mechanism have been established to preclude future infringements of public trust by scientific falsification and fraud.

In addition to the economic and regulatory concerns about international climate agreements, Congress should not allow any agreement with any other country nor agree to legislation or regulatory action that will irrevocably alter our economy until we can be assured that this data which forms the basis for these laws and agreements is based on sound science obtained and maintained using traditionally accepted scientific principles. Signing an internal protocol in Copenhagen, especially one based on questionable science, is un-American and will kill jobs.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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.)

BITTER FRUIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Madam Speaker, I wish everyone would listen to these words from a column in the current issue of the American Conservative magazine. This column says: "We ran Saddam out of Kuwait and put U.S. troops into Saudi Arabia, and we got Osama bin Laden's 9/11. We responded by taking down the Taliban and taking over Afghanistan, and we got an 8-year war with no victory and no end in sight. Now Pakistan is burning. We took down Saddam and got a 7-year war and an ungrateful Iraq.

"Meanwhile, the Turks who shared a border with Saddam, have done no

fighting. Iran has watched as we destroyed its two greatest enemies, the Taliban and Saddam. China, which has a border with both Pakistan and Afghanistan, has sat back. India, which has a border with Pakistan and fought three wars with the country, has stayed aloof. The United States, on the other side of the world, plunged in. And now we face an elongated military presence in Iraq, an escalating war in Afghanistan, and potential disaster in Pakistan, and being pushed from behind into a war with Iran."

And then in the December 3 issue of The Washington Post, it says: "President Obama's new strategy for combating Islamist insurgents in Afghanistan fell on skeptical ears Wednesday in next-door Pakistan, a much larger, nuclear-armed state that Obama said was 'at the core' of the plan and had even more at stake than Afghanistan. Analysts and residents on both sides of the 1,699-mile border expressed concerns about Obama's plan to send 30,000 more troops into Afghanistan."

And on that same day, The Washington Post had a headline that said: "A deadline written in quicksand not stone."

Now, I think most Americans feel that 8 years in Afghanistan is not only enough; it's far too long. After all, we finished World War II in just 4 years. Now under the President's most optimistic scenario, we are going to be there another year and a half, that's 9½ years, and we're going to be there, we have 68,000 troops there now. They want to add 34,000 more at a cost of \$1 billion per thousand per year, which means over \$100 billion a year.

The Center for War Information says we've already spent almost a half trillion dollars in war and war-related costs in Afghanistan at this point.

And then I would like to ask, Who is in charge? Because this weekend on the interview program, Secretary of State Clinton and Secretary of Defense Gates said, Well, the year and a half withdrawal plan presented by the President at West Point really doesn't mean anything, that we're going to be there probably another 3 or 5 more years. That would bring our time there to 11 or 13 years. That is ridiculous in a country like Afghanistan, a very small country where we are fighting a very small force that has almost no money.

And then I understand from one of the previous speakers that President Karzai said that he needs American troops to be there another 15 or 20 more years. Well, he wants our money, that's for sure, like any gigantic bureaucracy. And what does any gigantic bureaucracy want? They want more money and more employees. So the Defense Department, being the most gigantic bureaucracy in the world, is going to continue to want more money and more personnel.

But when we have a \$12 trillion national debt and almost \$60 trillion in unfunded future pension liabilities, Madam Speaker, we simply can't afford

it. We have to start putting our own people first at some point. It's not going to be long before we're not going to be able to pay our Social Security and veterans' pensions and things we have promised our own people with money that will buy anything, if we keep spending hundreds of billions for very unnecessary wars.

Now, I would like to mention just a couple of things about Pakistan. In the Los Angeles Times on November 1 in a story about Secretary Clinton's visit to Pakistan, it said: "At a televised town hall meeting in Islamabad, the capital, on Friday, a woman in a mostly female audience characterized U.S. drone missile strikes on suspected terrorist targets in northwestern Pakistan as de facto acts of terrorism. A day earlier, in Lahore, a college student asked Clinton why every student who visits the U.S. is viewed as a terrorist. The opinions Clinton heard weren't described in voices of radical clerics or politicians with anti-U.S. agendas. Some of the most biting criticisms came from well-mannered university students and respected, seasoned journalists, a reflection of the breadth of dissatisfaction Pakistanis have with U.S. policies toward their country."

This is a country, Madam Speaker, that the Congress in a voice vote at a time when almost no one was on the floor, most Members didn't even know it was coming up, voted to send another \$7.5 billion in foreign aid to Pakistan on top of \$15.5 billion that we've spent since 2003 there already.

This is getting ridiculous. A country that we are sending billions and billions and billions in foreign aid to, and it's becoming so anti-American, and they don't appreciate this aid at all. We simply can't afford to keep doing these ridiculous and very wasteful expenditures. And I will say again, we need to start putting our own people first once again.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. AKIN) is recognized for 5 minutes.

(Mr. AKIN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CLIMATEGATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. OLSON) is recognized for 5 minutes.

Mr. OLSON. Madam Speaker, yesterday the U.N. climate change summit in Copenhagen, Denmark, began. The work of the summit is supported in large part by the research developed by the Intergovernmental Panel on Climate Change, or the IPCC. This panel is responsible for assessing the state of scientific knowledge related to climate change and reporting its findings to the convention.

And it is not a stretch to say that policymakers in the United States and

many other countries rely upon and use the data compiled by the IPCC as a basis for making predictions on future climate conditions and setting policy to limit potential causes of climate change.

The emails that emerged recently from the University of East Anglia call into question the accuracy of the IPCC data. There is evidence that researchers suppressed science and data that did not conform to their preferred outcomes.

I would like to read from one of the emails that was discovered:

"I can't see either of these papers being in the next IPCC report. Kevin and I will keep them out somehow—even if we have to redefine what the peer-review literature is."

This is scary. The availability of accurate, objective, and scientific data is essential for decision makers. Given that the data was manipulated and hidden and that opposing data was potentially suppressed, it's clear that the United States should not commit to any international agreement on climate change or implement a domestic regulatory system that could damage the economy and kill jobs.

And I'm proud to be a cosponsor of Ranking Member HALL's resolution regarding scientific protocols and peer review standards. Science is based on facts and data, but there is also an element of trust when public policy and science meet. If that trust is broken, it is irresponsible for government to legislate on half-truths, incomplete findings, and bogus claims.

This administration promised openness and transparency, and they use science as a primary means to demonstrate that practice. It's time for the administration to stand up for the principle of openness, even if it means exposing findings that don't meet their preexisting policy initiatives.

CLIMATEGATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. INGLIS) is recognized for 5 minutes.

Mr. INGLIS. Madam Speaker, a number of physicians would tell you that longevity is based only on genetic make-up. But you might ask them, Doctor, if I were to diet and exercise safely, might I extend my life? Well, most physicians would say, If you can do it safely, go ahead.

That is really what I think we should be talking about when it comes to climate change. If we can do it safely as to the economy, we should act. If we can't do it safely, then we should hold up.

In the case of cap-and-trade, which has passed this floor, unfortunately, and is pending now in the other body, it can't be done that way. In other words, it will harm the economy. We are talking about a tax increase in the midst of a recession. We are talking about a Wall Street trading scheme

that would make some traders blush, and it punishes American manufacturing. So for all those reasons, I wish cap-and-trade were off the table. Hopefully, it falls apart over in the other body.

Then the question is, Could we act in some way that is sort of like the longevity question? It might not extend our lives, but on the other hand, would it hurt us? And in this case, what we are looking for is something that would work that wouldn't hurt us, that wouldn't hurt our economy.

And what I have proposed is a 15-page alternative to the 1,200-page cap-and-trade, and that 15 pages describes a tax cut on payroll and a shift on to emissions, the result being that we would change the economics of the incumbent fossil fuels and begin replacing them with better fuels that can create jobs and improve the national security of the United States.

Along the way, though, I think the big debate about whether the climate change models are right, and it's very important that we get it right as to those models, but that process is going to take a long time. It's going to take a longer time with this setback here recently with the revelation that various climate data has been manipulated.

What we have here is a teachable moment for all scientists everywhere that when this kind of misconduct occurs, the result is all of science is questioned. It's not a good result because the reality is we need this science to advance, and we need it to advance in a transparent way where the evidence can be pushed on and replicated if it's accurate. If it's not accurate and can't be replicated, it's rejected. But in the rejection, we learn, and science advances.

So I join with Ranking Member HALL in asking for a full investigation of these revelations about the manipulation of data because we need to get to the bottom of it. Especially in the Science Committee, we need to use this as a teachable moment to figure out how to advance science, true science, without manipulation of data in calling to account those who have manipulated data. In the process, we will all learn a lot about the climate models, we will advance science, and we will make better public policy.

CLIMATEGATE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

Mrs. BIGGERT. According to the American Physical Society, science is the systematic enterprise of gathering knowledge about the universe and organizing and condensing that knowledge into testable laws and theories. The success and credibility of science are anchored in the willingness of scientists who, number one, expose their ideas and results to independent test-

ing and replication by others. This requires the open exchange of data, procedures and materials, and, two, abandon or modify previously accepted conclusions when confronted with more complete or reliable experimental or observational evidence.

Adherence to these principles provides a mechanism for self-correction that is the foundation of the credibility of science.

□ 1745

Madam Speaker, the recent emails out of the University of East Anglia on the subject of climate change call into question the scientific integrity of several of the researchers involved in developing the climate science that is being used by decisionmakers around the world. While allegations of fraud and manipulation in the scientific community are troubling in and of themselves, they are even more concerning when the data in question is being used by United Nations negotiators as the basis for a global agreement to limit greenhouse gases. Such a situation should give international and domestic negotiators pause on the eve of the U.N. Framework Convention on Climate Change in Copenhagen.

Recent events have uncovered evidence from the Climate Research Unit at the University of East Anglia, which show that researchers around the globe discussed hiding, destroying, and altering climate data that did not support their narrow global warming claims. Their emails further indicate an attempt to silence academic journalists who publish research that is at odds with their ideology, and they even refer to efforts to exclude contrary views from publication in scientific journals.

Scientific research should meet high standards of quality and should not be held hostage to the ideologies of those presenting the data. It is beyond comprehension that we would even consider implementing a carbon reduction scheme which will irrevocably alter the economy and lead to more joblessness based on these fabrications. Before we move any further, we must restore scientific integrity to the process.

Recent events really show that this has not happened. The hacked emails provide evidence that researchers suppressed science and data which did not conform to the preferred outcomes. For example, one researcher commits himself to ensuring that no nonconforming science will be mentioned in the IPCC's fourth assessment report. He writes, "Kevin and I will keep them out somehow even if we have to redefine what peer-review literature is."

As a senior member of the House Science and Technology Committee, I cannot stress enough how important the availability of objective scientific data is for both decisionmakers and researchers. When it comes to our economy and environment, we cannot afford to make decisions on the basis of corrupted data.

With this in mind, the President should call on the IPCC to establish a robust oversight mechanism governing its work before further climate legislation or regulatory measures are taken. Such action is necessary to prevent future infringements of public trust by scientific falsification and fraud.

THE UNITED STATES—A LEADER
IN ENERGY INDEPENDENCE AND
CLEAN ENERGY JOB CREATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Massachusetts (Mr. MARKEY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MARKEY of Massachusetts. Madam Speaker, without question, we are now engaged in an historic debate, and that debate is over the question of whether the United States is going to become a leader and not a laggard on the question of climate change and energy independence and clean energy job creation in our country.

What is happening on the Republican side is that they have decided to engage in a phony debate—in a debate about science, which is, in fact, not debatable, in a debate about whether the United States should be the leader in green job creation and energy independence, which should not be debatable. So let's begin first with the science.

The science is quite clear. Over the last 130 years, there has been a tracking of the temperature of the planet. It is clear that we have now entered, as the world has industrialized, a period of rapid warming of the planet. In fact, since 2001, 9 of the 10 warmest years in the history of our country have been recorded. Nine of the 10 warmest years in the record. So this trend line, this rapid warming of our planet, is something which, of course, is of great concern because glaciers melt. The Arctic ice cap melts. The deserts in Africa, in Asia begin to widen. Water evaporates. The world, as a result, sees fundamental changes in the way in which it operates. So this undeniable increase in warming due to the CO₂, the greenhouse gases which are going up into the atmosphere, is something which we really don't have an ability to debate.

What the Republicans have done is they have taken a couple of emails from some scientists who had a fight scientifically over whether or not they would be properly characterized at some point in the past, and they have taken that as an entree to question the consensus that has been reached by the National Academy of Sciences of every country in the world. It's kind of their death panel equivalent for the climate debate, for the energy debate. How can we find something that's irrelevant—minor—and elevate it to the point where it obscures the need for us to really debate the big issues that are in front of us?

So this warming trend is absolutely indisputable. What they contend is

that, at this point, it really hasn't spiked that much higher in the last 10 years. It has stayed at this relatively high, historical plateau. So their concern is that there needs to be a re-evaluation as to whether or not the planet is actually warming.

It's kind of like saying to a mother, Well, you know, the average temperature is 98.6 for all human beings, and little Joey's temperature is now up to 100.6, 2 degrees higher, but it has only been there for the last 10 days, so don't worry about it. That's the new normal for his temperature, 100.6. Who as a parent would ever accept a 2-degree increase in temperature for 10 days as being the new normal?

Well, that's what they're saying about the temperature of the planet. The planet is running a fever. There are no emergency rooms for planets. We must engage in preventative care; but what they are saying is that this new temperature is the new normal, the new temperature for the planet, even though we can see the beginnings of the catastrophic consequences of having that temperature at such a high level.

So this debate does turn on science. Ours is irrefutable. No one denies even on their side that the temperatures have risen dramatically. They don't debate that. They don't debate that the Arctic ice cover is eroding rapidly. They don't deny that there has been a 30 percent increase in the acidification of our oceans. They don't deny that it has become 6 degrees warmer in Alaska during the winter over the last 50 years. None of this do they deny, but what they really are trying to do is to stop any legislative attempt, any international attempt to put together a set of solutions for these problems. That's really at the heart of this matter.

So, as we move forward, the issue for us is: How do we deal with it? Well, you know, I thought I would think through some analogy that we could use, and what I thought about was baseball.

In baseball, going back to 1920 when Babe Ruth was playing, the average number of players in the Major Leagues who hit more than 40 home runs in a season was 3.3 players. That goes all the way from 1920 up until very recently. So that covers Babe Ruth, Mickey Mantle, Willie Mays. That's why they were so famous. Anyone who could hit more than 40 home runs was very famous.

Then all of a sudden, beginning about 20 years ago, more and more players started hitting more than 40 home runs. Major League Baseball said, Well, don't worry about it. The players are getting stronger. Don't worry about it. The ballparks must be getting smaller. Now, some people said, Maybe, just maybe, the players are injecting steroids into themselves; but Major League Baseball said, No, no, no—don't worry about it—until finally we reached a point where 10 players were hitting 40 home runs, where 15 players were hitting 40 home runs, where 17

players were hitting 40 home runs. They just weren't breaking Babe Ruth's record. They were blowing that record away. They were just so much stronger.

Then all of a sudden, baseball decided, because of congressional intervention, to start testing for steroids. Guess what happens? After they start testing for steroids, all of a sudden, very quickly—just over the last 3 years—the same average for 40 home run hitters that existed from 1920 has been restored. The American League leader only had 39 home runs this year. I wonder why that happened? Maybe because they tested for the injection of artificial stimulants into baseball players.

Well, the same thing is true when it comes to our planet. When you inject artificial stimulants into the atmosphere, you get warming. You are now playing with Mother Nature. The warming of the planet has dramatic consequences for all of its inhabitants, and we in the United States are not immune to the consequences. We are going to be radically adversely affected by the impact. So what is the solution?

Well, you might remember just about a year and a half ago that President Bush went to Saudi Arabia. At a point when we had gas prices up around \$4 a gallon and at a point when our economy was starting to teeter on the brink because of this impact of oil, President Bush went to Saudi Arabia.

President Bush said to the Saudi prince, Please produce another million barrels of oil a day that we could purchase from you. Send us more oil. Have us buy more of your oil at \$147 a barrel.

That was a low point in American history. By the way, do you know what the Saudi prince said to President Bush?

The Saudi prince said, I will consider selling more oil to you at \$147 a barrel, but you must first promise me that you will start selling nuclear power plants to Saudi Arabia.

Do you know what President Bush's response was to the Saudi Arabians?

We will start selling nuclear power plants to you.

Now, which country in the world does not need nuclear power for its electricity? Which country in the world has so much sun, so much wind, so much oil, so much gas that to build a nuclear power plant would really be a waste of money? I wonder why the Saudi Arabians would want nuclear power—uranium? plutonium? Yet that is the promise that President Bush made to the Saudi Arabians.

We are in the midst of a debate over climate, in a debate over some emails. Who do you think partnered with these skeptics? Who do you think has partnered with the Republican Party in now questioning the validity of climate change?

□ 1800

The Saudi Arabians yesterday said, We want an investigation. We want an

investigation as to whether or not there really is climate change affecting the planet. Now, I wonder why the Saudi Arabians, the number one producer of oil on the planet, the number one exporter, would start to question climate change, start to try to throw some doubt into whether or not the world should be moving away from imported oil, moving away from this dependence on Middle Eastern oil.

I wonder why they would be the partner with the American Petroleum Institute on this issue, in the same way that maybe you would wonder why the American Tobacco Institute used to question whether or not smoking caused cancer and all of the science which they funded at the American Tobacco Institute as these fumes were being inhaled by people and by children and those families.

Well, now we have a different kind of fume that has been going up from coal-fired plants, from oil that is consumed in our country and around the planet. We know that there is a dangerous warming of our planet, a dangerous impact.

Yet, like the American Tobacco Institute, the American Petroleum Institute says, well, let's question what's going on. The Saudi Arabians say, let's question what's going on. Maybe we don't want to move too fast.

Well, let me tell you something. In 1970, when the United States was just really beginning to get addicted to imported oil, we imported about 20 percent of the oil which we consumed in the United States. Well, today, ladies and gentlemen, we import 57 percent of the oil that we consume, and we import it from very dangerous places in the world.

As a matter of fact, here is an astounding number. One half of our entire trade deficit is from imported oil. Everything else that we import combined is equal to the price we have to pay for oil to bring it into our country. We produce fewer than 8 million barrels of oil a day, we import more than 11 million barrels of oil a day. Over the course of the year, oil accounts for half of our trade deficit.

Now, here is another astounding fact. Three percent of the world's reserves of oil are controlled by the United States, but we actually consume 25 percent of the world's oil every day, 3 percent of the world's oil reserves, 25 percent of the consumption.

Now, you keep that going for another 5 years, 10 years, 20 years, you can see what that's going to do to our national security. You can see what that's going to do to our trade deficit. You can see what that's going to do to a new clean-energy jobs revolution.

Those that want this revolution to be stopped, this revolution consisting of wind energy, solar energy, geothermal, biomass, all-electric vehicles and hybrids, buildings that are twice as efficient so that we don't have to use all that energy. All of the opponents, of course, are going to jump on this very,

very, very thin reed and try to use it as a way of undermining our ability to pass historic legislation and the world's ability to come together to create historic international agreements to reduce the amount of fossil fuels that we burn in our atmosphere.

People say, oh, can you do it? Is it possible for the United States? Is it possible for us to lead in this new direction?

Well, I would point back to the 1990s. In the 1990s, we were still living, unfortunately, in this kind of black rotary-dial phone world. We were living in a world where cell phones were about the size of a brick, it cost 50 cents a minute to make a call and people didn't have cell phones in their pocket. We had to change the laws in the United States.

Well, I happened to be the chairman of the Telecommunications Subcommittee at that time. If we wanted an 18-inch satellite dish that people could buy, we had to change the law. If we wanted cell phones that people could have that had data, video, voice, and they paid under 10 cents a minute, we had to change the laws. If we wanted to have broadband in our country, rather than narrow band, if we wanted to have a capacity to have Google, eBay, Hulu, Amazon, Twitter and YouTube, we would have to change the laws.

Now, of course, there were many people, led by the Chamber of Commerce of the United States, opposed to the Telecommunications Act. The Chamber of Commerce said, Oh, it will be bad for our country. Can you imagine if we had listened to the Chamber of Commerce and we had not changed our laws? All of these products would have been created—but not in the United States. We would not have branded it “Made in the U.S.A.”

We are a technological giant. That's our greatest strength. Our weakness, our greatest weakness, is that we only have 3 percent of the oil reserves in the world, and we allow it to control our destiny.

This revolution, the telecommunications revolution, it created 1.5 to 2 million new jobs. There are people all across our country right now, and we are able to go down and check our BlackBerry, even as they are listening to us here. That's great. That's what we should be looking for.

That's what young people want. That's what “the green generation” wants. They are saying, no brainer, why don't we move towards green energy? Why don't we move towards these clean energy jobs, wind, solar, move that way? No, no the opponents are saying. That would be dangerous.

They have got a couple of emails that they believe call into question the entire science of whether or not the planet is warming, whether the glaciers are melting, whether the corals are being destroyed, whether there has been a 30 percent increase in the acidification of our oceans, whether or not there has been a 6-degree warming in Alaska in the winter over the last 50 years.

They are calling it all into question. Of course, they don't have any answers for it. They don't have any way of really explaining it, but they are using it as a deliberate political tactic in order to slow down the legislative and international response to the problem.

The head of the Intergovernmental Panel on Climate Change, Rajendra Pachauri, 2 days ago said in the opening session of the United Nations Climate Change Conference in Copenhagen that the recent incidents of stealing the emails of scientists at the University of East Anglia shows that some would go to the extent of carrying out illegal acts, perhaps in an attempt to discredit the IPCC. But the panel has a record of transparent and objective assessments stretching over 21 years performed by tens of thousands of dedicated scientists from all corners of the globe. I am proud to inform this conference that the findings of the panel are based on measurements made by many independent institutions worldwide that demonstrate significant changes on land, in the atmosphere, the oceans and in the ice-covered areas of the Earth. The internal consistency from multiple lines of evidence strongly supports the work of the scientific community, including those individuals singled out in these email exchanges, many of whom have dedicated their time and effort to develop these findings in teams of lead authors in the series of IPCC assessment reports during the past 21 years.

The IPCC process is designed to ensure consideration of all relevant scientific information from established journals with robust peer-review processes or from other sources which have undergone robust and independent peer review. The entire report-writing process of the IPCC is subjected to extensive and repeated review by experts as well as by governments.

There were a total of around 2,500 expert reviewers performing this review process. Consequently, there is full opportunity for experts in the field to draw attention to any piece of published literature and its basic findings that would ensure inclusion of a wide range of views.

The Republicans have been unable to win a debate on clean energy and climate based on the facts, the science or the economics. Now, in a desperate attempt to manipulate the truth, they have joined with Saudi Arabia and ExxonMobil to promote a manufactured scandal about stolen emails, not science, because they can't answer these questions about the warming of the planet, the permafrost being destroyed up in Alaska.

The personal emails in question—

Mr. LINDER. We are prepared to have that debate right now if the gentleman would yield.

Mr. MARKEY of Massachusetts. The gentleman will have his turn.

The personal emails in question do not in any way disprove or undercut the mountain of scientific evidence on

global warming. Now the Republicans are attacking the scientists who have worked decades on this problem, going so far as to accuse them of scientific fascism.

This is an insult to America's best and brightest scientists. The science that we are relying upon is the science of NASA, the science of NOAA, the National Oceanic and Atmospheric Administration, the National Academy of Sciences and our United States military. That is the evidence that we are relying upon. Men and women who had nothing to do with the emails and whose work has shown climate change is real and a danger to public health.

The scientists have used a careful, rigorous and transparent approach to come to consensus that evidence of global warming is unequivocal. The data topics referred to in the emails were all transparent and also debated openly and in public literature at that time.

Additionally, the American Association for the Advancement of Science, the AAAS, has reaffirmed its statement that global climate change caused by human activities is now underway and is a growing threat to society.

On December 4, just a couple of days ago, more than 25 leading U.S. scientists sent an open letter. Here is what they said. They said the content of the stolen emails has no impact whatsoever on our overall understanding that human activity is driving dangerous levels of global warming. The letter states, even without including analysis from the UK research center from which the emails were stolen, that the body of evidence underlying our understanding of human-caused global warming remains robust.

The AAAS expressed grave concerns that the illegal release of private emails stolen from the University of East Anglia should not cause policymakers and the public to become confused about the scientific basis of climate change. Similarly, the prestigious British journal *Nature* published an editorial last week saying that there was no reason for its editors to revisit papers submitted by scientists whose emails were stolen.

The American Meteorological Society has also stated that the emails gave them no reason to revisit its conclusion that human activity is driving climate change.

Bryan Walsh of *Time* magazine writes in his article, "The truth is that the emails, while unseemly, do little to change the overwhelming scientific consensus on the reality of manmade climate change." The IPCC chairman, Rajendra Pachauri, in the opening of the U.N. climate change conference, as I just pointed out, made the very same point.

□ 1815

So the consensus from the scientific community is clear that the Republicans are trying to manufacture an

issue to derail legislation. They do not have the information. They do not have the scientific evidence to maintain their points. However, the Saudi Arabians and ExxonMobil, they want to question it. They want to continue business as usual in our country. But the consequences, if we do move forward in their direction, will be further catastrophic consequences for our planet.

The emails do not in any way indicate global warming data is flawed or manipulated. The emails do not in any way undermine the sound science or disprove the unequivocal scientific consensus that global warming is real and caused by manmade carbon pollution. These emails do not show evidence of a conspiracy. The emails do not contain admissions of a global warming hoax. And the emails do not show that data was falsified. The Republicans are cherry-picking key words in emails to try to manufacture a scandal.

Here are two prime examples: one email suggests using a trick. Now, this email was written in 1999, 10 years ago. Since that time the planet has had 9 of the 10 hottest years on record. We have seen category 5 hurricanes like Katrina, record wildfires out West, villages falling into the sea in Alaska, and a 500-year flood in the Midwest, not to mention the disappearance of Arctic Sea ice at a rate far outpacing the climate models. These events are not a trick. They have all found global warming to be a danger to public health and national security. This work is publicly available and fully transparent.

Next, skeptical scientists have not been silenced or suppressed. The deniers have not been silenced. In fact, their very research and opinions mentioned in the emails were, in fact, included in the IPCC report. Two of the skeptical papers that the emails suggest should be kept out of the IPCC process are cited and discussed in chapter 3 of the 2007 IPCC Physical Science Basis report. Deniers have testified before Congress literally dozens of times. But the majority of their work has been funded by Big Oil and by other polluters. And let's not forget deniers and skeptics had 8 years of George Bush to help them delay action.

The scientific process has been very robust; but if you want to have a story about emails, then let's talk about the Environmental Protection Agency of George Bush.

After the Supreme Court decision *Massachusetts v. EPA* was rendered in April of 2007, they instructed the Bush administration and its Environmental Protection Agency to make a determination as to whether or not CO₂ posed a danger to the health and welfare of the American people. They told them they had to make a finding one way or the other. Well, back in May of 2008, the EPA of George Bush made the decision that CO₂ was a danger, and they sent an email over to the White

House saying we have found the danger.

But Vice President Cheney found out that an email had been sent and the finding was not going to be finalized until the Bush White House accepted that email.

So what did they do? Vice President Cheney ordered that the email not be received in the White House. No email, which is the consensus of the Environmental Protection Agency of George Bush that CO₂ is a danger; we won't accept that email.

Now, there is a scandal. That's a scandal. The American Environmental Protection Agency has made a finding that CO₂ is a danger and Vice President Cheney says, We won't accept it. Send the email back because once we get it, we'll have to act on it. There is a scandal. That's the Cheney-Bush years, holding hands with the Saudi Prince. Please send us more oil, denying the science that their own EPA had developed saying that CO₂ is a danger to the health and welfare of our country. That is what is the real scandal, that they were denying science. They were denying the evaluation made by thousands of scientists not only in our own country but around the world.

And who are these scientists? They're the people that work at NASA. They're the people who work at NOAA. They're the people who work at the Navy Department, in the Army, in the Marines, in the Air Force. These are the people that have gathered this information. Our submarine crews who have been in *Polaris* submarines going under the Arctic to measure the depth of the ice, these are the people whose information is now being called into question by the Republicans.

These are the people whose email going into the White House was rejected by Dick Cheney. No, we don't want to act. We're going to finish out all 8 years of the Bush-Cheney era without ever having done anything about climate change.

This scientific process is very robust. The emails show without question that scientists are human. The power of the scientific process, however, has always been its ability to overcome human bias. That is the case with climate science as well. Despite the revelation that a few climate scientists may have considered acting inappropriately, there is virtually no evidence that anything was done that in any way would affect the final conclusion that was reached that this is a real danger to our planet.

The burden of proof here is all wrong. The climate deniers should be trying to explain why the tens of thousands of scientists who say global warming is unequivocal are wrong, why they think global warming isn't happening. And they can't do it. They cannot take on these tens of thousands of scientists around the world. So instead they're trying to create a mini-contretemps, something that makes it look like there's a real debate.

Yes, it's between Democrats and Republicans, but it's really between scientists at a 98 percent level and everyone else. But they're trying to take the 1 percent, 2 percent and make it out like there's an evenhanded debate. That's what the American Tobacco Institute used to do. The American Tobacco Institute used to find a couple of scientists that said, Don't worry about smoking, there's still no conclusive evidence that it's harmful to your lungs.

By the way, my father, smoking two packs of Camels a day, he used to say to my brothers and my mother and I, Don't worry about my smoking; okay? Two packs of Camels won't kill me. Until finally that little spot showed up on his lung and took my father. It still didn't convince, of course, the American Tobacco Institute. It didn't convince those people who were in scientific denial that these fumes that were being inhaled could lead to the death of people any more than the science which is overwhelmingly conclusive that the glaciers are melting, the Arctic ice cover is shrinking, the permafrost being exposed up in Alaska, the villages falling into the ocean beginning with Shishmaref, the village up in Alaska, because of that dramatic warming; that it had nothing to do, of course, they say, with the science—kind of like the American Tobacco Institute.

But the overwhelming consensus not only of our scientists but of the world is that these fumes that are being inhaled by our planet are making our planet sick.

So that's our choice. It's to make them explain why the Arctic has lost an ice cover three times the size of Texas compared to just a couple of decades ago; why Alaskan winters are 6.3 degrees warmer now than they were 50 years ago; why the ocean waters are 30 percent more acidic than they were in pre-industrial times; why this summer, the ocean was the warmest in NOAA's 130-year record.

The year 2000 was the 15th warmest year in NASA's record; 2001 is tied for the eighth warmest; 2002 is tied for the third warmest; 2003 is the sixth warmest; 2004 is tied for the eighth warmest; 2005 is the warmest year on NASA's record; 2006 is the seventh warmest year ever recorded; 2007 is the second warmest ever recorded; 2008 is the 10th warmest ever recorded; and just today we learned that 2009 is projected to be the fifth warmest year on record. All of it leading inevitably, inexorably towards catastrophic conditions for our planet.

Well, as this science was being developed, the Republicans did not decide to accept it. Dick Cheney said, Keep that email out of the White House. I don't care what my own EPA says. I don't care what the scientists hired by the Bush administration said about global warming, that email telling us that it is a danger to our planet, to our country, because that's the finding they had

to make. The finding the EPA had to make was not a danger to the world, a danger to the United States of America. And that email, that scientific email, was summarily rejected by Dick Cheney because once they accepted it, they would then have the political and moral responsibility to ensure that something had to be done about it.

So there was no open and free discussion inside the Bush administration on that science. There was no roundtable with Dick Cheney sitting in the middle of it saying, Well, let's now debate the science. Oh, no. No free and open discussion of science. No free and open discussion of how the Vice President is going to reject out of hand the consensus of the entire EPA of his administration in the 8th year of the Bush administration. So it wasn't as though there were a bunch of Clinton holdovers at this point. This was a decision made by the Bush administration and its EPA, and it was rejected without so much as a debate by Dick Cheney and the White House.

So all of this, unfortunately, is being covered by the media as though it's kind of an evenhanded discussion here that's going on: 99, 98 percent of all scientists on one side, 1 percent on the other side. No, let's just make it even-steven, which is kind of how the tobacco debate was handled for a generation.

Well, there are two sides to the story, you know. Either tobacco and its inhalation into the lungs of human beings causes cancer or it doesn't. There are a couple of scientists over here that the American Tobacco Institute has and there's every other scientist in the world, every doctor, every physician.

So this is a huge moment for us as a country. We have two pathways that we can go down. We can continue to beg for oil from other countries. We continue to spew these greenhouse gases up into our atmosphere. Or we can say to America it is time for an oil change. It is time to move to an agenda of wind, of solar, of green buildings, of plug-in hybrids, a new era where we become the technological giant that we should be; that we do in the energy field what we did in the technology sector; that we overhaul our relationship with these technologies so we can overhaul our relationship with other countries in the world and create the 2 million jobs here in our country.

□ 1830

And that's really what is at stake because China right now is moving towards becoming number one in the world in wind, in solar, in all of these technologies.

So if you listen to the dissenters here, they're willing for us to move from an era where it's made by OPEC to an era made in China without ever having had a "Made in America" period. These jobs in wind, in solar, green buildings, plug-in hybrids, they should be American jobs. They should be the future for our country. They should be

the next manufacturing sector. They should be what Google and eBay and Amazon and YouTube all represented in terms of the changing of our national view as to how we worked in our country. That is our challenge.

This is actually a good debate to have because it gets right to the heart of the matter, a green job revolution, backing out imported oil and saving the planet in the bargain, or engaging in a debate over a few emails. By the way, the emails were ultimately included in the report of the U.N.—included, not excluded. Included.

During our debate here in Congress, we had the deniers that were able to sit at the table and to make their points. We heard them, we listened to them, we deliberated, and then we passed the legislation based upon the overwhelming preponderance of scientific evidence.

So that's our challenge. We are either going to help each other on this planet or we are going to hurt each other. We are either going to know each other or we're going to hurt each other. The glaciers melting, the coral reefs dying, the deserts that are being created, the least that we should be able to say to ourselves as a people in the year 2050 is that we tried, we really tried to do something about global warming, about this imported oil, about the need to create a new generation of green jobs in our country. We should try to create a world in 2050 where children have to look to the history books to find that there ever was such a time where America imported 60 percent of its oil, where we allowed the temperature of the planet to warm dangerously, where we missed the opportunity to create 2 million green jobs in our country. That's what this debate is all about. We have enjoyed the benefits of this fossil fuel era, but we have a responsibility to the generations to come to create a new era for them. That's our challenge.

And to have this debate over a couple of emails is really a disservice to the American people and to the planet. This should really be about something that's much bigger, and our country deserves that debate. The world wants us to be the leader. We have dangerously gone down a path of imported oil for too long.

The other major story that we are debating right now is sending another 30,000 young men and women to Afghanistan to join the hundreds of thousands that are already over there. How much more do we need to know? Where do we send them towards? We send them towards the countries with oil; we send them towards the countries that have fundamentalists that are funded by oil money. That's the other major story. It doesn't take a lot to link them together, to make it all part of one big opportunity for our country.

Let's follow the science. Let's follow all of those who have labored to create this understanding of what's happening to our planet, to our country, and end

the debate over the emails and begin a real debate about our energy and climate future.

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

Mr. BARTON of Texas. Mr. MARKEY, before you yield back, could you answer a question if you still have time?

Mr. MARKEY of Massachusetts. I would be glad to yield.

Mr. BARTON of Texas. We have a fundamental difference on the data, which is part of what our Special Order is going to be. We have verifiable data that the temperature has gone down the last 11 years in a row, and yet you alluded to some data points about the hottest years on record and stuff; I mean, how do we reconcile that?

Mr. MARKEY of Massachusetts. How do I reconcile what?

Mr. BARTON of Texas. We can't both be telling the truth. We can't say the temperature has gone down 11 years in a row and you have data that says 2005 was the second hottest year on record and all of that. I mean, how do we reconcile these data points? I mean, is there a way, a methodology that we can supply our data and you can supply your data and we can try to reconcile them? I mean, the facts ought to be the facts. We can have different opinions, but we ought to agree on what the facts are.

Mr. MARKEY of Massachusetts. Well, the facts are very clear. The facts are that 9 of the 10 warmest years on record have occurred in the last 10 years and it has reached a temporary plateau. We are in a recession, and in China and in the United States and in other countries there has been a slower pace of increase in emissions. And by the way, this year it's going back up again, it's going to be the fifth warmest year in history this year.

Mr. BARTON of Texas. Are those data points public?

Mr. MARKEY of Massachusetts. Yes, they are public. This is the data provided by NASA, which I will provide to you. NASA has been compiling temperatures from the last 130 years, and I will be more than willing to give it to you.

I guess the fundamental question is, as China and India industrialize, as other parts of the world industrialize and start to send up more fossil fuels into the atmosphere, do we believe this trend is likely to stop and abate, or is it likely to exacerbate and continue to skyrocket? I think the evidence, since the beginning of the industrialized period as we have moved from 280 parts per million to 380 parts per million of CO₂ in our atmosphere, is that the more we add the warmer it gets. And as the 3 or 4 billion people in this developing world begin to want to drive automobiles and have electricity in their homes, it's pretty clear that the trend line is heading upwards. Yes, over the last 10 years it stayed very warm. As I said earlier, it's like a child having the same temperature, 100.6 not 98.6, for about 10 days.

Mr. BARTON of Texas. Well, one of the things that I hope we can agree, we can have different opinions, different views on issues, but between you as chairman of the Climate Committee and Mr. WAXMAN as chairman of the Energy Committee and Mr. SENSENBRENNER, who is your ranking member, and myself, who is the ranking member on Energy, we should be able to get a data set that we both agree is what the facts are, and I would like your cooperation in doing that.

Our data sets that I'm going to allude to are different. Now, I know enough to know what I don't know. And I don't know if that's a surface temperature, I don't know if that's a tropospheric temperature in the upper atmosphere, I don't know if that's a local temperature that's some sort of an annual mean. There are all kinds of different ways to describe it and to calculate it, but we ought to agree, as policy leaders, on a way to get a data set that everybody says, then we are going to debate the implications of that data set, whatever it is. And I hope that you and Mr. WAXMAN—

Mr. MARKEY of Massachusetts. And I would be more than willing to do that. But then we have to agree whose data are we going to rely upon? I would say that if we don't rely upon NASA's data and NOAA's data, which are the institutions that we historically have relied upon, then we are going to allow a small number of outlying—

Mr. BARTON of Texas. We are going to introduce, in our Special Order, some serious concerns that some of the scientists that maintain these data sets manipulate, change and eliminate for their own conclusions. And again, it's very fair to have an opinion and have a scientific debate, but it shouldn't be fair to manipulate the data in a way that at best is disingenuous, or in some cases deceitful, and I hope you would agree with that.

Mr. MARKEY of Massachusetts. I completely agree with that. And I think that the incontrovertible evidence of the overwhelming majority of scientists in the world is what is represented by the science that the United Nations and all of the National Academy of Sciences of every country in the world has accepted.

Again, as I point out, even papers mentioned in those emails and the points in them were included in the IPCC, the Intergovernmental Panel on Climate Change report of the United Nations. So it was in. It was a minority view, it was not accepted by the overwhelming majority of scientists. And amongst these human beings that are scientists, they did show some very human qualities as they debated the subject, but it never did call into question the fact that human activity was causing the warming of the planet. But the views were included in section three of the Intergovernmental Panel on Climate Change's report that the United Nations produced.

Mr. BARTON of Texas. I encourage you to listen, and if you wish to stay

and maybe participate in our Special Order, you would be welcome.

Mr. MARKEY of Massachusetts. I thank the gentleman.

Mr. LANGEVIN. Will the gentleman yield?

Mr. MARKEY of Massachusetts. I would be glad to yield to the gentleman from Rhode Island.

Mr. LANGEVIN. I thank the gentleman for yielding.

Let me just commend the gentleman from Massachusetts for his incredible work on the issue of addressing global climate change, an issue that I know in many ways has become his life's work for so many years. I deeply appreciate his work here in the Congress, particularly as he leads the committee on the environment and global climate change here in the Congress.

Madam Speaker, I rise tonight to join my colleague, Mr. MARKEY, and so many others, in addressing this issue of global climate change, particularly during tonight's Special Order hour to recognize the critical negotiations that are beginning to take place at Copenhagen at the United Nations Climate Change Conference.

Like so many of us, I am greatly concerned with the permanent damage that we have already inflicted on the planet by failing to curb carbon emissions, but I believe that there is still time to enact meaningful reform that will not only stop the harmful effects of pollution, but will also jump-start our economy with a greater investment and demand for clean energy.

This issue, in terms of addressing global warming, is important for our environment, it's important for our national security, it's important for our economy in creating jobs of the 21st century, and clearly it's so vitally important to the future of our planet.

The predictions of what will happen to our planet if we do not take action on global warming are startling, and often they are even too dire to comprehend. But as a representative of the Ocean State, I simply can't ignore the situation that is facing my State today and in the near future. In my home State, just off our coast, the temperature of Narragansett Bay has risen 2 degrees in the past 30 years, leading to dramatic changes in the fisheries population. In Rhode Island, our economy relies on the fishing industry, and they are being so adversely affected right now because of these issues.

Conservative graphs of our coastal communities in the year 2100 shows cities that are halfway underwater. What happens to the investment that we've made to restore our fisheries, upgrade our ports, and to refurbish our wastewater infrastructure? Well, they will slowly be underwater, and the Federal investments that we made will be gone.

When I listen to my colleagues speak about things like the deficit, they often lament that we are focused on short-term fixes while perpetuating a long-term burden that our grandchildren will have to carry. Well, I

agree with them. I don't want the next generation to be burdened with the decisions that we make here today and I don't want to leave them with air they can't breathe, water they can't drink, and destroyed infrastructure up and down the coastline.

We need to address this issue now. I look forward to working with my colleagues on addressing global warming.

I commend the gentleman from Massachusetts again for his extraordinary work on global climate change issues.

CLIMATEGATE SCANDAL

The SPEAKER pro tempore (Ms. MARKEY of Colorado). Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, it seems the science behind man-made global warming is melting before our eyes. Now there is a chance that even NASA will be pulled into the worldwide Climategate scandal.

□ 1845

For nearly 3 years, NASA has been stonewalling requests under the Freedom of Information Act for information surrounding their own temperature manipulations. Earlier, we learned that the University of Anglia in England where those global warming scientists house themselves had been hiding emails that contradict their theory of global warming.

So now Climategate has a twin sister, NASagate. Investors' Business Daily reported just yesterday on NASA being forced to change their climate records that the world has been using for years. They said, "NASA was caught with its thermometers down when James Hansen, head of NASA's Goddard Institute for Space Studies, announced that 1998 was the country's hottest year on record, with 2006 the third hottest."

The last speaker, with all due respect, used these false statistics in his speech claiming global warming is a crisis. The fact is: "NASA and Goddard were forced to correct the record in 2007 to show that 1934, decades before the old SUV, was in fact the warmest. In fact, the new numbers show that four of the country's 10 warmest years were in the 1930s."

So how did NASA, the premier scientific agency of the United States, get such basic temperature calculations wrong? Did they cook the books too, just like the University of Anglia? We don't know. It turns out NASA has been blocking the Freedom of Information requests about that incident just like the scientists in Britain. What are they trying to hide? If global warming is a well-settled fact, why are these experts hiding the evidence to the contrary? And why isn't NASA following the Freedom of Information law? It's been 3 years since that information was requested. The public has a right to see the temperature data in these NASA emails. But there's more.

Earlier this year, the Environmental Protection Agency was caught suppressing dissenting views, just like the Climategate warmers in Britain and NASA. One of the EPA's own scientists wrote a report refuting manmade global warming science, using the latest, most current information that says the Earth is actually cooling right now. In fact, the Earth has been cooling for more than a decade. That's really an inconvenient truth for Al Gore and the global warmers.

But the people at the EPA buried the dissenting report, just like the Climategate warmers did and maybe NASA. The EPA bureaucrats said their scientist's own report wasn't helping their agenda, so they hid it and threatened the scientist so he would keep his mouth shut. The question is: Why can't the public see the dissenting view from other scientists? Isn't that what science is all about? The reason: It appears to me that careers are at stake, along with millions upon billions of dollars.

In the 1970s, Time and Newsweek predicted global cooling, that the world was all going to freeze. But when climates began to warm, scientists changed that name to global warming instead of global cooling. And have we noticed that the planet has actually began to cool again? Madam Speaker, it even snowed last week in Houston. It never snows in Houston. A snow in Houston is about as frequent as a hurricane in Iowa.

But the warmers, again, have changed the name of that catastrophe. It's now no longer global warming; it is climate change. That's a safe bet, because the climate does change almost every day. And why would they do this? What's the motivation for these scientists to apparently cook the books on global cooling or warming or climate change? It's money.

According to the leaked Climategate documents, the British university, the CRU at the center of the Climategate scandal, has received millions of dollars. NASA's climate change warmers stand to receive a billion dollars in funding this year alone. Global warming is big business. Fox News reported today that former Vice President Al Gore may be the world's first carbon billionaire. He makes money preaching fear in the name of global warming.

It's a great thing to make money in America. That's what capitalism is all about. But it's not okay to earn money from investing in green technology companies and, at the same time, forcing expensive green laws and EPA regulations on the American people based upon science that is not a fact. In the real world of science, if your calculations are wrong by data and observation, you have to throw out the hypothesis.

Some of the computer models using CRU data as a result are falsified. That includes the global warming claims. And these are the top warmer scientists. These scientists and their

dogma of fear is about control and obtaining taxpayer money. Ronald Reagan said it best: Government does not solve problems; it just continues to subsidize them.

And that's just the way it is.

GLOBAL WARMING OR CLIMATE CHANGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. BARTON) is recognized for 60 minutes as the designee of the minority leader.

Mr. BARTON of Texas. Madam Speaker, I do think that I will use the 1 hour. I understand there's going to be a rule reported in the time, and we'll certainly yield to the person from the Rules Committee to file that rule.

Madam Speaker, I wish to rise to discuss a topic that's already been discussed on the House floor this evening. It's the issue of climate change or global warming. Next week, I am honored to be one of the congressional delegation attending the Copenhagen Climate Change Conference in Copenhagen, Denmark, that's going to be led by our esteemed Speaker, the Honorable NANCY PELOSI. I also attended Kyoto, Buenos Aires, and The Hague. I'm the ranking Republican on the Energy and Commerce Committee and formerly also on the Science Committee, and I have been a participant at the congressional level on the climate change debate for the last 20 years.

I'm going to start off by putting into the RECORD a suppressed report that Congressman POE just talked about that has never before this evening been made public in its entire, unexpurgated form. The title of the report is Comments on the Draft Technical Support Document for the Endangerment Analysis for Greenhouse Gas Emissions under the Clean Air Act. This report was compiled by Dr. Alan Carlin, who is a career scientist and investigator at the EPA. At one time, he self-described himself, I'm told, as a global warming believer. He prepared this report. He works in a group within the EPA that is responsible for conducting an internal review of some of these draft orders before they go public. And I'm not going to read the entire report. I'm going to read excerpts of the preface and the executive summary, and then I will put the entire report into the RECORD.

This is from the executive summary and the preface, and I quote, "We have become increasingly concerned that EPA has itself paid too little attention to the science of global warming. EPA and others have tended to accept the findings reached by outside groups, particularly the IPCC," which is the International Protocol on Climate Change under the auspices of the United Nations, "and the CCSP, as being correct without a careful and critical examination of their conclusions and documentation. If they

should be found to be incorrect at a later date, however, the EPA is found not to have made a really careful independent review of them before reaching its decision on endangerment, it appears likely that it is the EPA rather than these other groups that may be blamed for any errors.

Further down on the executive summary, Page 1, "Our conclusions do represent the best science in the sense of most closely corresponding to available observations that we currently know of, however, and are sufficiently at variance with those of the IPCC, CCSP, and the Draft TSD that we believe they support our increasing concern that the EPA has not critically reviewed the findings by these groups."

Further, "we believe our concerns and reservations are sufficiently important to warrant a serious review of the science by EPA before any attempt is made to reach conclusions on the subject of endangerment from greenhouse gases."

And on Page 2, "What is actually noteworthy . . . is not the relative apparent scientific shine of the two sides"—those that oppose and those that support the global warming argument—"but rather the relative ease with which major holes have been found in the greenhouse gas/CO₂/global warming argument. In many cases the most important arguments are based not on multimillion dollar research efforts, but by simple observation of available data, which has surprisingly received little scrutiny. The best example of this is the MSU satellite data on global temperatures. Simple scrutiny of this data yields what to us are stunning observations. Yet this has received surprisingly little study or at least publicity. In the end it must be emphasized that the issue is not which side has spent the most money or published the most peer-reviewed papers, or been supported by more scientific organizations." This is very important, the next sentence. "The issue is whether the greenhouse gas/CO₂/AGW hypothesis meets the ultimate scientific test—conformance with real world data. What these comments show is that it is this ultimate test that the hypothesis fails." That the hypothesis fails. "This is why EPA needs to carefully reexamine the science behind global warming before proposing an endangerment finding."

Now, this is from Dr. Carlin in the EPA. This is not some disgruntled Republican Congressman. This is a professional scientist, Ph.D., in an office within the EPA that is tasked with reviewing this endangerment document before a final decision is made. And in his words, the ultimate test is whether the greenhouse gas CO₂ hypothesis meets the ultimate scientific test conformance with real world data. These comments show that it is the ultimate test that the hypothesis fails.

Further, on Page 3 of the executive summary, there are several principal comments that they wish to raise in

their review. "As of the best information we currently have"—and this was in March of 2009—"the greenhouse gas/CO₂ hypothesis as the cause of global warming, which the Draft TSD supports, is currently an invalid hypothesis from a scientific viewpoint because it fails a number of critical comparisons with available observable data. Any one of these failings should be enough to invalidate the hypothesis; the breadth of these failings leaves no other possible conclusion based on current data." As Feynman said in 1975, "failure to conform to real world data makes it necessary from a scientific viewpoint to revise the hypothesis or abandon it. Unfortunately this has not happened in the global warming debate, but needs to if an accurate finding concerning endangerment is to be made."

The failings listed below why we should not have an endangerment finding in order of importance in our view:

Number 1, the lack of observed upper tropospheric heating in the tropics;

Number 2, the lack of observed constant humidity levels;

Number 3, the most reliable sets of global temperature data we have, using satellite microwave sounding units, show no appreciable temperature increases during the critical period from 1978 to 1997. Satellite data after 1998 is also inconsistent with the greenhouse gas/CO₂/AGW hypothesis;

Number 4, the models used by the IPCC do not take into account or show the most important ocean oscillations which clearly do affect global temperatures;

Number 5, the models in the IPCC ignored the possibility of indirect solar variability;

Number 6, the models in the IPCC ignored the possibility that there may be other significant natural effects on global temperatures;

Number 7, surface global temperature data may have been hopelessly corrupted by the urban heat island effect.

Now, this one is the one that I was asking Mr. MARKEY about to see where he got his data set, because surface global temperature, if you take it in downtown Manhattan, for example, is going to be very different than if you take a surface temperature in a rural area. The actual urban effect, the concrete, the asphalt, the buildings raise the temperature, and there is some concern that this urban heat island effect has corrupted the temperature.

Those are just seven reasons in this draft document why this author had skepticism about going forward with an endangerment finding. And yet, this report was not made a part of the record. This report was not made public. In fact, this report was suppressed, and because of considerable anxiety on the part of people like myself and Congressman ISSA, Congressman SENSENBRENNER, the author was allowed to put a redacted version of this report on his personal Web site. Then we were able to get the unredacted version pro-

vided to us by the EPA, and that's the version that I'm going to put in the RECORD.

□ 1900

As this author says, Dr. Carlin, he was prophetic because we're now seeing that some of the climatologists—maybe more than some—have attempted to suppress certain data, to destroy data sets, to manipulate data sets, to not get a true scientific review, but to reach a preconceived conclusion.

Madam Speaker, I think that is wrong.

Mr. DREIER. Will the gentleman yield?

Mr. BARTON of Texas. I will yield to the distinguished member of the Rules Committee.

Mr. DREIER. I thank my friend for yielding.

I know there are colleagues of ours who are anxiously looking forward to participating in this very important Special Order, and I want to congratulate all of you for the work that you're doing to demonstrate that there clearly is a wide diversity of views on this question of global warming.

And I was listening to the exchange that my friend had with the chairman of the committee from Massachusetts (Mr. MARKEY), and I was thinking about the fact that one of the things I think would be very helpful for us to do is to try and pursue some bipartisanship. That's a buzzword that is used around here regularly. People talk about how important it is for us to be as bipartisan as we can. But I think with the controversy that exists from both sides, there may be a way for us to come together on an issue.

I wanted to come up and mention this very briefly. I have joined, Madam Speaker, with our colleague from Ohio (Mr. KUCINICH.) I know that might come as somewhat of a surprise that Mr. KUCINICH joined in an effort to deal with this question in a bipartisan way—and it might come as a surprise that DAVID DREIER would join with Mr. KUCINICH in doing something that would address this issue. But it is a measure that I think is very important for us to look at.

There is recognition—and Mr. MARKEY said this—that we have the potential to create a couple of million green jobs here in the United States. And I think there is a desire to continue to do what we can to improve our environment. I come from the Los Angeles basin. We have air-quality problems there. Very serious. I believe that if we were to take what is our comparative advantage—and my friend from Georgia and I have worked regularly on the trade issue—and take advantage of our comparative advantage, which happens to be the development of a wide range of alternative energy sources—whether it's algae, whether it's wind, whatever—and provide a chance for those technologies to move to these developing countries which have not yet been able to comply—Bangladesh, India, China, other countries.

So Mr. KUCINICH and I have joined to introduce a resolution calling for the tariff-free export of all green technology. Now, I believe that that would create jobs in this country, and it would go a long way towards helping us in our quest to deal with overall environmental issues.

And so while there is a wide range of views on this issue of global climate change, I do believe that it's important for us to know that improving our environment is something we can come together on. And I'd like to congratulate my friend and say that I hope that in a bipartisan way we can encourage entities like the World Trade Organization to negotiate a worldwide agreement that would allow green technology to be exported to all parts of the world.

Mr. BARTON of Texas. I thank the gentleman for bringing that to our attention, and it sounds like a worthy proposal.

Mr. DREIER. I thank my friend for yielding.

Mr. BARTON of Texas. I would like to yield such time as he may consume to a member of the committee from the great State of Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Thank you, Mr. BARTON.

I think what is important, Mr. BARTON, was your focus on science and your focus on data points and what we should be able to do in the Chamber in a bipartisan manner is to agree on the data points. We should be able to agree on what the science is, and that's in question. And for many of us it has been in question for a long time.

We're joined by JOHN LINDER who's been following this as long as anyone else has, and part of his search has been because the scientists would not give the data. They would never tell us what's the base by which they're making this extrapolation. And so I'm glad that you highlighted the scientific method that I didn't get on the chart but I brought down here.

It's very simple. I taught high school. You're an engineer. I went to an engineering school. This is irrefutable. This is how science is done. You ask questions. You do background research. Background research in this debate would be to get the temperatures.

We're already questioning the background research, one, based upon the request from the Freedom of Information Act, and of course now our friends at the IPCC are saying, We don't have them. The dog ate the homework. It is amazing. Scientists are really some of the most respected professionals. But they're respected because of this, this process, which should be objective. You should be able to follow it. You should be able to construct a hypothesis. The hypothesis is an educated guess. That is all it is. It's not truth. It's a guess based upon the data points. And then

you are—then you're to test it. And then you analyze the result and then draw your conclusions.

Based upon the scientific method, you can categorically say right now that those who say the science that solves are in error. The science does not solve. That is why all of this political activity is going on right now. That is why now the EPA administrator is saying, We're going to do endangerment findings. They want to do it before we are able to educate the public that the science is not solid. And they are not providing us with the data points, they're not complying with Freedom of Information Act requests. And so this process is skewed.

So when they tested it, they found out that the results didn't match their educated guess. And what did they do? These scientists are politicians. They went into—we call it in the military they went and holed up. They lowered the turrets; they got under ground. Don't ask questions. And here are some of the emails, in essence, to prove that.

Here's the first one.

"The fact is that we can't account for the lack of warming at the moment, and it is a travesty that we can't."

Mr. BARTON of Texas. When was that email? Was that 10 years ago? Was that a decade ago? When was that?

Mr. SHIMKUS. 12 October, 2009, at 8:57.

Mr. BARTON of Texas. So that was 2 months ago.

Mr. SHIMKUS. As of 2 months ago, we can't account for the lack of warming.

There's two things here. First of all, they say we can't account for the lack of warming. So their background research, he is already trying to skew the research. And he has an emotional response: "It's a shame. I'm saddened." Scientists shouldn't be emotionally attached to the data. This is the data. Let's test it.

What we would encourage our friends on the other side to say is, in a bipartisan manner, let's get the facts on the table, and let's get the scientists to look at the facts. The facts are being hidden. That is sad.

One is they don't have the facts; two is he's emotionally distraught because his hypotheses cannot be proven.

Here's another one to the ranking member. "I can't see either of these papers being in the next International Panel on Climate Change report. Kevin and I will keep them out somehow—even if we have to redefine what the peer-review literature is."

Here's another process on the scientific message. Analyze the results. Draw conclusions. They have got some—they've done some analysis that doesn't support it. So are they going to add that in a scientific objective fashion, say, This is what we believe, but there are some who disagree—they say that the facts don't speak for the hypotheses? No. These scientists say, We're going to bury it. We're going to

hide it. We don't want the public to know.

Can you imagine scientists doing that?

Again, the scientific community is one of the most respected communities because they go by the scientific method.

Here they admit that they're going to keep the analyses out of the report—two analyses that contradict what they want their hypothesis to be.

Mr. BARTON of Texas. Now Mr. Phil Jones, he is the head of the Climate Research Unit at East Anglia University in Great Britain. Is he the gentleman that just resigned?

Mr. SHIMKUS. He is the person who just resigned.

Mr. BARTON of Texas. And is Michael Mann the professor at Penn State that is the proponent, initially, of the hockey stick theory, which has been shown to be discredited and was actually using data sets that were manipulated in a way that they shouldn't have done? Those are the two gentlemen, the author and the recipients of this email?

Mr. SHIMKUS. That is correct.

Mr. BARTON of Texas. And are these two gentlemen two of the leading proponents in the IPCC that climate is growing warmer because of manmade CO₂ emissions?

Mr. SHIMKUS. They are the foremost promoters of the theory.

And there's the followup. Are they receiving taxpayer dollars to promote this theory through the IPCC, which is the U.N. International Panel on Climate Change, or Virginia.edu, and you could speculate that there are DOE grants, EPA money, going. And another thing, these scientists are for hire. They're for hire.

Mr. LINDER. Will the gentleman yield?

Mr. SHIMKUS. I will yield.

Mr. LINDER. We heard the gentleman from Massachusetts talk about Big Oil, and Saudi Arabia funding all of the opposition. I can't find the scientists that are getting those checks. But a recent study came out in the last several weeks that says that government money going to climate science on behalf of those who believe in human-cause global warming has been \$79 billion over the last 20 years. They have dwarfed anything on the other side of the issue. And they continue to do it.

Would you suggest that maybe that's why they are continuing to hide this situation because the money keeps coming?

Mr. SHIMKUS. I believe that those who seek taxpayer dollars—we know here that agencies and programs never go away. If that's why they're not providing the data, that's why they're hiding the fact of the last decade—can you imagine us in this environment of trying to get control of the deficit and the debt, and we're spending billions of dollars to scientists who are not using the scientific method?

Mr. LINDER. I believe the number this year is \$7 billion from the government.

Mr. SHIMKUS. So, yes, they're on the dole. They want to keep their jobs so they're continuing to promote and deceive the public. I don't know. I would say it's pretty damaging to their name, to the community, and also to the taxpayers.

Now, if I may, I have one more that I'd like to share. And there are tons. I mean, these are just a small sampling. The ones I picked out I kind of wanted to address the scientific method.

Again, as an engineer, give us the facts, give us the data, test the data, prove if it's right or wrong. If it's wrong, get an analysis, and then maybe try again. Retest it. Let's retest the data point.

□ 1915

Here is another one: I've just completed Mike's Nature trick of adding in the real temps to each series for the last 20 years, i.e. from 1981 onwards, 20 years, for Keith to hide the decline.

So now, not only are they not providing the data, they are keeping the analysis from being reported in the IPCC report, and they are jimmying the numbers. They are actually using tricks.

These are scientists. Now, we are politicians. I think people would have some skepticism. We don't claim to be—you claim to be an engineer; I went to engineering school. I understand it, but if you were building a bridge, or if you were designing a building, and you jimmied the numbers on the tensile strength of the steel, you would be in real trouble because the design would be faulty, and the building would collapse.

Their design, Administrator Jackson's design to remake the United States is on faulty data. It is on data that has been jimmied. And this house of cards will collapse, and it will be jobs in the wake on faulty data.

Now, bring us real data. Go through the scientific method. Test it, but don't hide it. Don't trick us. Don't deceive us. Don't discourage your profession of scientists by staying on the public dole to receive taxpayer money to continue to promote a fraud, a fraud on the American public. So that's why I real appreciate, Congressman BARTON, that you've taken this time to help address this. There's a lot of education. And this education has to go on now because they are going to be making decisions in Copenhagen. They are going to try to bind us to stuff on faulty data.

Mr. BARTON of Texas. Now my assumption, and this is an assumption, is that the gentleman that wrote those emails and that received them by and large are in the inner circle of the climate change community; and in all probability, they are in Copenhagen right now.

Mr. SHIMKUS. You bet they are. The International Panel on Climate

Change, they are the U.N. designees to continue to provide the information to the folks who attend the conference upon which they make the decisions.

Mr. BARTON of Texas. And if the President were to commit the United States to a legislative path that these scientists support, and if we were to adopt as law the climate change bill that passed the House that requires a reduction of 83 percent of emissions from CO₂, manmade sources, 2005, by the year 2050, and we implemented that, we would have a CO₂ emissions level in this country that we last experienced in 1910. And if we do it on a per capita basis that we last experienced per person in 1875, is it the gentleman's position that if we were to do that, our lifestyle in the year 2050 would be anywhere comparable to where it is today?

Mr. SHIMKUS. Our lifestyle would be dramatically different.

Mr. BARTON of Texas. In a negative way.

Mr. SHIMKUS. We rely on jobs and our environment on cheap energy. And as you know I'm from the coalfields of southern Illinois, and I spent this whole year and last year fighting for our coal reserves and the importance of that. And I usually bring another poster of miners who lost their jobs during the last cycle, 1,200 miners in one mine. The State of Ohio lost 35,000 coal miner jobs. That is just a fraction of what we will see in this country if we roll back the carbon emissions, and if they could prove it, but they can't.

Mr. BARTON of Texas. They can't even prove it apparently with tricks.

Mr. SHIMKUS. Carbon dioxide is not a toxic emission. And that is what Administrator Jackson just said.

Mr. BARTON of Texas. If it were, the floor of the House would be a toxic waste dump because there is more CO₂ created here than in any other size room in the country, with the exception of perhaps the Senate floor.

Mr. SHIMKUS. I would encourage you to keep up the great work. Thank you for letting me join you.

Mr. BARTON of Texas. I would now like to yield to one of the most informed Congressmen on the issue of climate change, the Honorable JOHN LINDER of the great State of Georgia.

Mr. LINDER. I thank the gentleman for yielding.

I first got interested in this 5 or 6 years ago on a trip to New Zealand. It was a congressional delegation. We had a visit with the leader of the NOAA point there where they leave to go into Antarctica for their expeditions and come back to this scientific center. And they put a PowerPoint presentation together for us and a big chart on the wall that showed that at that time they had dug into the Vostok ice core for 400,000 years back, and that from 400,000 years back to today, temperature increases and decreases and CO₂ increases and decrease were in consonance. They moved with each other.

And I asked him, Who was burning fossil fuels 400,000 years ago? He took

that as a rude question, and it took me a year to get a copy of that chart. But I studied that chart. And then I looked at the studies about the Vostok ice core. And what you discover when you don't have it on a, 8½-by-11 piece of paper and expanded is that temperature changes precede CO₂ changes by about 1,000 years.

Mr. BARTON of Texas. That means that temperature is the dominant variable, and that it drives the dependent variable, which is CO₂. Temperature goes up and then CO₂ goes up.

Mr. LINDER. That's correct. One study says 800 years, one study says 2,800 years, but people average it at about 1,000 years.

Mr. BARTON of Texas. So Vice President Gore is only off by 180 degrees?

Mr. LINDER. That's right. And so is the entire IPCC report. CO₂ is a trace gas. It is a plant food. It is beneficial to all of life. CO₂ is a modest gas. Methane is 23 times more powerful at trapping heat. Sixty-five percent of the heat-trapping gases come from water vapor.

We are not going after them because we are going after people. What you learn when you discover that CO₂ levels follow the temperature changes is that there's a reason for it. And the reason is this: we go through ice ages and global increases and declines in temperature. And as the temperature declines globally, the trees at the top of the mountain start to die for lack of photosynthesis, and then the bushes, and then the grasslands. And the dust that blows in the winds that are always here blows out across the oceans. And part of that dust is lead. And when that lead settles to the bottom of the oceans, it catalyzes growth in the largest biological mass we have in this planet, the plankton. And that growth demands CO₂ to keep going.

Now the oceans contain 70 times as much CO₂ as the atmosphere does. And as the plant life, the plankton, pulls that CO₂ out of the oceans, homeostasis, or equilibrium, causes more CO₂ to come out of the atmosphere and into the oceans. The reverse happens when the planet warms up through more solar activity. So colder oceans hold more CO₂ than warm oceans. And when the planet cools off, the CO₂ winds up in the oceans and out of the atmosphere. We have 388 parts per million today.

Mr. BARTON of Texas. And we believe that the Atlantic and Pacific are in a cooling period.

Mr. LINDER. They have been in a cooling period.

Mr. BARTON of Texas. Something called a PSO and an AMO or something?

Mr. LINDER. That's correct. They have been in a cooling period. And we have now 3,400 instruments that go into the oceans. And every 10 days they pop up, and they give satellites information of what is on those instruments about the temperatures. And there has been no warming in the oceans.

Mr. BARTON of Texas. I know it's dangerous for Congressmen to actually

think. We are not accused of doing that very often, but there are sometimes some Congressmen, you and I, I think, are two, not that others don't, but we actually think.

Now I want to build on what you just said. These ice core samples that you got the data that show temperature goes up, and then CO₂ goes up. And if temperature were to go down, then CO₂ would go down.

Mr. LINDER. That's correct.

Mr. BARTON of Texas. We are in a situation right now where it appears, it depends on the data that you believe; but if the data points that we think are correct are correct, we are in a cooling period. Temperature has gone down at least 8 years in a row and probably 12 years in a row, and we appear to be in a cooling period. But at the same time, we have to admit that CO₂ concentrations are going up.

Mr. LINDER. That's correct.

Mr. BARTON of Texas. So I would hypothesize that the CO₂ concentrations going up are going to prevent as much cooling, and it will keep the planet warmer than it would be otherwise, but still cooler overall, which would be a good thing for mankind. We don't want another ice age, do we?

Mr. LINDER. No, we do not. In the last 2 million years, we have had 20 ice ages, 20 glaciations, the last on average about 100,000 years, interrupted by about 10,000 years of warming. It has been 11,400 years since the last glaciation. It is likely the planet is looking toward going cooler again. We have had less sun activity in the last 11 years than we've had in many, many years.

Mr. BARTON of Texas. I'm told this, you probably know, that there are more glaciers in the world that are growing than there are that are in decline.

Mr. LINDER. Than are receding, that's right. But 388 parts per million is not even high. It's at the low end of the comfort scale. Roughly 65 to 135 million years when the dinosaurs roamed this Earth, CO₂ levels were five and 10 times as high they are today and produced a tremendous amount of greenery that fed those animals.

542 million years ago was the Cambrian period. It came to be known as the Cambrian explosion because in a very short period of time, 5 to 10 million years, which in a 4½ billion-year-old planet is the blink of an eye, in that short period of time, all of multicellular complex life that has ever existed on this Earth was deposited in the fossil evidence.

How did that happen? That happened because temperatures were warmer. The CO₂ levels were 7,000 parts per million, 20 times what it is today. The entire planet was covered with greenery and had immense amounts of oxygen and all of complex life as we know it, 96 percent of which is no longer existent.

Mr. BARTON of Texas. But it would have been a little warmer than it is today. We might not have been comfortable wearing a woolen sweater back then.

Mr. LINDER. But it would have been better than a glaciation. I always like to ask people who tell me the temperature is growing too much to say what should the current temperature be. Tell me. Should it be the temperature 1,000 years ago when Greenland was settled for agriculture? Or when the people in Scotland were growing wine grapes? Or should it be 879 A.D. when the Thames froze over? Or should it be a little ice age when Greenland was empty of life again?

Mr. BARTON of Texas. All I know is when people retire, they move to Florida and Texas.

Mr. LINDER. They don't move to Greenland.

Mr. BARTON of Texas. They don't move to Iceland or Greenland.

Mr. LINDER. CO₂ is a beneficial trace, helpful gas that feeds plants. And this whole notion that we should control it somehow is nothing but vanity. We are not going to change what is put on this planet for 4½ billion years. Now we are told, and we heard from the gentleman from Massachusetts, that there is a scientific consensus. He said 98 percent of the scientists, tens of thousands, agree with his position. Well, I would like to ask him to produce that list. Because only 600 of them shared the Nobel Prize with Al Gore. A scientist from Australia has said only 35 people actually wrote the IPCC reports, and they were controlled by 10 people.

Mr. BARTON of Texas. One of whom just resigned from his position in East Anglia.

Mr. LINDER. He did? What is not popularly known is that 32,000 scientists, including Edward Teller, 9,000 of whom are Ph.D.s and the rest masters, have signed a statement that says there is no evidence that humans are causing any impact on the global warming that occurred between 1975 and 1998, none whatsoever. In fact, five scientists who contributed to the first IPCC report said in their papers there is no evidence that humans are contributing. Those five statements were removed by the top bureaucrat at the IPCC and replaced with one statement that said there is no doubt that humans are causing this. He was asked about that under oath in a legal action. Why did he remove those statements? He said under immense pressure from the top of the Federal Government of the United States.

□ 1930

Now, "consensus" doesn't mean much in science. "Consensus" is important in politics. In science, we have to be seeking truth and fact. Indeed, in science, only two conditions are ever obtained. One is theory and the other is fact. You put forth your theory. You release your underlying documents and sources and methods, and you let your peers review it and try and replicate it.

That is the point at which I got very nervous about this science because I tried to get underlying documents from

Jim Hansen, who had the first computer model. He first testified before Congress in 1989, I believe, in the Senate. He recently attested, recently spoke in England. He said, We have 4 years to save the planet. He doesn't release his source documents because he says they are proprietary. Well, he is an employee of the Federal Government. The Federal Government ought to own those documents. They ought to be released. When somebody is hiding something, when somebody is hiding things, you begin to wonder why he is hiding it.

Mr. BARTON of Texas. It would be similar if we held an election and if we just said, Assume that I won—

Mr. LINDER. That's right.

Mr. BARTON of Texas. But we didn't release the documents, and we didn't release the ballots, and we didn't let them be audited, and we didn't have a canvassing committee.

Mr. LINDER. That's correct.

Mr. BARTON of Texas. We just said, We'll assume that, since Congressman LINDER says he won, he did win.

Mr. LINDER. What we are learning from East Anglia—and I want to make a point that the gentleman—

Mr. BARTON of Texas. Then we want to go to Mr. SCALISE.

Mr. LINDER. I want to make a point that those are not stolen documents. Those documents were released from inside by a whistleblower.

Mr. BARTON of Texas. Well, they should be in the public domain anyway.

Mr. LINDER. Of course.

But somebody working inside that organization realized they were destroying documents that were being asked for in the Freedom of Information Act, and someone released those documents. I believe that we ought to be thinking about releasing everything. Let scientists pour over it and establish whether the theory is actually a fact and move on.

Mr. BARTON of Texas. I agree.

We want to now turn to the Congressman from New Orleans, Louisiana, a member of the Energy and Commerce Committee, Congressman SCALISE.

Mr. SCALISE. I want to thank the gentleman from Texas for yielding and the gentleman from Georgia for opening up this discussion.

Of course, what we are talking about and the reason this is so important is that many of the different world leaders are getting ready to meet in Copenhagen, Denmark, to start discussing a Kyoto II-type treaty—a treaty for many countries, including the United States, to literally change the way our entire manufacturing base operates.

Of course, here in Congress, we've been debating the proposal by Speaker PELOSI and others to codify that type of treaty in the form of the cap-and-trade national energy tax. They are trying to bring a national energy tax to our country to tax businesses, to tax not only businesses but also individuals in their household electricity use for using fossil fuels. It's all in the

name of stopping manmade global warming.

So what brings us to this debate that you are focusing on is the fact that we have found out recently through Climategate that the science that they are using is corrupt. In fact, behind much of the data that has been used to try to sell a cap-and-trade energy tax, that has been used to try to sell the Kyoto Treaty and now this new meeting in Copenhagen to have a Kyoto II-type agreement, all of it was based on corrupted data.

If you go back to former Vice President Al Gore, who said, The debate is over, he was trying to imply that all of the scientists are in agreement. Of course, as my colleague from Georgia pointed out, the scientists are not in agreement.

What is even worse is now we have found out and have uncovered this scandal where some of the scientists who have been collecting data through the U.N.'s Intergovernmental Panel on Climate Change, the IPCC, which is the respected body worldwide on all of this data—it turns out, as the clearinghouse, they were actually corrupting the data that is being used.

In some of the examples through these emails, Phil Jones, who just resigned, said, I've just completed Mike's nature trick—he goes on—to hide the decline in temperatures.

We go back to the infamous hockey stick graph that Al Gore used in his film, "An Inconvenient Truth." I guess the most inconvenient truth for the former Vice President is that these emails have now come out and have exposed the scandal.

If the gentleman from Texas will allow me, I want to read a few other of the emails. I know my colleague from Illinois earlier highlighted some of the other emails.

Yet, just to show how deep this is, first, Phil Jones in an email last year said, Mike, can you delete any emails you may have had with Keith regarding the AR4 data set? Keith will do likewise. He says, Can you also email Gene and get him to do the same? I don't have his email address. We will be getting Caspar to do likewise.

So here he is talking about deleting data, deleting the emails which show that some of this manipulation and corruption of the data was going on. This is the person who is the director of the University of East Anglia's Climatic Research Unit. He is a scientist who should not only understand the importance of following the facts, of following the data, but who should also understand that, as others try to verify this data, that is something that he should be openly and freely willing to share.

Mr. BARTON of Texas. The AR4 data set is the data set that was used in the IPCC report in 2007, so it's a seminal document that has been used for policymaking decisions, not just in the United States but all over the world.

Mr. SCALISE. Exactly.

Mr. BARTON of Texas. What you are saying is they went to some lengths to manipulate the data that that report is based on.

Mr. SCALISE. They went to lengths to manipulate the data, and then they went to lengths to actually delete, to try to destroy the evidence, in essence—some of that data—as you know as the ranking member of Energy and Commerce and when we were having that debate here in committee and on the House floor on the cap-and-trade energy tax.

Many of the people who have been promoting that national energy tax—Speaker PELOSI and her liberal attendants and others—are using that IPCC data to say, Look, we need to act quickly because the data shows. Of course, now we know that the data was corrupted.

Then he goes on—and we are all familiar in this country with the freedom of information. This administration came in saying they were going to be the most transparent administration ever. Yet you look at these emails further, and he says—this is an email—The freedom of information line we are all using is this. So he is telling this to some of the other scientists who were involved in this corruption. He says, The IPCC is exempt from any country's Freedom of Information Act. The sceptics have been told this. Even though we possibly hold relevant info, the IPCC is not part—and then he goes on to say—therefore, we don't have an obligation to pass it on.

So he is trying to lay out this groundwork so that he doesn't even have to turn over his data. This is, I think, before he destroyed it.

Then he says, If the Royal Meteorological Society is going to require authors to make all data available—raw data plus results from all intermediate calculations—he says, I will not submit any further papers to the RMS Journal.

This is Phil Jones—again, leading scientist—whose data is used by many of these people all throughout the world to try to pass Kyoto-type agreements in the cap-and-trade energy tax that's getting ready to be debated over in the Senate.

Mr. LINDER. Will the gentleman yield?

Mr. SCALISE. Yes, I will yield to the gentleman.

Mr. LINDER. Sadly, that data that the IPCC uses from East Anglia is also the basis of the data that NASA uses in Huntsville, Alabama, and all of the other future models that have been built have been somehow shaped by that data. So there is no place to go now, since all of the source documents have been thrown away, to reconstruct all of that.

Mr. SCALISE. It is really frustrating because there are scientists who have different opinions, who have tried to present alternative data to this corrupt scientific data, and they have been blacklisted. In fact, I won't go into de-

tail on this here, but that information will continue to come out. In some of the emails, they actually go on to describe how they are going to try to blacklist other scientists who try to propose data which shows something different than theirs—in fact, even saying that they are going to withhold some of their journal writings so that they won't even publish some of this information.

I go on to say this because they are trying to use this corrupt data, this corrupt scientific data, to pass not only a cap-and-trade energy tax which will run millions of jobs out of this country, but they are also trying to use it now in conjunction with the EPA and their latest ruling to try to literally threaten Congress by saying, Well, okay. If you don't pass cap-and-trade here in Congress, then the EPA will in a de facto way try to pass its own cap-and-trade by using these radical environmentalists in the EPA, again using the corrupt scientific data, to try to pass it even if Congress won't pass it because the American people have realized this will run millions of jobs out of our country.

Many groups, one being the National Association of Manufacturers, on the low end, says, We would lose 3 million jobs in our country if the cap-and-trade energy tax were passed, and every American family would pay over \$1,000 more per year in higher electricity rates. All of this is based upon false scientific data that has been corrupted, and we know it from the Climategate emails.

Mr. BARTON of Texas. May I ask the Chair how much time we have remaining in our Special Order?

The SPEAKER pro tempore. There are 12 minutes remaining.

Mr. BARTON of Texas. There are 12 minutes. Okay.

At about 10 minutes to go, I have got some documents I want to put in the RECORD.

Mr. SCALISE. I yield back.

Mr. LINDER. I want to make one point.

The data that you are talking about and that we are acting on in this country with cap-and-trade is also the data being used in Copenhagen today, as we speak, to begin what Al Gore called the ultimate reason for all of this: global governance, turning over the sovereignty of the United States to an unelected bureaucracy and the United Nations.

Mr. BARTON of Texas. I want to thank Congressman SCALISE, Congressman LINDER, and Congressman SHIMKUS for participating in this Special Order.

What we are attempting to do is to actually use the scientific method to determine what steps, if any, the United States Government should take policy-wise if, in fact, climate change or global warming is a major problem that needs to be addressed. It does appear, in my opinion, that there is reasonable doubt about whether we should

take some of the radical steps that have been espoused in the climate change bills which have passed the House and which are pending in the Senate.

I want to take the remaining time and go through a series of emails that have just become public—we've alluded to them—and go into a little more depth.

The first email which we have already alluded to is from Michael Mann. Michael Mann is a climatologist at Penn State University. He is one of the leading scientists in the IPCC. He is the author of the original hockey stick theory that is kind of the genesis, the seminal document, for the theory that manmade CO₂ is the cause of the climate warming in the world. This is a document from him to Phil Jones, who was, until recently, the head of the Climate Research Unit at East Anglia University in Great Britain.

Now, Dr. Jones resigned in the last week or so, but in it, he says, Can you delete any emails that you've have had with Keith—Keith is Keith Briffa—regarding AR4?

AR4 is a U.N. IPCC fourth assessment document from 2007. It's one of these policy documents that is used around the world.

You can see that he says, I am going to contact Gene about this.

Okay. Gene is actually Eugene Wahl. He is at the National Oceanic and Atmospheric Administration's office in Boulder, Colorado. That's with the U.S. Department of Commerce.

He said, I am going to contact Gene about this. Can you delete any emails that you have? I'll get Caspar to do likewise.

Caspar is Caspar Jones—I mean Caspar Ammann. He is at the National Center for Atmospheric Research, or NCAR, in Boulder, Colorado. It's a federally supported consortium.

So, in this email, we have collaboration between NOAA, NCAR—both in the United States—the Climate Research Unit, which is CRU in East Anglia, Great Britain, and many prominent IPCC contributors coordinating document destruction. I think that is something that policymakers here in the United States should be concerned about.

Now let's go to the next document, email No. 2. Now, the first one was from Michael Mann to Phil Jones. This is from Phil Jones to a gentleman named Tom Wigley. Its subject is: Schles suggestion. This is last year, December of 2008. It says, I am supposed to go through my emails, and he can get anything I've written about him. About 2 months ago, I deleted loads of emails, so we have very little, if anything, at all.

So what this is showing is, or one could say, they have conspired to delete data. This is of Ben Santer, who is Santer 1, who is a prominent climate modeler at the Department of Energy's Lawrence Livermore National Laboratory, and of Tom Wigley, who is a sci-

entist at the National Center for Atmospheric Research in Boulder, Colorado.

□ 1945

The gist of this is he has already deleted a lot of emails from 2 months ago. What are they trying to hide here?

Now, let's go to email number 3. Email number 3 shows an unprecedented data purge at the CRU in East Anglia, Great Britain. Here is a public index of documents on one day and then here is the public index on the next, very quickly, after they have gone through and purged all, purged all of this. It says the next day, on July 28, Phil Jones deleted data from his public files, leaving online a variety of files from the 1990s. This morning, everything in Dr. Phil's directory had been removed.

It's not just the emails that have been deleted, in a widely reported event. Steve McIntyre, who is a Canadian researcher who testified before Congress several years ago when I was chairman, and who has been attempting to get these data sets, to get these documents, he has been trying to get, through the Freedom of Information Act, the public documents that some of these studies are purported to be based upon. Instead of releasing them, they purged them. They took them away in what is reported to be an unprecedented data purge.

They have deleted files pertaining to station data from the public directories. Why? Where are the data now if they are still in existence? What is it they are trying to hide? If the temperature data records really proved their theory, they would want to publicize them. At least I would think that they would.

Let's go to number 4. This is an email from Phil Jones, who we know well now, to a gentleman named Neville Nicholls. Mr. Nicholls, let's see, Mr. Nicholls, I am not sure who Mr. Nicholls is, but here it says, I hope I don't get a call from Congress. I am hoping that no one there realizes I have a U.S. Department of Energy grant and have had this with Tom W. for the past 25 years.

This is back in 2005. This is when I was chairman of the Energy and Commerce Committee, and we were conducting the investigation into Dr. Mann's hockey stick proposal, hockey stick theory, and we had asked for some documents from Professor Mann, or Dr. Mann, and this gentleman is saying we hope the Congress doesn't realize that we are getting Federal money; we don't want them to be asking us about documents.

Of course, as we now know, they have destroyed many of those documents or apparently have destroyed many of those documents.

Let's go to number 5. Now, this documents shows the lengths to which they will go to suppress information, says if they ever hear that there is a Freedom of Information Act now in the UK, I

think I will delete these rather than send them to anyone.

Now, Congressman MARKEY, who is a good friend of mine and who is a believer, a proponent of manmade global warming, has got data sets that he says justify some of the policies that he supports. But here we see that some of these documents and some of these data sets that Mr. MARKEY and others have—who sincerely believe that there is a problem—appear to be very suspect. In fact, they are so suspect that they have to release them publicly, they would rather delete them than to comply with the Freedom of Information Act.

Tom Wigley had sent me a worried email when he heard about it. He thought that people might ask him for his model code. My heavens, you know. Keep in mind that this theory that mankind-made CO₂ emissions is driving the temperature upwards, it's just that; it's a theory. These researchers have built these models to try to replicate the planet's temperature mechanism, and all these models show the temperature going up.

But that's the conclusion that the modelers want. It is not factually correct to say the temperature is going up; it's factually correct to say the modelers, who want to prove that the temperature is going up, are putting variables and assumptions in these models that drive them up, but they apparently don't have the data to back that up.

Let's go to number 6. This is again from Mr. Jones, a gentleman named Gavin Schmidt, concerning the revised version of something called the Wengen paper, W-e-n-g-e-n. It says all of our Freedom of Information officers have been in discussions and are now using the same exceptions not to respond—the advice that they got from the information commissioner. The Freedom of Information line that we are using is that the IPCC—now keep in mind the IPCC is the Intergovernmental Panel on Climate Change—is funded primarily by the U.S. taxpayer, not exclusively, but primarily, is exempt from any country's Freedom of Information, because the skeptics have been told this. Even though we possibly hold relevant information that the IPCC is not part of our remit, i.e., mission statement, therefore we don't have an obligation to pass it on.

To me that's just irresponsible to say that the IPCC, which is a total governmental agency, admittedly through the U.N. and a large number of nations, but the U.S. as the primary funder, is above Federal Freedom of Information laws, not only in the United States but in every other country. This information that has been collected and paid for by U.S. taxpayers and funded by U.S. scientists is now out of reach of the U.S. taxpayer? I think that's just flat wrong, Madam Speaker.

My last email is number 7, and this shows, while they accuse people like myself of trying to be bullies and to ostracize people, here is an email where

again this Professor Mann, Michael, it's to Michael Mann from a gentleman named Malcolm Hughes, just a heads up; apparently the contrarians now have an in with GRL.

GRL, which is the Geophysical Research Letters, a prominent climate journal—this guy Sayers has a prior connection with the University of Virginia Department of Environmental Sciences that causes me some unease. Then later on—this is truly awful. If you think that Sayers is in the greenhouse skeptics camp, then if we can find documentary evidence of this, we could go through official ATU channels to get him ousted. They are trying to ostracize those that are honest enough to say that they have some doubts about the theory.

I will end with this: The theory of global warming caused by mankind is just that, it is a theory; it is not a fact. As U.S. taxpayers and as the guardians of the U.S. taxpayers, we should demand that the facts be made public so that we can make a relevant policy decision.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4213, TAX EXTENDERS ACT OF 2009

Mr. PERLMUTTER, from the Committee on Rules (during the Special Order of Mr. BARTON of Texas), submitted a privileged report (Rept. No. 111-364) on the resolution (H. Res. 955) providing for consideration of the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4173, WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2009

Mr. PERLMUTTER, from the Committee on Rules (during the Special Order of Mr. BARTON of Texas), submitted a privileged report (Rept. No. 111-365) on the resolution (H. Res. 956) providing for consideration of the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MASSIVELY EXPENSIVE AND ECONOMICALLY DESTRUCTIVE CAP-AND-TRADE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Let me agree with the distinguished ranking member

that global warming is something other than what has been presented. He said it's a theory. I would suggest that as we go on with my speech, you will learn that it is a fraud.

Madam Speaker, not too long ago I stood here on the floor of the House and remarked that I have expected Rod Sterling to appear from behind a curtain and announce, "This is the twilight zone."

Well, since then this body has continued on an agenda fit only for the most bizarre episode of that program. In the last month, Congress has passed bailouts, rescues and stimulus packages, dumping trillions of dollars of debt onto the backs of the American people and, yes, onto our children's backs, and their children's backs.

Congress passed a massively expensive and economically destructive cap-and-trade bill, moved toward a government takeover of our health care system, and now Congress appears ready to support President Obama's request to dig ourselves even deeper into the mire of Afghanistan. Optimism over the election of a new President promising change has turned into despair as the American people are realizing what kind of changes being imposed on our country. It's going from bad to worse.

This week marks the beginning of the United Nations framework convention on climate change in Copenhagen. It started yesterday, December 7, Pearl Harbor Day. How very appropriate. President Obama and Democrat leaders of Congress are planning to attend.

This conference could well bind the American people to a series of international agreements that will be a boon to globalist bureaucracy, and, yes, their power-elite allies, while at the same time picking the pockets of the American taxpayer and shackling us to restrictions, mandates, and controls inconsistent with our free society and enforced by governing bodies we have never voted for.

According to the conference's Web site, the conference in Copenhagen is a turning point in the fight to prevent what they claim will be a climate disaster, and I quote. "The science demands it, the economics support it, future generations require it," proclaims the Web site.

Well, Madam Speaker, I am here to explain why that aggrandizing postulation is complete and utter nonsense, and to warn of the danger that lurks behind this high-sounding rhetoric. The Copenhagen conference is the culmination of efforts that began in earnest back in 1992. That was the year our "New World Order" President, George H. W. Bush, submitted the U.N. Framework Convention on Climate Change to the Senate. It was quickly adopted by a voice vote.

For the most part, that 1992 framework treaty was filled with grandiose yet vague principles. It asked for long-term CO₂ reductions from the 192 nations which signed that contract, yet few of the obligations were spelled out,

and there was no enforcement or penalties written into that treaty. It stated objectives, and that was step number one.

Step two came in 1997 when the Kyoto Protocol established enforceable mandates, mandates stating those objectives that were started in the earlier network agreement that was sent on to the Senate by President Bush. The 1997 protocol was different than the earlier one because it had enforceable mandates to meet the objectives that were stated earlier. This clearly would have meant a fundamental altering of our economy, with a dramatic negative impact on the lives of our people. With the Republicans in control of the Senate at that time, President Clinton never submitted the Kyoto treaty for ratification.

Then in 2001 President George W. Bush said that we would not sign the Kyoto treaty due to the enormous cost and economic dislocation associated with complying with the Kyoto mandates, and that was the end of what would have been step number two.

Here we are at step number three, and while a Kyoto-like agreement is not likely, Copenhagen may well lay the foundations for the future that the globalists who are pushing this agenda envision for us, what they envision for the United States, U.S., us. The threat to us is there, and it is real.

A few months ago, H.R. 2454, the so-called cap-and-trade bill, passed the House and is now awaiting action in the Senate. That far-reaching legislation seeks to put in place taxes and regulatory policies that exactly parallel what the Copenhagen crowd would mandate and can be traced back to that same alliance between our domestic, radical environmentalists and a globalist elite.

This unholy alliance has already had an impact. It is no accident that for over the past 20 years America has built no hydroelectric dams, no nuclear power plants, no oil refineries and has brought into production a pitifully small amount of new domestic oil and gas.

□ 2000

In essence, our economy has been and is now being starved of traditional energy development. Even the much acclaimed solar energy alternative has been strangled in its cradle. The Federal Bureau of Land Management, which is unduly influenced by radical environmentalists, has prevented the building of solar-powered electric generating facilities in America's vast deserts. This supposedly to protect the habitat of lizards and insects, which are obviously more important to these elitist decision-makers than the quality of life of human beings. Our quality of life, us.

Again, the forces behind the undermining of America's domestic energy development know exactly what they're doing. Treaty obligations or not, they want to change our way of

life to remake America whether we like it or not. This isn't about green power; it's about raw political power exercised over our lives.

A few decades ago, the globalist radical environmental alliance latched onto an apocalyptic theory to justify their power grab. The theory is that the world is dramatically heating up because of how we human beings live, especially us Americans. So controlling us must be the answer to saving the planet from heating up and up and up.

When they geared up their crusade, our planet was in one of its many warming cycles. But the illusion that they were trying to create began to disintegrate about 9 years ago when the Earth quit warming and now may be in a cooling cycle. Undaunted, the fanatic claims and their predictions of global warming have now been transformed into a new, all-encompassing warning. So "global warming" was the phrase that was yelled and screamed at us for almost a decade, but now that has miraculously been changed into "climate change."

Do they think that the American people are stupid? Do they think that we'll just forget about their predictions of rapid rises in temperatures and that those predictions have been proven 100 percent wrong?

Even the much-touted melting of the Arctic ice cap has reversed itself in the last 2 years and is now refreezing and enlarging. The warming has ended, but the power grab continues. What we now are finding out is exactly how ruthless and, yes, how deceitful this power grab has been. It is becoming ever more apparent that during the 1990s, many scientists who refused to go along with the global warming paradigm were denied research grants. Prominent scientists like Dr. William Gray, former president of the American Meteorological Association, found themselves repeatedly rejected for research grants despite their careers of distinguished research excellence and accomplishments.

The liberal press ignored those transgressions, ignored that repression of opposing views. Yet the same press made it a huge controversy when during the Bush administration NASA asked Richard Hansen, who was NASA's most vocal global warming activist staffer, simply to note when being published that the opinions that he was publishing were his opinions and not necessarily endorsed by NASA. Well, the press made that into a horrible attack on his rights.

This was censorship. There were hearings in Congress about that, simply asking this man to acknowledge that it was his opinions and not the official opinions of NASA. Well, how does that compare with the coverage and the outrage over outright repression and denial of research grants to prominent scientists? How does that compare with Vice President Gore's firing of Dr. William Happer as the lead scientist at

the Department of Energy? This because Happer was open minded on the issue of global warming. Not that he opposed it, but that he was open minded about it. The double standard in the reporting of this issue has been appalling.

Zealots can usually find high-sounding excuses for their transgressions. This abusive attack on Happer and so many others, so many other prominent scientists, of course, was perpetrated in the name of protecting all of us from a climate calamity: man-made global warming that we were repeatedly warned was going to fry the planet.

We can still hear alarming claims of a disastrous upward jump in temperatures, rising sea levels, Arctic meltings, forest fires, hurricanes, acid seas, dying plants and animals. Every climate-related disaster that a Federal research grant can conjure up we're hearing about because that's how they get their government grants. That's how they qualify.

Professional figures in white coats with authoritative tones of voice and lots of credentials repeatedly dismissed specific criticism of what they were proposing by claiming that their so-called scientific findings had been peer reviewed, verified by other scientists. Rather than honestly discussing the issues that were being raised, they portrayed themselves as beyond reproach. They've been peer reviewed. So why even discuss any specific criticism? Just dismiss it.

They gave each other prizes as they selectively handed out research grants. Those who disagreed no matter how prominent were treated like non-entities, like they didn't exist, or they were personally disparaged, labeled deniers, you know, like Holocaust deniers. How much uglier can you get?

But such tactics won't work forever. It's clear their steamroller operation is beginning to fall apart. We know that, because we hear scientists who have been clamoring for subservient acceptance of their theory of man-made global warming, we now can find out and we now understand that those very same scientists, they themselves were making a sham out of scientific methodology and were indeed repressing dissent and destroying peer review.

I'm speaking, of course, about the over 1,000 emails and 3,000 other documents that were purloined from one of the foremost global warming research institutes in the world, the Climate Research Institute at East Anglia University in the United Kingdom. Let me acknowledge, yes, a hacker or possibly a whistleblower may have been responsible for making this information public, but contrary to the frantic attempt to distract attention away from the clear wrongdoing and arrogance that was exposed in these communications, contrary to that, how those documents were obtained is not what's relevant. It's the truth of these emails that counts, not how the information was obtained.

What do these formerly private and now exposed communications say? One email is from Kevin Trenberth, head of the Climate Analysis Section at the National Center for Atmospheric Research in Boulder, Colorado. In it he describes his utter frustration with studies that reach conclusions contrary to his clique's predictions of a looming global warming disaster. Even more frustrating, the temperatures being recorded, contrary to his august observations and predictions, contrary to them, things were getting colder, much colder than usual.

And here, folks, is the clincher: Trenberth laments in this email, in this formerly secret communication, "The fact is we can't account for the lack of warming at the moment, and it is a travesty that we can't." Rather than reconsidering his position, he is complaining. He can't find a cover thick enough to hide his errors.

So what do you do if those gosh darn numbers show that there is no warming? Well, you fudge the numbers of course. There is a 1999 email from Phil Jones, the center's director, talking about a "trick" in the presentation of data intended "to hide the decline." What does "decline" mean when he says "hide the decline"? A decline in global temperatures, of course. These people who are touting global warming are talking about hiding the decline in temperatures that would prove that there is no global warming going on at this time.

To those who have followed this issue closely, this is nothing new. We have seen it before. There was a famous graph produced by Michael Mann, one of the most prominent global warming advocates. His famous graph, as well as his highly touted lectures, deleted the existence of a warming period in the Middle Ages and the 500-year decline in the Earth's temperature, which ended in about 1850, known as the Little Ice Age. Those very real temperature cycles were left out of his graphs. And many of the newly revealed emails detail that this was intentional deception.

Mann's graph indicated centuries-long stability instead of two distinct climate cycles going up and down. And then after presenting a graph that just had centuries-long stability, then we were shown a jump in temperature that looked like a hockey stick, the end of a hockey stick. Stability and then a big jump forward. That graph was a fake, and the jump in temperature he predicted didn't happen.

So now the climate elite has simply deleted the hockey stick graph from their presentation even though it was a distinct part of their presentation for years, just as Mann had deleted the preceding warming and cooling cycles when he analyzed modern temperature trends and put them into his graph.

As more honest and level-headed scientists from around the world raised serious questions, well-funded global warming alarmists were hard pressed

to answer critics. So what is a true believer to do when you hear criticism? Well, shut up the opposition of course. No, don't consider what the opposition is saying. Don't try to have an honest dialogue. No, shut them up.

Here's Phil Jones again, this time about censoring criticism: "I can't see either of these papers being in the next IPCC report."

Let's stop right there. So here he is trying to leave out of the IPCC report papers that were contrary in view; yet they tout over and over again that the IPCC is the basis for their credibility. It's all the time talking about the IPCC report. Yet here we have a quote talking about how they're trying to censor what goes into that report.

Quoting further: "Kevin and I will keep them out," meaning this information out of the IPCC report, "even if we have to redefine what the peer-review literature is." And these are the same people who were proclaiming that their credibility came from the IPCC and peer-reviewed research.

Well, let's look at what happened next when an editor of an academic journal does not buckle under to this kind of pressure and actually publishes the work of a skeptical scientist. Here's what Jones says: "I will be emailing the journal to tell them I'm having nothing more to do with it until they rid themselves of this troublesome editor." This guy is conspiring to get the editor of a research publication fired. And what was it for? For publishing a contrary review.

Is this science? These emails are filled not with answering critics but with the effort to stifle the right to question what these people were advocating.

Significantly, man-made global warming alarmists have continually countered criticism by arrogantly dismissing tangible questions and asserting that peer reviews backed them up. Well, now we can see the evidence that these self-righteous snobs who saw themselves as above criticism were manipulating, if not destroying, the peer review process so no one with other points of view could actually participate. Get that?

□ 2015

They say you can't question our material because ours has been peer reviewed and your criticisms haven't, but they themselves were undermining the ability of those critics to have their criticisms published in a peer-reviewed publication. Have they no shame? But there's more than this.

Jones again, this time to Professor Michael Mann of Pennsylvania State University, the same guy with the phony hockey-stick graph, is talking about hiding information from critics:

"If they ever hear there is a freedom of information act now in the U.K., I think I'll delete the file rather than sending it to anyone."

Let's read that again:

"I think I'll delete the file rather than sending it to anyone."

Madam Speaker, this is not only arrogant, it's criminal. We have been and continue to be the victims of outright lies, and victims of an effort to focus our people on some kind of created and mythical scientific findings in order to scare and force our people into accepting draconian economic and regulatory policies.

Senator JAMES INHOFE of Oklahoma has called for an investigation in the Senate. There should be one in the House as well. Certain scientists receiving Federal research grants are betraying the standards of their own profession. And, yes, as I say, perhaps breaking the law. Countless numbers of our own people will suffer job losses and a decline in their standard of living if policies based on phony science, bad practices, the suppression of dissent and outright lies are put in place and enforced. Before any action is taken by this Congress on cap and trade legislation, a full inquiry into this horrific abuse of science should be conducted.

Wake up, America. They are trying to steal our freedom with lies and scare tactics. The Good Book says, "The truth shall set you free." A caveat might be, "And a lie can destroy your freedom." Perhaps the most perplexing of all, the global warming elite continues to herald their projections of man-made gloom and doom. They try to ignore the uproar that we've had with these emails. They ignore it, or they just change the subject. But this recent revelation of these emails seriously calls into question the basic science that these man-made global warming fanatics claim to be irrefutable. Well, let's look at this so-called "irrefutable science" that is the basis of the man-made global warming advocates.

I in fact—and I would make this very clear at this moment—would challenge any Member of Congress to come here and debate me in the future on the science of this issue. Let me make that clear. This Congressman, I am a senior member of the Science Committee, I challenge any of the advocates of man-made global warming to come here and debate me on the science of the issue. We shouldn't be dismissing our opposition's arguments any more than those scientists should have been. We are here to make policy and to determine truth. Let's have an honest debate on this.

First, let's talk about the so-called global warming cycle that's being used as an excuse, or as a reason to look at human activity, the global warming cycle that's being caused by human activity. That's fundamental to this whole issue. We know that there have been weather and climate cycles throughout the long history of our planet. That's going back to prehistoric times. There has been cycle after cycle. One of the more recent of these cycles, the one ignored by Dr. Michael Mann, a cooling cycle that reduced temperatures on this planet for 500 years. That was between 1300 and

about 1850. It's called the Little Ice Age. Amazingly, with a straight face, the global warming alarmists are using the low point in a 500-year cooling cycle as the baseline for determining if humankind is making the planet hotter at this time. Get that. We should declare an emergency because, according to the alarmists, the Earth is a tiny bit, perhaps 1 degree warmer than it was at the bottom of a 500-year decline in temperature. Professor Mann can't wipe that out. He may try to delete it from his graphs and pretend it didn't happen, but this has been well documented. I remember there was a History Channel report going through the entire time of this mini Ice Age.

Our current climate cycle is no different than the other numerous cycles that preceded it. It is dishonest to create hysteria by using the end of a cycle known as the Little Ice Age at a 500-year low in the Earth's temperatures as a baseline for apocalyptic claims that it is now getting extraordinarily warmer. On top of that, as people, the alarmists are claiming that it's our fault. It's the people's fault. It's us. We're the bad guys. We're the ones making the climate go up so much warmer than it normally is and they're using as a baseline a 500-year low in the Earth's temperatures.

So science question challenge No. 1: Are man-made global warming advocates using an unrealistically and unreasonably cooler moment as the baseline for their analysis? Question No. 2: What are the causes of the climate cycles that we've been talking about? The alarmists claim it's us. It's people. There were such cycles, of course, in the Earth's temperatures and climate even before prehistoric man existed. If there were such cycles, then there must be some explanation other than human activity, because this was before humans existed, there must be some other explanation for the weather and temperature trends of those days.

Well, then what is the other explanation? Many scientists believe cycles of climate have resulted from solar activity. After all, the sun is the biggest source of energy on our planet. The biggest. Everything else pales in comparison. Some of the revealed emails are specifically aimed at debunking this explanation by altering graphs and distorting data. The solar explanation is consistent with the fact that climate cycles on Earth parallel cycles taking place on other planetary bodies. That's right; like Mars, or the moons of Jupiter which have similar and simultaneous cycles to those on our Earth. But the global warming gang is intent on blaming us.

In recent years, for example, human activity has been declared the culprit causing the melting of the Arctic ice cap. Who hasn't seen pictures of sad-looking polar bears stranded there on an ice floe, obviously a victim of man-made global warming? Such nonsense plays on our emotions, but it is presenting a distorted and dishonest picture of reality. Yes, until recently the

Arctic ice cap has been retreating. There is no doubt about that. But what about the ice cap on Mars? Yes, at the same time our Earth's ice cap was retreating, the ice cap on Mars was retreating; mirroring, paralleling what was going on on Earth. Does that indicate that the cycle that we're talking about might have been caused by the sun and not by too many people driving SUVs or using modern technology? So maybe it's the sun that has affected the habitat of the polar bears, just as other cycles have affected the habitat of the plants and animals living in the time when those cycles kicked in.

By the way, there's something to keep in mind when one hears for the umpteenth time that the polar bears are becoming extinct. The polar bears are not becoming extinct. In fact, the number of polar bears on this planet has dramatically expanded. There are four to five times the number of polar bears in the world today than there were in the 1960s. And I have spoken before groups of students and they have been given this lie over and over again and they are crestfallen to hear that maybe what they've been told are lies. Yes, lies. The extinction of the polar bear is about as real as the film footage of dissipating ice caps in former Vice President Gore's movie *An Inconvenient Truth*. That, too, was a scam. A special effect made of Styrofoam was presented to us, especially to our impressionable children, to create the illusion that this was documenting the melting and breaking off of the Arctic ice cap. It was Styrofoam. Styrofoam. It was phony, just as many of the arguments presented in that movie were phony; were false.

So here's another scientific challenge, challenge No. 2: If there have been many other cycles and if the ice cap is melting on Mars just as it is here, how can this climate cycle be a result of human activity rather than solar activity? Which brings us to the theory of just what man does that supposedly creates global warming. Well, this allegation is based on the well-promoted theory that greenhouse gases—and according to the alarmists CO₂ is by far the worst culprit—these greenhouse gases and, thus, CO₂, the worst one of all, are trapping heat in the atmosphere and the increase of CO₂ levels is thus leading to a disastrous jump in the Earth's temperature.

So let's look at this theory. I don't dismiss it. Let's look at it. Let's answer it. I wish the American people and the rest of us were paid an equal amount of respect by those people, the alarmists, who are advocating the man-made global warming theory. So let's look at this. Let's look at their theory now and give it an honest look. With all the hoopla about CO₂, nonscientists might believe that it is a huge part of the atmosphere. I want everyone here, my colleagues and everyone listening, to ask themselves: What percentage do you think that CO₂ is of the atmosphere? Well, most people think

it's a huge part. Some people I've asked have actually suggested it was between maybe 40 and 60 percent of the atmosphere.

Well, that's wrong. Wrong. People have been given a false impression. CO₂, carbon dioxide, is a minuscule part of our atmosphere. And, as I say, most of the people I've talked to, even the highly educated ones, have thought that CO₂ makes up maybe 25, maybe 40, one guy even said 60 percent of the atmosphere. In reality, CO₂ is less than .04 percent of the atmosphere. So CO₂ is not even one-half of one-tenth of 1 percent of the atmosphere. Not even one-half of one-tenth of 1 percent. This is a minuscule part of the atmosphere that we have been led to believe is having this dramatic impact on weather patterns.

And where did the minuscule amount of this CO₂, even though it's as small as it is, one half of one-tenth of 1 percent of the atmosphere, where did that minuscule amount come from? With all the hoopla, one would assume that most of the atmosphere's CO₂ can be traced to human activity. No. At least 70 percent of the CO₂ in our atmosphere has a natural source and has nothing to do with human activity.

□ 2030

I have been in Science Committee hearings where very prominent scientists have suggested that it might be 80 or 90 percent of the CO₂ in the atmosphere coming from natural sources. But let's say, okay, at least 70 percent.

So the part of the atmosphere that is CO₂ generated by man is even less than minuscule. It is a minor part of a minuscule component, and if we suppress our standard of living enough to eliminate even one-tenth of man's contribution, then one big volcano, or maybe some forest fires could totally undo this supposed reduction in CO₂. And to get a 10 percent reduction means a dramatic attack on the standard of living of our people and the reallocation of trillions of dollars. We are to give up our own freedom and prosperity, and hand over such power as I have just mentioned to a global government or even to a centralized Federal Government here in the United States? All for that, for something for a step forward that could be erased by a big volcano or perhaps a series of forest fires? That's insane.

Well, undaunted, the alarmists point to increases in CO₂, which they label as alarming, of course. That's why they're alarmists; they call it alarming. Starting from such a minuscule level, however, it's like using a phony temperature baseline, like they did with the end of the mini ice age. But using that as their baseline, with the minuscule level of CO₂, this can distort the importance of, when someone says that there's been a rise in the amount of CO₂, because it's, to begin with, it's a very, very, minuscule amount or part of our atmosphere. So if there's an increase in that, it's not going to have

the same impact as what most people have led to believe, the people who believe that it's 40 percent of our atmosphere.

But this increase, of course, no matter, has been described to us in such sinister terms that we are supposed to believe that it is making the world hotter, and so it's mankind, by increasing CO₂, making the world hotter. When trying to pull this off, they don't mention that in recent times, CO₂ levels, yes, have increased, but contrary to the alarmists' theory, the Earth's temperatures have gone down. Remember, we are being told that the rise of CO₂, which is a minuscule part of our thing, but the rise of the CO₂ in our atmosphere is causing the atmosphere to warm. Again, there are clearly times when CO₂ has been going up but the temperature has gone down.

So science challenge number 3, if manmade CO₂, which is a minuscule part of a minuscule element of the atmosphere, if that causes warming, then why is it that when mankind has been emitting more and more CO₂, like in the 1940s, the fifties and the sixties, and at a time, at that same time when CO₂ levels in general were rising, why was there an actual cooling going on in our climate? This is true today, too. We have an increase in CO₂, but there's been a cooling going on, or at least there hasn't been a warming for the last 10 years. Remember, no matter how they've tried to hide it—and that attempt to hide it is very clear in the emails that have just been exposed. No matter how they try to hide it, global temperatures have not gone up for almost a decade.

It should be noted that scientific ice core specialists now tell us that historically, over a course of 500 years, CO₂ increases followed temperature increases. It would appear that when it gets warmer, the Earth produces more CO₂. The alarmists have it totally backwards, and they're using that as an excuse to dramatically increase their power to control our lives. It is a flawed theory. It is the warmer Earth that creates the CO₂ increase, not the other way around. But that would mean, of course, human beings, if they accept that it's the Earth and it's the warming of the Earth that creates more CO₂, that would mean that us human beings, that we're off the hook, and the globalists would have no excuse for their power grab and no excuse to control us, to tax us, and to regulate away our livelihood.

Well, it's not getting any warmer, and contrary to those trying to frighten us into giving up our freedom, CO₂ is not a threat to the planet and is not a pollutant. It is not harmful to human beings or animals. It is food for plants which then give us oxygen. Throughout the world, greenhouses, sometimes they're called hothouses, are growing vegetables by pumping CO₂ to feed the plants. And they end up, after pumping CO₂ into these hothouses, they end up with bigger, juicier tomatoes, berries, and other crops.

CO₂ is not a threat to human health or a threat to the planet. During ancient times, before human beings, there were much higher levels of CO₂ in the air, and life on this planet flourished. Even in the oceans, which were, yes, more acidic, ocean life was robust and abundant at that time. All of this makes the announcement yesterday that the EPA will treat CO₂ as a pollutant all the more astounding and, yes, repugnant. It is an example of the heavyhanded power grab we are up against.

By declaring CO₂ a pollutant, a threat to human health, they have empowered the EPA to issue orders, mandates, regulations, controls, and fines which will be put in place and enforced even without a vote of Congress, unelected officials declaring themselves as having this enormous power over us. This bypassing of the authority of Congress is a manifestation of tyranny. I don't care if they think that they are saving the world. This is tyranny. If there are changes in the law that are required by some climate theory, let us debate them, have an honest debate. Let's not impose this on the American people without having elected officials be held accountable for that decision. And, of course, we know now the theories that we're talking about are all based on the cooked books and phony science, which makes it all even worse.

So now on to challenge number 4, which focuses on the accuracy of the statistics being used to justify manmade global warming. Importantly, the alarmists who are raising all of this ruckus, they're doing it about less than 1 degree of an increase in the global temperature. So we hear all of this ruckus, but it's only increased, even by what they're claiming, less than 1 degree, or just about 1 degree over 150 years. So small inaccuracies can have huge implications to this process.

Well, an investigation has found accuracy problems with 80 percent of America's National Weather Service stations which collected the data here in the United States. And worse, our system, even with 80 percent of the stations not meeting reliable standards, we've been heralded as the best in the world.

But what about the statistics gathered in the rest of the world, in the developing countries and in other countries? What about the statistics that were gathered here and abroad 100 years ago or 150 years ago? Does anyone have faith in those figures? Remember, that's what was fed into the computer. Let's remember also, garbage in, garbage out is a truism when it comes to computers. The whole basis for this so-called irrefutable evidence of global warming rests on computer models that were based on data collected from faulty systems.

Perhaps just as troubling, the data fed into these computers is no longer available for reassessment. Yep, the data was deleted by the research insti-

tutes. Deleted, just like they talked about in these hacked emails. And a close reading of the recently exposed emails reveal that alterations were made in the raw data being fed into computers. They were called adjustments of the data. In short, they cooked the books, and that data is no longer available. It was deleted by the research institutes and can not be looked over again for accuracy. Oh, well, I guess we should just trust them.

Fortunately, the ground-based sensors that fed those infamous computer models are not the only source of temperature data. Information is also available from research and observation satellites and weather balloons, and, you guessed it, that source is in conflict with the ground-based data. Of course, no one is certain of that, because all of this we're talking about was the data before adjustments were made and before it was all deleted.

So how is this for a scientific challenge? Defend the scientific integrity of the manmade global warming data collection process. It's got more holes in it than a spaghetti strainer. And this manmade global warming theory is the greatest scam in history. This, of course, is only one of many scams designed to frighten us into draconian solutions for fictitious problems.

I remember when I was a kid, they said cranberries cause cancer. Two years later, after the cranberry industry was decimated, Oh, sorry, we made a mistake. Then you remember cyclamates were supposedly causing cancer. That cost the American industry hundreds of millions of dollars. It destroyed a sugar substitute which was perfectly fine, and it ended up getting America and perhaps the rest of the world hooked on high fructose corn syrup, only to be found out later on that cyclamates are not carcinogenic at all. And, in fact, Canada never banned them at all, and now its cyclamates are free to be consumed here in the United States.

Well, then we remember Dr. Meryl Streep, a prominent scientist and movie actress who warned us about Alar, only to find out that that was fictitious. We remember Three Mile Island and Jane Fonda, a presentation which stopped the building of nuclear power plants and made us even more dependent on foreign oil. So what did we do? We now depend more on oil and coal for our electricity because Jane Fonda created the impression that nuclear energy was not safe.

And then during the Reagan administration there was a furor about acid rain, which was presented to us, again with a phony baseline. They said that the lakes in the Northeast and everything were becoming more acidic, and they used as their baseline the time immediately in the years that were after a massive number of fires in that area turned those lakes into a base and, thus, the acidity was not the natural acidity that they normally were at. And they were going back to the

natural acidity. It was a phony baseline, and it totally distorted the so-called problem.

The topper of them all, many of the very same gang now agonizing over manmade global warming, they were the same people who were warning us with similar intensity about the coming ice age. And then, of course, we have to remember, there's a big price to pay for all of this, big price to pay for lies. Like, for example, the report that bird shells were thinning, which resulted in a global ban on DDT. Millions of children in the Third World have subsequently lost their lives to malaria because of that ban. Apparently, birds were more important to those who made policy than those millions of poor and struggling children in the Third World who lost their lives to malaria, a disease that we had controlled before we banned DDT.

The cap-and-trade bill, rammed through the House by deceit and alarmist propaganda, awaits the U.S. Senate. If it becomes law, as I said on the floor, the debate, our economy will go to hell and our jobs will go to China. And yes, it will affect all of us big time. And that's what this is all about, changing our lives big time.

What are some of the long-term changes these steely-eyed fanatics behind cap-and-trade and global warming and behind the Copenhagen gathering want to make in our lives? It's a long run, but here's some of the things they want.

They want gas to at least double in price, probably triple, maybe more. Parking prices need to go up. Parking permits need to go way up. Air travel will be out of reach for ordinary people by elimination of frequent flier miles and discount tickets and simply dramatically raising the price of airplane tickets. Only the rich and powerful in their private jets and limousines will be free to travel as they please.

Yes, and there will be restrictions on our diet. Embedded in the manmade global warming movement is a contingent of power freaks who want to restrict our meat consumption by limiting production. This is based on the idea that methane from cow flatulence threatens the stability of the planet's climate. This is insane. So hamburgers are out, much less backyard barbecues.

The prices of electricity, just like every energy source, would be pushed sky high, as will the price of almost everything that we consume because everything manufactured or farmed depends on energy. The goal is to put limits on human activity, especially human consumption. To these fanatics, anything used or consumed that is not essential is a waste of resources.

□ 2045

Ronald Reagan used to say about this crowd, They won't be satisfied until we're all living in a bird's nest.

So why is Congress on the verge of passing this monstrous legislation which will bolster the competitiveness

of China and India while undercutting our own economy and our way of life? This is a product of a radical environmentalist-globalist coalition. They want to build a whole new world based on benevolent control by people like themselves. They have a vision of a harmonious and balanced world, and they don't mind scaring us into accepting it or imposing it upon us.

And that is where the real threat comes in. This is not just the EPA pushing democracy aside to centralize power and controls in Washington, D.C., which is, in and of itself, contrary to what America is supposed to be all about. This is about centralizing power into the hands of global government. That is what Kyoto and Copenhagen are all about. That's what the radical environmentalist and globalist alliance is all about.

Wake up, America. We still have time to turn this around. We must fight the globalist clique that is trying to shackle future generations of Americans to a burden of economy-killing debt. They are chains that will be hard to break, but we must have the strength and the commitment to do so.

We will not give up our freedom, and we are not powerless. We will stand together, Americans of every race and religion, of every ethnic group and social status. We will fight as united patriots, and we will win. Members of Congress need to hear from angry constituents, and I predict they will.

Yes, we need to overcome this power grab. We need to overcome this alliance between radical environmentalists and the globalists. But most of all, in order to win, we need to overcome apathy among the American people. It is when the American people rise up in a righteous rage that our freedom will be secure. This is a power grab that is aimed at destroying our freedom.

Wake up, America. We should not be giving more power to United Nation panels or anybody else or any other institution internationally that is composed of governments that are controlled by gangsters and thugs that we would never dream of electing here in the United States, countries that don't have any freedom of press. We're going to give authority to enforce environmental laws and rules that we've never voted on to bodies like that? Or we're going to go along with the EPA and push the Congress aside and elected officials aside and let that be imposed upon us by people who have never been elected to anything? No. We must stand up and defeat this power grab.

Wake up, America. Your freedom and prosperity are at stake.

I have three children at home: little Christian, Anika and Tristan. We owe it to them and the children of this country to pass on freedom and opportunity that has been passed on to us. The sacrifice, the sacrifice of generations of Americans to provide us the democracy that we have, the democratic way of fighting these battles that we have. We will not see that destroyed.

We will instead use the democratic process in this fight and hold true to the principles, and what was passed on to us by generations of Americans, and we will also be true to future generations of Americans. But now it's up to us. If we don't act, this conspiracy of lies, of distortions in the scientific community coupled with an alliance with a globalist who would centralize power in global government. No. We must defeat them, or we will not be living up to our responsibility, not living up to what we should be asked to do as Americans, and that is to pass on this freedom.

We are united patriots, and we will win.

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

RECESS

The SPEAKER pro tempore (Mrs. DAHLKEMPER). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 50 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2322

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. WASSERMAN SCHULTZ) at 11 o'clock and 22 minutes p.m.

CONFERENCE REPORT ON H.R. 3288, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. OLVER submitted the following conference report and statement on the bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes:

[Book II of the House portion of the RECORD containing the Conference Report on H.R. 3288, dated December 8, 2009, will be published at a later date.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today until 3 p.m. on account of travel.

Mr. REICHERT (at the request of Mr. BOEHNER) for today on account of supporting the law enforcement community and the families of four fallen officers from the Lakewood Police Department at a memorial service in Tacoma.

Mr. ARCURI (at the request of Mr. HOYER) for today on account of official business in 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. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. DICKS, for 5 minutes, today.

Mr. CONNOLLY of Virginia, for 5 minutes, today.

Mr. SESTAK, for 5 minutes, today.

Mr. MASSA, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. AKIN, for 5 minutes, today.

Mr. PAUL, for 5 minutes, December 10 and 11.

Mr. JONES, for 5 minutes, December 15.

Mr. POE of Texas, for 5 minutes, December 15.

Mr. DUNCAN, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, December 14 and 15.

Mr. INGLIS, for 5 minutes, today.

Mr. OLSON, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. KUCINICH, for 5 minutes, today.

Mrs. BIGGERT, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1422. To amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

ADJOURNMENT

Mr. OLVER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 24 minutes p.m.), the House adjourned until tomorrow, Wednesday, December 9, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4916. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Whistleblower Protections for Contractor Employees (DFARS Case 2008-D012) (RIN: 0750-AG09) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4917. A letter from the Assistant General Counsel for Regulatory Services, Office of

General Counsel, Department of Education, transmitting the Department's final rule — Institutional Eligibility Under the Higher Education Act of 1965, as Amended, and the Secretary's Recognition of Accrediting Agencies [Docket ID: ED-2009-OPE-0009] (RIN: 1840-AD00) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4918. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Investigational New Drug Applications; Technical Amendment [Docket No.: FDA-2009-N-0464] received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4919. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Leupp, Arizona) [MB Docket No.: 09-98] received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4920. A letter from the Acting Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations based on the 2008 Missile Technology Control Regime Plenary Additions [Docket No.: 090126060-91251-01] (RIN: 0694-AE53) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4921. A letter from the Chairman, Council of the District of Columbia, transmitting District of Columbia Council: Transmittal of D.C. Act 18-239, "Hospital and Medical Services Corporation Regulatory Amendment Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4922. A letter from the Chairman, Council of the District of Columbia, transmitting District of Columbia Council: Transmittal of D.C. Act 18-238, "Omnibus Election Reform Amendment Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4923. A letter from the General Counsel (Acting), National Indian Gaming Commission, transmitting the Commission's final rule — Amendments to Various National Indian Gaming Commission Regulations (RIN: 3141-0001) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4924. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch by Vessels in the Amendment 80 Limited Access Fishery in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XS59) received November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4925. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel by Vessels in the Amendment 80 Limited Access Fishery in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XS58) received November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4926. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Na-

tional Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch by Vessels in the Amendment 80 Limited Access Fishery in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XS57) received November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4927. A letter from the General Counsel, Department of Justice, transmitting the Department's final rule — Application of Immigration Regulations to the Commonwealth of the Northern Mariana Islands [EOIR Docket No.: 169 AG Order No. 3120-2009] (RIN: 1125-AA67) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4928. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone Naval Base Point Loma; San Diego Bay, San Diego, CA [Docket No.: USCG-2008-1016] (RIN: 1625-AA87) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4929. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Anchorages; New and Revised Anchorages in the Captain of the Port Portland, OR, Area of Responsibility [Docket No.: USCG-2008-1232] (RIN: 1625-AA01) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4930. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Beachfest Fireworks, Pacific Ocean, San Diego, CA [Docket No.: USCG-2009-0811] (RIN: 1625-AA00) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4931. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Pollution Prevention Equipment [Docket No.: USCG-2004-18939] (RIN: 1625-AA90) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4932. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Waters Surrounding M/V Guilio Verne and Barge Hagar for the Transbay Cable Laying Project, San Francisco Bay, CA [Docket No.: USCG-2009-0870] (RIN: 1625-AA00) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4933. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; East River, New York City, NY [Docket No.: USCG-2009-0348] (RIN: 1625-AA09) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4934. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Catholic Church Procession; San Diego Bay, San Diego, CA [Docket No.: USCG-2009-0812] (RIN: 1625-AA00) received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4935. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; International Aero Engines AG (IAE) V2500-A1, V2527E-A5, V2530-A5, and V2528-D5 Turboprop Engines [Docket No.: FAA-2009-0294; Directorate Identifier 2009-NE-08-AD; Amendment 39-16057; AD 2009-22-06] (RIN: 2120-AA64) received November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4936. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamilton Sundstrand Power Systems T-62T-46C12 Auxiliary Power Units [Docket No.: FAA-2009-0247; Directorate Identifier 2009-NE-07-AD; Amendment 39-16040; AD 2009-21-03] (RIN: 2120-AA64) November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4937. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A340-200 and -300 Series Airplanes [Docket No.: FAA-2009-0907; Directorate Identifier 2009-NM-072-AD; Amendment 39-1604; AD 2009-21-05] (RIN: 2120-AA64) November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4938. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; 328 Support Services GmbH Dornier Model 328-100 and -300 Airplanes [Docket No.: FAA-2009-0616; Directorate Identifier 2009-NM-070-AD; Amendment 39-16043; AD 2009-21-06] (RIN: 2120-AA64) November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4939. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Trent 800 Series Turbofan Engines [Docket No.: FAA-2009-1369; Directorate Identifier 2003-NE-03-AD; Amendment 39-16048; AD 2009-21-09] (RIN: 2120-AA64) November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4940. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. ARRIUS 1A Turbohaft Engines [Docket No.: FAA-2009-0348; Directorate Identifier 2009-NE-39-AD; Amendment 39-16050; AD 2009-21-11] (RIN: 2120-AA64) November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4941. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aerosystems Model SAAB 2000 Airplanes [Docket No.: FAA-2009-0909; Directorate Identifier 2009-NM-172-AD; Amendment 39-16045; AD 2007-23-05 R1] (RIN: 2120-AA64) November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4942. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Pilot, Flight Instructor, and Pilot School Certification; Correction [Docket No.: FAA-2006-26661; Amendment Nos. 61-124A, 91-309A, and 141-12A] (RIN: 2120-AI86) November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4943. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Disadvantaged Business Enterprise Program; Inflationary Adjustment [Docket No.: DOT-OST-2009-0074] (RIN: 2105-AD79) received November 13, 2009, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4944. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30692; Amdt. No. 3344] received November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4945. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30691; Amdt. No. 3343] received November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4946. A letter from the Chairman, Department of Transportation, transmitting the Department's final rule — Removal of Delegations of Authority to Secretary, received November 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4947. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Production and Airworthiness Approvals, Part Marking, and Miscellaneous Amendments [Docket No.: FAA-2006-25877; Amendment Nos. 1-64, 21-92, 43-43, and 45-26] (RIN: 2120-AJ64) November 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 1319. A bill to prevent the inadvertent disclosure of information on a computer through the use of certain "peer-to-peer" file sharing software without first providing notice and obtaining consent from the owner or authorized user of the computer; with amendments (Rept. 111-361). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 2221. A bill to protect consumers by requiring reasonable security policies and procedures to protect computerized data containing personal information, and to provide for nationwide notice in the event of a security breach; with amendments (Rept. 111-362). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 512. A bill to amend the Federal Election Campaign Act of 1971 to prohibit certain State election administration officials from actively participating in electoral campaigns; with an amendment (Rept. 111-363). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCURI: Committee on Rules. House Resolution 955. Resolution providing for consideration of the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes (Rept. 111-364). Referred to the House Calendar.

Mr. PERLMUTTER. Committee on Rules. House Resolution 956. Resolution providing for consideration of the bill (H.R. 4173) to provide for financial regulatory reform, to

protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes (Rept. 111-365). Referred to the House Calendar.

Mr. OLVER: Committee of Conference. Conference report on H.R. 3288. A bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-366). Ordered to be printed.

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. RANGEL (for himself, Mr. OBERSTAR, Mr. CAMP, Mr. MICA, Mr. COSTELLO, Mr. PETRI, and Mr. LEWIS of Georgia):

H.R. 4217. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; to the Committee on Transportation and Infrastructure, 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. Considered and passed.

By Mr. TANNER (for himself and Mr. SAM JOHNSON of Texas):

H.R. 4218. A bill to amend titles II and XVI of the Social Security Act to prohibit retroactive payments to individuals during periods for which such individuals are prisoners, fugitive felons, or probation or parole violators; to the Committee on Ways and Means. Considered and passed.

By Mr. WILSON of South Carolina (for himself, Mr. KINGSTON, Mr. INGLIS, Mr. BROUN of Georgia, Mr. SOUDER, Mr. BARRETT of South Carolina, Mrs. BACHMANN, Mrs. BLACKBURN, Mr. MILLER of Florida, Mr. FORBES, and Mr. AKIN):

H.R. 4219. A bill to establish a National Commission on American Recovery and Reinvestment; to the Committee on Education and Labor.

By Mr. BUYER (for himself, Mr. MORAN of Kansas, Mr. BROWN of South Carolina, Mr. MILLER of Florida, Mr. BOOZMAN, Mr. BILIRAKIS, Mr. BUCHANAN, Mr. ROE of Tennessee, Mr. BILBRAY, and Mr. LAMBORN):

H.R. 4220. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to small business concerns and employment assistance, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Education and Labor, and Small Business, 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. BUYER (for himself, Mr. ROE of Tennessee, Mr. BILBRAY, Mr. LAMBORN, Mr. BROWN of South Carolina, and Mr. BOOZMAN):

H.R. 4221. A bill to amend title 38, United States Code, to provide for improved acquisition practices by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addi-

tion to the Committee on 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 Ms. GINNY BROWN-WAITE of Florida (for herself, Mrs. EMERSON, Mr. SOUDER, Mr. ROONEY, Mr. BUCHANAN, Mr. ROSKAM, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PUTNAM, Mr. MARIO DIAZ-BALART of Florida, and Mr. MACK):

H.R. 4222. A bill to provide for the establishment of the Office of Deputy Secretary for Health Care Fraud Prevention; to the Committee on Energy and Commerce.

By Mr. KILDEE (for himself, Mr. RYAN of Ohio, and Mrs. BIGGERT):

H.R. 4223. A bill to support evidence-based social and emotional learning programming; to the Committee on Education and Labor.

By Ms. VELÁZQUEZ (for herself, Mr. FRANK of Massachusetts, and Ms. WATERS):

H.R. 4224. A bill to establish a pilot program to train public housing residents as home health aides and in home-based health services to enable such residents to provide covered home-based health services to residents of public housing and residents of federally-assisted rental housing, who are elderly and disabled, and for other purposes; to the Committee on Financial Services.

By Mr. COSTA (for himself and Mr. CARDOZA):

H.R. 4225. A bill to authorize drought assistance adjustments to provide immediate funding for projects and activities that will help alleviate record unemployment and diminished agricultural production related to the drought in California; to the Committee on Natural Resources.

By Mr. REICHERT (for himself, Mr. KIND, Mr. DAVIS of Kentucky, Mr. BLUMENAUER, Mr. LEE of New York, and Mr. PERRIELLO):

H.R. 4226. A bill to amend the Internal Revenue Code of 1986 to improve and extend certain energy-related tax provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHRADER (for himself, Mr. WALDEN, Mr. BAIRD, Ms. HERSETH SANDLIN, Mrs. MCMORRIS RODGERS, Mr. MINNICK, and Mr. DEFazio):

H.R. 4227. A bill to authorize the Secretary of Agriculture to provide loans to support the conversion of energy generation or heating and cooling systems to the use of renewable biomass and to support the installation of new equipment to use renewable biomass for such systems, and for other purposes; to the Committee on Agriculture.

By Mr. ALEXANDER:

H.R. 4228. A bill to require the Forest Service to accommodate, to the extent consistent with the management objectives and limitations applicable to the National Forest System lands at issue, individuals with mobility disabilities who need to use a power-driven mobility device for reasonable access to such lands; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BEAN (for herself and Mrs. CAPITO):

H.R. 4229. A bill to amend the Real Estate Settlement Procedures Act of 1974 to ensure that borrowers under federally related mortgage loans have an opportunity to inspect closing documents; to the Committee on Financial Services.

By Mr. BLUMENAUER:

H.R. 4230. A bill to limit access of Members of Congress to Government-administered health care benefits so long as comprehensive health reform legislation has not become law; to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, Ways and Means, Energy and Commerce, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAO:

H.R. 4231. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to reduce the rate of occurrence of homicides and violent crimes in violent and drug crime zones; to the Committee on the Judiciary.

By Mr. CASTLE:

H.R. 4232. A bill to extend the temporary duty suspension on certain rayon staple fibers; to the Committee on Ways and Means.

By Ms. HERSETH SANDLIN (for herself, Mr. WALDEN, Mr. BAIRD, Mrs. MCMORRIS RODGERS, and Mr. SCHRADER):

H.R. 4233. A bill to amend the Healthy Forests Restoration Act of 2003 to expand the areas of Federal land on which hazardous fuel reduction projects may be conducted under that Act, to add protection of infrastructure in rural communities as an additional purpose of that Act, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, 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. SAM JOHNSON of Texas:

H.R. 4234. A bill to provide for the commemoration of the 60th anniversary of the Korean war; to the Committee on Armed Services.

By Mr. KENNEDY:

H.R. 4235. A bill to amend the Public Health Service Act to provide assistance for graduate medical education funding for women's hospitals; to the Committee on Energy and Commerce.

By Mr. LEVIN:

H.R. 4236. A bill to amend the Internal Revenue Code of 1986 to provide a temporary exclusion of 100 percent of the gain on the sale or exchange of certain small business stock; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Ms. ROS-LEHTINEN, and Mr. NADLER of New York):

H.R. 4237. A bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons; to the Committee on the Judiciary.

By Ms. MARKEY of Colorado (for herself, Ms. DEGETTE, Mr. POLIS, Mr. SALAZAR, Mr. LAMBORN, Mr. COFFMAN of Colorado, and Mr. PERLMUTTER):

H.R. 4238. A bill to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. MEEK of Florida (for himself and Mr. BRADY of Texas):

H.R. 4239. A bill to amend the Internal Revenue Code of 1986 to modify the exception

from the 10 percent penalty for early withdrawals from governmental plans for Federal and State qualified public safety employees; to the Committee on Ways and Means.

By Mr. MELANCON:

H.R. 4240. A bill to provide for a grace period in which durable medical equipment suppliers may meet Medicare accreditation and surety bond requirements; 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. MICHAUD:

H.R. 4241. A bill to amend chapter 17 of title 38, United States Code, to allow for increased flexibility in payments for State veterans homes; to the Committee on Veterans' Affairs.

By Mr. MORAN of Kansas:

H.R. 4242. A bill to amend the Internal Revenue Code of 1986 to provide incentives for used oil re-refining, and for other purposes; to the Committee on Ways and Means.

By Ms. LINDA T. SANCHEZ of California (for herself and Mr. BRADY of Texas):

H.R. 4243. A bill to permit the issuance of tax-exempt bonds for air and water pollution control facilities; to the Committee on Ways and Means.

By Mr. SCHOCK (for himself and Mr. NYE):

H.R. 4244. A bill to amend the Internal Revenue Code of 1986 to provide a simplified research tax credit for small businesses; to the Committee on Ways and Means.

By Mr. SESTAK:

H.R. 4245. A bill to authorize the Secretary of the Army to provide assistance relating to water resource protection and development in Pennsylvania, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WALZ:

H.R. 4246. A bill to amend the Internal Revenue Code of 1986 to extend the alternative fuels credit for liquified petroleum gas through 2010; to the Committee on Ways and Means.

By Mr. BERMAN (for himself, Mr. SMITH of New Jersey, Mr. FALEOMAVAEGA, Mr. PAYNE, Mr. CROWLEY, Mr. FILNER, Mr. HONDA, Ms. RICHARDSON, Mr. OBERSTAR, Mr. ELLISON, Mr. CARNAHAN, Ms. MCCOLLUM, Ms. HIRONO, Ms. CHU, Ms. BORDALLO, Ms. SPEIER, Mr. BILBRAY, Ms. WATSON, Mr. ENGEL, Mr. AL GREEN of Texas, Mr. SABLAN, Mr. SIREN, and Ms. LORETTA SANCHEZ of California):

H. Con. Res. 218. Concurrent resolution expressing sympathy for the 57 civilians who were killed in the southern Philippines on November 23, 2009; to the Committee on Foreign Affairs. Considered and agreed to.

By Mr. TERRY:

H. Con. Res. 219. Concurrent resolution recognizing and commending the leadership and thousands of volunteers involved with Bugles Across America for their commitment and sacrifice to ensure veterans are laid to rest with the honor and ceremony they earned through selfless service to the people of the United States in the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Georgia (for himself, Ms. RICHARDSON, Mr. LUJAN, Ms. JACKSON-LEE of Texas, Mr. ELLISON, Mr. CONYERS, and Mr. FILNER):

H. Res. 950. A resolution expressing the sense of the House that any unobligated funds authorized for expenditure by the Troubled Asset Relief Program (TARP) should be used to create jobs for United

States citizens; to the Committee on Financial Services.

By Mr. BROWN of South Carolina (for himself, Mr. DAVIS of Illinois, Ms. GINNY BROWN-WAITE of Florida, Mr. CONAWAY, Mr. KINGSTON, Mr. CARTER, Mr. DUNCAN, Mr. BARRETT of South Carolina, Mr. INGLIS, Mr. ROGERS of Kentucky, Mr. BACHUS, Mr. JONES, Mr. LAMBORN, Mr. FRANKS of Arizona, Mr. SHIMKUS, Mr. SCALISE, Mr. MORAN of Kansas, Mr. SAM JOHNSON of Texas, and Mr. SOUDER):

H. Res. 951. A resolution expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected for use by those who celebrate Christmas; to the Committee on Oversight and Government Reform.

By Mr. MCKEON (for himself and Mr. CANTOR):

H. Res. 952. A resolution expressing the sense of the House of Representatives that a recipient of the Congressional Medal of Honor should be permitted, at all times on the recipient's property, to properly display the Flag of the United States of America; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself, Mr. WOLF, Mr. DELAHUNT, and Mr. SMITH of New Jersey):

H. Res. 953. A resolution expressing the sense of the House of Representatives that the Government of the People's Republic of China has violated internationally recognized human rights and legal due process standards by carrying out executions after trials marred by procedural abuses and by carrying out arbitrary detentions targeting Uyghurs and other individuals in Xinjiang in the aftermath of a suppressed demonstration and ensuing mob violence on July 5 to 7, 2009; to the Committee on Foreign Affairs.

By Mr. HALL of Texas (for himself, Mr. MCCAUL, Mr. OLSON, Mr. NEUGEBAUER, Mr. ROHRBACHER, Mr. AKIN, Mr. BROUN of Georgia, Mr. SEN-SENRENNER, Mr. BILBRAY, Mr. BARTLETT, Mrs. BIGGERT, and Mr. SMITH of Texas):

H. Res. 954. A resolution expressing the sense of the House of Representatives regarding the scientific protocols, data collection methods, and peer review standards for climate change research which are necessary to preclude future infringements of the public trust; to the Committee on Science and Technology.

By Mr. MCHENRY (for himself, Mr. KISSELL, Mr. HUNTER, Mrs. MYRICK, and Mr. SCHAUER):

H. Res. 957. A resolution honoring Jimmie Johnson, 2009 NASCAR Sprint Cup Champion; to the Committee on Oversight and Government Reform.

By Mr. VAN HOLLEN (for himself, Mr. GEORGE MILLER of California, Mrs. BONO MACK, and Mr. REICHERT):

H. Res. 958. A resolution congratulating the United States Men's National Soccer Team for securing a berth at the 2010 FIFA World Cup in South Africa; 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. 24: Mr. PALLONE, Ms. WASSERMAN SCHULTZ, Mr. MAFFEI, Mr. BARTON of Texas, Mr. RANGEL, Mr. VISCLOSKY, Ms. CHU, Mr. DOGGETT, Mr. HIGGINS, and Mr. AL GREEN of Texas.

H.R. 39: Mr. FARR and Mr. ISRAEL.

- H.R. 270: Mr. McCOTTER.
 H.R. 333: Ms. MATSUI.
 H.R. 391: Mr. LINDER, Mr. HALL of Texas, Mr. MCCAUL, and Mr. OLSON.
 H.R. 393: Mrs. CAPITO.
 H.R. 537: Mr. COSTELLO.
 H.R. 571: Ms. HARMAN, Ms. NORTON, and Mr. AUSTRIA.
 H.R. 678: Mr. PAUL, Mr. LANCE, Ms. BALDWIN, and Ms. HIRONO.
 H.R. 690: Mr. THOMPSON of Mississippi, Mr. SNYDER, Mr. HARPER, and Ms. KILROY.
 H.R. 847: Mr. NYE.
 H.R. 881: Mr. SESSIONS, Mr. ADERHOLT, and Mr. AUSTRIA.
 H.R. 930: Mr. RUSH.
 H.R. 1020: Mr. WALZ.
 H.R. 1051: Mr. WELCH.
 H.R. 1067: Mr. JACKSON of Illinois.
 H.R. 1079: Mr. LANGEVIN.
 H.R. 1134: Mr. McCOTTER.
 H.R. 1177: Mr. JOHNSON of Georgia, Mr. AUSTRIA, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. OLSON, Mr. PAULSEN, Mr. CHAFFETZ, Mr. COFFMAN of Colorado, Mr. ROE of Tennessee, Mr. FLEMING, Mr. GALLEGLY, Mrs. SCHMIDT, Mr. SCHOCK, Mr. HARPER, Mr. THOMPSON of Pennsylvania, Mr. HELLER, Mr. YOUNG of Alaska, Mr. HUNTER, Mr. LEE of New York, Mr. LANCE, and Mr. QUIGLEY.
 H.R. 1205: Mr. ROGERS of Alabama and Mr. STARK.
 H.R. 1237: Ms. RICHARDSON and Mr. ELLSWORTH.
 H.R. 1283: Mr. OWENS.
 H.R. 1396: Mr. CARTER.
 H.R. 1443: Mr. ELLISON.
 H.R. 1499: Mr. TURNER.
 H.R. 1526: Ms. CORRINE BROWN of Florida and Ms. BERKLEY.
 H.R. 1552: Mr. OWENS.
 H.R. 1584: Mr. CRENSHAW.
 H.R. 1596: Mr. NEAL of Massachusetts.
 H.R. 1618: Mr. GARAMENDI.
 H.R. 1623: Mr. PASCRELL.
 H.R. 1653: Ms. WOOLSEY.
 H.R. 1806: Mr. CLAY, Mr. ELLSWORTH, Mr. SHULER, Mr. MOLLOHAN, Mr. DEFAZIO, Mr. DAVIS of Illinois, and Mr. NYE.
 H.R. 1815: Mr. PENCE and Mr. COBLE.
 H.R. 1869: Mr. COURTNEY.
 H.R. 1894: Mr. FORBES.
 H.R. 1956: Mr. MURPHY of Connecticut.
 H.R. 1977: Mr. CONYERS.
 H.R. 1987: Mr. MURPHY of New York.
 H.R. 1990: Mr. COLE and Mr. KANJORSKI.
 H.R. 2006: Ms. FUDGE, Mr. KLEIN of Florida, and Mrs. DAVIS of California.
 H.R. 2119: Mr. SCHOCK and Mr. CRENSHAW.
 H.R. 2149: Mr. HALL of Texas.
 H.R. 2190: Mr. INSLEE.
 H.R. 2194: Mr. SPRATT.
 H.R. 2214: Ms. MCCOLLUM.
 H.R. 2262: Mr. COHEN and Ms. TITUS.
 H.R. 2324: Ms. LINDA T. SANCHEZ of California, Ms. SPEIER, Mr. WEXLER, Ms. HARMAN, Mr. MARKEY of Massachusetts, and Ms. SLAUGHTER.
 H.R. 2365: Mr. JACKSON of Illinois.
 H.R. 2429: Mr. HALL of Texas, Mr. MELANCON, and Mr. JACKSON of Illinois.
 H.R. 2452: Mr. BUTTERFIELD.
 H.R. 2478: Mr. REICHERT.
 H.R. 2480: Mrs. NAPOLITANO and Mr. CROWLEY.
 H.R. 2492: Mr. BOUCHER.
 H.R. 2548: Mr. HODES.
 H.R. 2565: Mr. CARNEY.
 H.R. 2641: Mr. BRALEY of Iowa.
 H.R. 2672: Mrs. BLACKBURN, Mr. NYE, Mr. SMITH of Nebraska, and Mr. BOOZMAN.
 H.R. 2709: Mr. QUIGLEY.
 H.R. 2743: Mr. REICHERT and Mr. NEAL of Massachusetts.
 H.R. 2859: Ms. ROYBAL-ALLARD.
 H.R. 2866: Mr. ROGERS of Michigan and Mr. CASSIDY.
 H.R. 2964: Ms. RICHARDSON and Mrs. BLACKBURN.
 H.R. 2987: Ms. SCHAKOWSKY.
 H.R. 2991: Mr. CLAY, Mr. SCOTT of Virginia, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Ms. WATSON, and Ms. RICHARDSON.
 H.R. 3019: Mr. STUPAK and Mr. WALDEN.
 H.R. 3042: Mr. HIGGINS.
 H.R. 3043: Mr. LEWIS of Georgia, Mr. KUCINICH, Mr. PETERSON, Mr. PASTOR of Arizona, and Mr. BERMAN.
 H.R. 3077: Mr. STUPAK.
 H.R. 3131: Mr. FORTENBERRY and Mr. DENT.
 H.R. 3140: Ms. GRANGER and Mr. SMITH of Nebraska.
 H.R. 3147: Mr. CLAY.
 H.R. 3149: Ms. FUDGE and Mr. MICHAUD.
 H.R. 3227: Mr. PAULSEN.
 H.R. 3249: Ms. MATSUI.
 H.R. 3310: Mr. FORBES and Mr. LINDER.
 H.R. 3315: Mr. DEFAZIO.
 H.R. 3402: Mr. BUYER.
 H.R. 3431: Mr. TAYLOR.
 H.R. 3439: Mr. COSTELLO.
 H.R. 3441: Mr. OWENS.
 H.R. 3463: Mr. SOUDER.
 H.R. 3485: Mr. TIERNEY.
 H.R. 3488: Mr. HODES.
 H.R. 3615: Mr. OWENS.
 H.R. 3654: Mr. LINCOLN DIAZ-BALART of Florida.
 H.R. 3720: Mr. CARNEY.
 H.R. 3745: Mr. FARR.
 H.R. 3757: Mr. FORBES.
 H.R. 3758: Mr. DAVIS of Kentucky, Mr. JACKSON of Illinois, Mr. TIAHRT, Mrs. McMORRIS RODGERS, Mr. SMITH of Nebraska, Mr. MINNICK, Mr. WAMP, Mr. HASTINGS of Washington, Mr. WOLF, Mr. HELLER, Mr. HALL of Texas, Mr. TERRY, Mr. GERLACH, Mr. MARIO DIAZ-BALART of Florida, and Mr. HINCHEY.
 H.R. 3784: Mr. LEE of New York.
 H.R. 3790: Mr. MOORE of Kansas, Mr. FORBES, Mr. TERRY, and Mr. CHILDERS.
 H.R. 3812: Mr. POLIS.
 H.R. 3838: Ms. BALDWIN.
 H.R. 3904: Ms. ZOE LOFGREN of California and Mr. HALL of New York.
 H.R. 3930: Mr. FRANK of Massachusetts, Mr. LEWIS of Georgia, and Mr. DOGGETT.
 H.R. 3943: Mr. HASTINGS of Florida, Mr. BOCCIERI, Mr. CARNAHAN, Mr. SMITH of Nebraska, Mr. MASSA, Mr. ETHERIDGE, Mr. MCNERNEY, Mr. MCGOVERN, and Mr. FORBES.
 H.R. 3947: Mr. BRALEY of Iowa.
 H.R. 3948: Mr. HASTINGS of Florida.
 H.R. 3966: Mr. FRANK of Massachusetts.
 H.R. 3974: Mr. BOUCHER and Mr. JOHNSON of Georgia.
 H.R. 4037: Mr. SABLAN.
 H.R. 4067: Mr. HINOJOSA, Mr. PATRICK J. MURPHY of PENNSYLVANIA, Mr. MASSA, Mr. VAN HOLLEN, and Mr. MATHESON.
 H.R. 4089: Mr. SMITH of Nebraska, Mr. MORAN of Kansas, and Mr. BOCCIERI.
 H.R. 4102: Mr. WU.
 H.R. 4108: Ms. MATSUI.
 H.R. 4110: Mr. JONES, Mr. POE of Texas, and Mr. SIMPSON.
 H.R. 4114: Ms. BALDWIN.
 H.R. 4116: Ms. ROYBAL-ALLARD, Mr. PAULSEN, Mr. MURPHY of Connecticut, Mr. PIERLUISI, Ms. EDWARDS of Maryland, Ms. LEE of California, Mr. PLATTS, Mr. HODES, and Mr. ABERCROMBIE.
 H.R. 4117: Mr. OWENS.
 H.R. 4127: Mr. SOUDER.
 H.R. 4128: Mr. CONYERS, Mr. MORAN of Virginia, Mr. MCGOVERN, Mr. BLUMENAUER, Mr. SHULER and Mr. CAO.
 H.R. 4130: Mr. CONYERS, Mr. FILNER, and Mr. TANNER.
 H.R. 4147: Mr. CROWLEY.
 H.R. 4160: Ms. HIRONO.
 H.R. 4161: Ms. HIRONO.
 H.R. 4163: Mr. DEFAZIO.
 H.R. 4165: Mr. SMITH of Washington, Mr. INSLEE, Mr. REICHERT, and Mr. DANIEL E. LUNGREN of California.
 H.R. 4167: Ms. ESHOO.
 H.R. 4168: Mr. PATRICK J. MURPHY of Pennsylvania.
 H.R. 4177: Mr. ALEXANDER, Mr. BRIGHT, and Mr. ROSS.
 H.R. 4183: Mr. OLVER.
 H.R. 4196: Mr. COURTNEY, Mr. MILLER of North Carolina, Mr. SABLAN, Mr. HARE, Ms. DELAURO, Ms. BORDALLO, Mr. RYAN of Wisconsin, Mr. GRIJALVA, Mr. LOEBSACK, Ms. NORTON, Ms. MOORE of Wisconsin, and Ms. FUDGE.
 H.J. Res. 61: Mr. QUIGLEY.
 H. Con. Res. 213: Mr. BERMAN and Mr. HINOJOSA.
 H. Res. 35: Mr. JOHNSON of Illinois.
 H. Res. 55: Mr. STUPAK, Mr. MURPHY of Connecticut, and Mr. BRALEY of Iowa.
 H. Res. 677: Mr. PAULSEN.
 H. Res. 732: Mr. MCCAUL, Mr. ROHRBACHER and Mr. SIRES.
 H. Res. 860: Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. HIGGINS, and Ms. DEGETTE.
 H. Res. 864: Mr. SNYDER, Mr. COOPER, Mr. MELANCON, Ms. HERSETH SANDLIN, Ms. SUTTON, Ms. MARKEY of Colorado, Mr. SHULER, Mr. MOORE of Kansas, Mr. BOYD, Ms. KOSMAS, and Mr. TANNER.
 H. Res. 898: Mr. SESTAK.
 H. Res. 905: Mr. CHANDLER, Mr. ETHERIDGE, and Ms. BORDALLO.
 H. Res. 907: Mr. DOYLE.
 H. Res. 911: Mr. SCALISE, Mr. BACHUS, Mr. LATTI, Mr. ISSA, Mr. POSEY, and Mr. DREIER.
 H. Res. 925: Ms. RICHARDSON.
 H. Res. 940: Ms. GIFFORDS and Ms. BALDWIN.
 H. Res. 945: Mr. HERGER and Mr. SOUDER.
 H. Res. 946: Mr. KISSELL, Mr. HARE, Mr. WEINER, Mr. MASSA, Mr. SCOTT of Virginia, Mr. MICHAUD, and Mr. CLEAVER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative FRANK of Massachusetts, or a designee, to H.R. 4173, the Wall Street Reform and Consumer Protection Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

NOTICE

*Incomplete record of House proceedings.
 Conference Report will appear in Book II.*