United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

*Vol. 156* WASHINGTON, THURSDAY, JULY 1, 2010 *No. 101*

# *Senate*

The Senate was not in session today. Its next meeting will be held on Monday, July 12, 2010, at 2 p.m.

# *House of Representatives*

THURSDAY, JULY 1, 2010

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

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*July 1, 2010.*

I hereby appoint the Honorable JESSE L. JACKSON, Jr. to act as Speaker pro tempore on this day.

NANCY PELOSI,
*Speaker of the House of Representatives.*

## PRAYER

Reverend Bradford Braley, First Presbyterian Church, Cedar Falls, Iowa, offered the following prayer:

Great and gracious God, we gather today from north and south and east and west as representatives chosen to lead Your people. As we approach the 234th anniversary of the birth of this great Nation, we ask You to rekindle the spirit of independence which values and respects each person's freedom.

Reignite the spirit of unity that overcame sharp differences of opinion to form these United States. Renew a spirit of interdependence which seeks the common good of all above personal preferences.

Inspire a sense of awe and wonder at the bountiful resources of this land, and in light of the environmental tragedy in the Gulf of Mexico, may we humbly dedicate ourselves to preserving and protecting those resources. Guide these leaders in their work today, and in the days to come, that our Nation's example of democracy and compassion may be a beacon of hope to all the world. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. HEINRICH led the Pledge of Allegiance as follows:

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

## WELCOMING REVEREND BRADFORD BRALEY

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

There was no objection.

Mr. BRALEY of Iowa. Mr. Speaker, it is always a privilege when a member of your district, a constituent, gets to deliver the prayer to open the House day. It's also a rare privilege when that individual happens to be your personal pastor. But, Mr. Speaker, no one knows better than you what a rare privilege it is when that person is also a member of your family.

I am extremely proud to have my brother here to deliver the opening prayer. This is an important week in his life because this is also the 30th anniversary this week of his ordination as a Presbyterian minister. He is the Pastor of First Presbyterian Church in Cedar Falls, Iowa. He has also served churches in Nevada and Ida Grove, Iowa. He got his Divinity Degree from the University of Dubuque Theological Seminary in my district.

He's been a great role model to me and my family and has been an inspiration to the parish where he has served because of his community leadership, including a very long and strong action in leading the CROP Walk to help take care of needy people throughout this world. For that reason I am honored to have him here today. I appreciated the inspiring remarks he shared with us.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

## WALL STREET REFORM AND CONSUMER PROTECTION ACT

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

Mr. HEINRICH. Last night, I hosted a telephone town hall with thousands of New Mexicans to discuss what we've been doing to reform Wall Street and to protect and empower consumers in the marketplace. During the town hall, several constituents contacted my office for help with their own financial problems like unfair spikes in their credit card interest rates. Just like these callers, all New Mexicans have been negatively impacted by the years without accountability for Wall Street banks and big corporations that caused the financial hardship that we're dealing with today.

Our working families and our small businesses deserve better. That's why I was proud to vote for the Wall Street Reform and Consumer Protection Act yesterday. This legislation will rein in the Wall Street banks and their big bonuses and put an end to taxpayer bailouts and the idea of ''too big to fail.'' I'm hopeful the Senate will quickly pass this bill so that Wall Street banks will again be held accountable. Hardworking New Mexicans deserve no less.

## MAIN STREET ON THE HOOK FOR MANHATTAN'S WALL STREET

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, the House passed a financial regulatory bill, which shows Washington liberals once again how out of touch they are with the needs of hardworking Americans. Small business owners and community bankers across South Carolina will be adversely impacted by this bill.

Justin Strickland, president of Southern First Bank in Cayce, and father of former House floor page Justin Strickland, Jr., said that ''this bill adds 30 new regulations that will severely limit the ability of small banks to extend credit to South Carolinians.'' Hal Stevenson, CEO of Grace Outdoor in Columbia, explains that this big bank bailout discourages lending to small businesses and reduces job creation. Calling this a reform bill is insulting when it fails to address the giants in the financial collapse, Fannie Mae and Freddie Mac. Failing to tackle these two cancerous entities is like going in for surgery and keeping the giant tumor in place.

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

## POSSIBLE LAWSUIT AGAINST ARIZONA'S NEW IMMIGRATION LAW, SB 1070

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

Mr. MITCHELL. Mr. Speaker, I am troubled by recent press reports suggesting that the Justice Department has decided to sue to block Arizona's new immigration law, SB 1070. I believe this is the wrong direction to go. I believe the administration's time and efforts would be much better spent securing the border and fixing our broken immigration system. If there's one message that Washington should receive from the enactment of SB 1070, it is that Arizonans are fed up with waiting for the Federal Government to address this vitally important issue.

A lawsuit won't solve the problem. It won't secure the border and it won't fix our broken immigration system. Neither will boycotts, which are shortsighted and detrimental to our economic recovery. The only thing that protracted litigation will do is once again demonstrate to Arizonans that Washington just doesn't get it. It will embolden those on all sides who prefer to grandstand and score political points, instead of working toward real solutions. Arizonans are tired of grandstanding and tired of waiting for real help from Washington.

## KYRGYZSTAN CONSTITUTIONAL REFERENDUM

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

Mr. PITTS. Mr. Speaker, a couple of weeks ago, there was ethnic violence occurring in the emerging Republic of Kyrgyzstan. Today, there is good news about how that nation is progressing towards democracy. On Sunday, the people of Kyrgyzstan held a referendum on the new constitution. Ninety percent voted to establish a new parliamentary government. This would make Kyrgyzstan the only nation in the region to shift its balance of power from an authoritarian style of government to representative democracy.

Despite the recent violence, the interim government was able to conduct the referendum as scheduled and undertook heroic efforts to include as many citizens as possible, with two-thirds of the eligible voters participating. Election officials visited hospitals and refugee camps to ensure that the injured and displaced were not denied the right to a ballot.

The government faces many challenges before the general election this fall and much to be done for Kyrgyzstan to establish a stable government that protects the rights of all its citizens. But the referendum is a good start, and the United States should stand by with assistance and support.

## OILSPILL MEANS NEED TO DEVELOP ALTERNATIVE FUELS

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

Ms. SCHWARTZ. As a result of the BP Deepwater Horizon blowout, tens of millions of gallons of oil have polluted the gulf coast. This is the worst environmental disaster in U.S. history. It is also a clarion call to action—an urgent call to develop alternative sources of energy. Without a determined commitment to alternative fuels, we will never end our Nation's addiction to oil, which demands drilling in deeper and more dangerous locations, increasing the potential for other devastating consequences. I've introduced legislation with bipartisan support to encourage the next generation of biofuels—fuels made from living matter like plants and algae. Along with incentives to expand other alternative energy sources and promote energy efficiency, this proposal is exactly what the renewable fuel industry needs to get biofuel facilities built in the United States. New bio-refineries will produce clean energy and create new jobs here at home. The Biotechnology Industry Organization estimates that direct job creation from cellulosic biofuels will create over 200,000 jobs in the next decade. By working with the private sector to advance the next generation of fuels, we can and we should put our Nation on a path to safer, cleaner, domestically produced energy.

□ 1010

## MISGUIDED FINANCIAL REGULATORY REFORM

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

Mr. COFFMAN of Colorado. Mr. Speaker, I rise today to express my profound disappointment that yesterday, the House passed an ill-advised conference report for the financial regulatory reform bill. This legislation will create a permanent bailout fund for financial institutions. It neglects to reform or place any safeguards on two of the main culprits in this ongoing mess, Fannie Mae and Freddie Mac; and the Federal Government guarantees more than $1.7 trillion of their debt.

This misguided bill would create a new government bureaucracy providing unelected Federal bureaucrats the power to determine the types and terms offered by financial products. I have severe reservations about such an action, as it will simply serve to make obtaining credit more unavailable. Finally, this act would be paid for in part by redirecting $11 billion in TARP funds. Unspent TARP funds must be used to pay down the national debt. Instead, this Congress is attempting to utilize these moneys for further increased spending at times when Americans continue to struggle to make ends meet.

I urge the Senate to vote ''no'' on the conference committee report.

## HONORING THE 60TH ANNIVERSARY OF THE KOREAN WAR

(Mr. KLEIN of Florida asked and was given permission to address the House

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

Mr. KLEIN of Florida. Mr. Speaker, I rise today to honor all American veterans and especially those who served in the Korean War. Although it's too often mischaracterized as ''the forgotten war,'' we will never forget the sacrifice of the 294,000 Floridians who put on the uniform and served our country in that conflict. This year we are marking the 60th anniversary of the Korean War which provides us another opportunity to say ''thank you'' to those who fought for the freedoms that we all enjoy.

Once again, our community in south Florida has come together to honor the veterans of the Korean War, and we are dedicating a new memorial in Palm Beach County to make sure these servicemembers and the war they fought are never forgotten. I would personally like to thank Joe Green, the president of our local chapter of the Korean War veterans, for his tireless dedication. Without his hard work, this memorial would not have become a reality; and we owe him a great deal of gratitude.

I personally wake up every day committed to serving those who served our country. Standing with our local veterans is a top priority, and today I am honored to ask the House to remember those who served in the Korean War on the occasion of its 60th anniversary.

## SHOTS ACROSS THE BORDER

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

Mr. POE of Texas. Mr. Speaker, the violence continues to spill across our southern border with Mexico. This week, seven shots from gunfire hit City Hall in downtown El Paso, Texas, in more cross-border violence. City Hall is over a half mile from the Rio Grande border with Mexico. The El Paso Police said stray bullets came from a drug cartel shoot-out in Juarez, Mexico.

In 1911, 99 years ago, stray bullets rained down on Americans from across the border when revolutionary Pancho Villa seized the city of Juarez, Mexico. Those stray bullets wounded Americans and damaged American properties. Bandits raided ranches and attacked border towns. There was lawlessness on the border frontier. History is repeating itself.

But in 1911, President Taft took swift action. He deployed the Cavalry from Fort Bliss to the border and to the areas along the border. They stopped the violence on American lives and property. But today, this administration is missing in action on the border. Meanwhile, the border war continues.

And that's just the way it is.

## DANGERS ON THE ROAD

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, as we celebrate the coming Independence Day holiday, I note with sadness that more American teenagers are killed in auto accidents over the July 4 weekend than any other time of the year. From 1995 to 2006, over 76,000 Americans between 15 and 20 years of age died in motor vehicle crashes, an average of 122 teenage deaths per week.

Parents can't always be in the passenger seat; but we, as a Nation, can help our teens drive safely through graduated driver's license programs which allow young drivers time to develop their skill and road awareness before they receive a full unrestricted license. Graduated driver's license programs save lives. California saw a 40 percent drop in passenger deaths and injuries resulting from crashes involving 16-year-old drivers in the first 3 years after adopting a graduated driver's license program, and other States have seen similar results.

I have introduced bipartisan legislation that would require States to introduce graduated driver's licenses informed by best practices from existing State programs, and I urge my colleagues to support it. I also urge all Americans, especially teenagers, to make an effort to drive safely this weekend.

## CONGRATULATING DAVIE COUNTY'S WHIT MERRIFIELD ON GAME-WINNING RBI IN COLLEGE WORLD SERIES

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

Ms. FOXX. Mr. Speaker, I rise today to congratulate Whit Merrifield of Advance, North Carolina, who brought in the winning run in the 11th inning for the University of South Carolina to win the NCAA's College World Series over UCLA. Merrifield's game-winning hit capped a two-game sweep of UCLA for South Carolina and helped the Gamecocks capture their first-ever College World Series title. The team's coach called his historic game-winning hit ''the biggest hit of his career,'' and I couldn't agree more.

Merrifield, who is the son of Bill and Kissy Merrifield, comes from a family of North Carolina athletes. He played for Davie County High School, was on the 2007 South Carolina/North Carolina All-Star Select Team, hit .400 his senior year at Davie High and .464 his junior year, and was a two-time all-State selection. And after his history-making RBI for the Gamecocks, his family, friends and the people of Davie County, North Carolina, are proud to call him their own.

## OBAMA FAILS TO PROTECT AMERICAN JOBS

(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. Mr. Speaker, an Associated Press poll found that only 36 percent of Americans approve of the President's handling of immigration, and only 42 percent approve of the way he is handling employment. This is no coincidence. Illegal immigration and unemployment are directly linked. There are 15 million unemployed Americans in the United States and 8 million illegal immigrants in the labor force. We could cut unemployment in half simply by reclaiming the jobs taken by illegal workers.

President Obama is on the wrong side of the American people when it comes to immigration. The President should support policies that help jobless citizens and legal immigrants find the jobs they need and deserve rather than not enforce immigration laws.

President Obama has failed to protect American jobs.

□ 1020

## LOUISIANA SEAFOOD IS SAFE

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

Mr. MELANCON. Mr. Speaker, I rise today on behalf of thousands of Louisiana families that have worked tirelessly in the seafood industry to deliver shrimp, oysters, crab and countless varieties of fish to restaurants and markets across this country.

While the news coverage of the BP oil spill is constantly reminding us that we are facing the largest environmental disaster in our Nation's history, it is imperative that we prevent another disaster from developing, that of the death of the Louisiana seafood industry.

I come to the floor today to let you know that Louisiana seafood on the market is safe to eat. There's daily testing, as never before, of all seafood catches, by local, State, Federal experts and scientists.

To aide in this oversight, Congressman BOYD of Florida and I sent a letter to the President requesting that a seafood safety task force be assembled. Their mission would be to further ensure the safety and wholesomeness of gulf-harvested commercial seafood products that are being presently gathered.

Some areas of our coastline are now closed to fishing. These closures are necessary and should underscore our steadfast commitment to consumer safety. But the world must know that approximately 40 percent of our oyster areas are open and harvesting, and 70 percent of our coast remains open to commercial and recreational fishing.

## THE COSTS OF THE IRAQ AND AFGHANISTAN WARS ARE TOO HIGH

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

Mr. DUNCAN. Mr. Speaker, according to both the Congressional Research

Service and the Center for Defense Information, the costs for the wars in Iraq and Afghanistan will reach over $1 trillion by the end of this year. Today we are being asked to approve many billions more in a supplemental war appropriations bill.

There has never been anything conservative about these wars. This is world government at its worst. We have never had any wars in the past with so much waste, fraud, and abuse, and so many billions ripped from the taxpayers by Pentagon contractors. Fiscal conservatives should be the ones most horrified by all this spending.

The worst thing is the loss of young American lives, when Iraqi and Afghani troops should have been doing this fighting. And there's really no telling how much we will have to pay out in future medical and disability costs.

Defense contractors have so many retired admirals and generals to lobby for them that they keep requesting and getting more money. But these wars have gone on far too long already. We should bring our troops and, especially, our rip-off contractors home.

## LONG-TERM BRIDGE PERFORMANCE PROGRAM

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

Mr. SIRES. Mr. Speaker, I rise to bring attention to an important initiative of the Federal Highway Administration called the Long-Term Bridge Performance program. This program is proudly being led by Rutgers Center for Advance Infrastructure and Transportation in New Jersey.

The Long-Term Bridge Performance program is envisioned as a 20-year comprehensive examination of our nation's ''workhorse'' highway bridges.

The team at Rutgers has been inspecting, evaluating and monitoring a representative sample of seven bridges nationwide. These pilot studies are instrumental in gathering reliable information, such as how to maintain safe and satisfactory traffic flow.

The researchers will analyze and apply the data to facilitate improved life-cycle cost and predictive models, better understanding of bridge deterioration, and more effective maintenance and repair plans. Ultimately, this study will promote the safety, mobility, longevity and reliability of our Nation's highways.

As the highway system grows older, it is important to be sure that our Nation's bridges are safe and reliable.

I am proud that Rutgers Center for Advanced Infrastructure and Transportation is leading the way in helping the country tackle its complicated transportation issue.

I ask my colleagues to join me in commending Rutgers University.

## IS ANYBODY LISTENING?

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

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, what were world leaders saying last weekend about their troubled economies?

German Chancellor Merkel: Budget cuts are urgently needed.

Prime Minister David Cameron: Those countries that have big budget deficits like ours have to take action.

The Washington Post headline said: ''President Obama urges G20 nations to spend; they pledge to halve deficits.''

Just like England, the U.S. has a budget deficit that's equal to 11 percent of gross domestic product. While other nations are tightening their belts, Washington is borrowing Chinese money belts.

By year's end, the national debt will reach 62 percent of the GDP, the highest leveled since World War II. The more Washington spends, the more it borrows, the more interest rates, the more taxpayers must spend on interest payments to Chinese and foreign debt holders.

You know, the first rule when you're in a hole, especially a $13 trillion hole, is stop digging. American families understand that just because there are checks in the checkbook, that doesn't mean there's money in the account. And that's the message from Main Street to Wall Street. Is anybody listening?

## AMERICANS CAN'T AFFORD ANY MORE FAILED ECONOMIC POLICIES

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

Mr. CARNAHAN. Mr. Speaker, instead of working together like President Reagan and Speaker O'Neill did in the early eighties to extend the solvency of Social Security, this week the Republican leader announced his plan to raise the Social Security retirement age and decrease benefits for older Americans to pay for the wars in Iraq and Afghanistan. Pay for the wars in Iraq and Afghanistan on the backs of seniors? You've got to be kidding me.

This is the same Republican Party when, in the majority under President Bush, refused to pay for the two wars, and gave tax cuts to the wealthiest Americans, doubling our national debt, and laying the groundwork for the worst financial crisis in a generation.

And some Republicans are still trying to privatize Social Security. Do I need to remind people that personal retirement funds have been wiped out under failed Republican economics?

The other side refuses to work together to create additional jobs and to help those who have lost their jobs.

Despite Republican foot dragging and nay-saying, this year we're on track to create more jobs than were created during the entire 8 years under President Bush.

Missourians simply cannot afford more failed economic policies.

## STOP PLAYING SPY GAMES WITH WESTERN LANDS

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

Mr. REHBERG. Secret documents, clandestine meetings, code words, and secret identities. Despite all of these elements of a dime store spy novel, this isn't fiction. It's the United States Department of the Interior.

Almost 4 months ago a secret memo was discovered. Across the top, where you might see ''top secret,'' it said ''not for release'' instead. It contained secret plans to designate millions of acres across the West as national monuments. My colleagues and I demanded the missing pages, and after nearly 4 months, mum is the word.

Meanwhile, new emails hint at a conspiracy that would be at home in an Ian Fleming novel: meetings with United States Senators to discuss projects, treasured landscapes, contingency plans, complete with maps, fit for a Pentagon war room.

Americans like spy novels, but there's no place for covert policymaking in America. The Department of the Interior should stop playing spy games with Western lands.

## SOCIAL SECURITY BENEFITS

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

Mr. TONKO. Mr. Speaker, I think that the President was right yesterday when he called our friends on the other side of the aisle out of touch.

In my hometown of Amsterdam, New York, there are neighbors who are hurting. In some instances, this recession has eliminated nearly half of their retirement savings. Others have lost their homes.

Despite this downturn and Wall Street's recklessness, Republicans still want to privatize Social Security. They want to create a casino economy and play Russian roulette with our hard-earned retirement savings.

Most of the seniors in Amsterdam have worked hard and have played by the rules their entire lives. Social Security, which they have paid into their entire working life, is their crucial safety net and financial security. Let's not gamble it away to appease Republicans, Wall Street, and big banks.

Just a few days ago, the leader of the other side suggested slashing Social Security benefits and using those funds and savings to pay for the war in Iraq and the war in Afghanistan. Enough is enough.

Democrats in Congress are standing up for seniors and fighting to protect Social Security, to create jobs here at home and to support small business as the engine of job growth.

Mr. Speaker, I will continue to fight for seniors because they are deserving of the respect that they have earned.

## FREE TRADE AGREEMENTS

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

Mr. DREIER. Mr. Speaker, while the President chose yesterday to engage in a strident, harsh, vitriolic attack on us, I'm going to respond by complimenting him.

At the G20 meeting I was very gratified to see that the President came forward and said that we could create good private sector jobs right here in the United States of America if we were to proceed with ratification of the U.S.-South Korea free trade agreement. It will, in fact, Mr. Speaker, be the largest trade agreement in the history of the world.

Now, some critics would say that calling for its renegotiation or delaying a vote until a lame duck session would be the wrong thing to do. But I will say that I believe anything that we can do to move in that direction is a positive.

One cautionary note: There are two pending trade agreements with both Panama and Colombia that were negotiated before the U.S.-South Korea Free Trade Agreement was completed. Millions and millions of consumers who would like to have the opportunity, Mr. Speaker, to purchase U.S. goods and services right here in our hemisphere are denied that opportunity.

If we proceed with the U.S.-South Korea Free Trade Agreement as the President has called for us to do, we must also proceed immediately with the Panama and Colombia free trade agreements as well.

□ 1030

## 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. 1228, by the yeas and nays; H.R. 2340, de novo; and H. Res. 1460, de novo.

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

## HONORING VETERANS OF HELICOPTER ATTACK LIGHT SQUADRON THREE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1228) honoring the veterans of Helicopter Attack Light Squadron Three and their families, 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 gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, as amended.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 22, as follows:

[Roll No. 415]

YEAS—410

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

NOT VOTING—22

Boustany
Clay
Cummings
Delahunt
Engel
Flake
Frelinghuysen
Gutierrez
Hoekstra
Lewis (GA)
Moran (VA)
Payne
Rodriguez
Rush
Sanchez, Loretta
Serrano
Skelton
Speier
Velázquez
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1056

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.

## SALMON LAKE LAND SELECTION RESOLUTION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2340) to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in

partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, as amended.

The Clerk read the title of the bill.

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

The question was taken.

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

RECORDED VOTE

Mr. COHEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 410, noes 0, not voting 22, as follows:

[Roll No. 416]

AYES—410

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

NOT VOTING—22

Boustany
Cummings
Delahunt
Engel
Flake
Gutierrez
Hinojosa
Hoekstra
Klein (FL)
Lewis (GA)
Moran (VA)
Napolitano
Payne
Rodriguez
Sanchez, Loretta
Schrader
Skelton
Thompson (CA)
Velázquez
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1103

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 416, had I been present, I would have voted "aye."

Mr. THOMPSON of California. Mr. Speaker, on July 1, 2010, I was unavoidably unable to cast my vote for rollcall 416 due to an important meeting with a constituent. Had I been present, I would have voted "aye."

## RESULTS OF CONGRESSIONAL WOMEN'S SOFTBALL GAME

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise to share some news with the Members of the House.

Members of the House, we thought it only right to continue our efforts to have the women show up the men. Our bipartisan congressional women's softball team had another amazingly successful softball game to raise money for the Young Survival Coalition. It was our second annual game.

In the last 2 years, we have raised more than $80,000 for the Young Survival Coalition. We think that is not bad for 49 years of a congressional baseball game and 2 years of a congressional women's softball game to do pretty well in that time.

This year we got smart and decided to play women that were maybe a little less athletic and a little older than the team we played last year, and we played the Capitol female press corps. We were doing great until the sixth inning. Then a couple of us got a little tired, and we had a couple of ringers that we were concerned the press brought in. But, in fairness, they did a fantastic job, even though we lost 13–7.

Congratulations to the press team. The press team did a fantastic job. They were devoted and dedicated and worked hard.

I yield to my colleague.

Mrs. EMERSON. We look forward to challenging them again next year. However, I think that we have to make a rule that no interns get to play, because they were quite a bit younger than us, in spite of the fact we thought we would have a level playing field.

Nonetheless, the important thing is, number one, we worked together as a team. We proved that we could totally do something that was nonpolitical and that brought us all together. We bonded, and I think it makes for very important friendships in this place.

Ms. WASSERMAN SCHULTZ. We won for five innings.

Mrs. EMERSON. I will say that next year our practices will begin even earlier.

We want to also thank our coaches here in the House, ED PERLMUTTER, JOE DONNELLY, JOE BACA, KEVIN BRADY and SANDY LEVIN. Thank you all very much for helping. Most importantly, thank you to the Speaker and the Minority Leader and everyone else for being there for us.

Ms. WASSERMAN SCHULTZ. We will see you at the third annual congressional women's softball game next year.

## SUPPORTING NATIONAL POLLINATOR WEEK

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

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1460) recognizing the important role pollinators play in supporting the ecosystem and supporting the goals and ideals of National Pollinator Week.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CARDOZA) that the House suspend the rules and agree to the resolution.

The question was taken.

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

RECORDED VOTE

Mr. TONKO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 412, noes 0, answered ''present'' 1, not voting 19, as follows:

[Roll No. 417]

AYES—412

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

ANSWERED ''PRESENT''—1

Culberson

NOT VOTING—19

Carnahan
Delahunt
Flake
Gutierrez
Herger
Hoekstra
Kennedy
Lynch
Payne
Radanovich
Richardson
Rodriguez
Sanchez, Loretta
Sarbanes
Skelton
Velázquez
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1115

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.

## PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably detained and missed the first series of votes in the House Chamber today. Had I been present, I would have voted "yea" on rollcall votes 415, 416 and 417.

## PROVIDING FOR CONSIDERATION OF H.R. 5618, RESTORATION OF EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2010, AND WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1495 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1495

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5618) to continue Federal unemployment programs. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of July 3, 2010.

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

Mr. CARDOZA. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman

from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 1495.

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

There was no objection.

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

Mr. Speaker, House Resolution 1495 provides for consideration of H.R. 5618, the Restoration of Emergency Unemployment Compensation Act of 2010, under a closed rule. The resolution provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The amendment printed in the Rules Committee report shall be considered as adopted. The resolution waives all points of order against the bill as amended. The resolution provides one motion to recommit with or without instructions. Finally, the resolution allows for certain resolutions reported from the Committee on Rules to be considered the same day they are reported. The resolution applies the waiver to any resolution reported through the legislative day of July 3, 2010.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1120

Mr. CARDOZA. Mr. Speaker, as we all know, our country is facing enormous troubles like we have not seen since the Great Depression. At the national level, there is clear evidence that some of the actions that the Democratic Congress have taken are, in fact, working. The economy is again growing, and employers are starting once again to hire.

In 2009, we saw the Nation's GDP grow by 2.8 percent in the third quarter, representing the biggest 6-month turnaround in our economy since 1980. In each successive quarter, we have continued to see positive GDP growth. Since the end of 2009, we have created jobs every single month; and in the last 3 months alone, we have created an average of over 300,000 jobs per month. This is a dramatic change in direction from when President Obama took office and the economy had previously been shrinking at minus 5.4 percent and we were losing jobs at an average of 726,000 jobs per month under the Bush administration.

However, although our economic indicators continue to show that we are making significant progress towards recovery, this does not mean that we are out of the woods yet by any stretch of the imagination. We know that all too well in many pockets of the country, including my own district in the Central Valley of California, the recovery continues to lag well behind the national economic picture. In far too many areas of the country, businesses continue to shed payroll, job losses continue to mount, and hardworking families across America continue to struggle.

Mr. Speaker, as I said, we have not seen times like this since the Great Depression. These are extraordinary circumstances, and they call for extraordinary measures. Despite what my friends on the other side of the aisle may say, what people who are struggling right now need is a hand up; and this Democratic Congress, despite all the obstacles from the other side of the aisle and the other body, will continue to reach out and try to assist Americans with that hand up.

Mr. Speaker, H.R. 5618 would retroactively restore the emergency unemployment compensation benefits and restore funding for the extended benefits program through the month of November of this year. It would also ensure that States do not cut the level of regular unemployment benefits when they receive these extended Federal benefits, and it would protect workers from having their benefits cut if they experience intermittent earnings which requalify them for regular State unemployment benefits. Without the sort of help provided by this bill, more people will lose their homes, fall behind on their bills and be unable to feed their families. There is a very real risk that the economic crisis could get worse, not better, if we pull the safety net out from under the 1.7 million Americans that are facing these economic conditions right now.

Mr. Speaker, never before in our history has Congress allowed extended unemployment benefits to lapse when the unemployment rate was anywhere close to 10 percent; yet here we are again trying to extend this critical program to keep food on the table for millions of households, including millions of American children across this great Nation simply because the other side of the aisle repeatedly can only say ''no.''

The current emergency unemployment compensation program began to phase out at the end of May, and many of those now losing benefits have only received 26 weeks of regular State-provided unemployment compensation or one of the first tiers of Federal benefits. This means individuals exhausting their 26 weeks of unemployment benefits are not eligible for emergency unemployment benefits at all. This bill will retroactively restore those benefits and continue them and the program through November.

Without this extension, as I said before, an estimated 1.7 million individuals who have lost their jobs will lose their unemployment benefits by July 3. Mr. Speaker, that's no way to celebrate America's independence holiday. This includes well over 300,000 people in California, where our unemployment level is over 12 percent, well above the national average of 9.3. In my own district, the unemployment rates are much higher than even that. In fact, we have numbers that are near the 20 percent mark; and I have in my district the fourth, fifth and sixth highest unemployment rates in my counties in the country.

Nearly every economist will tell you that cutting off unemployment benefits will undermine the economic recovery by suppressing consumer demand at a critical time when we should be enhancing it, and by exacerbating problems, like the home foreclosure crisis that plagues many areas of our country.

I want to thank the gentleman from Washington (Mr. MCDERMOTT) for bringing this bill forward and for his steadfast commitment to America's hardworking families. It is vitally important that we pass this bill and provide the much-needed help that our constituents need during these trying times.

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

Ms. FOXX. I thank my colleague from California for yielding time, Mr. Speaker, and I yield myself such time as I may consume.

I rise in opposition to this closed rule which rewrites H.R. 5618, the Restoration of Emergency Unemployment Compensation Act and provides martial law/same-day authority for any resolution reported from the Rules Committee through Saturday, July 3.

This bill has been rushed through Congress, avoiding committee action. When the Democrats, who are in charge, brought the bill up before the House for consideration on June 29, it failed to garner the necessary two-thirds majority required for passage. There was bipartisan opposition to this bill.

But why are our colleagues rushing this through? The Senate is not meeting, except to honor Senator Byrd. They know the bill is going nowhere. They say ''extraordinary circumstances require extraordinary measures'' and that the economic crisis is going to get worse if we don't pass this. But this bill is going nowhere, and they know it. They want to be able to go home and say, We voted to extend unemployment benefits and that Republicans voted ''no.''

Well, Republicans want to reduce the deficit; and if the underlying bill had been offset with reduced spending elsewhere, Republicans would have supported it. But it is not. Instead, Democrats are relying on budgetary tricks to avoid their own PAYGO rules. They are waiting until the last minute to address important issues and labeling the cost as ''emergency spending'' so they don't have to account for it in terms of our spending rules.

Frankly, the need for this bill in the first place is a direct admission of the failure of the Obama-Pelosi policies because the many spending bills, which

have already been passed, have failed to create the jobs promised by Speaker PELOSI and President Obama. So they're admitting by saying, We have to extend unemployment benefits, that all the spending has failed. Economists on both sides of the political spectrum are expressing concern over the fiscal health of the U.S. Government. Yesterday, CBO said, ''Our debt is now 62 percent of GDP, up 20 percent in 2 years''—the 2 years when Democrats controlled all of Congress and had a Democratic President—and it's the ''highest since World War II.''

□ 1130

Congress cannot continue this spending spree. We're simply living beyond our means, and I fear the consequences of our actions are not far off.

Here are a few lines from an article written by John Goodman on June 28 entitled How Bad is Our Fiscal Crisis?

''Already, we've seen some local governments declare bankruptcy. Expect more of that. In the next several years I believe some very large cities are going to announce they cannot pay their bills. State governments will be next. Whereas local governments can declare bankruptcy, State governments can only default. A default by the State of California seems almost inevitable.

''But is it conceivable that the U.S. Government could default? Actually, yes. Every projection shows the gap between spending and tax revenues rising through time.

''Two years ago the first of the baby boomers started claiming early retirement under Social Security. Next year they'll start signing up for Medicare. Before they're through, 78 million people will quit working, quit paying taxes, quit contributing to our retirement system and start drawing benefits instead.''

That's the end of Mr. Goodman's quote.

The underlying bill adds $34 billion to our ever-increasing debt. When Democrats passed their only unemployment insurance extender bill that was offset by other spending cuts last November, the administration hailed it as a ''fiscally responsible approach to expanding unemployment benefits,'' adding that ''fiscal responsibility is central to the medium-term recovery of the economy and the creation of jobs.''

The cost of extending the Democrats' unemployment insurance policy is growing because their failed stimulus bill has not created the promised jobs. Democrats predicted their trillion-dollar 2009 stimulus bill would create 3.7 million jobs. Instead, the debt has grown by $2 trillion, and nearly 3 million more private sector jobs have been eliminated since then.

Democrats promised unemployment would remain under 8 percent if their stimulus passed. Yet it remains stuck near 10 percent today. A total of 48 out of 50 States have lost jobs since the stimulus passed.

However, our colleagues keep spending and keep ignoring economic realities. That is totally irresponsible.

I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, I understand that the gentlelady and her party don't understand what's happening in Middle America. They don't appreciate what's happening to folks like in my district. They may not hang out in places like my family's bowling alley, where a person who loses their job, and 20 percent of my constituents are nearly out of work, there isn't jobs around every corner. She may have plenty of jobs in her home State. She may not have to worry about that for her constituents.

But in my world, Mr. Speaker, when someone who comes to our bowling alley loses their job, they have nothing else. They don't have the Wall Street bonuses. They don't have the big pension, retirement systems, and the big 401(k) set-aside. They don't have the situation that so many of us need.

We have to provide a safety net for these people, these hardworking Americans.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. There are some numbers that bear reflection right now that came out of the marketwatch.com report today that the Labor Department estimates 3.3 million people could lose extended unemployment benefits by the end of July if they're not renewed. And all together, 9.2 million people were collecting some type of unemployment benefits in the weekend of June 12.

It goes on to say that the 4-week average of initial claims rose by 3,250, to 466,500, the highest level in almost 3 months. And then it says the claims data, however, had little impact on the U.S. stock market.

So there's a separation between Wall Street, which is still doing well, because the taxpayers bailed out Wall Street, and Main Street, which, in many places across the country, is falling apart.

Now, I've traveled my district at countless meetings and events, parades and church services, festivals; and I hear the same thing. People are calling out from crowds asking for help. And this unemployment compensation issue is huge because people are having trouble putting food on the table.

We're going to give them a lecture about the budget? Who among us, if our brother asks for a loaf of bread, we give him a stone instead?

This Congress this afternoon is due to appropriate $33 billion to keep the war in Afghanistan going. And yet the amount of money we're asking here for the unemployed workers of America, for those who are trying to support their families, almost an identical amount, about $34 billion. And we're saying, well, we can't afford that. But you don't hear many people saying we can't afford the war, because the truth is we can't afford the war. We have to afford to put people back to economic sustenance and pass the unemployment compensation bill.

Ms. FOXX. Mr. Speaker, my colleague from California may have been trying to be a little humorous in his comments, but job loss in this economy is very serious business.

The American people are asking this Congress controlled by the Democrats, Where are the jobs?

I yield 5 minutes to my distinguished colleague from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I rise in opposition to the rule and to the underlying bill, but it pains me to do so.

As the RECORD will reflect, I, and most of my colleagues in this body, have supported repeated extensions of unemployment benefits. And as I told my constituents yesterday, I was anxious to do so again.

American families are hurting. This economy is struggling in the aftermath of the worst recession in a quarter of a century. And as my colleague just suggested, this economy is also struggling in the midst of the failed economic policies of this administration and this Congress.

Millions of American families are struggling to make ends meet. Since the passage of the so-called stimulus bill, 2.6 million jobs have been lost, and unemployment hovers near 10 percent.

So I was anxious to be able to come to this floor before heading home for the Independence Day break, having supported an extension of unemployment benefits. But I rise in opposition because I think what the American people expect us to do is what they've been doing at kitchen tables and sitting around desks and small businesses and on family farms, and that is making the hard choices.

We can provide an extension of unemployment insurance benefits in this Congress, and we can make the decisions to pay for it. And I'm sure it is a mystery to millions of Americans that will be looking on as to why we didn't even try. This Democrat majority, after adopting so-called PAYGO rules, after hearing from so-called fiscal conservative Members of the Democrat majority early in this Congress about how we were going to pay for what we spent, has waived their own PAYGO rules to add $34 billion to the national debt. And I just have to think millions of Americans are asking why.

□ 1140

There are any number of actions that we could take, decisions we could make, reordering our priorities to provide for the families at the point of the need here.

The gentleman from Ohio just said that many of us in the minority were saying that we can't afford to extend unemployment benefits. We can afford it. But at my kitchen table when we say we can afford something, it means

we can afford to pay for it. Not just simply—when my wife comes to me and says, I want to make a major expenditure, I say can we afford it? That means can we pay for it. Here it just means getting out the credit card of our children and grandchildren and running up the national debt by $34 billion.

I also rise with a heavy heart in opposition to this bill because we are here extending unemployment benefits again because the economic policies of this administration and this Congress have failed. Would that the economic policies of the so-called stimulus had worked. The President said we needed to borrow about a trillion dollars from future generations of Americans a year-and-a-half ago or unemployment, he said, that was then 7.6 percent, would go over 8 percent. Now it's 10 percent on average around the country, and higher, as has been said, in many jurisdictions.

Remarkably, yesterday the President of the United States goes to Racine, Wisconsin, a place that has a 14 percent unemployment rate, and he made these comments. He said, Things just aren't as bad as they could have been. There could have been a catastrophe. And in that sense, the stimulus worked. The President of the United States yesterday in Racine, Wisconsin, said the stimulus worked. And then remarkably he went on to suggest that the Republican leader in Congress was out of touch.

It's mind-boggling that at a time when so many—I mean what would this administration and this majority say to a father who's been struggling to make ends meet, who has been borrowing money from family members to pay the mortgage because he can't find work? What would he say to the word of the President of the United States that ''the stimulus worked''? What would the single mother say who has been out of work persistently, who has applied for dozens and dozens of jobs, and has gone deeper and deeper in debt during these difficult times? What would she say to word that the stimulus worked?

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

Ms. FOXX. I yield the gentleman 1 additional minute.

Mr. PENCE. The reality is that we have got to bring new ideas to bear on this economy. The American people know what's necessary to get this economy moving again. It's fiscal discipline in Washington, D.C., and it's fast-acting, across the board tax relief for working families, small businesses, and family farms.

What we hear from corporations across this country is that there is over $2 trillion in idled capital. We need to release the inherent power in this economy. We need to restore the confidence of capital markets in our commitment to fiscal discipline in Washington, D.C. And we can do all of that today and meet the needs of families struggling with unemployment.

By passing a fiscally responsible extension of unemployment insurance, we would send a message that we get it. We know people are hurting, we know the policies aren't working, but we want to practice fiscal responsibility. And for heaven's sakes, let's stop saying the stimulus worked. Let's try some new ideas. Let's come together across this aisle and do what's necessary to get America working again.

Mr. CARDOZA. Mr. Speaker, I look at today's Hill newspaper and I look on page 31. And I oftentimes believe that cartoons and political satire speak much more clearly than the words that we can use in big long speeches. And in today's cartoon, although I can't say that it's very funny to the American people who are being affected by it, you see an American citizen bungee jumping off an unemployment benefit bridge. And the elephant in the cartoon, signifying the other party, snips the line as the American's jumping off. And the comment in the caption reads, ''Don't worry, I'm sure you will land on your feet.'' I think too oftentimes we have this situation where we just expect that Americans are going to land on their feet, and we don't care about those who get left behind. That's what my discussion was today.

The gentleman just referred to the President's comments in Wisconsin about Mr. BOEHNER. And I would just refer to those comments that Mr. BOEHNER equated the financial bill that we passed yesterday, the regulatory reform bill that so many Americans are yearning for, he said it was a nuclear weapon to be used on an ant. The problem was an ant. Well, my constituents certainly don't think they were ants until they started being walked over by Wall Street.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. CARDOZA, I thank you for sharing with us what is not a funny anecdotal story or cartoon. I think from your words you are saying to the American people that their predicament is not a cartoon. And it is interesting when one of my colleagues comes to the floor of the House and poses a question, What do we say to the unemployed mother or what do we say to the person who is trying to manage themselves and pay their mortgage? Or what do you say to the caller that called in I believe from Florida this morning on C–SPAN and said he's laid off from a furniture store that closed and he is looking for work. And if I might paraphrase him, he said something about getting off our rears here in Congress and helping him. Why are we blocking his unemployment insurance?

Now, I can quote a lot of statistics, and somebody said something about numbers of individuals who are unemployed. There are double-digit communities with high unemployment, 13 percent, 15 percent, 16 percent, high numbers among our youth in their twenties, recent college graduates, individuals who are likewise looking for work as those who have been employed and are now unemployed.

Ladies and gentlemen, unemployment insurance is the prerogative, it is the owned by the worker who has worked. Unemployment insurance is what this is called. Why do the Republicans want to block it, why do the Republicans in the other body stand against unemployment insurance, this is an outrage. There is no explanation for it.

For the people who can get unemployment insurance, they are paying their mortgage. It churns back into the economy. They are buying groceries. They're paying car payments. Maybe they will have an opportunity to keep a young person in a community college by putting their pennies together. But here we stand today having to go back again because the Republicans had the audacity to vote against unemployment insurance coverage. So to the man who is saying, I'm going out looking for a job every day, to the mother who is saying, I am looking for a job every day, no hope is being given to them. This is not explainable.

So I am on the floor today, because we must go forward on a supplemental. Maybe my colleagues will join me and vote against the war supplemental so we will be able to balance the budget. But if they are not going to be serious about saving money, they cannot stop the vote to help provide unemployment insurance for Americans out of work. We have created 200,000 jobs in the last month; some are public jobs, but you cannot get the private-sector engaged until you begin to see the churning of the overall economy.

The Federal Government is the umbrella for a rainy day. We are in a rainy day. But I have faith in this Nation. We always rise. We are going to rise now. We are going to stand with the unemployed so they can soon get work and we are going to give this money to them today. And I dare my Republican friends to vote against this effort to help our fellow Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair, and to not traffic the well when another Member is under recognition.

Ms. FOXX. Mr. Speaker, I yield 4 minutes to the distinguished ranking member of the Rules Committee, Mr. DREIER.

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

Mr. DREIER. I thank my friend from Grandfather Community, North Carolina, for yielding me the time.

I would like to say that it's very sad and unfortunate that we are here. And, Mr. Speaker, let me say that I believe that it's really unnecessary, really unnecessary for us to be here. Why? Because if we had 17 months ago put into

place a bipartisan vision for economic growth that was utilized very effectively by John F. Kennedy during the decade of the 1960s, and Ronald Reagan during the decade of the 1980s, that's why I call it bipartisan, I am convinced that we would in fact have attained what President Obama promised us would have happened with passage of the trillion-dollar stimulus bill.

□ 1150

You'll recall he said that if that measure passed, that the unemployment rate would not exceed 8 percent and that at this point we would be at an unemployment rate of somewhere around 7.4 percent.

Mr. Speaker, my friend from California is joining in managing of this rule, and he knows very well that we not only don't have a 7.4 percent unemployment rate, we not only don't have an 8 percent unemployment rate as was promised by the President, but we nationally have just under 10 percent unemployment. And tomorrow we're going to be getting numbers which, according to reports, are not going to be terribly positive.

But in our State of California and the area that my friend represents, the unemployment rate is far beyond that. The area I represent in southern California has unemployment in the Inland Empire of right around 14 percent. And I know that it's well in the double digits in the Central Valley of California.

So when I say it should be unnecessary for us to be here, Mr. Speaker, the reason I say it is that if we were to take the bipartisan John F. Kennedy-Ronald Reagan model and use that for economic growth, we could have an unemployment rate which would be significantly less than we are facing today, and we could have a GDP growth rate which would be significantly higher.

Now, what is that model? That model, the one that worked, that actually doubled the flow of revenues to the Federal Treasury during the 1960s and the 1980s, is one which is designed to bring about marginal tax rate reduction to encourage savings and productivity. Now, Mr. Speaker, that's the kind of thing that we should be doing to avoid where we are today facing this continued extension of unemployment benefits.

The notion that somehow those of us who want to put into place pro-growth economic policies aren't concerned about those who are today in need of unemployment benefits is a preposterous argument because we believe very passionately that the level of compassion of a government should be based not on the number of people who have to draw unemployment benefits but based instead on the number of people who do not need to draw unemployment benefits.

That's why we found that over the past 17 months clearly the economic plan, which was put into place by President Obama and Speaker PELOSI and the Democratic leadership, is one that has not met up to what was promised. In fact, from my perspective, it's been an abject failure when you have an unemployment rate that nationally is nearly 2 percent greater than the level that we were promised.

I also believe, Mr. Speaker, that we have an opportunity that emerged from the discussion that took place last weekend at the G–20 meeting. That plan that the President—and I congratulate him for putting forward—calls for moving ahead in a lame duck session after renegotiating a U.S.-South Korea free trade agreement. And I look forward to working with my friend, the distinguished chair of the Committee on Ways and Means, on this just as soon as we are able to move forward with it.

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

Ms. FOXX. I yield the gentleman an additional 30 seconds.

Mr. DREIER. I thank my friend for yielding.

Let me say, Mr. Speaker, that I believe that if we were to take that vision of opening up markets when 96 percent of the world's consumers are outside of our borders and pass not only the U.S.-South Korea agreement but right here in this hemisphere, if we were to pass the Panama and Colombia agreements, which were negotiated before the South Korea agreement was put into place, we would have tens of millions of new consumers. In Colombia alone, 40 million consumers. American jobs could be created for Caterpillar, John Deere, Whirlpool. Other great U.S. companies could create U.S. jobs.

And I hope very much, Mr. Speaker, that we're able to put those kinds of pro-growth policies into place so we don't have to face what we're facing today.

Mr. CARDOZA. Mr. Speaker, I would like to inquire how much time each side has remaining.

The SPEAKER pro tempore. The gentleman from California has 16 minutes remaining. The gentlewoman from North Carolina has 14¼ minutes remaining.

Mr. CARDOZA. Mr. Speaker, I would just like to respond to my colleague from California by saying that the gentleman is once again talking about the long-term questions—whether we need tax cuts or whether we need to have more stimulus. All of those things are open to debate.

What is not open to debate is the fact that 1.7 million Americans today and over the next 3 days and over the last few weeks have lost their unemployment benefits. That is an emergency. That's why we have emergency spending provisions. We have to take care of those Americans who will not be able to feed their families, pay their mortgage payments. That's why we have an unemployment insurance compensation program, to protect those Americans when they find themselves in this kind of a situation.

We can have the other debates on other days. And we certainly have had and we will have. But on today's question of whether we're going to extend those benefits, we need to have the Republicans join us in supporting the American people, in supporting those out-of-work folks.

Mr. Speaker, at this time I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend from California for yielding.

Mr. Speaker, there's been discussion on the floor of the long term. For the long-term unemployed in this country, the long term happened yesterday, or today, actually, the first of the month when the rent comes due and you can't pay it or your mortgage comes due and you can't pay it. They're living in the long term right now, and they need some help. And I think that considering this bill today is the right thing to do.

I do want to reference the remarks which preceded me a few minutes ago by my friend from California, the senior member of the Rules Committee, about how, had the Congress embarked on the path he suggested early in 2009, that the economy would be so much stronger. And he is a fierce and articulate advocate of that point of view. But let's examine what that point of view is and what its track record is.

The gentleman from California argued for cuts in marginal tax rates, mostly distributed to people at the top end—not all, but mostly. He argued for deregulation of the domestic markets and for a policy that pursues that goal. That is a quite accurate description of the economic policies of the administration of President George W. Bush. They cut marginal tax rates—mostly at the upper end of the scale—almost all at the upper end of the scale. They engaged in a systematic practice of deregulation of Wall Street and other industries. And it yielded, quite frankly, the worst economic downturn since the Great Depression.

Were those policies the sole cause of that? Of course not. Is what the American people need a rehashing of that failure? Of course not.

The American people need a policy that will grow jobs, and although the jobs are growing much more slowly than I think any of us hoped, the reality is the economy shed 8½ million jobs following the policy that my friend from California would like us to go back to; and it has gained just over a million jobs since the beginning of this year. Those are the facts.

Ms. FOXX. Mr. Speaker, I yield myself 5 minutes.

Our colleagues across the aisle are saying yes, what the American people want is to see jobs and they keep asking where are the jobs. We keep being told that these failed policies passed by this administration and this Congress

are going to produce jobs. That is not the case.

They like to tout the May employment report issued by the Bureau of Labor Statistics which appears to be positive with the addition of 431,000 new jobs. However, 412,000 of those new positions are for temporary government census workers. In other words, 96 percent of May's job growth will be eliminated in just a few weeks. That's almost half of the jobs that my colleague from New Jersey wants to point out.

The June unemployment rate we believe, as my colleague from California said, will edge up to 9.8 percent from 9.7 percent in May. But they keep bragging about how effective they've been at providing jobs.

□ 1200

The bottom line is, since February 2009, with Democrats in charge of Congress and the White House, more than 3.3 million jobs have been lost in the private sector. The Federal Government has gained more than 590,000 jobs over the same period. I hate to tell you, but the government jobs don't provide a viable solution in helping get the economy back on its feet. Government jobs are supported by tax dollars, and that tax burden is ultimately borne by the entrepreneurs and small businesses that are the engines of economic growth. Further strain on these employers will not help facilitate a healthy economy over the long term.

Now, my colleague from New Jersey just talked about a myth that our colleagues continue to perpetuate, which is about how many jobs were lost in the Bush administration and about how many jobs were gained.

Mr. Speaker, I would like to insert into the RECORD a piece by Keith Hennessey.

This is a fairly new Democratic claim about job creation. Our colleagues are really searching for ways to justify their terrible policies; but as Mr. Hennessey points out, the Democrats are picking their time frames very carefully. They ignore the 4 million jobs lost during the first 11 months of a Presidency that is, so far, 16 months old. What they don't point out is the fact that President Bush inherited a recession and that their statistics, again, are totally unfounded.

If you will look at the Bureau of Labor Statistics' payroll survey that was done in 2001 to mid-2003, you will see a steady employment decline, followed by a steady, strong, and sustained period of job growth for almost 4 years.

This is the chart put out by Keith Hennessey. He notes that, in the 46 months that we had job growth in the Bush administration, it is the second longest in recorded history for sustained job creation in the U.S. More than 8 million jobs were created during this period. A mild recession began in late 2007—who was in charge of the Congress at that time? The Democrats. They always fail to mention that—followed by a severe contraction in the second half of 2008 and continuing into the Obama administration.

So this chart shows it very well, and it is very objective, Mr. Speaker. It isn't opinion on my part. It's the numbers. As I said, our colleagues are very, very selective in how they make the comparison.

[From Keith Hennessey.com, June 8, 2010]

THE NEW DEMOCRATIC CLAIM ABOUT JOB CREATION

A new claim about job creation appears to be bubbling up through the Democratic ranks. Here is the clearest statement of that claim, from Rep. Debbie Wasserman Schultz (D-FL) on Stuart Varney's show:

On the pace that we're on, with job creation in the last four months, if we continue on that pace, and all the leading economists say that it is likely that we will, we will have created more jobs in this year than in the entire Bush Presidency.

Ms. Wasserman Schultz is picking her timeframes carefully, in particular by ignoring the four million jobs lost during the first 11 months of a Presidency that is so far 16 months old.

Even today, after five straight months of job growth, three million fewer people are working than when President Obama took office. That's hardly something to brag about.

And looking just at last month's strong net increase of 431,000 jobs, we see that nine out of ten net new jobs were temporary government jobs for census takers. We all hope the pace of private job creation accelerates, but it's too soon to declare this a strong and consistent employment recovery or to project its trend into the rest of the year.

Let me point out one other chart that has been put together, and that is to compare the unemployment over time between administrations, or among administrations, using the average unemployment rate. You will see it is very low under President Johnson at 4.2 percent. Under President Eisenhower, 4.9 percent. The average under President Bush 43, 5.3 percent. The average under President Obama, 9.5 percent.

This is what the American people are interested in. They are asking: Where are the jobs? Why do the Obama administration and Pelosi policies continue to have us lose jobs? Unemployment is at almost 10 percent.

The SPEAKER pro tempore (Mr. SALAZAR). The time of the gentlewoman has expired.

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

I would like to take this time to correct the statistics and the statements that we just heard from my colleague from North Carolina.

My colleague forgets that in the Clinton administration we created—not ''we,'' because I wasn't here—but the Democrats and Mr. Clinton created 22 million new jobs for America.

Mr. Bush, when he took over, did not, in fact, inherit a recession. That recession happened after he was in office, and it was a severe one. We started to come out of that. Again, the Bush administration policies caused a second recession. When you look at Mr. Bush's term of office, there were some jobs created; but they were not private-sector jobs, as the gentlelady is so fond of talking about. In fact, if you look at the statistics, there were no new private-sector jobs created during the Bush administration. When Mr. Bush left office, he left a recession that was shedding 750,000-plus jobs a month.

When the good lady from North Carolina talks about the fact that there have been job losses during the Obama administration, many of those are the carryovers. You don't turn around the economy overnight. Mr. Obama can't flip a light switch and create the jobs overnight. It took time to get the policies in place to start bringing the country out of the Bush recession. In fact, in the last 3 months, we have averaged 300,000-plus jobs instead of losing 750,000 a month under the last few months of the Bush administration.

This rewriting of history, this total denial of the economic policies that got us into this mess, is something that, frankly, the American people understand very well. The 20 percent of the population which are unemployed in my district right now understand that very well. The 30 percent of my constituents who have lost their homes to foreclosure understand who got them into this situation. I think that we will, in fact, see a situation where the American people will judge what is going on here.

We will have to work hard to create more jobs in the future. As I said before, we are going to debate those policies. There have been discussions on tax cuts and on the stimulus. The statistics tell us that the average American has not paid this low of a percentage of his taxes in quite some time, since Mr. Truman was in office, I believe it is.

So I believe that there are significant facts that we need to set straight here, facts which represent a positive side of the ledger to my party and to the policies we are advocating.

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

Ms. FOXX. Mr. Speaker, it is not we Republicans who are rewriting history. It is our colleagues on the other side of the aisle.

I will point out once again that Republicans were in charge of the Congress during 6 of the 8 years of Mr. Clinton's administration, and that is when we had the job growth—when Republicans were making the policy here. Mr. Obama did promise to create the jobs. He promised that unemployment would not go above 8 percent. He made lots of promises. As far as I've been able to see, none of the good ones have been kept.

Mr. Speaker, I yield 3 minutes to my distinguished colleague from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentlewoman for the time.

Mr. Speaker, I was listening intently to the debate. I must say that the people in my district would not recognize

the America that has been described by the gentleman from California. They would not believe that the economy is moving up. They would not believe that jobs are being created. They would not believe that they have low taxes. Frankly, they believe all of the opposite because that is what their reality is.

All of us have been home in our districts, as have I. All of us, I hope, have polled our constituents, both informally and formally. I find what my constituents say in my district is similar to what I see in the national polls.

The number one thing they are concerned about are jobs. They are concerned about good jobs, permanent jobs. They understand the agony of those who are unemployed and of those who are having difficulty, if not discovering the impossibility, of finding prospects for jobs at the present time; and we understand that on this side, though the other thing my constituents have said to me over and over again is, while ''jobs'' is the number one issue, the number two issue is the spending, which is out of control by this Congress.

So I hear my friends on the other side of the aisle who say we have an emergency in terms of the unemployment benefits running out. I understand that. Yet what my constituents are telling me and what Americans are saying all over the country is that there are at least two emergencies. Jobs, yes, are an emergency; but spending, out-of-control spending, irresponsible spending by this Congress under this Democratic leadership is a major concern to them.

Under this rule, we can't deal with both emergencies. We can only deal with the question of jobs in the unemployment compensation arena, but we are prohibited from dealing with how you pay for the government spending here. That's what we have been asking for. Deal with the second emergency so that you don't have further people unemployed for years and so that you don't impose your debt on my children and my grandchildren so that they will not have the prospect of jobs in the future.

□ 1210

It is not original with me, but it often has been said the best social welfare program is a job. While we want to have unemployment insurance to cushion people, to transition people from a period of employment to unemployment to employment, that is not the prospect we want for them short-term or long-term. What we want is creation of jobs, and the irresponsibility of this administration and this Democratic leadership in not facing up to the fact that our persistent irresponsibility in not paying our bills is something that exacerbates the problem—

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

Ms. FOXX. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. DANIEL E. LUNGREN of California. So as I hear the people on the other side of the aisle try and say, look, Republicans are those Scrooge-like people who are not concerned about people who are unemployed, let me just say we have people unemployed as well as you do in your districts. We have friends and family members who are suffering under this. We understand that. But we also understand they are saying at the same time, when you pass legislation in the Congress that costs money, find a way to pay for it. Find a way to pay for it.

You can be both for creation of jobs as well as being responsible in the carrying out of our duties. That is all we are saying. Don't promise the American people a free lunch, and don't say, well, we will think about that in the future, because we have got to think about spending right now.

Now, I understand this rule doesn't allow us to do this. The leadership on the Democratic side doesn't want to face up to the concerns we have. We are not even going to have a budget. But at some point in time we have to stand up for what is right, and we can do two things at once.

Mr. CARDOZA. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), a member of the Ways and Means Committee.

Mr. DOGGETT. I thank the gentleman.

This rule makes it possible for us to consider today a supplemental appropriations bill that contains some vital support for public education across America.

Now, most schoolchildren learn that 3 plus 3 equals 6. Last year, the schoolchildren of my State of Texas received an unfortunate lesson in State Republican math. In Texas, 3 plus 3 only equaled 3. How is that?

Well, last year, Texas received more than $3 billion in State Stabilization, economic recovery, or stimulus funds designated for our local school districts, for our schoolchildren. But by exploiting ambiguous language, for every dime of Federal support in State Stabilization moneys that went to Texas, the State took away money that it had already committed for the same purpose. So instead of a historic boost in local school support, our schoolchildren were left no better off than if we had not passed the Economic Recovery Act with these provisions at all. The $3 billion more made no difference for our local schools.

Congressional support for our local school districts reflects a two-fold understanding. First, that our local districts know best what the needs of their students and their teachers and administrators are. Second, that especially in times of a difficult economy, we need to invest in public education. A solid education is the foundation on which our economy and our democracy rests.

Now, our Texas Republican leadership disagreed with both those propositions. They balanced the State budget with Federal economic recovery funds at the same time our Governor was out talking about secession and attacking the economic recovery, much as we have heard this morning.

I am hopeful that this supplemental appropriation will include specific language for Texas made at the request of our Texas Democratic Congressional delegation to ensure that this never happens again.

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

Mr. CARDOZA. I yield the gentleman an additional 30 seconds.

Mr. DOGGETT. To ensure that any money that goes for teachers and public education in Texas actually goes to improve our schools and the lives of our schoolchildren.

Earlier this month, statewide groups representing teachers, principals, school boards and school administrators joined about 40 superintendents from across the State to endorse this approach. Through this bill today, with specific language for Texas, we can ensure that our goals last year are achieved and we do something at this difficult time to address the needs of our Texas teachers and our Texas schoolchildren.

I hope this rule can be adopted in order to approve this important language.

Ms. FOXX. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Republicans want to help the long-term unemployed, but agree with the American people that new spending needs to be offset by cuts otherwise.

During the Rules Committee markup of the Democrats' H.R. 5618, Mr. HELLER from Nevada offered a Republican amendment in the nature of a substitute which was not made in order by a vote of two to seven. This fiscally responsible alternative would have extended unemployment insurance, COBRA, and the current poverty guidelines until September 25th, and paid for it with unused funds from the failed stimulus bill.

Again, the bill before us extends Federal unemployment benefits only through November 2010 and is not paid for, adding its $34 billion price tag to our $13 trillion debt.

Democrats claim their bill satisfies their PAYGO requirements by declaring it is spending in an emergency. But that is simply an excuse for not paying for it. Let me tell you how an emergency is defined in their rules.

In general, the criteria to be considered in determining whether a proposed expenditure or tax change meets an emergency designation includes, one, necessary, essential, or vital, not merely useful or beneficial; two, sudden, quickly coming into being and not building up over time; three, an urgent, pressing, and compelling need requiring immediate action; four, unforeseen, unpredictable, unanticipated, and not permanent, but rather temporary in nature.

We have known about this for a long time. This does not meet the criteria for emergency spending. Declaring it emergency spending is just a gimmick. It is a way to not have to comply with PAYGO. In fact, there are 160 spending programs already exempt from PAYGO or operating under special rules.

You know, just because our colleagues say that it is so, doesn't make it so. Saying that it is PAYGO compliant doesn't mean that there is an offset to it. So our colleagues are very clever in the way they say things.

President Obama said in February 2010, Now Congress will have to pay for what it spends, just like everybody else. After a decade of profligacy, the American people are tired of politicians who talk the talk but don't walk the walk when it comes to fiscal responsibility.

Both the President and our colleagues across the aisle are talking out of both sides of their mouths. They go out and announce that they are making something PAYGO compliant, but they don't. Rather than face facts and support sound economic policies like lowering taxes and reducing regulatory burdens, the Democrats continue to advocate misguided policies that expand the government's control and increase the Nation's debt.

This is not the way to create jobs. The American people continue to ask the question, where are the jobs? Mr. Speaker, this bill is not going to create the jobs, and I urge my colleagues to vote ''no.''

Mr. Speaker, the President has said that every economist that has looked at his stimulus plan and all the plans that he has put forth agree with him.

□ 1220

But let me quote Carnegie Mellon economist Allan H. Meltzer, in an article in the Wall Street Journal op-ed June 30: Why Obamanomics Has Failed. ''The administration's stimulus program has failed. Growth is slow and unemployment remains high. The President and his friends and advisers talk endlessly about the circumstances they inherited as a way of avoiding responsibility for the 18 months for which they are responsible. Two overarching reasons explain the failure of Obamanomics. First, administration economists and their outside supporters neglected the longer-term costs and consequences of their actions. Second, the administration and Congress have, through their deeds and words, heightened uncertainty about the economic future. High uncertainty is the enemy of investment and growth.''

Economists get it, Republicans get it, and the American people get it. It's high time the Democrats wake up to the fact that the stimulus isn't working as promised. We need to cut government spending, repeal nonsensical regulations, and lower taxes. We should not be passing this extension without an offset in spending.

I urge my colleagues to vote ''no'' on the rule, and ''no'' on the bill. Let's answer the question the American people are asking, Where are the jobs? Let's put in policies that really create jobs.

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

Mr. CARDOZA. Mr. Speaker, I would like to close today by discussing a little bit of what the gentlelady just talked about with regard to PAYGO. I'd like to point out that I'm quite sure that the gentlelady from North Carolina did not vote for the PAYGO resolution in the House rules that we passed at the beginning of this Congress, nor did she vote for statutory PAYGO. They have always talked about tax cuts as the answer to all of America's problems. We could take the tax cut to zero and my, wouldn't we pay for government well?

The reality is that they only want to pay for things that affect common folks—the common Americans that get up every day, put their shoes on, and just want a job to make a living and pay for their family, pay for their home, and earn a better life. They don't want to pay for the tax cuts for the Wall Street big shots. They never want to pay for that. They don't want the PAYGO rules to apply to them.

As I said before in this debate, I grew up in my parents' bowling alley. I saw firsthand what happened to those folks—those hardworking American folks that would come into my parents' establishment just wanting a little bit of fun on a Friday or Saturday night. I saw what happened when they lost their job. They lost their home, they couldn't feed their family. Families disbanded because of the stress and tension under those economic situations.

My colleagues on the other side of the aisle voted against, for the most part, the financial regulatory reform bill. They were protecting their friends on Wall Street, the very people that got us into this calamity. Thirty percent of my constituents—around that—have lost their home to foreclosure because of the financial collapse that was caused by the greed on Wall Street. Yet my colleagues on the other side of the aisle continue to defend them. But, for the most part, they will not vote for emergency funding to put food on unemployed workers' tables or to allow them to keep their homes in this time of crisis. I say that it's not all of them because on June 29, 2010, 30 courageous Republicans voted with the Democrats—the 231 Democrats—to extend unemployment benefits and to protect those workers who have lost their job in this economic situation.

Mr. Speaker, I can't sit here today and tell you that every policy that we've put in place since Mr. Obama has been in place has worked as well as I'd like. Frankly, I've been critical on a number of issues that I thought the administration could have done a better job. But I will tell you that when it comes time to taking care of Americans who are in an emergency situation, who have lost their job for no fault of their own but for the fact that the economic situation was a tsunami that swamped them, it is our party who is standing up to make sure that those workers can survive for another day. And for those workers, this absolutely is an emergency.

Mr. Speaker, no one can legitimately doubt that the situation we face right now is an emergency for the American people who are unemployed. And until our economy is firmly on track and moving forward, I believe we must provide help for those unemployed workers to pay their bills and feed their families. If not, we risk falling further into a further economic crisis and we risk leaving way too many families behind.

Mr. Speaker, I urge all Members to support this rule and to support the underlying bill. I urge a ''yes'' vote on the previous question, and on the rule.

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

The previous question was ordered.

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

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

Mr. CARDOZA. 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, this 15-minute vote on House Resolution 1495 will be followed by 5-minute votes on suspending the rules with regard to House Resolution 1321, if ordered; and House Resolution 1405, if ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 189, not voting 12, as follows:

[Roll No. 418]

YEAS—231

| | | |
|---|---|---|
| Ackerman | Connolly (VA) | Gordon (TN) |
| Altmire | Conyers | Grayson |
| Andrews | Cooper | Green, Al |
| Arcuri | Costa | Green, Gene |
| Baca | Costello | Grijalva |
| Baldwin | Courtney | Gutierrez |
| Barrow | Critz | Hall (NY) |
| Bean | Crowley | Halvorson |
| Becerra | Cuellar | Hare |
| Berkley | Cummings | Harman |
| Berman | Dahlkemper | Hastings (FL) |
| Berry | Davis (AL) | Heinrich |
| Bishop (GA) | Davis (CA) | Herseth Sandlin |
| Bishop (NY) | Davis (IL) | Higgins |
| Blumenauer | Davis (TN) | Himes |
| Boccieri | DeFazio | Hinchey |
| Boren | DeGette | Hinojosa |
| Boswell | Delahunt | Hirono |
| Boucher | DeLauro | Hodes |
| Boyd | Deutch | Holden |
| Brady (PA) | Dicks | Holt |
| Braley (IA) | Dingell | Honda |
| Brown, Corrine | Doggett | Hoyer |
| Butterfield | Donnelly (IN) | Inslee |
| Capps | Doyle | Israel |
| Capuano | Driehaus | Jackson (IL) |
| Cardoza | Edwards (TX) | Jackson Lee (TX) |
| Carnahan | Engel | Johnson (GA) |
| Carney | Eshoo | Johnson, E. B. |
| Carson (IN) | Etheridge | Kagen |
| Castor (FL) | Farr | Kanjorski |
| Chandler | Fattah | Kaptur |
| Chu | Filner | Kennedy |
| Clarke | Foster | Kildee |
| Clay | Frank (MA) | Kilpatrick (MI) |
| Cleaver | Fudge | Kilroy |
| Clyburn | Garamendi | Kind |
| Cohen | Gonzalez | |

Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Maffei
Maloney
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wilson (OH)
Wu
Yarmuth

NAYS—189

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

NOT VOTING—12

Baird
Edwards (MD)
Ellison
Hoekstra
Lynch
Moran (VA)
Payne
Rodriguez
Wamp
Welch
Woolsey
Young (AK)

□ 1253

Messrs. GALLEGLY, NUNES, SESSIONS, POSEY, and KLINE of Minnesota changed their vote from ''yea'' to ''nay.''

Messrs. COHEN and CLEAVER changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## AFFIRMING SUPPORT FOR A STRONG ALLIANCE WITH THAILAND

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1321) expressing the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, as amended.

The question was taken.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 411, noes 4, not voting 17, as follows:

[Roll No. 419]

AYES—411

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
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
Mitchell
Mollohan
Moore (KS)
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)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano

Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

NOES—4

Herger
Johnson (IL)
Minnick
Paul

NOT VOTING—17

Baird
Edwards (MD)
Ellison
Hodes
Hoekstra
Lynch
McCollum
McDermott
Melancon
Moore (WI)
Moran (VA)
Payne
Rodriguez
Wamp
Welch
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1302

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

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: ''Affirming the support of the United States for a strong and vital alliance with Thailand.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. McDERMOTT. Madam Speaker, on rollcall No. 419, I was detained and missed the vote. Had I been present, I would have voted "yea."

## CONGRATULATING 17 AFRICAN NATIONS ON 50TH ANNIVERSARY OF INDEPENDENCE

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1405) congratulating the people of the 17 African nations that in 2010 are marking the 50th year of their national independence, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, as amended.

The question was taken.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 410, noes 0, not voting 22, as follows:

[Roll No. 420]

AYES—410

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

NOT VOTING—22

Baird
Capps
Crowley
Dicks
Edwards (MD)
Ellison
Foster
Gutierrez
Hodes
Hoekstra
Lynch
McCollum
Mitchell
Moran (VA)
Payne
Polis (CO)
Rodriguez
Shimkus
Wamp
Welch
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1309

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.

Stated for:

Mr. CROWLEY. Mr. Speaker, I was absent for one rollcall vote. If I had been here, I would have voted ''yes'' on rollcall vote 420.

## PERSONAL EXPLANATION

Mr. ELLISON. Mr. Speaker, on July 1, 2010, I inadvertently missed rollcall Nos. 418–420, but had I been present I would have voted "yes" on all three votes.

□ 1310

## RESTORATION OF EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2010

Mr. LEVIN. Mr. Speaker, pursuant to H. Res. 1495, I call up the bill (H.R. 5618) to continue Federal unemployment programs, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1495, the amendment printed in House Report 111–519 is adopted, and the bill, as amended, is considered read.

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

H. R. 5618

*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 ''Restoration of Emergency Unemployment Compensation Act of 2010''.

**SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.**

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking ''June 2, 2010'' each place it appears and inserting ''November 30, 2010'';

(B) in the heading for subsection (b)(2), by striking ''JUNE 2, 2010'' and inserting ''NOVEMBER 30, 2010''; and

(C) in subsection (b)(3), by striking ''November 6, 2010'' and inserting ''April 30, 2011''.

(2) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking ''June 2, 2010'' each place it appears and inserting ''December 1, 2010''; and

(B) in subsection (c), by striking ''November 6, 2010'' and inserting ''May 1, 2011''.

(3) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''November 6, 2010'' and inserting ''April 30, 2011''.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (D), by striking ''and'' at the end; and

(2) by inserting after subparagraph (E) the following:

''(F) the amendments made by section 2(a)(1) of the Restoration of Emergency Unemployment Compensation Act of 2010; and''.

(c) CONDITIONS FOR RECEIVING EMERGENCY UNEMPLOYMENT COMPENSATION.—Section 4001(d)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended, in the matter preceding subparagraph (A), by inserting before ''shall apply'' the following: ''(including terms and conditions relating to availability for work, active search for work, and refusal to accept work)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Continuing Extension Act of 2010 (Public Law 111–157).

**SEC. 3. COORDINATION OF EMERGENCY UNEMPLOYMENT COMPENSATION WITH REGULAR COMPENSATION.**

(a) CERTAIN INDIVIDUALS NOT INELIGIBLE BY REASON OF NEW ENTITLEMENT TO REGULAR BENEFITS.—Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by adding at the end the following:

''(g) COORDINATION OF EMERGENCY UNEMPLOYMENT COMPENSATION WITH REGULAR COMPENSATION.—

''(1) If—

''(A) an individual has been determined to be entitled to emergency unemployment compensation with respect to a benefit year,

''(B) that benefit year has expired,

''(C) that individual has remaining entitlement to emergency unemployment compensation with respect to that benefit year, and

''(D) that individual would qualify for a new benefit year in which the weekly benefit amount of regular compensation is at least either $100 or 25 percent less than the individual's weekly benefit amount in the benefit year referred to in subparagraph (A),

then the State shall determine eligibility for compensation as provided in paragraph (2).

''(2) For individuals described in paragraph (1), the State shall determine whether the individual is to be paid emergency unemployment compensation or regular compensation for a week of unemployment using one of the following methods:

''(A) The State shall, if permitted by State law, establish a new benefit year, but defer the payment of regular compensation with respect to that new benefit year until exhaustion of all emergency unemployment compensation payable with respect to the benefit year referred to in paragraph (1)(A);

''(B) The State shall, if permitted by State law, defer the establishment of a new benefit year (which uses all the wages and employment which would have been used to establish a benefit year but for the application of this paragraph), until exhaustion of all emergency unemployment compensation payable with respect to the benefit year referred to in paragraph (1)(A);

''(C) The State shall pay, if permitted by State law—

''(i) regular compensation equal to the weekly benefit amount established under the new benefit year, and

''(ii) emergency unemployment compensation equal to the difference between that weekly benefit amount and the weekly benefit amount for the expired benefit year; or

''(D) The State shall determine rights to emergency unemployment compensation without regard to any rights to regular compensation if the individual elects to not file a claim for regular compensation under the new benefit year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals whose benefit years, as described in section 4002(g)(1)(B) the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by this section, expire after the date of enactment of this Act.

**SEC. 4. REQUIRING STATES TO NOT REDUCE REGULAR COMPENSATION IN ORDER TO BE ELIGIBLE FOR FUNDS UNDER THE EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.**

Section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by adding at the end the following new subsection:

''(g) NONREDUCTION RULE.—An agreement under this section shall not apply (or shall cease to apply) with respect to a State upon a determination by the Secretary that the method governing the computation of regular compensation under the State law of that State has been modified in a manner such that—

''(1) the average weekly benefit amount of regular compensation which will be payable during the period of the agreement occurring on or after June 2, 2010 (determined disregarding any additional amounts attributable to the modification described in section 2002(b)(1) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438)), will be less than

''(2) the average weekly benefit amount of regular compensation which would otherwise have been payable during such period under the State law, as in effect on June 2, 2010.''.

**SEC. 5. PROCEDURES.**

Section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by section 4, is amended by adding at the end the following new subsection:

''(h) PROCEDURES.—Any state with an agreement under this Act shall implement reasonable procedures to—

''(1) ensure that benefits under this Act are not provided to any person who appears on any current list of known or suspected terrorists provided to the State by any government agency;

''(2) ensure that benefits under this Act are not provided to any individual convicted of a sex offense against a minor (as such terms are defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. 16911)); and

''(3) ensure that the State is enforcing requirements under subsection (f) of this section to bar unauthorized aliens from receiving emergency unemployment compensation under this Act.

**SEC. 6. BUDGETARY PROVISIONS.**

(a) STATUTORY PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled 'Budgetary Effects of PAYGO Legislation' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) EMERGENCY DESIGNATIONS.—Sections 2 and 3—

(1) are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g));

(2) in the House of Representatives, are designated as an emergency for purposes of pay-as-you-go principles; and

(3) in the Senate, are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) and the gentleman from Michigan (Mr. CAMP) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. LEVIN).

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

Mr. Speaker, during the rule, a Member of the minority came here regarding the plight of millions of unemployed who were losing their unemployment insurance, saying that he came to the floor with a heavy heart. I think the unemployed and all of America welcome heavy hearts, but if there isn't a helping hand, a heavy heart doesn't work. So, within this framework, I want to list very briefly the basic facts for everyone to consider and for all of our country to hear.

The 1.7 million unemployed workers, unemployed through no fault of their

own and who are looking for work, will have lost their benefits by the end of this week—1.7 million. By the end of next week, if there is not action, 2.1 million. By the middle of July, when Congress can address this issue again, 2.5 million. The average unemployment insurance in this country is about $300 a week. That is about half of the previous wage on average, and for a family of four, that average check is only 74 percent of the poverty level. That should refute the notion that those who are unemployed, who have no benefits, who have lost their jobs through no fault of their own, are not looking for work.

Indeed, the figure is very clear. For every job available, there are five unemployed workers. There is one other fact because this has been raised. It is the notion that this is unfunded. By the way, that is provided as an emergency under statutory PAYGO. Under both Democratic and Republican Congresses, under both Democratic and Republican administrations, UI has been extended on an emergency basis. It is hard to understand how anybody can come to this floor and say for 1.7 million people and their families this is not an emergency. There is no excuse for voting ''no.''

It is said that the Senate is out of session. We must send this so that it is the first item of business they take up when they return.

I will finish with this: it did not pass the Senate last night. The only reason was that there could not be found more than two Republicans to vote for this extension. That is a shame, and it is shameful. We need to, within our ranks in this House, lift that shame off the shoulders of everybody in this institution.

I reserve the balance of my time.

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

Mr. Speaker, I would just say to my friend from Michigan that not even Democrat Senator BEN NELSON supported the bill last night. I know my friend is trying to paint this as a totally Republican issue, but there were Democrat Senators who didn't support the bill, and I mentioned one of them.

Let me just say that I realize this is about Republicans and Democrats who care about the future of this country. Yet it is said that Albert Einstein once defined insanity as doing the same thing over and over again and expecting a different result. Well, that's exactly what the Democrats are doing today—trying to pass, for the third time, an unpaid-for extension of unemployment benefits that the Senate Republicans and Democrats—and the American people—have repeatedly rejected. In fact, just last night, the Senate again said, thanks, but no thanks, to this fiscal insanity. Democrats should put an end to this sham and should pay for this $34 billion spending bill so unemployed Americans can get the help they deserve.

Let me be clear: I support and Republicans have supported extending unemployment benefits, but we must not do so at a cost to the deficit, to the economy, and to future generations. Our inability to get our fiscal house in order isn't just damaging future generations; it is wreaking havoc on job creation today. Surely, if Congress can find money to protect doctors, then we can find money to protect the unemployed.

On Tuesday, the House defeated this same bill, one that would add $34 billion to the deficit under a process that banned any amendments, including any efforts to pay for this bill. Again today, we are on the floor, under a process that bans all amendments. Any attempt for us to offer a way to pay for this legislation is banned under the Democrat autocratic rule of this House.

The only way we can address this issue is to offer a motion to recommit to actually pay for benefits. There is a way to pay for this spending, and it is something we ought to do. Any Member who is serious about reining in the deficit should vote in favor of this MTR. There is an inability or an unwillingness—or both—on the part of the Democrats to pay for this bill. Unemployment benefits have been expired for almost a month, leaving hundreds of thousands of long-term unemployed people without the benefits they need, and that number grows every week.

Let me repeat that fact. Americans are not receiving their unemployment checks because Democrats refuse to pay for these benefits at a time of record Federal deficits.

□ 1320

As I said on Tuesday, the American people know it isn't right to simply add the cost of this spending to our already-overdrawn national credit card. They want us to help those in need, but they also know that someone has to pay when government spends money. That assistance must not put our fiscal house as a nation in even worse shape, and we are already in terrible shape.

The stimulus hasn't worked. In its wake, nearly 3 million private-sector jobs were lost, unemployment soared to 10 percent nationwide, and 48 out of 50 States lost jobs. The American people should not be punished for the failure of the stimulus, and our children and grandchildren should not be punished for the failure of this Congress to act in a fiscally responsible manner.

Even the administration has agreed in the past that paying for unemployment benefits, and I quote, ''is fiscally responsible, and that fiscal responsibility is central to the medium-term recovery of the economy and the creation of jobs.''

That is a quote from the Statement of Administration Policy on a bill last fall extending these same benefits, the only one of eight unemployment extensions so far that was fully paid for.

So let's heed their admonition. Reject this bill, as the Senate already has, and vote to support the unemployed in favor of a fiscally responsible way by supporting the motion to recommit.

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

Mr. LEVIN. It is now my privilege to yield 5 minutes to the chairman of the subcommittee, the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, we are back today to try again to do the right thing for America's unemployed workers and the right thing for our economy.

Two days ago the Republicans in the House voted down a bill to continue unemployment benefits for anyone because they had lost their job through no fault of their own. But just last night the Republicans in the other body followed suit, blocking legislation again that would have restored and continued benefits. Their opposition was based on the fact that we have just heard a long speech about, it wasn't paid for. What a joke. It wasn't paid for.

This is support that is going to hard-working Americans who have played by the rules, paid into the system, and maybe were making $50,000, $60,000 a year a few weeks ago. These people who spend every day looking for work and have sent out hundreds of resumes, many of which are not even responded to, they paid for this by paying taxes in the past. And with five people competing for every available job, they simply cannot find work, no matter how qualified and educated they are, in the worst economy in 70 years.

Republicans seem like they could care less. They claim we cannot afford to help the unemployed. Well, you have to forgive my shock in hearing this, since they had no problem with spending $1 trillion on two wars, not one penny of which was paid for. They voted for all those wars. Now they say they can't afford to help unemployed Americans.

The Bush administration presided over the implosion of the housing market and a world economic collapse. Greece, Ireland, and Iceland, you look around the world, they came in that era, they asked for bank bailouts. I remember Secretary Paulson in here with his one sheet of paper asking for $700 billion, none of it paid for, to bail out banks and insurance companies. And Republicans were happy to provide two massive tax cuts for the wealthy that also weren't paid for. And yet now they say we can't afford to help the unemployed.

Republicans have spent money like kids in a candy store when they were in charge, but now they say there is nothing left for unemployed Americans. Republicans spent years helping Bush turn the largest budget surplus in our Nation's history into the biggest deficit. But today they claim they are defenders of our budget, and they say we can't help the unemployed. They can help them on the top, but they can't help the people on the bottom. They can stand quietly while the bankers pass out bonuses by the billions to

their managers, and we don't have a nickel for the unemployed.

Here is the bottom line: If we fail to act, nearly two million Americans will have lost their unemployment benefits by the end of this week, and that number will grow higher in the weeks to come. More homes will go into foreclosure, because if you don't have money, you don't pay your rent. Consumer demand will decline and more people will permanently be out of the labor force.

All of this is bad for the economy—never mind the unemployed, just think about the economy—and that is ultimately bad for the Federal budget. Not one Democrat in this room, including me, wants to add a cent to the deficit. We don't want to do this. But we also know it is the right thing to do now, helping millions of Americans keep their heads above water while they desperately look for work.

Last night, millions of families in every corner of America had trouble putting dinner on the table because of this foolishness. I don't know how anyone is going to go to a Fourth of July parade or picnic after voting ''no'' on this, but I am sure you will. It is hypocritical and it is callous.

In case you missed yesterday reading The New York Times, I suggest you find a copy and take a look at the editorial. They wrote on unemployment, ''Deficits matter. We all agree on that. But not more than economic recovery and not more urgently than the economic survival of millions of Americans.''

I sincerely hope these words affect somebody in this body. And when you go to that Fourth of July parade, don't be surprised at the response you may get if you vote ''no'' on this.

Mr. CAMP. Mr. Speaker, at this time I yield 3 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Georgia (Mr. LINDER).

Mr. LINDER. I thank the gentleman for yielding.

Mr. Speaker, we are asked to believe that $34 billion in spending in this new bill is an emergency and thus need not be paid for. But since this is the eighth extension of UI benefits in the past 2 years, Members need to ask, can the eighth bill do anything that is still really a budget emergency?

In those two years, and counting the bill before us, we will have spent $125 billion in Federal tax dollars for UI benefits. We have paid for exactly $2 billion of that, and done so by raising taxes on jobs. That is a lot of unpaid-for emergency spending. All because of a bankrupt ideology on the other side that thinks the unemployed are somehow helped more when we use borrowed money to provide benefits than when we cut some other spending to actually pay for them.

In the real world, people set priorities. They buy one thing, but not another, if they can't afford both. But in this House, which can't be bothered to consider a budget even in time of record deficits and debt, setting priorities is far too much to expect.

Yet that sort of priority setting is exactly what we were promised with the Democrats' PAYGO rules. Here is how the President said they would work. ''Now Congress will have to pay for what it spends, just like everybody else. After a decade of profligacy, the American people are tired of politicians who talk the talk but don't walk the walk when it comes to fiscal responsibility.''

Despite that lofty rhetoric, Democrats included an emergency spending trapdoor in their PAYGO rules, so anything that is used to declare an ''emergency'' doesn't have to be paid for.

The gentleman from Michigan, Mr. LEVIN, earlier this week repeatedly said there were no excuses for not supporting this legislation, but excuses and tax hikes are all the other side offers when it comes to actually paying for their spending. What is the excuse for that—that there is not enough spending around to cut? Tell that to one of your constituents over the next week.

□ 1330

Fortunately, the American people are catching on. Last week, leading employers noted the Democrats' policies, including this record accumulation of debt, are hostile to job creation, and more people think Elvis is alive than believe Democrats' trillion-dollar stimulus created jobs. Unemployed workers want real jobs, not 2 years of unemployment benefits. But all this Congress offers is more debt and ultimately more pink slips. That is hardly what the unemployed need.

I urge Members to oppose this bill and insist that any further spending is really paid for. That is the only hope for turning this economy around and actually creating jobs that Americans need.

Mr. LEVIN. I now yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), a member of the Ways and Means Committee.

Mr. PASCRELL. Mr. Speaker, I rise to speak for the unemployed. I've had more calls in my office in the last 2 weeks from those who have run out of benefits. That's a fact of life. The last speaker who talked about the unemployed and that they are better off without us helping them, figure that out. The unemployed are better off when they can put food on the table for their families. The unemployed are better off when they can pay their rent. That's when the unemployed are better off. And that doesn't happen by osmosis.

This legislation is incredibly important because millions of Americans woke up this morning and will not be able to pay their rent, will not be able to pay their electric bill, will not be able to do at the grocery store what needs to be done.

For years, there were policies that placed the extraordinarily wealthy people of this country—the big banks, the well-connected—above seniors, above the middle class, above the American people. Just today, at one of the Financial Crisis Inquiry Commission's hearings, you should have watched it when these guys wiggled in their chairs in answering the questions of the Commission of how we got into this mess.

Look, there's enough blame to go around on both sides. But you guys were in charge—not us. Remember, 8 million jobs, millions of people's retirements lost, because of the recklessness of Wall Street. And we can't dig down and help those people who are unemployed—the extent of the time of unemployment we haven't seen in so many years. But if you go back to 2005, when we were warned of the clouds that were heading towards us, you will remember in those 2 years before that, 2003 to 2005, the average salary and wage went down 1.5 percent.

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

Mr. LEVIN. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. PASCRELL. Thank you, Mr. Chairman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds all Members to address their remarks to the Chair.

Mr. PASCRELL. During that period of time, which was a bellwether for what was going to happen—which was a distant early warning signal—why we couldn't understand where is this money going if everybody's making profits? And then we examined the record. Where was it going? It was going to corporate profits because nobody was watching. There was no oversight.

These unemployed are suffering because of those profits in times where we were starting to tighten our belt and understand what was coming our way. The emergency unemployment compensation program began to phase out at the end of May, so this bill will retroactively restore those necessary benefits.

This is dignity we're talking about. This is a man or woman looking at their families and saying, We are going to eat tomorrow; we are going to pay the electric bill; and we are going to pay the rent. I think this is important and critical.

After two wars and after two massive tax cuts to help the rich—that you never paid for—you have the nerve to tell the unemployed people in this country that you must be wanting to be unemployed. ''I'm sorry, we cannot help you.'' But if you're part of corporate America and you stuck it to the Americans in the middle class of this country and the poor, ''That's all right. We'll find a way to bail you out.''

Let's make sense. Let's be fair.

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

I would say to my friend from New Jersey, we agree this is important.

This is important. This is so important that we believe that we should pay for this. And let me just quote the majority leader, who was on ABC's This Week, said, ''There is spending fatigue across the country.'' His words. And that he's encouraging the administration to look at last year's $787 billion stimulus package to see if some money can be redirected.

I would just say, if this is so important, why not let us offer an amendment to use the unspent stimulus dollars to cut some other wasteful part of government to find some way to pay for this important program.

That's all I say. If we could just get an agreement to offer an amendment to do that and move forward. But no, this bill comes to the floor under the most restrictive rule the House can possibly pass. We cannot offer any amendments. If this is that important, why not let us offer an amendment to find some way to pay for this bill?

At this time I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Louisiana, Dr. BOUSTANY.

Mr. BOUSTANY. Mr. Speaker, I agree with my ranking member's remarks here. The gentleman from New Jersey made a very compelling emotional argument. We all agree that we have to do something. But the American people want us to pay for this. They have been speaking very loudly and very clearly. They're tired of the fiscal irresponsibility.

Now our friends across the aisle here predicted that their trillion-dollar stimulus would create 3.7 million jobs. Since then, what have we seen? Let's look at the record. Debt has grown by $2 trillion and nearly 3 million jobs have been lost, with unemployment hovering just under 10 percent.

I think if our friends across the aisle would take the time and talk to the job creators in this country—the small business owners, the entrepreneurs—what they would find is that these tax-borrow-spend policies are creating tremendous uncertainty for the job creators—small business owners across this country. And these policies are leading to more unemployment and more debt. Look at what the administration is advocating—a job-killing moratorium on exploration for oil in the deep water. This is going to kill potentially a couple hundred thousand jobs on the gulf coast. We need to get back to some real debate on these issues here.

Now what does this bill do? It's $34 billion to extend the unemployment benefits. But it's not paid for. The American people want these policies paid for. And there's no reason why this couldn't have come to the floor with the opportunity for us to amend it and to have a real debate over some of the merits of this amendment of how we can pay for this. It's just not right. More debt, more uncertainty, more unemployment, higher taxes. The American people deserve better.

Mr. LEVIN. I want to read quickly a report from the CBO regarding the recovery program, and I quote:

''It increased the number of full-time equivalent jobs by 1.8 million to 4.1 million compared with those amounts that would have been otherwise.''

I now yield 2 minutes to the distinguished gentleman from Georgia (Mr. LEWIS), a very able member of our Ways and Means Committee.

Mr. LEWIS of Georgia. Mr. Speaker, today we have been given another chance to do what is right for our unemployed brothers and sisters. We must extend unemployment insurance. It is the right thing to do. It is the moral thing to do. It is the compassionate thing to do.

Those of you who have said that the unemployed are lazy or want a hand-out should be ashamed of yourselves. This is not a hand-out. People have paid into the system their whole working lives. The unemployed in this country want to work, they are desperate to work, and we must help them get by.

I challenge each of you who plan to vote ''no'' to come to Georgia. Go into your own districts. I challenge you to look people in the eye and tell them that you voted ''no.'' I challenge you to tell the people that you value ideology more than empathy and compassion for your fellow man.

□ 1340

Tell them as they swallow their pride that you don't care, that you don't have a heart, that you don't have any feeling. Explain to them why you voted ''yes'' for war funding and ''yes'' for tax breaks for the rich but ''no'' for hardworking Americans who have lost their jobs through no fault of their own. It is wrong, just plain wrong.

The time is always right to do what is right. Do not be afraid to be compassionate. Do not be afraid to vote with your heart and your conscience. Vote to extend unemployment, and extend it now. Do it for the people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds all Members to address their remarks to the Chair.

Mr. CAMP. At this time I yield 3 minutes to the gentleman from Nevada (Mr. HELLER), a distinguished Member of the Ways and Means Committee.

Mr. HELLER. I thank the gentleman for yielding.

Last night, Mr. Speaker, I did a telephone town hall meeting in my district with more than 13,000 people on that telephone line with me. Hundreds of them wanted to ask questions. Obviously, I couldn't get to all of them, but of those that I could get to, 50 percent of them wanted to ask about unemployment. One woman said that without an unemployment extension, she wouldn't be able to pay for her car registration, her insurance, and was likely to lose her home soon. She worried about foreclosure and asked, if she couldn't register her car, how was she supposed to look for a job? Others had similar stories about the sacrifices that they needed to make in these tough times.

These same Nevadans also know that the stimulus hasn't worked. President Obama promised no more than 8 percent unemployment. Maybe I'm confused. Maybe he meant 9 percent or 10 percent or 11 percent. Maybe he meant 12 percent, but that doesn't even reach the level of unemployment in my State of Nevada at 14 percent. I even have counties in my district north of 18 percent unemployment.

Now, I'm one of many Republicans who support helping long-term unemployed people and have voted repeatedly to extend these benefits. As I mentioned, the largest county in my district, Washoe County, has 13.3 percent unemployment. Clark County—for decades, the fastest-growing county in my State, home of Las Vegas, two-thirds of the State's population—has an unemployment rate of more than 14 percent. And, as I mentioned, some counties 15 percent, 16 percent, even 18 percent unemployment.

This is unacceptable because these aren't just numbers. These are people. These are families who are hurting, losing their homes, unable to pay their bills, struggling to provide for their children. But even facing these serious problems, Nevadans know that the majority party either doesn't know or can't admit that Obama economics is killing jobs.

Crippling debt is not the answer. The assistance we provide should not put our fiscal house in even worse shape. Members on both sides support helping the unemployed, but many Members oppose adding an additional $34 billion to our $13 trillion mountain of debt, as this legislation does. There is an alternative. Use the unused, failed stimulus money to pay for this extension.

There is a bill at the desk. Pass it, and we can all go home knowing that we have done the responsible thing.

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

Mr. CAMP. I yield the gentleman 1 additional minute.

Mr. HELLER. Thank you.

We can go home, having done the responsible thing and knowing that we have helped all Americans.

Most importantly, it's long past time for Congress to finally get serious about creating jobs. My constituents want paychecks, not unemployment checks. They want startups, not bailouts. And they want hand-ups, not handouts.

Americans are disappointed with a government that has grown so big, promised so much, yet has delivered so little.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are guests of the House and that any manifestation of approval or disapproval of the proceedings is a violation of the Rules of the House.

Mr. LEVIN. Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from Illinois (Mr. DAVIS), a member of the Ways and Means Committee.

Mr. DAVIS of Illinois. I thank the chairman for yielding.

You know, I've been told that if you don't want to do something, any excuse is good enough. And every time I hear my colleagues talk about paying for this and paying for that, I'm reminded of Frederick Douglass, who used to say that he knew one thing, if he didn't know anything else. That is that in this world, you may not get everything that you pay for, but you certainly will pay for everything that you get; and, if you don't pay one way, then you're going to pay another way.

Well, I can tell you that the people who are unemployed have already paid because they've already worked. They've already paid into the system. And I can wonder how we're going to feel when we go to our parades on the Fourth of July, when we're singing patriotic songs—''My country 'tis of thee, sweet land of liberty''—and when we talk about all of the freedoms that we have, we've got 1.7 million people who are free to be broke, who are free to be unemployed, free to be hungry, free to be living in misery, wondering where their next meal is going to come from. How do they pay the rent? How do they keep their kids in school?

Well, I can tell you, I can't believe that we would actually do this. And so any excuse is good enough if you don't want to do it, but let's do the real and the right thing. Let's vote to extend unemployment benefits to those who deserve it.

Mr. CAMP. I reserve the balance of my time.

Mr. LEVIN. Now I am privileged to yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentleman for yielding.

In Cleveland, where I come from, unemployment is devastating our community. People are demanding that their government, our government, recognize the suffering of families who have lost jobs and can't find work. Will Washington tell my constituents and people like them all over America: We have money for war but no money for the unemployed? We have money for military contractors but no money for the unemployed? We have money—billions—for corrupt foreign governments but no money for our unemployed in the United States? We have money for tax cuts for the wealthiest Americans but no money for the unemployed? Hundreds of billions for Wall Street but no money for the unemployed? Instead, the out-of-work poor and middle class, they get lectures on balancing the budget, lectures on pay-fors.

But what else are people supposed to do when they don't have budgets because they don't have money, when they can't pay for food, shelter, clothing? Yes, we need jobs, but people out of work can't find a job, and they have to survive. People need unemployment benefits because they have to pay for their mortgage, their rent, their utility bills, because so many Americans are hanging on by their fingertips.

□ 1350

Some exhort our constituents, Pull yourself up by your boot straps. What if you don't have money to buy boots?

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

What we've been hearing most of today is really a false choice, that we either do this bill unpaid for or do nothing at all. And in a $3 trillion budget, we can't find the $34 billion to pay for this bill?

As I said before, I have supported the extension of unemployment benefits. I've voted for the extension of unemployment benefits. But given the fiscal shape this country is in now, we believe that it's important to offer these benefits and also pay for these benefits so that we don't help today's unemployed at the expense of tomorrow's future job seekers.

And the effect on the debt, and I could go through the litany. Obviously, it didn't start last year. But if you look at what has happened since January of 2009, a $410 billion supplemental that included 8,500 earmarks, a $1 trillion stimulus, a $1 trillion health care bill. We've got hundreds of billions of dollars in unspent stimulus that isn't being returned to the taxpayers that could be redirected to pay for these unemployment benefits that isn't.

So what I hear is, We just need to spend. And this is an important need, but why not let us offer an amendment to find a way to pay for these extended unemployment benefits?

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

Mr. LEVIN. I yield 2 minutes to the distinguished gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the chairman for this opportunity.

Let me just go on record and say, I cannot believe, in the wealthiest country that has ever existed on God's green Earth, that we are having a debate about whether or not we should let 1.3 million people-plus, over the course of the next few weeks, go without unemployment when unemployment's at 10 percent. There's five people looking for every one job, and we can't muster up the courage in this body to pass unemployment benefits?

And our friends on the other side said, Well, this is not an emergency. So all of those folks, over the 4th of July, get your charcoal out, get your grill, go buy your hamburgers and hot dogs and lay them on the grill. Relax, put your flip flops on, put your shorts on, put the sun block on. There's no emergency here. That's what our friends on the other side are trying to tell the 1.3 million people who will go without anything.

And if you think the deficit is bad now, wait till we get another wave of foreclosures, another wave of people who aren't paying their bills, another wave of bankruptcies.

And our friends on the other side have consistently said no. We tried to get money from BP to pay for the oil spill; they said no. We took on the insurance companies; they said no. We took on Wall Street; they said no. We took on the banks; they said no. If you took the word ''no'' out of the dictionary, the Republican Party would be speechless.

GENERAL LEAVE

Mr. LEVIN. 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. 5618.

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

There was no objection.

Mr. CAMP. Mr. Speaker, this debate has shown the length the majority will go to in order to avoid paying for any government spending, even calling the eighth extension of unemployment benefits an emergency. One would hope that even the Congress would see this coming after the first seven times.

We could pass this bill with broad bipartisan support if Democrats would just agree to pay for the spending. Instead, their refusal to pay for these benefits will mean hundreds of thousands of unemployed Americans are losing unemployment benefits at a time when the unemployment rate is nearly 10 percent, and it shouldn't be this way, because this bill is going nowhere.

The American people know we must pay for the spending, and the Senate appears to have heard that message. Just last night the Senate rejected this bill, so it has no hope of being signed into law.

Given the Senate vote, this isn't just an exercise in fiscal irresponsibility; it's an exercise in futility.

The unemployed are facing a personal emergency, and our country's facing an emergency that affects us all and future generations. The mountain of debt this bill will only add to.

If we want to help those who are out of work, let's pass something that might actually pass the Senate and won't increase the deficit, such as the motion to recommit that I'll be offering in a moment.

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

Mr. LEVIN. Mr. Speaker, I yield myself the balance of the time.

I'm glad my colleague from Michigan just spoke, and I think, laid it out very clearly what's before us. He said, this is the eighth time and we call it an emergency.

This is the hurricane season. I assume that if there are eight hurricanes, that, when the damage is done the eighth time, we'll call it for what it is, an emergency.

So the fact that this is the eighth time, first of all, it shows that under

Presidents of both parties we've extended unemployment insurance in an unfunded way, as an emergency. But I think what this shows is that, indeed, it is an emergency for numerous families.

Essentially, the minority is looking for cover. This is an emergency within statutory PAYGO that passed this Congress, so we are following it.

The Senate rejected it last night, short one vote, only because of the death of Senator Byrd, and there were only two Republicans. His position may be filled soon as we mourn him, and then this bill can pass the Senate. And hopefully there will be more than two Republicans, the rest not standing in the way.

There's been some reference here to job loss. I just want to repeat: during the 8 years of the Bush administration, there was a loss of 673,000 private sector jobs. In the first 5 months of 2010 alone, there's been a gain of 495,000 private sector jobs. So, even that excuse won't work, nor the notion of the deficit, when those who are trying to invoke it helped to create most of it.

So I simply want to read some stories, because everybody needs to go home and face people like this. I start with a gentleman from Warren, Michigan:

''I am a U.S. Navy veteran and am trying to get things going, but I need just a little more help.''

And, next, a person in touch with us from Grand Rapids: ''I worked 22 years in automotive, 60 to 70 hours a week, supporting my family, paid my taxes and worked in my community. Every single day I send my resume out, to no avail.'' And I interrupt this quote. Don't say these are people who are not looking for work. That's also an excuse that won't work.

And I continue. He said: ''I've lost my home and one vehicle and my sense of the ability to take care of my family.''

And now a person from Madison Heights, Michigan.

□ 1400

''We depend on unemployment to help pay our house payment and our bills. Without that check, we would definitely lose our house.''

And now this person from Fraser, Michigan. And there are people like this throughout the country. ''As of June 2,'' and I quote, ''I will no longer be collecting unemployment on the emergency extension. I cannot stress to you enough how very hopeless this all is for me and millions of people. I have worked since I was 13, making my own way, served my country in the Vietnam war, raising a family, paying my taxes, and now facing total ruin. What is being done to help people like me in my time of need?'' The answer on the minority side, with a few exceptions, too few, is nothing, a cold shoulder, an excuse.

The next I quote from a person in Sterling Heights, a woman who wrote this: ''My husband is a union electrician, and is about to lose his unemployment. He has always worked, and never been laid off for more than a few months until now. No matter how hard he tries to find work, there is not much work in the building construction in Michigan. This extension can't wait much longer.''

What the minority has been saying, and I hope it won't say today, is the answer for the unemployed is you will wait, and you will wait, and you will wait. The House will pass this, we will send it to the Senate, I hope with some bipartisan support here. It will go to the Senate. And as I said before, I hope as their first regular order of business they will find the 60 votes. To do that, those in the minority will have to rise above politics. For a moment they'll have to put down their political banner and remember the plight of not only 1. 7 million, but their families, and more to be added, while this institution, without bipartisan help, has not responded.

There is only one answer. No excuses. None holds any water. We are holding up the basic, basic elements of life for millions of Americans. We can do better. We must do better. We shall do better in just a few moments.

Mr. STARK. Mr. Speaker, I rise to support restoration of emergency Unemployment Insurance (UI) benefits for the millions of workers who are unable to find work. These benefits should have never been allowed to expire at the end of May. It is a disgrace that Republicans repeatedly block passage of a UI extension.

UI benefits are a lifeline to millions of families struggling to make ends meet. They can be the difference between having a roof over your head and losing your home. Since Republicans blocked legislation to extend UI, over 1.7 million long-term jobless people have lost their benefits, including over 300,000 in my state of California. These individuals want to work. The problem is there are 5 people for every new job. What will happen to these workers and their families whose benefits have run out? What will happen to the people that call my office everyday asking why they are losing benefits? Will Republicans offer them more tax cuts for the wealthy or more subsidies for the oil industry?

Congress has a responsibility to help those impacted by the recession. The legislation (H.R. 5618) before us today allows us to fulfill that responsibility. I urge all my colleagues to side with American workers and support this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to offer my strong support for the passage of H.R. 5618, the Restoration of Emergency Unemployment Compensation Act. Emergency Unemployment Compensation benefits have expired as of June 1st, leaving millions of Americans without the financial lifeline they rely upon. Each week that Congress fails to pass this extension, another 200,000 Americans lose their benefits.

These are not people freeloading off the government. They had jobs, and the years that they worked are reflected in the weeks of benefits they receive. They are also required to look for work in order to receive benefits. With a 9.9% unemployment rate, job prospects remain dismal for the unemployed. With hundreds of applicants for each opening, some hiring managers have even gone so far to exclude the unemployed from applying within their job advertisements.

Without this extension hundreds of thousands of Americans will fall into poverty. Many more will have to make the excruciating choice between basic needs for their family; choices such as going without food or medicine in order to pay the rent or mortgage.

Economists have pointed to the economic value of unemployment insurance benefits. These are dollars that are going back into the market, raising consumption and creating jobs. If we allow millions of Americans to slip into economic peril, it will only serve to hurt the economy and stall the recovery.

This is economically important and ethically important, and I fully support the immediate passage of the restoration of Emergency Unemployment Compensation benefits.

Mr. ETHERIDGE. Mr. Speaker, I rise today in strong support of H.R. 5618, the Restoration of Emergency Unemployment Compensation Act.

H.R. 5618 would extend critical unemployment insurance benefits through November 30, 2010 to help Americans who have lost their jobs through no fault of their own. Without this bill, by July 3, 2010, approximately 1.7 million unemployed workers nationwide will lose their unemployment benefits. In my home state of North Carolina, about 7,200 unemployed workers will lose their unemployment benefits in the same time.

North Carolina has one of the highest unemployment rates in the Nation, and some areas of the Second Congressional District have unemployment rates close to 15 percent. I have voted several times over the past year to extend and improve benefits for folks who are having trouble finding new jobs in the current economic downturn. Extending unemployment benefits will not only help unemployed North Carolinians, but it will also help stimulate the economy and create new jobs. For every $1.00 spent on unemployment benefits, $1.63 is returned in economic growth.

I've heard from thousands of North Carolinians about their struggles in this economy. One woman from Spring Lake, NC said, ''This is so very important! So many families, single moms like myself are just one benefit away from being homeless. Please help the people in your district, because we are at the end of our rope.'' I am sure that this sentiment is shared by folks in districts across the country who just want a little support while they continue to look for jobs as our economy recovers.

Mr. Speaker, this is an emergency for thousands of workers and their families in North Carolina right now. This is an emergency not of their making but the result of eight years of the failed policies of the previous administration. I will continue to fight to make sure every North Carolinian who is willing to work hard can make the most of his or her God-given abilities. Extending this economic lifeline is the right thing to do for workers, and the right thing to do to keep our economy on track for recovery. I urge my colleagues to join me in strong support of our hardworking Americans.

Mr. CONYERS. Mr. Speaker, I rise in support of the Restoration of Emergency Unemployment Compensation Act which would extend emergency unemployment compensation

and other benefits through November 30, 2010. Our government has an obligation to alleviate the suffering of millions of unemployed during the worst recession since the Great Depression.

Today, unemployment is at alarmingly high levels where in my home State of Michigan it is over 13 percent. The Federal Government has never allowed unemployment benefits to expire when the national unemployment rate was above 7.2 percent. However, Republicans in the Senate have blocked numerous attempts to extend the benefits and even if today's measure passes, the Senate will adjourn, causing thousands more to lose benefits. Furthermore, Republicans have stopped many other job creating bills citing budget concerns, even though they have unquestioned support for indefinite war spending in Iraq and Afghanistan, which recently surpassed the one trillion dollar mark and championed tax breaks for the rich while the unemployed suffer. It appears the Republicans are willing to give a helping hand to every group except the American worker.

Mr. Speaker, the job market is in tatters and it has been found that for every job opening there are five applicants. We simply can no longer wait on extending these vital benefits. I urge my colleagues to support today's legislation.

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

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

Pursuant to House Resolution 1495, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 5618 is postponed.

## CONGRATULATING SOUTH AFRICA ON FIRST TWO CONVICTIONS FOR HUMAN TRAFFICKING

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1412) congratulating the Government of South Africa upon its first two successful convictions for human trafficking, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, 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. LEVIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 414, nays 1, not voting 17, as follows:

[Roll No. 421]

YEAS—414

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

NAYS—1

Paul

NOT VOTING—17

Alexander
Bishop (UT)
Capito
Clarke
Herger
Hoekstra
Linder
Payne
Radanovich
Rodriguez
Scott (VA)
Shea-Porter
Sires
Spratt
Wamp
Woolsey
Young (AK)

□ 1434

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.

## RESTORATION OF EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2010

The SPEAKER pro tempore. Pursuant to clause 1 of rule XIX, proceedings will resume on the bill (H.R. 5618) to continue Federal unemployment programs.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. CAMP. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. CAMP. I am, in its present form.

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

The Clerk read as follows:

Mr. Camp moves to recommit the bill, H.R. 5618, to the Committee on Ways and Means, with instructions to report the same back to the House forthwith, with the following amendment:

Redesignate section 6 as section 7 and insert after section 5 the following:

**SEC. 6. USE OF STIMULUS FUNDS TO OFFSET SPENDING.**

The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) (other than under title X of division A of such Act) is rescinded pro rata such that the aggregate amount of such rescissions equals $34,000,000,000 in order to offset the net increase in spending resulting from the provisions of, and amendments made by, sections 2 and 3. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

Mr. CAMP (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the motion.

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

There was no objection.

Mr. LEVIN. Mr. Speaker, I reserve a point of order on the gentleman's motion.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from Michigan (Mr. CAMP) is recognized for 5 minutes.

Mr. CAMP. Mr. Speaker, this motion to recommit on H.R. 5618 has a provision to pay for the extended unemployment benefits proposed in the underlying bill. We think it is important to help long-term unemployed people, and we want to do it without adding another $34 billion to the Nation's record $13 trillion debt.

We know that the stimulus hasn't worked. In its wake, nearly 3 million private-sector jobs were lost, unemployed soared to 10 percent nationwide, and 48 out of 50 States lost jobs. So this motion to recommit pays for the $34 billion in Federal unemployment costs by cutting that much in unspent stimulus spending.

Only a portion of the $1 trillion stimulus has been paid out, $414 billion as of June 18, as reported by the official Recovery Act Web site. That leaves hundreds of billions of dollars unspent and available to offset this bill.

I would like to quote from the Statement of Administration Policy last November: ''Fiscal responsibility is central to the medium-term recovery of the economy and the creation of jobs. The administration therefore supports the fiscally responsible approach to expanding unemployment benefits embodied in the bill.''

That statement was about the only one of the eight unemployment benefits extender bills so far that was actually paid for. But the same can and should be said about this motion. It is fiscally responsible, and it is central to the recovery of our economy and job creation.

□ 1440

I would also like to read a quote from Speaker PELOSI that appeared in Congress Daily AM on Monday. She said, ''I am hard-put to pass any more initiatives here unless there is some reasonable prospect of success on the Senate side.'' Well, there isn't a reasonable prospect of success on the Senate unless we adopt this motion to recommit. Just last night, the Senate rejected the unpaid-for version of this bill. Rejecting this motion ensures this bill will die in the Senate and that hundreds of thousands of unemployed Americans will continue to go without their unemployment benefits.

I urge all Members to join me in supporting this motion to recommit, which will help today's unemployed workers and improve the future for our children and grandchildren by not adding to our debt.

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

Mr. LEVIN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. Does the gentleman continue to reserve a point of order?

Mr. LEVIN. I continue to reserve.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) is recognized for 5 minutes.

Mr. LEVIN. I want to say briefly, we have already debated this issue. This is not a germane amendment. Also what it is, is an effort to use emergency funds targeted to create jobs to fund emergency unemployment insurance. This is another excuse on the part of the minority that won't work.

If we pass this, this bill will go over to the Senate. Hopefully, it will be their first order of business when they return. Mr. Speaker, 1.7 million have already lost their unemployment insurance. It will be over that by several hundred thousand when they return.

There's a reference here to jobs that are lost. I want to just quickly repeat what was said during the debate. During the 8 years of the Bush administration, there was a loss of 673,000 private sector jobs. And in the first 5 months of this administration, there has been a gain of 495,000 private sector jobs.

We're aware. Not enough has been done. But compared to the Bush years, we have made some progress. And those who are still unemployed should not suffer because of the indifference of the minority. That's what this is all about.

POINT OF ORDER

Mr. LEVIN. I now insist on my point of order that the gentleman's motion is not germane to this legislation.

Mr. CAMP. Mr. Speaker I would like to be heard on the point of order.

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

Mr. CAMP. Mr. Speaker, at a time of record deficits, it should always be germane to consider proposals to offset higher spending. And, in light of the Senate already rejecting an unpaid-for version of this bill just last night, I ask that the Speaker deny the point of order so we can pay for this bill and ensure that unemployed Americans do not continue to go without unemployment benefits.

The SPEAKER pro tempore. The gentleman from Michigan makes a point of order that the instructions proposed in the motion to recommit offered by the gentleman from Michigan are not germane.

One of the fundamental principles of germaneness is that an amendment must confine itself to matters addressed by the bill, and to matters that fall within the jurisdiction of the committees with jurisdiction over the bill.

The bill, as amended, addresses the availability of certain benefits, restrictions on those benefits, and budgetary issues related thereto. Such subject matters do not fall within the jurisdiction of the Committee on Appropriations.

The instructions proposed in the motion to recommit propose an amendment to rescind various unobligated funds contained in a prior appropriation Act. That subject matter falls within the jurisdiction of the Committee on Appropriations.

By addressing a matter unrelated to the issues addressed in the bill, and within the jurisdiction of a committee not represented in the bill, the instructions propose an amendment that is not germane.

The point of order is sustained. The motion is not in order.

Mr. CAMP. Mr. Speaker, I appeal the ruling of the chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. LEVIN. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

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

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

RECORDED VOTE

Mr. CAMP. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of the bill if arising without further proceedings in recommittal.

The vote was taken by electronic device, and there were—ayes 220, noes 196, not voting 16, as follows:

[Roll No. 422]

AYES—220

| | | |
|---|---|---|
| Ackerman | Boswell | Cleaver |
| Adler (NJ) | Boucher | Clyburn |
| Andrews | Boyd | Cohen |
| Baca | Brady (PA) | Conyers |
| Baird | Braley (IA) | Cooper |
| Baldwin | Brown, Corrine | Costa |
| Barrow | Butterfield | Costello |
| Bean | Capps | Courtney |
| Becerra | Capuano | Critz |
| Berkley | Cardoza | Crowley |
| Berman | Carnahan | Cuellar |
| Berry | Carson (IN) | Cummings |
| Bishop (GA) | Castor (FL) | Davis (AL) |
| Bishop (NY) | Chandler | Davis (CA) |
| Blumenauer | Chu | Davis (IL) |
| Boccieri | Clarke | Davis (TN) |
| Boren | Clay | DeGette |

Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wu
Yarmuth

NOES—196

Aderholt
Akin
Altmire
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Crenshaw
Culberson
Dahlkemper
Davis (KY)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Donnelly (IN)
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herseth Sandlin
Hill
Himes
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Tanner
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—16

Alexander
Bartlett
Bishop (UT)
Capito
Gordon (TN)
Gutierrez
Herger
Hoekstra
Lewis (GA)
Miller, George
Payne
Radanovich
Rodriguez
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1503

Messrs. CARNEY, TIBERI, and RYAN of Wisconsin changed their vote from ''aye'' to ''no.''

Ms. JACKSON LEE of Texas and Messrs. EDWARDS of Texas and RUPPERSBERGER changed their vote from ''no'' to ''aye.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. BISHOP of Utah. Mr. Speaker, on rollcall No. 422 I was unavoidably detained. Had I been present, I would have voted ''no.''

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 270, noes 153, not voting 10, as follows:

[Roll No. 423]

AYES—270

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (MA)
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rogers (MI)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wu
Yarmuth
Young (FL)

NOES—153

Aderholt
Akin
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Berry
Biggert
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Crenshaw
Culberson
Davis (KY)
Djou
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)

| | | |
|---|---|---|
| Gohmert | Lummis | Rehberg |
| Goodlatte | Lungren, Daniel E. | Roe (TN) |
| Granger | Mack | Rogers (AL) |
| Graves (GA) | Marchant | Rogers (KY) |
| Graves (MO) | Markey (CO) | Rohrabacher |
| Griffith | Marshall | Rooney |
| Guthrie | McCarthy (CA) | Roskam |
| Hall (TX) | McCaul | Royce |
| Harper | McClintock | Ryan (WI) |
| Hastings (WA) | McHenry | Scalise |
| Hensarling | McIntyre | Schmidt |
| Herger | McKeon | Schock |
| Hill | McMorris Rodgers | Sensenbrenner |
| Hunter | Mica | Sessions |
| Inglis | Miller (FL) | Shadegg |
| Issa | Miller (MI) | Shimkus |
| Jenkins | Miller, Gary | Shuler |
| Johnson, Sam | Minnick | Shuster |
| Jordan (OH) | Moran (KS) | Simpson |
| King (IA) | Myrick | Smith (NE) |
| King (NY) | Neugebauer | Smith (TX) |
| Kingston | Nunes | Stearns |
| Kirk | Nye | Sullivan |
| Kline (MN) | Olson | Terry |
| Lamborn | Paul | Thompson (PA) |
| Lance | Paulsen | Thornberry |
| Latham | Pence | Tiahrt |
| Latta | Pitts | Tiberi |
| Lee (NY) | Poe (TX) | Walden |
| Lewis (CA) | Price (GA) | Westmoreland |
| Linder | Putnam | Wilson (SC) |
| Lucas | Rehberg | Wittman |
| Luetkemeyer | Roe (TN) | Wolf |

NOT VOTING—10

| | | |
|---|---|---|
| Alexander | Payne | Woolsey |
| Bishop (UT) | Radanovich | Young (AK) |
| Capito | Rodriguez | |
| Hoekstra | Wamp | |

□ 1527

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 10(c)(3) of rule XXI, the presiding officer was supposed to have put the question of consideration on H.R. 5618 but omitted to do so. That omission has been overtaken by the subsequent actions on the bill.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2555

Mr. SHULER. Mr. Speaker, I ask unanimous consent that my name be removed from H.R. 2555. I was inadvertently added as a cosponsor.

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

There was no objection.

## 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.

## SECURING PROTECTIONS FOR THE INJURED FROM LIMITATIONS ON LIABILITY ACT

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5503) to revise laws regarding liability in certain civil actions arising from maritime incidents, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5503

*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 ''Securing Protections for the Injured from Limitations on Liability Act''.

**SEC. 2. IMPROVEMENTS TO RECOVERY UNDER DEATH ON THE HIGH SEAS ACT.**

The Death on the High Seas Act (chapter 303 of title 46, United States Code), is amended—

(1) in section 30302—

(A) by inserting ''or law'' after ''admiralty''; and

(B) by inserting before ''spouse'' the following: ''survivors, including'';

(2) in section 30303—

(A) by inserting ''and nonpecuniary loss'' after ''pecuniary loss'';

(B) by striking ''by'' and all that follows through the end, and inserting '', plus a fair compensation for the decedent's pain and suffering.''; and

(C) by adding at the end the following: ''In this section, the term 'nonpecuniary loss' means loss of care, comfort, and companionship.'';

(3) in section 30305 by inserting ''or law'' after ''admiralty'';

(4) in section 30306, by inserting ''or law'' after ''admiralty'';

(5) by striking section 30307; and

(6) in the table of sections at the beginning of such chapter, by striking the item relating to sections 30307.

**SEC. 3. IMPROVEMENTS TO RECOVERY UNDER JONES ACT.**

Title 46, United States Code, is amended—

(1) in section 30104, by adding at the end the following: ''In addition to other amounts authorized under such laws, the recovery for a seaman who so dies shall include recovery for loss of care, comfort, and companionship.''; and

(2) by striking section 30105 and the item relating to that section in the table of sections at the beginning of chapter 301.

**SEC. 4. REPEAL OF LIMITATION OF LIABILITY ACT.**

(a) REPEAL.—Chapter 305 of title 46, United States Code, is amended by repealing sections 30505, 30506, 30507, 30511, and 30512 and the items relating to those sections in the table of sections at the beginning of chapter 305.

(b) CONFORMING AMENDMENTS.—

(1) OIL POLLUTION ACT OF 1990.—Section 1018 of the Oil Pollution Act of 1990 (33 U.S.C. 2718) is amended—

(A) in subsection (a), by striking ''or the Act of March 3, 1851''; and

(B) in subsection (c), by striking '', the Act of March 3, 1851 (46 U.S.C. 183 et seq.),''.

(2) TITLE 46.—Section 14305(a) of title 46, United States Code, is amended by striking paragraph (5) and redesignating the subsequent paragraphs as paragraphs (5) through (14), respectively.

**SEC. 5. BANKRUPTCY PROTECTION FOR TORT CLAIMS ARISING FROM OIL INCIDENTS.**

(a) CONDITIONS ON SALE OR LEASE OF SIGNIFICANT PROPERTY OF THE ESTATE.—

(1) IN GENERAL.—Section 363 of title 11, United States Code, is amended by adding at the end the following:

''(q) Notwithstanding any other provision of this section, if the debtor is liable under any law for a claim for wrongful death, personal injury, or property damage arising from an incident (as defined in section 1001 of the Oil Pollution Act of 1990, and that gives rise to liability under such Act), the trustee may not sell or lease, other than in the ordinary course of business, significant property of the estate (or, to the extent that the court has jurisdiction over any affiliate of the debtor, significant property of such affiliate) unless—

''(1) creditors holding at least two-thirds in amount, and more than one-half in number, of all such claims not paid by the debtor consent to such sale or lease; or

''(2) the court finds, after notice and a hearing, that—

''(A) sufficient property will remain in the estate; or

''(B) the debtor's anticipated future income will be sufficient;

that all such claims will be paid in full.''.

(2) UNDER PLAN OF REORGANIZATION.—Section 1129(b)(2)(B)(ii) of title 11, United States Code, is amended—

(A) by inserting ''(other than the holder of a claim described in subclause (II))'' after ''claim'' the 1st place it appears;

(B) by inserting ''(I)'' after ''(ii)'';

(C) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(II) if the plan provides for claims of the kind described in section 363(q) and provides for a sale or lease of significant property of the estate, creditors holding at least two-thirds in amount, and more than one-half in number, of such claims consent to such sale or lease.''.

(b) CONFORMING AMENDMENT.—Section 303(f) of title 11, United States Code, is amended by adding at the end the following:

''If the debtor is liable under any law for a claim for wrongful death, personal injury, or property damage arising from an incident (as defined in section 1001 of the Oil Pollution Act of 1990, and that gives rise to liability under such Act), the debtor may not sell or lease, other than in the ordinary course of business, significant property of the estate (or, to the extent that the court has or can obtain jurisdiction over any affiliate of the debtor, significant property of such affiliate) unless—

''(1) creditors holding at least two-thirds in amount, and more than one-half in number, of all such claims not paid by the debtor consent to such sale or lease; or

''(2) the court finds, after notice and a hearing, that—

''(A) sufficient property will remain in the estate; or

''(B) the debtor's anticipated future income will be sufficient;

that all such claims will be paid in full.''.

**SEC. 6. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall take effect on the date of enactment of this Act and shall apply with respect to claims arising on or after April 20, 2010, that are pending on or after such date of enactment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

□ 1530

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask that all Members 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 Michigan?

There was no objection.

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

Ladies and gentlemen of the House, on April 20, an explosion on the Deepwater Horizon oil drilling platform sank the vessel, resulting in the death of 11 men and injury to at least 17 others.

We are honored to have four of the widows of the men here, including the father of Gordon Jones, Attorney Keith Jones; Mrs. Shelley Anderson; Mrs. Courtney Kemp; and Mrs. Natalie Roshto. They have joined us in the gallery to observe these proceedings. They were also at the Judiciary Committee hearings.

This April 20 disaster has now become the most massive environmental disaster in our Nation's history, poisoning widespread swaths of the Gulf of Mexico, killing wildlife, ruining wetlands, and wreaking economic havoc in the Gulf States. It has highlighted not only gaps in our ability to engage in and to regulate deepwater drilling, but also major legal gaps have been discovered in the applicable statutes that are adversely impacting victims.

Our measure from the Judiciary Committee focuses on repairing these flaws so that the victims of this disaster can get their treatment. We have found that the current state of law regarding these liability issues is outdated, unfair and operates against our national interests. The three key laws all date from the mid-1800s—the Death on High Seas Act, the Jones Act, and the Limitation on Liability Act.

The Death on High Seas Act does not allow recovery of non-pecuniary loss, which is in contrast to all State laws and to general maritime law.

The Jones Act allows recovery for a family's non-pecuniary loss if a seaman is injured but survives, but it denies the family that same recovery if he dies. Don't ask me how that ever got into law.

The Limitation on Liability Act, enacted in 1851, caps a shipowner's legal responsibility at the value of the ship and of its cargo no matter how massive the magnitude of the harm caused.

The unfairness of these laws is grossly apparent, and it makes no sense. In my judgment, it is highly immoral. It is the Judiciary Committee's job to scan these ancient statutes and repair them. So that is what we have done. We have made a few changes. I would like to identify them, and we will have some of our other learned members of the committee go into more detail.

Take Gordon Jones, for example. Ironically, his youngest son was born just a couple of weeks after his death. They can only recover Gordon's lost wages, but they are not entitled to any nonfinancial benefits. That needs to be taken care of, and we will.

There are claims that have been made that the process was inadequate. The Committee on the Judiciary held on May 27 of this year a hearing on the legal liability issues surrounding the gulf coast oil disaster. It lasted over 5 hours, and it covered 11 witnesses who discussed and addressed the laws that I have mentioned in this act before us. Then they held an extensive markup the following month, on June 23, at which time we debated a number of amendments and reported the bill. It was a bipartisan vote. Then, in the manager's amendment, we addressed some concerns that were raised by my colleagues on the other side. This bill focuses on fixing these gaps, and I am hopeful that we can move this bill as expeditiously as we can.

I want to acknowledge my colleague SHEILA JACKSON LEE, who is a senior member who has helped us craft the legislation in the manager's amendment. Along with her and our colleague from Florida, CORRINE BROWN, we have also been able to make some modifications that have been generally agreed to by many of the members on the committee. We have reached an understanding, although we have not developed statutory language.

Mr. Speaker, this disaster has now become the most massive environmental disaster in our nation's history, poisoning widespread swaths of the Gulf of Mexico, killing wildlife, ruining wetlands, and wreaking economic havoc in the Gulf states.

The disaster has highlighted not only gaps in our ability to engage in and regulate deepwater drilling, but also major legal gaps in the applicable statutes that are adversely impacting victims.

H.R. 5503 focuses on fixing these gaps, so that the victims of this disaster can get fair treatment. In short, we have found that the current state of law regarding these liability issues is outdated, is unfair, and operates against our nation's interest.

First, the three key laws in effect all date from the mid 1800's or early 1900's.

The Death on High Seas Act, enacted in 1920, does not allow recovery of non-pecuniary loss—in contrast to all States and to general maritime law.

The Jones Act, also dating from 1920, allows recovery for a family's non-pecuniary loss if a seaman is injured but survives, but denies the family that same recovery if he dies.

And the Limitation on Liability Act, enacted in 1851, caps a shipowner's legal responsibility at the value of the ship and its cargo, no matter how massive the magnitude of the harm caused.

Second, the laws are grossly unfair. It makes no sense to allow the family of an individual who dies in a plane accident on the high seas to be eligible for non-pecuniary damages, while the family of someone who dies in a ship accident is not.

It makes no sense to allow the family of a victim of an oil explosion on shore to recover non-pecuniary damages, while the same victim in a Jones Act case could be limited to lost wages and funeral expenses.

It makes no sense to keep a Limitation on Liability Act designed to help U.S. shipping fleets in the 19th century, when the U.S. merchant marine is now practically non-existent.

And it makes no sense to allow a company to incur multibillion-dollar claims and then abuse the bankruptcy process to leave victims out in the cold.

The bill on the floor today reflects changes made in response to concerns raised about the legislation.

Specifically, concerns were expressed about possible unintended consequences of the class action changes, and that section was removed in its entirety.

Concerns were expressed about restricting enforceability of secrecy agreements, and that section was removed in its entirety.

What remains are the core provisions that are needed to help the victims of the Gulf Coast oil spill disaster, including the families of the 11 men who died and the numerous workers who were injured aboard the Deepwater Horizon.

I want to remind Members that this bill is, above all else, about helping victims, particularly the victims of this oil platform explosion and spill.

One of these victims is Gordon Jones, who was killed aboard the Deepwater Horizon.

Gordon was married to Michelle Jones and had two children, Stafford and Maxwell Gordon, and is also survived by his brother and father.

Maxwell Gordon was born just a couple of weeks after his father died.

Under current law, the Jones family can only recover Gordon's lost wages, and are not entitled to any non-financial damages.

This bill would fix that for Gordon, the 10 others killed on the Deepwater Horizon, and others injured.

As Gordon's father, Keith, testified before the House Judiciary Committee on May 27:

"When Michelle tells her boys about their dad, she's not going to show them a pay stub. She will tell them how much their father loved them. . . .

"I want to say how offensive it is when the law recognizes only pecuniary loss in cases like these eleven deaths. . . . Please believe me; no amount of money can ever compensate us for Gordon's death. We know that. But this is the only means available to begin to make things right."

This is not a complicated vote. It is about ensuring that BP and other corporations that caused the Deepwater Horizon explosion and resulting oil spill are held accountable under the law for all the harm their irresponsible behavior has caused these hardworking Americans and their families.

I urge my colleagues to support this important legislation.

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

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, although I believe this legislation is well-intended, I have serious concerns about H.R. 5503 and about the process under which it is being considered today.

It is important that BP and other responsible parties pay all costs associated with the oil spill and that they be

held fully accountable for this catastrophe and for the 11 lives tragically lost in the explosion on the Deepwater Horizon. However, H.R. 5503 will have unintended consequences that will reach well beyond the gulf coast disaster. In fact, very little in this bill is directed solely at oil spill-related liability.

It is incredible that the sweeping changes this bill makes have made their way to the House floor without the benefit of even one legislative hearing. It is also incredible that we are considering this bill under suspension of the rules, denying those with concerns the opportunity to offer even one amendment.

Had this bill been considered under regular order, I would have offered an amendment to limit it to claims arising out of oil spills. This amendment would ensure that those responsible for oil spills would be held fully accountable while, at the same time, restricting the bill's unintended consequences. Because H.R. 5503 is not limited to oil spills, its unintended consequences will be severe.

For example, the changes it makes virtually rewrite U.S. maritime liability law; and in some instances, the changes make it out of step with the laws of nearly every other maritime nation. Maritime actions usually involve numerous parties with competing claims—loss of life or personal injury—and multiple jurisdictions in which claims may be filed. The Shipowner's Limitation of Liability Act addresses these problems by allowing for the consolidation of all claims arising out of a maritime accident into one Federal forum.

□ 1540

It also creates a fund to pay personal injury and death claims over and above the act's general liability limit.

This bill repeals the act without adopting any replacement legislation to fill the void. This introduces uncertainty and in many cases may lead to inadequate compensation to personal injury and wrongful death claimants, since repealing the act repeals the personal injury fund.

Let me repeat that, Mr. Speaker: This bill repeals the personal injury fund which every vessel owner is required to create to pay personal injury claims over and above the act's general liability gap.

Other sections of this bill are also questionable. Section 3 allows for recovery of non-economic damages in wrongful death actions under the Jones Act. While this may seem like a fair result, it actually creates inequities, because the Jones Act is the equivalent of land-based worker's compensation statutes, which do not apply at sea. But worker's compensation laws do not allow for the recovery of noneconomic damages, thus Jones Act seamen will receive greater recoveries than are provided to nearly every other American worker.

This change is being made without the benefit of a legislative hearing to understand its full impact on injured workers, employers, shippers, and consumers. These extensive changes to U.S. maritime liability law, which apply well beyond oil spills, threaten to increase dramatically the cost of shipping goods, an increase that will be borne by all American consumers.

Finally, by giving Oil Pollution Act claimants veto power over bankruptcy asset sales of companies with OPA liability, the bill effectively gives these claimants control of the bankruptcy process. However, giving OPA claimants this veto power seriously curtails the rights of other bankruptcy claimants, included secured creditors, pension funds, and other tort victims, and State and local governments.

Because this legislation applies retroactively, there is no reason to push this bill through on suspension without having conducted a single legislative hearing on its sweeping changes.

Let me be clear, Mr. Speaker. Republicans do not want to give BP a free pass. That is why we offered amendments in committee to narrow the scope of this legislation to cover companies like BP that are responsible for oil spills. These amendments were voted down by the majority. But in the Democrats' haste to act before the Fourth of July recess, they are pushing for a bill that would punish all other maritime industries for the faults of BP. That is not fair, and it is not good policy. It would also be a job-killer for many hardworking Americans who had nothing to do with the oil spill.

Rather than cave to political gamesmanship and vote for a bad bill, Congress should do what is best for the American people. As we amend the Federal law to ensure that BP and other responsible parties are held accountable for the full extent of the harm they have caused, we must avoid harming the national interests.

Because we have had no legislative hearings on this bill, we cannot be sure that it does not harm the economy, maritime industries, and American jobs. The bill should be sent back to committee to be examined and amended properly before being brought again to the floor for a vote.

I reserve the balance of my time.

Mr. CONYERS. Before I recognize the next speaker, I yield myself 30 seconds.

I am sure my good friend LAMAR SMITH is not recommending that with all the tragedy and suffering that has occurred in this area of the country, that we go back and go over these same issues one more time. The laws are ancient. They are out-of-date. We had witnesses. We wrote a bill based on it. This process has been done numerous times.

I now with some pride yield 1 minute to the distinguished Speaker of the House, NANCY PELOSI.

Ms. PELOSI. I thank the gentleman for yielding, and I am most grateful to him for bringing this legislation to the floor.

Mr. Speaker, I saw the hope in the eyes of the victims of the oil spill who came to my office. These families came. Eleven of the families were suffering from the loss of a loved one on the rig. They came to me and said that they were on their way to see Chairman CONYERS. They were filled with hope that he would advance the SPILL Act.

I heard their stories. They made their appeal for legislation, about safety, and about the SPILL Act. We held hands. We prayed. They told stories of their loved ones, and they kept coming back to the point that they did not want the families to be forgotten, and they did not want other families who could be the victims of future accidents or incidents of this kind to be forgotten.

Very hopefully and prayerfully, they left the Speaker's office and went to see Mr. CONYERS, with great emotion in terms of the stories they had to tell, but with great wisdom about how their families had been affected and what a difference the SPILL Act would make.

The chairman has very well described it in terms of the Death on the High Seas Act, which would be changed by this legislation, which was passed in the middle of the 19th century and amended dating from the 1920s, as we know. This legislation will modernize it in terms of distance from the shore and who would be compensated for a loss, not just a pecuniary loss, but also pain and suffering.

So I want to thank the chairman because of what I saw in their eyes, the hope they had and the message this legislation will send. More important than all of that, for the difference that it will make in the lives of these people, who are the backbone of America, who work so hard to grow our economy, to keep the community together there.

I want to thank Mr. MELANCON for the important role he has played in representing those people so well and making sure this legislation addresses their concerns.

I once again thank the distinguished chairman for anticipating the needs of these families and meeting them by bringing this bill to the floor.

Mr. SMITH of Texas. Mr. Speaker, before I yield time to my colleague from Texas, I yield myself 1 minute.

Mr. Speaker, I want to respond to what my chairman said just a minute ago and set the record straight. We did not have a single legislative hearing on this bill, so we never even went over it one time to fully appreciate the consequences and the unintended consequences of this bill.

For example, this bill changes maritime law for everyone, not just those involved in the oil spill. Clearly we should have explored the consequences of that.

Beyond that, and I want to emphasize this, this bill, and it is too late to

make any changes because no amendments have been made in order, repeals the vessel owner personal liability fund. That alone is enough of a reason to oppose this bill, that it repeals the personal liability fund that vessel owners today have to have.

Mr. Speaker, I yield 3 minutes to my colleague from Texas (Mr. POE), who is a member of the Judiciary Committee and the deputy ranking member of the Crime Subcommittee.

Mr. POE of Texas. I thank the gentleman from Texas for yielding.

While I support some of the provisions of this legislation, I certainly believe responsible parties for this disaster in the Gulf of Mexico near my home State of Texas, should be held accountable to every extent of the law, and injured individuals and the families of those who have died should be compensated.

However, I wish to address just one provision of this act: The detrimental effect on maritime shipping in the United States if this legislation is passed.

The unintended consequences of H.R. 5503 could be widespread. Among other things, H.R. 5503 repeals the Limitation of Liability Act, which is a drastic fundamental change in American maritime law. This change would end the longstanding practice in the United States that all maritime claims be determined in one Federal forum.

□ 1550

It also ends the limitation on U.S. vessels owners' liability, a limitation which is in place in virtually every other country in the maritime industry. The loss of this limitation will handicap U.S. ship owners in the competitive world of shipping.

H.R. 5503 would cause insurance rates to spin out of control, damaging American maritime industry and putting thousands of American jobs in jeopardy. American shipping is already in serious decline. In fact, there are only 220 United States flagged vessels in a global shipping fleet of 37,000.

I fear this legislation could put our remaining 220 shippers out of business. The maritime industry in the United States would be sunk because they would not be able to obtain insurance to operate. Then, more Americans would be out of work. We should not purposely put any more Americans out of work when jobs are scarce.

Just as the offshore drilling moratorium was hastily enacted by the administration and has since been declared illegal by a Federal judge, this bill is also rushed to the floor, I believe, without consideration of some of the unintended consequences. The consequences of this bill will cause a further disaster because of the Deepwater explosion and put more Americans out of work.

Mr. CONYERS. Mr. Speaker, I yield myself 30 seconds.

This is incredible. With all the suffering that has occurred, all the damage that has incurred, we now come here after more than 5 hours worth of hearings on this matter to say that the ship owners won't like the insurance rates, that they won't like that they may be liable, and that's what we're correcting. I deeply resent this kind of attack on a bill of this urgency.

I now yield 1½ minutes to the distinguished gentleman from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Speaker, Keith Jones' father, Gordon Jones, and I spent several hours together in recent weeks traveling back to Louisiana. A quote that he said, ''When Michelle tells her boys about their dad, she's not going to show them a pay stub. She will tell them how much their father loved them. I want to say how offensive it is when the law recognizes only pecuniary loss in cases like these 11 deaths. Please believe me; no amount of money can ever compensate us for Gordon's death. We know that. But this is the only means available to begin to make things right,'' and to make them right for Michelle and the two boys.

Mr. Speaker, 11 men died in the explosion aboard the Deepwater Horizon oil rig, and as a 90-year old law stands now, the families that lost their loved ones cannot hold those responsible for the harm they have caused them. I have met with the family members of those workers and have seen the pain on their faces. While we cannot relieve these families from the unimaginable grief they will go through for the rest of their lives—losing a husband, a father, a brother, and a son—we fix a law that's clearly outdated and wrong.

When it comes to compensating victims' families, current law is inconsistent, lax, and encourages companies to take risks—gambling with the lives of workers throughout the process. Today, we have the opportunity to change those laws, and the SPILL Act does exactly that. This bill amends the Death on the High Seas Act and the Jones Act so that the surviving relatives can recover some measure of compensation for the loss they have suffered. It is impossible to replace a husband or a father, but just compensation is absolutely necessary to help these families pay their house note, put food on table, educate the children, and live a decent life.

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

Mr. CONYERS. I yield the gentleman 1 additional minute.

Mr. MELANCON. We know that current law encourages risky behavior. We've seen through the ongoing investigations into the Horizon disaster that BP chose to ignore safety concerns about the volatility of their well. As a result, hardworking men lost their lives and we have the worst environmental disaster in our Nation's history in the Gulf of Mexico. We can't let current law stand. Congress must act now so that we encourage safe operating policies and hold companies accountable to the highest standard of workplace safety.

I want to thank Chairman CONYERS and the Judiciary Committee for working so swiftly to fix this law, and I urge all my colleagues to side with the victims' families and not the irresponsible corporations.

I urge a ''yes'' vote.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the National Bankruptcy Conference, a nonpartisan organization of lawyers, professors, and judges, opposes the bankruptcy provisions in this bill. According to the Conference, ''the proposed amendments are not likely to achieve their purpose and instead are likely to have pernicious, unintended, and counterproductive consequences.''

The nonpartisan National Bankruptcy Conference explains that ''by granting a preference to holders of oil spill claims at the expense of other innocent and equally deserving creditors, the provisions in this bill represent bad bankruptcy policy.'' Moreover, according to the Conference, one of the effects of the bankruptcy provisions in this bill will be to ''entrench the very management that presided over the spill and led the company into bankruptcy.''

Mr. Speaker, you wonder how anyone can even consider voting for this bill. In short, we should not be rushing these bankruptcy provisions through Congress today. The unintended consequences will be severe, as the National Bankruptcy Conference just told us.

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

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a senior member of the committee.

Ms. JACKSON LEE of Texas. Thank you very much, Chairman CONYERS. We owe you a debt of gratitude.

We are very pleased that we have answered the call of the pain of people like Michelle, and if you can read this language, it says ''When Michelle tells her boys about their dad, she's not going to show them a pay stub. She will tell them how much their father loved them.'' That means, of course, that we are stranded on an island with laws that do not understand the crisis that these families are facing.

These are the pictures of families who have lost loved ones and pictures of their loved ones who we are now standing on the floor of the House to say that any horrific tragedy such as the BP oil spill on April 20, 2010, will not go unanswered, and these families will not remain and be alone. This bill is assuring these families that they will not be alone; that the person or the entity that harmed them will not be able to escape the full extent of the cost of their actions that are inflicted on the people and the communities. It amends the Jones Act, an old law, and brings it in line with the needs of the

21st century, meaning that if you were an engineer on that Deepwater Horizon drill, you are not covered by the present laws; or, for example, the law that was used that was passed in the 1800s where they limited the amount of liability such that one of the actors in this went to court in Houston and wanted to limit their liability to $23,000. Under the Act in its current form, the family members left behind by seamen killed on the job can only recover economic losses. But it also does not cover those who are not classified as seamen. This bill amends DOHSA and, of course, it provides some very, very important changes that will make the lives of these loved ones left behind better. Without their loved ones, they are not good. But this will make them better.

To the industry, and let me say one that I come from—and I am from the gulf region—and I believe what we are doing today is going to help the shrimpers, the oystermen, the fishermen, and we must continue to do that. We're changing the laws to respond to the current crisis, and we will not leave them alone.

□ 1600

I look forward today to, as well, introducing the Remedies Act of 2010 that will further expand on the rights of families, will invest in R&D to improve what's going on in the gulf. But I want to thank the Judiciary Committee for being first and a leader to help these families.

Mr. Speaker, I rise today in strong support of H.R. 5503, the "Securing Protections for the Injured from Limitations on Liability Act," introduced by Judiciary Committee Chairman JOHN CONYERS. I commend Chairman CONYERS for shepherding this bill through the Judiciary Committee, and am proud to have worked with him on the Manager's Amendment.

This bill makes great steps in reforming aspects of our laws that have grown outdated, and in assuring that those responsible for a variety of harms are not able to escape liability for the full extent of the costs their actions inflict on the people of the communities around them. It amends the Jones Act, a law enacted in 1920, and brings it in line with the needs of the 21st century. Under the Act in its current form, the family members left behind by a seaman killed on the job can only recover for economic losses, sometimes only the expenses of a funeral. There is no provision for damages for the emotional loss of a loved one, the loss of that person's care, comfort, and companionship. H.R. 5503 amends that restriction.

H.R. 5503 also changes another outdated maritime law, the Death on the High Seas Act of 1920. The changes Chairman CONYERS' bill makes to DOHSA will allow those same claims for loss of care, comfort and companionship. This bill will also allow claims under DOHSA to be brought before a court of law, rather than admiralty, and allow a jury to decide the relevant facts. It will allow recovery for the pain and suffering a decedent experiences before his death, and expand the geographic reach of DOHSA.

H.R. 5503 makes other crucial changes. It eliminates certain limits on the liability of ship owners, remnants from a time when communications were much slower and owners might not be aware of their crews' actions on the other side of the ocean, or the other side of the globe. H.R. 5503 changes our bankruptcy laws, and prevents responsible parties from escaping their liability through misuse of bankruptcy proceedings. Finally, it amends the Class Action Fairness Act to prevent suits brought by the States, on behalf of their citizens, from being removed to languish in Federal courts.

These are all very, very important changes, and I want to state again how glad I am to have been able to work with Chairman CONYERS on these issues. However, there are other harms that the disaster in the Gulf has inflicted, harms that are not addresses in this bill.

Last month, I spent time at the United Command Center in Hammond, Louisiana and flew over the impacted areas to assess the devastating damage to the Gulf region and visited Plaquemarins Parish, Pointe a La Hache (Hash), Louisiana to meet with local oystermen and other individuals affected by the oil spill. My experience left my heart wrenched and even more determined to work with my colleagues to develop an aggressive proactive strategy to assist the victims of the oil spill and to develop measures to prevent it from happening again.

We need a claims process on the Gulf coast to remedy the harm caused by the oil spill before it is compounded by delay and we need to ensure that claims are evaluated and paid through an expedited equitable and transparent process.

There are numerous accounts of concerns of claimants that have underscored the importance of the need for the Federal Government to require that a totally independent claims process is set up to process claims related to the BP oil spill, and that structures are set up to process claims without delay. We know that victims are seeking assistance, but have experienced complicated claims procedures to follow, and have not been able to obtain relief or compensation from BP but rather, a hard way to go and the never-ending claims requirements to satisfy the claims they have brought against BP.

Take the story of Byron Encalade. Mr. Encalade, as owner of his own fishery company, and as President of the Louisiana Oysters Association, has sought to file claims with BP to recover damages suffered as a result of the Gulf oil spill. Unfortunately, Mr. Encalade has had a horrible experience with the ever-changing claims process.

Though Mr. Encalade came with the paperwork he was originally told to provide BP claims adjusters, he was told that he needed to provide his tax statements in order to be compensated for his loss. When inquiring about a second $5,000 check he was supposed to receive from BP, he was told that the check was in the mail. He has yet to receive the check.

He was also informed that his claim would be based upon his net receipts and not his gross receipts. This policy puts Mr. Encalade and many others in a situation where they cannot recover the full value of their losses due to investments that were made to fishing boats that were lost in Hurricane Katrina. As such, this policy will prevent many fishers and shrimpers from recovering the full value of their loss.

I can also tell you the story of the owner of a small seafood restaurant in Houston, Texas, who I have known for years and have supported. She is in trouble at this very moment, wondering whether her business will remain open to long-time customers like me. Whether she, as a small business owner and woman, can afford to pay the bills and continue to earn a livelihood. Although she is hundreds of miles away from the actual site of the oil spill, she too is a victim. Her restaurant relies on a variety of suppliers of Gulf seafood, and she bills her establishment as one which prides itself on seafood from Louisiana, a part of the Gulf region. So, now she confronts two issues that could prove fatal to her business. One, if the seafood is from the Gulf region or Louisiana in particular, perhaps it is tainted by the oil. Two, the prices of seafood from the Gulf continues to rise, making it impossible for the restaurant to carry certain items. Many items on the menu her patrons can no longer afford. It is the classic Catch-22 situation, and what is clear to me is that unless this Congress acts and acts quickly restaurants like hers will be history.

We need to make sure that victims like her, and like Mr. Encalade, are able to receive compensation for the harms inflicted on them, without the years of litigation that civil suits frequently entail. We need to establish independent claims systems, with established categories that treat fishermen, shrimpers, and other categories of indirect victims appropriately, and with clear and consistent guidelines for what types of proof claimants need, to avoid unnecessary delay.

We need to update the liability cap under the Oil Protection Act, so that responsible parties cannot escape with paying a mere fraction of the damages they inflict. We also need to change the permitting process, so that entities drilling offshore must demonstrate they have a workable Plan B when their Plan A fails; and to establish a requirement that those disaster and spill mitigation plans be reviewed and approved by independent, disinterested experts.

There are additional changes to both the Jones Act and DOHSA we should make. Both laws currently allow only one "personal representative" of a decedent to file claims, and there may be cases where that personal representative does not act in the interest of the parents, children, or other family members who face this terrible loss; we should allow those family members to make claims on their own behalf. We need to amend the Jones Act so that it covers all those injured on our ships, even those who may not meet the technical definition of seaman. Further, we should allow punitive damages under those laws in cases of gross negligence.

As important as it is that we make the victims of this disaster whole, it is equally important to take steps to prevent the next spill of this magnitude. Therefore, we must establish a clear framework for response, so that there is never again a question of who is in charge. The United States is the world leader in science and technology, and it is in our best interest to direct some of our energy towards research and development of technologies that will better enable us to deal with leaks deep below the surface of the ocean, and provide access to those technologies to the appropriate agencies.

Nonetheless, for all that remains to be done, H.R. 5503 is an important step, a necessary

step, towards repairing the harm the disaster in the Gulf has done. Chairman CONYERS has crafted a piece of legislation that I am proud to be associated with, and I urge my colleagues to join with me in supporting it.

Mr. SMITH of Texas. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Texas has 10 minutes remaining. The gentleman from Michigan has 5½ minutes remaining.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

As I mentioned in my opening statement, repealing the Limitation of Liability Act hurts victims of maritime accidents. The Limitation of Liability Act provides for the orderly resolution of claims arising out of a maritime accident in one Federal court. It also creates a compensation fund for personal injury claims. Repealing the act eliminates these two important provisions. In many cases, this will result in victims of maritime accidents receiving less compensation than they would under current law.

First, victims will receive less compensation because cases will no longer be consolidated in one Federal court. Consolidation allows victims to share litigation and expert costs and allows for proportional allocation of damage awards. Second, victims will potentially receive less compensation because repealing the act will repeal the personal injury fund. The personal injury fund requires vessel owners to provide compensation over and above the liability cap.

Again, a vote for this bill is a vote to repeal the personal injury fund. Let's not rush this bill through the House today and hurt the very people we're supposed to be trying to help but send it back to committee to be examined and amended properly.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. I yield myself 6 seconds.

I am so disappointed that my dear friends would even suggest that there's a defense for the oil companies, the shipbuilders, and the insurance companies in a situation like this.

I yield 1½ minutes to the gentlewoman from California, MAXINE WATERS, a distinguished leader in the Judiciary Committee.

Ms. WATERS. Thank you very much.

Madam Speaker, I would first like to thank our chairman, JOHN CONYERS. He is always on the case in a timely fashion, providing leadership that is so desperately needed on issues such as this one.

Madam Speaker, I rise in support of H.R. 5503, the Securing Protections for the Injured from Limitations on Liability Act, that is, the SPILL Act. H.R. 5503 is a good first step and must be passed to immediately assist the victims who would otherwise be denied adequate compensation under our current laws. I am very disappointed at some of the arguments that are being made against this bill by my friends on the opposite side of the aisle.

One of the arguments that they make is the DOHSA provisions of the SPILL Act will allow surviving families to receive undue compensation. Well, let me set the record straight. DOHSA currently provides outdated and uneven compensations for victims on the high seas because it fails to award damages for pain and suffering, loss of care, comfort, and companionship in many cases, including an accident like the Deepwater Horizon explosion.

The changes to DOHSA are not intended to single out any particular industry. The SPILL Act will make Federal law consistent so that the families of all victims on the high seas can receive the compensation they truly deserve. These gross inequities exist because DOHSA, enacted back in 1920, has undergone only one significant update, in 2000, 4 years after the TWA Flight 800 crash.

I would simply ask for support and a vote on H.R. 5503, recognizing the families who have been harmed.

However, we cannot discount the critical needs of entire communities and other individuals whose way of life has been severely impacted by the oil spill. The outlook for little-known communities of black oyster farmers is especially bleak. These small villages of black fishermen have been self-sufficient for generations, relying on the region's wetlands for their economic independence. The challenges these oyster farmers will face must not be excluded in our efforts to help the Gulf Coast. We must ensure that BP and other responsible parties are held liable and accountable to the hundreds of thousands of lives they have destroyed at the expense of cutting costs.

Therefore, while I fully support H.R. 5503, I am very disappointed that critical amendments to the Class Action Fairness Act (CAFA) as well as my amendment that would have legally nullified BP's original attempts to make their $5,000 payouts legal settlements were taken out of the bill. All we have now is BP's word that they will not enforce these waivers or honor the $75 million liability cap current law provides. However, this is unacceptable.

In the same manner that the federal government responded to the 9/11 attacks and the economic collapse, we must be equally as vigilant in responding to the crisis in the Gulf Coast.

DOHSA currently provides outdated and uneven compensation for victims on the high seas because it fails to award damages for pain and suffering, and loss of care, comfort, and companionship in many cases—including in accidents like the Deepwater Horizon explosion.

The SPILL Act will make federal law consistent so that the families of all victims on the high seas can receive the compensation they deserve.

These gross inequities exist because DOHSA, enacted in 1920, has undergone only one significant update—in 2000, four years after the TWA Flight 800 crash. Because many of the TWA victims were children who earned no income, Congress narrowly amended DOHSA to grant non-pecuniary damages to family members of commercial airline victims on the high seas, but not for any other deaths on the high seas.

Mr. SMITH of Texas. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. CONYERS. I am happy now to yield 1½ minutes to the gentlewoman from California, Dr. JUDY CHU, a member of the Judiciary Committee.

Ms. CHU. The gulf oil spill is the worst environmental disaster in our Nation's history. It's devastated the gulf coast and taken lives, lives like Gordon Jones and the 10 other victims of the gulf Horizon explosion.

Congress is making sure that the families of these men receive the justice that they deserve. Current law values the lives of those who die at sea far less than deaths on land, and to relatives not financially dependent on the deceased, it provides nothing but a check for funeral expenses. This is wrong.

It doesn't matter where someone dies. If it's someone else's fault, justice is due. Moreover, these losses go far beyond the value of a pay stub or the costs of a funeral. That's why the SPILL Act ends the outdated devaluations of maritime deaths, and it opens the door for family members to receive damages based upon pain and suffering.

But that's not all it does. Current law limits the liability of Transocean, the company who owned the rig, to just $25 million. Now, Kim Tran, Vietnamese shrimpers, and all the fishermen of Louisiana know that the damages caused are so much greater, and so does Congress. That's why our bill eliminates those caps and assures that we hold those who caused the spill accountable for the damage they've done, no matter who they might be. That's why I am proud to cosponsor the SPILL Act, and I call on all of my colleagues to vote for it.

Mr. SMITH of Texas. Madam Speaker, I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am happy to yield 1 minute to the gentleman from Iowa, BRUCE BRALEY, a cosponsor of the bill.

Mr. BRALEY of Iowa. Madam Speaker, I am proud to be a cosponsor of the bill, and I thank the chairman for yielding.

As we continue to stop the oil disaster in the gulf coast and clean it up, we must also ensure that the victims of this spill are fairly compensated for their loss. And at our field hearing in Chalmette, Louisiana, we saw firsthand that these individuals, like the brave families who are here today, are being inadequately compensated for the enormous losses they face.

One of the few requests made by Natalie Roshto and Courtney Kemp at that hearing, who testified, was that Congress take the necessary steps to strengthen these laws and ensure their husbands did not die in vain. And when we had our Oversight and Investigation Subcommittee hearing on June 17, I had a chance to question BP Chairman Tony Hayward, and I showed him clips of those widows' testimony, challenging him to listen to their pain and

explain to them how on the anniversaries of the loss of their husbands and the anniversaries of their marriage and the birth of their children and at their children's graduation and their weddings, where is BP and Transocean and Halliburton going to be? That's why we need to pass this bill.

Mr. SMITH of Texas. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, in summary, this bill should be opposed for four reasons:

First, the bill repeals the Limitation of Liability Act, which will actually hurt the victims of maritime accidents. Repealing the act eliminates important protections for maritime victims, including the fund for compensating personal injury victims. This bill, incredibly, repeals the personal injury fund;

Second, the bill amends the Bankruptcy Code in a manner that the National Bankruptcy Conference, a very bipartisan organization, believes will create ''pernicious, unintended, and counterproductive consequences'' that benefit oil spill claimants ''at the expense of other innocent and equally deserving creditors'';

Third, the bill was rushed through committee without a single legislative hearing and is being rushed through the House on suspension, without giving Members the opportunity to offer amendments; and

Fourth, because this bill is being rushed through the House, Congress has not been fully informed of the unintended consequences this bill creates for the U.S. maritime industry, which is a large part of the economy of the gulf coast region; the American economy, which relies on U.S. shipping to take goods to and from market; and the victims of maritime accidents, who, in many cases, will actually be hurt by this legislation.

□ 1610

Madam Speaker, I urge all my colleagues to vote ''no'' on this bill, send it back to committee. Let's improve it, let's amend it, and then bring it back to the floor. I hope my colleagues will vote ''no.''

I yield back the balance of my time.

Mr. CONYERS. Madam Speaker, this is a bipartisan bill. It's uncomplicated. It revises old law that's been discriminatory and left on the books. It ensures that BP and other corporate violators that caused the Deepwater Horizon explosion-resulting oil spill are held accountable under the law.

This is not going to hurt the victims. The victims came before the committee and testified in favor of this kind of relief. So for us now to think that we're inadvertently doing some harm to those who have lost their loved ones is untenable and uncontemplatable.

I urge that all of us cast as near unanimous vote as possible in support of this legislation and correct the injustices that have been caused by this incredible, extensive, and terrible accident.

And I include in my closing remarks the support of nine other organizations.

The International Cruise Victims Association
The National Center for Victims of Crime
The National Organization of Parents of Murdered Children
Public Citizen
Alliance for Justice
National Consumers League
Consumer Watchdog
Center for Justice & Democracy
Center for Biological Diversity
Friends of the Earth
U.S. Action

Mr. NADLER of New York. Madam Speaker, I rise in support of H.R. 5503, the Securing Protections for the Injured from Limitations on Liability (SPILL) Act.

Two months ago, the Deepwater Horizon oil platform exploded in the Gulf of Mexico. That tragedy cost the lives of eleven people and injured at least seventeen others, dealing a horrific blow to the lives of their loved ones, family members, and friends. The explosion and subsequent oil spill devastated the entire Gulf area and continues each day to wreak havoc on the way of life and environment of the region. Congress must act to address this disaster and in the coming weeks, we will.

Today, the House is considering H.R. 5503. This legislation, which I worked on in the Judiciary Committee, addresses problems that have come to light as a result of the explosion in the Gulf of Mexico.

The bill would provide long-overdue rights to the survivors of those killed off our shores, including allowing recovery for non-economic damages. It also would repeal an antiquated law which could have shielded Transocean from its true liability in this disaster. The big corporations like Transocean and BP, whose malfeasance caused this disaster, must not be able to elude their true responsibility.

I want to thank Chairman CONYERS for his work on the bankruptcy provisions of this bill as well. The rights of individuals, small businesses, and communities injured by this catastrophic act of corporate wrongdoing must be protected, and this bill reflects that concern. We also must make sure that we protect those rights in a way that does not destroy the rights of other parties, including employees, retirees, and small businesses who are also owed money by the polluter, that preserves going concern value, and that does not shelter entrenched management. The modified language reflects the ongoing effort to address these important concerns, and I look forward to working with the Chairman to perfect these protections.

I do want to say, however, that I am disappointed with a few changes that have been made since the bill passed the Judiciary Committee. A provision to deny the enforceability of ''gag orders'' that reportedly were being used by BP has been removed. Such secrecy agreements only serve to deny the public access to necessary information. And, a common sense change to the Class Action Fairness Act to ensure states could pursue actions on behalf of their own citizens in state court was stripped as well.

Despite these changes, this bill represents needed reforms to compensate, as much as possible, those injured and the families of those killed in this disaster and similar events in the future. I want to applaud Chairman CONYERS for his leadership in pushing H.R. 5503 forward. I urge all Members to support it.

Mr. VAN. HOLLEN. Madam Speaker, I rise in strong support of the Securing Protections for the Injured from Limitations on Liability (SPILL) Act (H.R. 5503).

On this, we should surely agree: the lives of those lost at sea are just as precious as the lives of those lost on land—and the law should treat them that way.

Today's legislation modernizes our maritime laws to ensure that the families of those killed or injured in the BP Oilspill have an opportunity to be justly compensated for their losses, and will provide equal justice for all future victims of maritime disasters.

Madam Speaker, as we work to hold the responsible parties accountable for the ongoing tragedy in the Gulf, the Spill Act keeps faith with the families most directly impacted by the disaster. I commend Chairman CONYERS and the Judiciary Committee for bringing this legislation to the floor today. I urge my colleagues' support.

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

The SPEAKER pro tempore (Ms. JACKSON LEE of Texas). The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 5503, 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.

## BARRING POLITICAL SPENDING BY LOBBYISTS WHOSE CLIENTS INCLUDE STATE SPONSORS OF TERRORISM

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5609) to amend the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism or include other foreign nationals from making contributions and other campaign-related disbursements in elections for public office, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5609

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

**SECTION 1. PROHIBITING LOBBYING ACTIVITIES ON BEHALF OF STATE SPONSORS OF TERRORISM.**

The Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) is amended by adding at the end the following new section:

**''SEC. 27. PROHIBITING LOBBYING ACTIVITIES ON BEHALF OF STATE SPONSORS OF TERRORISM.**

''No person may perform lobbying activities on behalf of a client which is a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act),

section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act of 1961, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

PARLIAMENTARY INQUIRIES

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. Will the gentleman please state his inquiry.

Mr. DANIEL E. LUNGREN of California. My parliamentary inquiry is this: I understand that we are dealing with H.R. 5609, and I have, just 20 minutes ago, been given the copy of H.R. 5609, which, in every respect, after the introduction, is different from the 5609 that we were prepared to speak on just 20 minutes ago.

My question is, under the rules of the House, is it appropriate to completely remove the text of the bill that we were prepared to deal with and exchange it for an entirely new language which refers to new sections of the U.S. Code of the Lobbying Disclosure Act of 1995, where the original 5609 referred to another section of the code?

The SPEAKER pro tempore. The gentleman from Michigan has moved to suspend the rules and pass the bill in an amended form.

Mr. DANIEL E. LUNGREN of California. Further parliamentary inquiry.

The SPEAKER pro tempore. State the parliamentary inquiry.

Mr. DANIEL E. LUNGREN of California. According to the copy of the bill that I have, 5609, it says that this bill is referred to the Committee on House Administration. If it is referred to the Committee on House Administration, how is that on this floor it is now being brought forward by the chairman of the Judiciary Committee, who is not a member of the Committee on House Administration?

The SPEAKER pro tempore. The Chair has entertained a motion from the gentleman from Michigan to suspend the rules.

Mr. DANIEL E. LUNGREN of California. Further parliamentary inquiry.

The SPEAKER pro tempore. That motion now before us, if adopted, would discharge any committee of referral.

Mr. DANIEL E. LUNGREN of California. Further parliamentary inquiry.

The SPEAKER pro tempore. State the parliamentary inquiry, please.

Mr. DANIEL E. LUNGREN of California. So, as I understand what the Speaker is telling me, this request for consent to bring this to the floor at this time would have the effect of discharging the committee of jurisdiction, that is, the Committee of House Administration, and bring it directly to the floor to be handled now by another committee, the Committee on the Judiciary. Is that correct?

The SPEAKER pro tempore. The motion, if adopted, would discharge the committee of referral.

Mr. DANIEL E. LUNGREN of California. Further parliamentary inquiry.

The SPEAKER pro tempore. State the parliamentary inquiry.

Mr. DANIEL E. LUNGREN of California. Is it under the rules, or is it customary interpretation under the rules, that the minority receive a copy of the bill to be brought to the floor at some time before 20 minutes before it's brought to the floor?

Is there no requirement for notice of the actual contents of the bill to be considered, even under a request such as has been made by the gentleman from Michigan?

The SPEAKER pro tempore. A motion that the House suspend the rules may convey an amendment, and five copies of the amendment are at the desk.

Mr. DANIEL E. LUNGREN of California. So further parliamentary inquiry.

Under the rules of the House, a motion such as made by the gentleman to suspend the rules in effect suspends all rules, including rules that would govern the language of the bill as introduced and as given to the minority yesterday and up until 20 minutes ago.

The SPEAKER pro tempore. This motion will be adopted if approved by two-thirds of the House.

Mr. ANDREWS. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore. State your parliamentary inquiry, please.

Mr. ANDREWS. Madam Speaker, is there anything—I note that the custom of the minority is to give about 3 minutes notice on motions to recommit. Is there anything under the rule requiring the minority to give more notice than that of 3 minutes on a motion to recommit?

The SPEAKER pro tempore. The Chair cannot at this time entertain that inquiry as a parliamentary inquiry.

Mr. CONYERS. Madam Speaker, could I ask for regular order? We have had, I don't know how many—this could go on all night if the gentleman is just opposed to campaign finance reform.

The SPEAKER pro tempore. The gentleman from Michigan may proceed.

□ 1620

Mr. CONYERS. No one disrespects the sincerity and abilities of my friend from California, who has raised these questions.

GENERAL LEAVE

Mr. CONYERS. I ask unanimous consent that all Members have 5 legislative days to revise their remarks and include extraneous materials.

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

There was no objection.

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

Ladies and gentlemen of the House, 1 week ago the House passed historic campaign finance reform that was designed to curb improper corporate and foreign influences on the American electoral system. Everybody in this House is in support of the attempts of this committee and the House Administration Committee to accomplish this aim, to rein in, to eliminate improper corporate and foreign influences on the American electoral system. There is not a Member in this House that is not in support of that. So this bill hones in on the most toxic foreign influences, countries whose governments the Secretary of State has determined sponsor terrorism.

H.R. 5609 amends the Lobbying Disclosure Act to prevent any country specifically designated as a state sponsor of terrorism from hiring a lobbyist in an attempt to influence the laws and policies of the United States of America. By their actions, these states have forfeited many privileges of doing business in the United States. The business of government should be no different. We should not allow states that sponsor terrorism to be able to hire lobbyists to influence our lawmakers and our laws.

Madam Speaker, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am certainly not going to oppose this bill, because this bill essentially does what I attempted to do in one-third of my motion to recommit last week, when a vast majority of the Members of the majority party voted against it, and we were told to restrict those individuals who were subject to this prohibition to a lesser prohibition was blatantly unconstitutional. And now we are told to go even further—and I don't oppose going further—but now we are told to go even further is not only the proper thing to do, but it's so noncontroversial that it ought to be here on the suspension calendar.

It is extraordinary, I suppose, to see the transformation that takes place that the subject matter on this floor 1 week ago is blatantly unconstitutional and today is noncontroversial. I don't know how you change your tune that way. I don't know how you make such a difference when in effect we are talking about the same thing, except that now it is being sponsored by the majority side rather than the minority side.

It also is passing strange at least that the underlying bill referred to by my friend from Michigan, the Chairman of the Judiciary Committee, the DISCLOSE Act, was in fact sequentially referred to the Committee of Judiciary after we had completed consideration of it in the House Administration Committee. And yet, rather than spending a single minute on it, it was

immediately discharged by the Judiciary Committee and allowed to come to the floor.

Now, why do I find that extraordinary? Because it dealt with how we protect the First Amendment to the Constitution, that part of the First Amendment that specifically talks about the fact that Congress shall pass no law abridging free speech. And yet we did just last week.

Perhaps if we had had hearings on it in the Judiciary Committee to review the underlying constitutional law concerns, we might have had an opportunity to reform that bill. But of course we did not. Perhaps if we were truly concerned about how the First Amendment rights are rights recognized by the Constitution, not granted by the Constitution, but recognized by the Constitution, and therefore should be protected by this branch of government as well as the judicial branch and as well as the executive branch, rather than parceled out and auctioned off, perhaps if it had seen the light of day in the Judiciary Committee we might have been able to convince more Members on the majority side that we ought not to trifle with the Constitution and trivialize the First Amendment.

But no, we didn't do that. We rushed to judgment. That is, we discharged that bill without a single moment of consideration by the Judiciary Committee. And here we have cleanup legislation. A number of Members on the other side of the aisle evidently found out after they voted against the motion to recommit, because it was a Republican motion, that it had parts, all three parts that they supported, and this is a part of it. Although the language is different, the substance is the same.

Now, contrast that with the fact that up until 20 minutes ago the language of this bill was different. Up until 20 minutes ago, the language of the bill had this bill within the jurisdiction of House Administration, not within the jurisdiction of the Judiciary Committee. And yet without a moment's notice, the bill is changed in everything but its title. Every word changed.

And I suspect that some Members listening in their offices aren't aware of the rules of the House that allow for a suspension of the rules, meaning that we suspend every rule in the House, meaning that in fact you can have every word changed other than the title, you can have it deal with a different section of the United States Code, and you can have it transferred from one committee to the next in the flash of a moment here. Now, maybe that sounds just like process, but it is of course more than process. It goes to the question of substance.

They say imitation is the highest form of flattery. I guess I should be thankful that they have taken a portion of my motion to recommit that they defeated so soundly last week, to present it on the floor as a clean bill, without any hearings, without any consideration, transferring committees, changing the language up until the time they actually presented it on the floor. Which suggests that we have plenty of time to do things around here. We have plenty of time to look at changes in bills. Which would suggest that we ought to have more open rules in this House, because evidently we can change things up to the moment they hit the floor, and everyone is supposed to then I guess salute sharply and march to this new drummer.

This is a heck of a way to run a House, a heck of a way to run a House. You don't know from the moment you leave your office to the time you get here what bill you are going to have. It may have the same number, it may have the same name, but every word can be changed. And of course if it is presented by the minority as a part of an amendment, it's disallowed. But if we are going to present it on the floor with the majority, we do that and we try and make up for the vote that took place last week.

I just hope everybody understands when you vote for this, and I would suggest you vote for this, you are essentially voting for the first third of the motion to recommit that was presented last week, which was declared on the floor by the major author of the DISCLOSE Act from Maryland, Mr. VAN HOLLEN, as blatantly unconstitutional. So one week we auction off pieces of the First Amendment, the next week we turn something that's blatantly unconstitutional into something that not only is imperative, but is noncontroversial. It is magic being done on this floor before your very eyes. The only problem is most people don't realize what's occurring.

At the very least we ought to take the time in our rules to shed some light on the legislative process, which I thought was supposed to be the purpose of the DISCLOSE Act, to shed some light on the political process. Perhaps we should practice what we preach here on the floor of the House.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself 1 minute.

First of all, I want to applaud the parliamentary wisdom of the distinguished gentleman from California, who supports the matter that is before the House, but he has very pointedly pointed out that the process, the procedure has not been appropriate from his point of view.

□ 1630

As he knows, we had a hearing on the constitutionality of Citizens United on February 3, 2010. But I concede to him and apologize that there was no markup, and I hope that that will assuage the gentleman's very particular objection to the process here.

Now, of course, some of the excellent points that he has raised really go to the rules of the House.

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

Mr. CONYERS: I yield myself an additional 30 seconds.

If we are going to go into this detail and the gentleman has presented an able case here during this debate, I think that we ought to—and I would like to join with him in examining the rules of the House of Representatives which would have to obviously go through some revision to satisfy the many points that my friend from California has raised.

With that, I am now pleased to yield 2 minutes to the author of this measure, and it is Mr. JOHN HALL of New York, the original sponsor of the bill, whom I commend very much.

Mr. HALL of New York. I thank the chairman.

I rise today to urge strong support for H.R. 5609, which will ban lobbying for countries that are state sponsors of terrorism.

Last week, the House passed the DISCLOSE Act, a bill I cosponsored. This bill is a big step forward in undoing the damage done by the Supreme Court in their recent ruling in Citizens United v. FEC. It will shine some light on corporate campaign spending by requiring the sponsors of political ads to disclose their identity, much as we candidates for Congress have to stand by the ads that we fund.

Importantly, the DISCLOSE Act includes provisions I fought for to keep corporate money from overseas out of U.S. elections. After all, Madam Speaker and Mr. Chairman, do we want companies like BP choosing our candidates for Congress or companies from Saudi Arabia deciding U.S. foreign policy? I don't think so.

The bill we are considering today is a natural extension of the DISCLOSE Act. H.R. 5609 guards against a potential loophole that hostile foreign governments may use to try to influence our government. By hiring a lobbyist in the United States, a government like Iran could potentially influence U.S. foreign policy, a danger with potentially disastrous consequences. And this, Madam Speaker, is a risk we cannot afford to take.

I think we can all agree, regardless of political party, that American elections must be decided by American voters and U.S. policy must be decided by the U.S. Government.

I would also add that this provision is much tougher than the minority's motion to recommit. That motion would have only banned certain activities by lobbyists for states that sponsor terrorism. This bill bars such lobbying altogether.

And secondly, the motion to recommit was clearly unconstitutional and destined to be struck down. The minority's proposal would have allowed the government to prohibit an American citizen from making campaign contributions or independent expenditures on his or her own behalf on the basis of a business contract. This would

have clearly violated the First Amendment.

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

Mr. CONYERS: I yield the gentleman 1 additional minute.

Mr. HALL of New York. In contrast, H.R. 5609 is constitutional. These foreign countries have no First Amendment rights.

I urge my colleagues to support H.R. 5609.

Mr. DANIEL E. LUNGREN of California. I yield myself such time as I may consume.

Once again, Madam Speaker, I rise in support of this bill.

Mr. HALL just suggested that his bill is stronger than the motion to recommit that I had last week with respect to actions of those who represent state sponsors of terrorism, that is, those who lobby on behalf of those states. At that time, the majority position was that even that limitation was blatantly unconstitutional. Those were the words of Mr. VAN HOLLEN on the floor specifically referring to what, now, Mr. HALL says is a lesser prohibition than what he brings forward. I presume that, therefore, their review of the constitutionality of this now reveals to them that it is constitutional for us to do this and the statements that were made last week on the floor against my motion to recommit are, in fact, inoperative.

Here's what Mr. VAN HOLLEN said: You're denying American citizens and voters the right to contribute to campaigns, to participate freely in campaigns.

He's referring specifically to that section that I had in the bill talking about lobbyists. Now you're saying that they may not perform any lobbying activities whatsoever.

I mean, I agree with the intent. I hope it is, in fact, constitutional. But it is just remarkable that you can come on the floor and condemn something as being blatantly unconstitutional, get a majority vested, 216 members of the Democratic Party voting against it, and then a week later come back and say, Look at us. We are now presenting a real tough restriction that's even tougher than what you offered last week, which was unconstitutional. But ours, which is more restrictive, is, in fact, constitutional. You know, we ought to do better than that.

We also ought to do better than changing our handiwork just before we hit the floor. It is interesting to see the text of the bill, which still calls it a bill to amend the Federal Election Campaign Act of 1971, when, in fact, the substance of it deals with amending the Lobbying Disclosure Act of 1995. But obviously someone, just before they got to the floor, understood that, and you can see some cut and paste at the bottom—it doesn't even have lines for the bill—which amends the title so that the title now reads, ''A bill to amend the Lobbying Disclosure Act of 1995.''

When I was in high school, I guess and even grade school, eighth grade, when we used to put things together, we would call it cut and paste, but I would hope that we could do better than that here in the House of Representatives on the floor of the House.

With that, I reserve the balance of my time.

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

This is the most interesting debate in which we are all going to support the amendment but the process has been corrupted, and I think it's been implied more than once that this bill of Mr. HALL's has been borrowed from our distinguished colleagues on the other side of the aisle. And the fine detail in which we have scrutinized the parliamentary improprieties is absolutely amazing.

It is not reckless to suggest that all of the Members of the House on both sides of the aisle are going to obviously support this measure. It's just that the proper credit has not been allocated to all the parties that have participated so ably in bringing this matter to the floor.

I only wish there was some way I could correct that because I believe in fairness, and I want my colleagues to know that we're not trying to steal their thunder. I think that we all agree ultimately upon the objective. But constitutionally—and no one knows this better than the former attorney general of California—constitutionally you cannot preclude an American citizen from making a contribution, and that bill that was previously considered and discussed did that.

□ 1640

You can, however, prohibit a foreign country from hiring lobbyists, and this is what we did and do. I am sure that it can withstand constitutional scrutiny and that we can go forward into the holiday, recognizing that we have done exactly what we set out to do.

I yield to the gentleman from New York if he would like to make a further comment.

Mr. HALL of New York. Thank you, Mr. Chairman, for yielding.

Madam Speaker, I would just comment that I certainly don't have the experience or the legal knowledge of my colleague, the gentleman from California, so far be it for me to get into the fine points of constitutionality or rules of the House; but I suspect that when the other side of the aisle was in the majority, they may have made some last-minute changes in bills like this.

Be that as it may, the minority side's motion to recommit last week included partisan provisions, which seemed to make it a ''gotcha'' vote to try to ensnare Members of the majority, including the provision that the chairman mentioned of prohibiting individual American citizens from making contributions. This is more narrowly tailored, more constitutionally sound, and ultimately stronger than that motion to recommit. It simply prevents terrorist nations from having roles in U.S. policy. It should be an easy ''yes'' vote for both sides.

If there is a problem in saying that we have moved it too quickly, I would apologize. I would thank the gentleman from California for the ideas that he had, some of which are in this piece of legislation, and I would say that we should all agree that moving quickly on this cause is a good thing. The faster we can stop foreign terrorist nations from buying their way into our political system, the better.

In closing, I would just urge strong support for this bill, saying that we can't afford to let a hostile government have any control over U.S. policy, directly or indirectly. So I urge my colleagues to vote for this critical bill.

Mr. CONYERS. Madam Speaker, I yield such time as he may consume to my friend, the gentleman from New York (Mr. MCMAHON).

Mr. MCMAHON. Madam Speaker, I rise in support of H.R. 5609, which I am proud to offer together with and to follow the lead of my colleague from the great Hudson River Valley of New York, Mr. JOHN HALL, to amend the Federal Election Campaign Act of 1971 in order to prohibit lobbying by foreign governments that are on the United States Department of State's ''State Sponsors of Terrorism'' list.

I thank the gentleman from Michigan, the chairman of the Judiciary Committee, for his eloquent explanation in defense of this bill as we have gotten it here on the floor this afternoon.

As I have listened to the equally eloquent and feisty arguments from the gentleman from California, who is in apparent opposition, I cannot make the legal argument, but certainly, Shakespeare would have said, ''He doest protest too much.''

That being said, currently four countries are on the State Department's ''State Sponsors of Terrorism'' list—Cuba, Iran, Sudan, and Syria.

In Cuba, close to 12 million people live in one of the few remaining purely Communist countries in the world, the only one in our hemisphere—one without human rights and without democracy. They are limited by the Castro government in their jobs, education, even in what appliances they can buy, and where they can live.

Iran is a theocracy which continues on a disastrous path to enrich uranium in order to create a nuclear weapon. Their intransigence against international inspectors threatens Israel, Europe and the United States. Dissenters of the government are routinely killed, minorities are jailed, and people are afraid to speak out. Iran threatens United States' interests and any progress to make Iran or Iraq a stable and civil society.

Sudan is a country that has been in a protracted civil war between the

Animist and Christian south and the Muslim north. The Darfur region of Sudan has seen a humanitarian disaster—killing millions and placing Muslims against Muslims as the world has stood helpless. Sudan is a state sponsor of terrorism against its own people.

Finally, Syria, a country which continues to threaten our strongest and most reliable ally in the Middle East—Israel. Syria has fueled civil war in Lebanon through their support of Hezbollah, has had a direct implication in the assassination of Lebanese Prime Minister Rafiq Hariri, and they continue to support Hamas in Gaza. I represent over 50,000 Syrian Jewish refugees who have fled the anti-democratic country of Syria to build better lives in the United States.

This bill only affects people registered to represent one of these foreign governments on the ''State Sponsors of Terrorism'' list, not companies which are doing business in those countries.

I urge my colleagues, irrespective of the course that this bill took to get on the floor, to support this legislation and to stop the ability of any country on the ''State Sponsors of Terrorism'' list from directly or indirectly influencing our Congress.

Mr. DANIEL E. LUNGREN of California. I yield myself the balance of my time.

Once again, Madam Speaker, I rise in support of this bill. I think, though, it is instructive to note the rather strange circumstances surrounding the process involved here. Usually process is not important, but I do think that we ought to use our rules to try and make it easier for Members to understand what they are voting on, that we try to make it as clear as possible as to the subject matter, that we give Members sufficient time so they can consider the actual language of the bill, and that we actually allow further and more robust debate on this floor.

One of the laments I have, having returned to this Congress in 2005, is a lessening of the importance of the dynamic of the floor of the House of Representatives. When my party was in charge and now when the other party has been in charge, rules, in my judgment, have been far too restrictive. There have been far fewer amendments allowed on this floor for full debate. There have been far fewer Members recognized for the possibility of offering their particular perspectives. I do not think that is a good thing. I think that is a bad thing.

Members should understand the consequence of the Suspension Calendar or of having something that is subject to a consent request for a suspension of the rules, because it is important for Members to understand that every single word of substance in a bill brought forward to this floor, other than the title, can be changed when you suspend the rules. I think that's important for people to know.

Secondly, it is also disappointing that one week we will have an idea roundly criticized and even suggested to be blatantly unconstitutional. Then the next week, without, really, any further debate, without any hearings and without any new knowledge that has changed a review of the subject matter, it suddenly is no longer that. I never thought it was unconstitutional in the first instance, but sometimes our rhetoric gets away with us on this floor. I think you can have a vigorous and robust debate without exaggeration to such an extent that you dismiss things lightly as being unconstitutional.

I am reminded of what Justice Scalia said in a speech a few years ago. He said, when he was a kid, growing up, and when you saw something you didn't like or that you thought was wrong, you'd say, There ought to be a law. As a matter of fact, there was a cartoon series on that: ''There ought to be a law.'' He said now the tendency is when you see something you don't like or when you see something you would change, you say, It's unconstitutional.

While that may not sound that important, it is extremely important because, if you say, There ought to be a law, you are accepting the burden of persuading your fellow citizens to pass a law. If you say, It's unconstitutional, you are suggesting that that subject matter has been removed from the arena of public debate and democratic processes, that is, removed from the legislative and executive branches and given exclusively to the judiciary, wherein they make the decision, and their decision ultimately is not appealable to the other branches of government. That is a tremendous distinction.

In my judgment, we have seen the courts, over the last decades, trespass upon the appropriate democratic rights of the American public, that is, telling them they no longer have the ability to make the decision through their democratic branches of government. It is, rather, going to be in that nondemocratic—and I mean that intentionally. They are not supposed to be responsive as we are to the public.

□ 1650

But because of that, where they rule on the basis of the Constitution ought to be in a very limited, relatively limited area. So I think we ought to be more careful when, instead of engaging in the debate on the subject matter at hand, we lightly suggest that our disagreement with it is that it is unnecessarily unconstitutional.

Now, I realize I made the argument last week on the bill before us, the DISCLOSE Act, on the unconstitutionality, but I believe I did back that up with legal analysis and had extended debate on the floor on that, as opposed to just throwing it out as an argument against a single amendment or single section of the bill.

With that, I would urge my colleagues to overlook the manner in which this was brought to the floor, accept the explanations and heartfelt concerns expressed by my friend from Michigan about the manner in which it came to the floor, and with all that, support this bill.

I yield back the balance of my time.

Mr. CONYERS. 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 Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 5609, 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. CONYERS. 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.

## CALL OF THE HOUSE

Mr. CONYERS. Madam Speaker, I move a call of the House.

The SPEAKER pro tempore. Under clause 7(b) of rule XX, the Chair confers recognition for that purpose.

A call of the House was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute call of the House will be followed by 5-minute votes on suspending the rules with regard to H.R. 5609 and House Concurrent Resolution 290, if ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 424]

| | | |
|---|---|---|
| Ackerman | Boustany | Coble |
| Aderholt | Boyd | Coffman (CO) |
| Adler (NJ) | Brady (PA) | Cohen |
| Akin | Braley (IA) | Cole |
| Alexander | Bright | Conaway |
| Altmire | Broun (GA) | Connolly (VA) |
| Andrews | Brown (SC) | Conyers |
| Arcuri | Brown, Corrine | Cooper |
| Austria | Brown-Waite, Ginny | Costa |
| Baca | Buchanan | Costello |
| Bachmann | Burgess | Courtney |
| Bachus | Burton (IN) | Crenshaw |
| Baldwin | Butterfield | Critz |
| Barrett (SC) | Buyer | Crowley |
| Barrow | Calvert | Cuellar |
| Bartlett | Camp | Culberson |
| Barton (TX) | Campbell | Cummings |
| Bean | Cantor | Dahlkemper |
| Becerra | Cao | Davis (AL) |
| Berkley | Capps | Davis (CA) |
| Berman | Capuano | Davis (IL) |
| Berry | Cardoza | Davis (KY) |
| Biggert | Carnahan | Davis (TN) |
| Bilbray | Carney | DeFazio |
| Bilirakis | Carson (IN) | DeGette |
| Bishop (GA) | Carter | Delahunt |
| Bishop (NY) | Cassidy | DeLauro |
| Bishop (UT) | Castle | Dent |
| Blackburn | Castor (FL) | Deutch |
| Blumenauer | Chaffetz | Diaz-Balart, L. |
| Blunt | Chandler | Diaz-Balart, M. |
| Boccieri | Childers | Dicks |
| Boehner | Chu | Dingell |
| Bono Mack | Clarke | Djou |
| Boozman | Clay | Doggett |
| Boren | Cleaver | Donnelly (IN) |
| Boswell | Clyburn | Doyle |
| Boucher | | Dreier |

Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

□ 1721

The SPEAKER pro tempore. 416 Members have recorded their presence. A quorum is present.

## BARRING POLITICAL SPENDING BY LOBBYISTS WHOSE CLIENTS INCLUDE STATE SPONSORS OF TERRORISM

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5609) to amend the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism or include other foreign nationals from making contributions and other campaign-related disbursements in elections for public office, 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 Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 4, not voting 20, as follows:

[Roll No. 425]

YEAS—408

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

NAYS—4

Baird
Cohen
Kucinich
Paul

NOT VOTING—20

Blunt
Capito
Conyers
Ehlers
Farr
Garrett (NJ)

Griffith
Hoekstra
Johnson, Sam
Kilpatrick (MI)
Kosmas
Lowey
Miller, George
Moore (WI)
Olver
Rodriguez
Sensenbrenner
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members, there are 2 minutes left in the vote.

□ 1728

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend the Lobbying Disclosure Act of 1995 to prohibit any person from performing lobbying activities on behalf of a client which is determined by the Secretary of State to be a State sponsor of terrorism.''.

A motion to reconsider was laid on the table.

## SUPPORTING DESIGNATION OF NATIONAL ESIGN DAY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the concurrent resolution (H. Con. Res. 290) expressing support for designation of June 30 as ''National ESIGN Day''.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. MCDERMOTT) that the House suspend the rules and agree to the concurrent resolution.

The question was taken.

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

RECORDED VOTE

Mr. GARAMENDI. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 397, noes 15, not voting 20, as follows:

[Roll No. 426]

AYES—397

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

NOES—15

Akin
Bishop (UT)
Burgess
Campbell
Carter
Chaffetz
Conaway
Duncan
Flake
King (IA)
Marchant
Neugebauer
Poe (TX)
Shadegg
Thornberry

NOT VOTING—20

Ackerman
Andrews
Berman
Brown (SC)
Capito
Castor (FL)
Cleaver
Conyers
Griffith
Hoekstra
Johnson, Sam
Klein (FL)
Levin
McMahon
Pence
Rodriguez
Slaughter
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 1 minute left in the vote.

□ 1738

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1740

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 4899, SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111–522) on the resolution (H. Res. 1500) providing for consideration of the Senate amendments to the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 4899, SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1500 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1500

*Resolved,* That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a

motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment to the text with each of the five House amendments printed in the report of the Committee on Rules accompanying this resolution. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour and 30 minutes as follows: 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; then 30 minutes equally divided and controlled by Representative Lee of California or her designee and an opponent; and then 30 minutes equally divided and controlled by Representative McGovern of Massachusetts or his designee and an opponent. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question except that the question of adoption of the motion shall be divided among the five House amendments. The first portion of the divided question shall be considered as adopted. If the remaining portions of the divided question fail of adoption, then the House shall be considered to have rejected the motion and to have made no disposition of the Senate amendment to the text.

SEC. 2. Upon adoption of the motion specified in the first section of this resolution—

(a) the Clerk shall engross the action of the House under that section as a single amendment; and

(b) a motion that the House concur in the Senate amendment to the title shall be considered as adopted.

SEC. 3. The chair of the Committee on Appropriations may insert in the Congressional Record not later than July 3, 2010, such material as he may deem explanatory of the Senate amendments and the motion specified in the first section of this resolution.

SEC. 4. House Resolution 1493 is hereby adopted.

SEC. 5. Clause 10(a) of rule XXI is amended to read as follows:

''(a)(1) Except as provided in paragraphs (b) and (c), it shall not be in order to consider any bill, joint resolution, amendment, or conference report if the provisions of such measure affecting direct spending and revenues have the net effect of increasing the on-budget deficit or reducing the on-budget surplus for the period comprising either—

''(A) the current year, the budget year, and the four years following that budget year; or

''(B) the current year, the budget year, and the nine years following that budget year.

''(2) The effect of such measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget relative to baseline estimates supplied by the Congressional Budget Office consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 and consistent with sections 3(4), 3(8), and 4(c) of the Statutory Pay-As-You-Go Act of 2010.

''(3) For the purpose of this clause, the terms 'budget year,' 'current year,' and 'direct spending' have the meanings specified in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that the term 'direct spending' shall also include provisions in appropriation Acts that make outyear modifications to substantive law as described in section 3(4)(C) of the Statutory Pay-As-You-Go Act of 2010.''.

The SPEAKER pro tempore (Mr. WEINER). The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California, my very good friend (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the rule provides for consideration of the Senate amendments to H.R. 4899 and makes in order a motion by the chair of the Appropriations Committee to concur in the Senate amendments with the five amendments printed in the Rules Committee report.

The rule waives all points of order against the motion except those arising under clause 10 of rule 21.

The rule provides that the motion shall be debatable for 1 hour and 30 minutes as follows: 30 minutes equally divided and controlled by the chair and ranking minority member of the Appropriations Committee; then 30 minutes equally divided and controlled by Representative LEE of California and an opponent; and then 30 minutes equally divided and controlled by Representative MCGOVERN of Massachusetts and an opponent. The rule provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question except that the question of adoption of the motion shall be divided among the five House amendments, with the first portion of the divided question considered as adopted. If the remaining portions of the divided question fail of adoption, then the House shall be considered to have made no disposition of the Senate amendment to the text.

The chair of the Appropriations Committee may insert in the CONGRESSIONAL RECORD not later than July 3, 2010, such material as he may deem explanatory of the Senate amendments and the motion specified in the first section of this resolution. The rule provides that House Resolution 1493 is hereby adopted.

Finally, the rule amends the time periods in clause 10 of rule XXI to align with the Statutory Pay-As-You-Go Act of 2010.

At this time, Mr. Speaker, I yield 1 minute to the distinguished majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

I rise in strong support of this rule. This is a difficult rule. It is a difficult rule because it deals with an extraordinarily important subject. This is an extraordinarily important rule. It is important to every Member of this House, on either side of this House, of whatever ideology they bring to this House. It is extraordinarily important to the American people.

It deals, as I said, with the lives and welfare of our young people. It deals with the security of this Nation. It deals with the safety of our people. It deals with the objective of not only teaching our children, but in eliminating terrorists who would put them at risk.

I rise in support of this rule because I think that the very difficult line of trying to give every Member the opportunity to reflect their point of view, which, of course, in a body of 435 people is very difficult, but I think this rule attempts to do that.

We know that the fiscal course that we are on will ultimately lead to bankruptcy unless we act to change it. That is why this rule also projects fiscal discipline in the budget enforcement resolution that is included within the ambit of this rule.

Whenever you hear someone blame our debt on this Congress' so-called out-of-control spending, you can be sure they're more interested in pointing fingers and scoring political points than solving problems. That's especially true when you hear those complaints from those who presided over a lot of debt. Some of us voted for a lot of debt along with them, some of us did not.

In the long term, our structural deficit stems from the retirement of the baby boomers and spiraling entitlement costs. It is therefore in the budget resolution that we tip our hat in a favorable way to the commission that has been established by the President. It's said that we are hopeful that they will come up with substantive recommendations that will get us from where we are to where we need to be—a return to fiscal balance.

□ 1750

It also says that our committees ought to look carefully at the ways and means that we can save dollars, eliminate waste, and make more effective use of the tax dollars—indeed, save tax dollars. The American people want us to do that.

This budget enforcement resolution included in this rule will also say that we will honor statutory PAYGO, that we will pay for what we buy, that if this generation deems something an important priority for us to purchase that we will pay for it so that our children and our grandchildren will have the option of making their priorities and will not have their priorities made for them by us.

In addition to this bill, it provides for the consideration of domestic spending priorities, largely to save jobs. Particularly, we have teachers in this country who are subject to layoffs because of the severe recession that we have been involved in and because of the precipitous falling of revenues to States, therefore putting the education of our children at risk.

The administration asks for far more money than Mr. OBEY has been able to include. They also ask for it to be unpaid for, but if we are going to be honest about PAYGO, we need to pay for

things. This bill will pay for the increase in teacher assistants. Mr. OBEY scrubbed all of the appropriation accounts and has come up with sufficient dollars to do that. I think that is what the American public wanted us to do, and that is what Mr. OBEY has done. I congratulate him for that.

This bill will provide for additional border security on our southern border. We understand there is a crisis on the southern border. This President has responded to it. This bill responds to it.

In addition, we provide, obviously, for FEMA money. FEMA is running out of money. We have had a number of natural disasters around this country, and FEMA has responded. This bill provides for the dollars necessary for FEMA to have the resources to respond to those emergencies.

This rule provides for an amendment which will provide money for Haiti. It provides for other priorities of our country. Some will, perhaps, disagree with those priorities, and others will agree with them; but we will consider them on this floor.

I say to my friends that this rule provides for three options, as Mr. MCGOVERN, I think, will explain further, so I will not go deeply into them.

There will be, perhaps, those who will say we ought not to fund the effort in Afghanistan at all. They will have that option. There will then be an option that says, no, we will appropriate this money, but we need to limit it to extricating ourselves—drawing down our forces from Afghanistan.

Mr. MCGOVERN and Mr. OBEY have another alternative which will provide for the administration's providing us with information both in a National Intelligence Estimate and in a plan for withdrawal. They will expand upon that; but that gives, I think, almost everyone in this House the opportunity to express their views as to what ought to be done.

I urge my colleagues at this hour, on this, perhaps, last day of our session before the July 4 break to approve this rule, which, I believe, gives Members the options that they can be comfortable with in voting ''yes'' or ''no.'' I will urge a ''yes'' vote on the rule and certainly a ''yes'' vote on a number of pieces of this legislation. I will not vote for every one of these amendments, but they ought to be made in order.

I appreciate the work that Mr. MCGOVERN has done. I appreciate the work that Mr. DREIER has done. I want to thank them both. They may have different views, but it is my understanding that this was brought to the floor in a reasonable and considered way.

In closing, I want to thank DAVID OBEY. No one in this House works harder. No one, frankly, is under more pressure than Mr. OBEY. Everybody in every State, every locality, every city and every person who wants a road, a bridge or a public facility talks to Mr. OBEY on a regular basis. I know that Mr. BOEHNER and I, as the leaders, have a lot of people talking to us when we come on this floor, but nobody talks to anybody more than they talk to Mr. OBEY. Mr. OBEY has focused on this, has worked on this, and has brought to the floor, I think, a bill that we can be proud of, that we think will move America forward, a bill that will help stop the loss of jobs, particularly in our educational community. So I thank Mr. OBEY for the leadership that he has shown and for the commitment that he has made.

Now, I want to tell my friends on our side of the aisle that the administration is not happy with some of the payfors which we are committed to. The administration and our side of the aisle overwhelmingly were for statutory PAYGO, saying that we would pay for what we bought. The administration, understandably, has some reservations about some of the offsets. However, nobody is ever happy with all of the tough decisions that have to be made. So I would urge my colleagues to pass this bill and to pass the amendment that Mr. OBEY will offer on domestic discretionary spending. I would ask us to send this bill to the Senate.

I regret that the Senate has gone home. I am sorry that the Senate has gone home. I am sorry the Senate is not available tonight or tomorrow to consider this legislation. I understand that we have lost a great Senator and a dear friend in Robert C. Byrd. I will be going tomorrow to the memorial service for Senator Byrd, and then I will return here. I would have returned ready for business, as I think we should complete this piece of legislation, and I would have hoped that that might have been the case.

I thank the gentleman from Massachusetts for yielding. I urge my colleagues to let us move forward on this important piece of legislation, not only for the safety and security of our troops, not only for the effort to ensure that terrorists are hunted down and defeated, but also to ensure that, here at home, we take care of the people and that we pay for those who we take care of here at home. We are not going to pay for the emergency that exists overseas, but this is a good rule. The options are clear for all, and the effort that we make here is important for our country and for our people.

I urge adoption of the rule. I urge adoption of the Obey amendment. I urge the careful consideration of the other three amendments that will be offered as well.

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

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

Mr. DREIER. I want to begin by expressing my appreciation to my good friend from Worcester, my Rules Committee colleague, Mr. MCGOVERN, for yielding me the customary 30 minutes.

Mr. Speaker, I very much appreciate my friend's, the gentleman from Maryland's, outline of this rule, but the fact of the matter is this is one of the most convoluted rules that we have seen in a long, long period of time.

I say that because, while my friend tried to make it sound as if this rule were fashioned to ensure that every single Member of this institution would have the opportunity to have a say, to play a role and to ensure that the House is working its will, the fact of the matter is it is a rule which is designed, I believe, in many ways to deny what a majority of this House would like to do.

We all decry the fact that we still have men and women in Afghanistan and in Iraq. We wish very much that the wars could come to an end and that we could bring our troops home, and we all enthusiastically look forward to doing that just as expeditiously as possible. Yet we know that a request was made for $33.5 billion—this is a request that the President made—to ensure that our men and women in uniform have exactly what they need. The Secretary of Defense and other leaders in our military have indicated that it is essential that they have this before the 4th of July. When is the 4th of July? It is this coming Sunday.

Now, last May 27, more than a month ago, the Senate took its action. By a vote of 67–28, they voted in favor of this $33.5 billion in order to ensure that our men and women in uniform have exactly what they need.

Mr. Speaker, I am not in any way an advocate of our being a rubber stamp or of our doing exactly what our friends in the other body propose. That is why I wished very much, in the month before last, in late May, that we had begun the process so that we would not be here on the eve of the date at which time the Secretary of Defense had indicated we must have this money.

With the action that this institution might consider taking, we are jeopardizing the ability of our men and women in uniform to have exactly what they need now. There is nothing that any of us does in our jobs that is more painful than talking to the family members of those who have lost their lives in Iraq, Afghanistan or in any place in the world.

My friend from Worcester just talked about two of his constituents who died in Afghanistan recently.

□ 1800

We can on a regular basis, Mr. Speaker, talk about these challenges. We want to ensure that we never again have to call and talk to those family members. That is why, as Mr. HOYER said very eloquently in his opening remarks, we want to ensure that we diminish the kind of threat that exists for the United States of America and for our interests around the world. That is the reason that we are there.

Now, the distinguished chair of the Committee on Rules just a little while ago upstairs talked about the fact or

implied in some way that we were imposing democracy on the people of Afghanistan and it is something that they are not really interested in.

Well, the fact of the matter is, our colleague Mr. PRICE and I, along with 18 other Members, have a commission which has expended time, energy, resources and effort in 15 new and reemerging democracies around the world, working to build their parliaments.

Mr. Speaker, one of our partner nations for the House Democracy Partnership happens to be Afghanistan. And while there have been real difficulties with democracy there, there have been difficulties and a real struggle as they begin to plant the seeds of democracy, we have been working closely with their parliament, and they are enthusiastic about the process of moving ahead and, interestingly enough, modeling themselves after much of what we have here in the House of Representatives. So as we look at where it is that we are headed, we have to ensure that those resources are there. We don't like the fact that we have to do this, but it is essential.

Mr. Speaker, as we look at this rule, the rule is one which is, as I said, very convoluted. We have dealt with war supplementals in the past. My colleague Ms. FOXX upstairs in the Rules Committee talked about the fact that consistently President Obama when he was a candidate indicated that he would not be asking for any war supplementals.

But I will say that when we have considered war supplementals in the past, under the chairmanship of JERRY LEWIS and in the work that we had in the Rules Committee, every single war supplemental that we brought forward came under an open amendment process. That is the way to allow the House to work its will.

Now, we are where we are. We are where we are on the eve of Independence Day and the time when the Secretary of Defense and other military leaders have said it is essential for us to have the resources that are necessary.

So what is it we should be doing? We should defeat this rule. We should defeat this rule, go right back upstairs to the Rules Committee, and come down here with a rule that will allow us to let the House work its will and have an up-or-down vote, an up-or-down vote on whether or not we accept this $33.5 billion request, along with a few other items that are included in this measure, including funding for the Federal Emergency Management Agency, which, as Mr. HOYER said, is desperately needed. That is included in the measure that came over from the Senate. And we should have an up-or-down vote and see what this House will do.

Mr. Speaker, as I said at the outset, I believe fully that if we were to have that up-or-down vote, that a bipartisan majority, a bipartisan majority in this House would in fact vote to complete the work, ensure that our men and women in uniform have all the resources that they need to proceed, and then we will have done our job.

So, Mr. Speaker, I am going to urge my colleagues to vote no on this rule for numerous reasons, the most important of which at this moment is to ensure that our men and women in uniform get what they need as soon as possible.

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

Mr. MCGOVERN. Mr. Speaker, at this time I would like to yield 3 minutes to the gentlewoman from Maine (Ms. PINGREE), a member of the Rules Committee.

Ms. PINGREE of Maine. I thank my colleague on the Rules Committee for yielding.

Mr. Speaker, I rise in opposition to the $37 billion in this bill for the wars in Afghanistan and Iraq. I oppose this war funding, and I believe that our presence in Afghanistan is not strengthening our national security. Instead of spending this money on a war that doesn't make us any safer, I believe we should be reducing the deficit and investing here at home.

After the events of 9/11, the United States went to Afghanistan to capture or kill Osama bin Laden and dismantle al Qaeda, not to occupy the country or to build the Afghan government, a government that has proven time and time again to be one of the most corrupt in the world.

June was the deadliest month for our U.S. military personnel since the war began in 2002. And while the loss of one American servicemember is tragic, the loss of over 1,000 brave Americans for a cause that doesn't make America any safer is something we cannot tolerate.

Military and intelligence officials have said there are now only 50 to 100 al Qaeda operatives in Afghanistan, which begs the question, why do we need over 100,000 troops over there? Does the United States really need 1,000 troops and $1 billion a year to fight each single member of al Qaeda?

We are pursuing a failed strategy in that country and have somehow confused nation building with fighting the war on terror. We have watched too many times as our colleagues here on the other side of the aisle and in the Senate vote not to extend unemployment benefits or pass funding that would help keep firefighters and teachers on the job because they said we can't afford it. Isn't it time to start asking whether we can really afford a war that costs $7 billion a month? It is time we really need to support our troops and deploy them from Afghanistan.

I urge my colleagues to join me in voting to strip out the wasteful and unnecessary funding in this bill. The American people and our brave servicemembers deserve to know our intentions in Afghanistan. That is why we need the administration to develop a timetable for withdrawal immediately.

The American people want us to end this war, and it is time for us to bring our men and women in uniform safely home.

Mr. DREIER. Mr. Speaker, I am happy to yield 4 minutes to my friend from Janesville, Wisconsin (Mr. RYAN), the distinguished ranking member of the Committee on the Budget.

Mr. RYAN of Wisconsin. I thank the gentleman for yielding.

Mr. Speaker, what we have here is a rule, not a budget, really not a budget enforcement system. We have a rule that will deem to the Appropriations Committee $1.1 trillion to spend on discretionary spending. This really is an unprecedented occurrence here on the House floor, because what is happening is we are marking a moment for the first time since the budget system was created in 1974 that dictated how Congress does budgets.

For the first time since the 1974 Budget Act, the modern budgeting system in Congress, the House isn't going to do a budget. The House is not going to do a budget. They will call this rule budget enforcement, but all it really is is giving up $1 trillion to the Appropriations Committee to spend. No budget, no priorities, no restraints, just turn the spending system on.

Now, the majority talks about PAYGO as their budget enforcement. With all due respect, I think PAYGO is a sham, and whenever it is not circumvented, whenever it is actually applied, it is usually used to raise taxes on the American people.

Another problem, Mr. Speaker, is what they are talking about in this rule is that the President's Fiscal Commission will assemble and bring a recommendation in December, and that will serve as our budget this year, or something to that effect. I am a member of the Fiscal Commission. I hope that we actually do come up with some concrete answers and some fiscal steps in the right direction.

But what is the Fiscal Commission? It is a commission appointed by Executive order by the President of the United States. So in effect are we saying that we are going to delegate the legislative branch's authority and responsibility to budget the power of the purse to an executive branch commission? Are we now simply saying that the President will appoint people and they will write the budget? Whatever happened to protecting the separation of powers? Whatever happened to Congress actually doing its job? Whatever happened to actually passing a budget?

So, what we have here is we have a very tough election year, I suppose, and people don't want to do a budget. But they want to spend. So, for the first time, for the first time since the 1974 Budget Act was in place, the House isn't even doing a budget. We are going to spend the money, but we are not going to account for it. We are not going to prioritize.

So when you take a look at the budget we are living under, the one that

passed last year, the first Obama budget, that is the budget that is the incumbent budget. What does that budget do? It doubles our debt in 5 years and triples our debt in 10 years.

Our debt just hit the $13 trillion mark. We are watching Europe in the throes of a debt crisis because they borrowed too much money, they taxed too much, they slowed down their economies, and now they are in crisis mode. Well, that is exactly what is going to happen here if we don't get our fiscal house in order. That is exactly what the credit markets are going to do to us if we don't show that we are serious about our fiscal responsibilities.

So what is the primary responsibility of the legislative branch of government? Budgeting. And what is this majority doing? They are not budgeting. We are deeming. We are deeming $1.1 trillion so we can start spending. Not budgeting; spending. No restraints, no priorities. Spending.

Mr. Speaker, I really worry about this. I worry a lot about this, because I worry we are sending all the signals—the wrong signals; the wrong signals to the economy, to businesses, to the credit markets, to entrepreneurs, that the Americans don't have their fiscal house in order, that our government isn't functioning because it is not budgeting. That is a shame.

We should reject this and get on to the business of actually budgeting.

Mr. MCGOVERN. Mr. Speaker, let me say when the Democrats were in the minority, we as a party submitted a budget every single year. The Republicans, to my knowledge, have not done that. Mr. RYAN, my colleague and friend on the Budget Committee, did submit a budget under his name, and perhaps if he wants to make that budget in order, I am sure our leadership would love to have a debate on a budget that turns Medicare and Social Security into a voucher system.

But the budget document that the Democrats have put forward would cap discretionary spending at $1.2 trillion, which is $7 trillion less than what President Obama proposed.

Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. I thank the gentleman from Massachusetts for yielding.

I rise today in support of the rule and in support of the Lee amendment to responsibly end the war in Afghanistan. There is a real terrorist threat to our country, but that threat does not emanate from Afghanistan. It emanates from al Qaeda, a stateless menace, a menace that will organize and set up wherever we are not.

The ongoing and indefinite occupation in Afghanistan is not a constructive step towards the battle against a terrorist threat to this country. In fact, through the civilian casualties, we only increase the pool of potential terrorists every day that we continue this occupation.

I strongly support this concept of allowing our funds only to be used for the orderly withdrawal of American troops from the country of Afghanistan.

The mission, the challenge we have put before our men and women, is nearly a difficult and impossible challenge: To try to build a cohesive nation state out of a tribal nation, out of dealing with people in our own employ who are of dubious moral character and continue to engage in the opium and drug trade to finance their related activities.

There is a difference between the ongoing battles and insurgency in Afghanistan and the terrorist threat to this Nation. We should spare no expense in going after terrorists wherever they are, engaging in aggressive intelligence-gathering operations and taking out the ability of terrorists to train. But the ongoing occupation of Afghanistan is not a constructive step to that end.

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

Mr. MCGOVERN. I yield the gentleman an additional 1½ minutes.

Mr. POLIS. I rise today in support of the rule and in opposition to the Obey amendment.

Funding for teachers and for education is my top priority here as a Member of Congress. I am a cosponsor of a bill to provide $23 billion in funding for teachers.

□ 1815

It breaks my heart that we're only talking about $10 billion today. But what is critical to achieve success—to find $10 billion, to find $23 billion—is keeping those who advocate resources on the same page as those who advocate reform. Resources and reform. That is the promise of the Obama administration. That is the platform that I ran on. That is what will transform millions of American lives to help break the vicious cycle of poverty that holds too many families as slaves and replace it with the virtuous cycle of opportunity and hope. Programs like Race to the Top, programs like funding innovative new charter schools, programs like innovative ways to fund teacher salaries. These are the programs that are being cut by this proposed amendment.

I hope that the Secretary continues to work with us here in Congress to find ways to pay for teachers' salaries, but we need to do so in a way that doesn't have the threat of a Presidential veto and can garner strong support in this body.

Funding teacher salaries is my top priority, and I would vote for anything to do that. I don't feel that going after the reform aspects of the President's education budget is a constructive way to build a majority to be able to fund teacher salaries. So I hope that we will continue that important work. And I personally will be voting against the Obey amendment.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to my good friend from Santa Clarita, California (Mr. MCKEON), the ranking member of the Committee on Armed Services.

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

Mr. MCKEON. Mr. Speaker, I thank the Rules Committee ranking member, Mr. DREIER, for yielding the time.

Mr. Speaker, the majority leader pointed out that all of us are going to have a chance to express our views. Some different views have been expressed here this morning. But the way our system works after all of our views are expressed, we have a Commander in Chief. The Commander in Chief last year took 90 days to thoroughly study the effort in Afghanistan. He made a decision. The decision was that we carry a counterinsurgency war to make our security safe so that al Qaeda and the Taliban cannot have a safe haven from which they could continue to launch attacks on us. In carrying out that strategy, he placed General McChrystal in charge of the troops and he approved 30,000 additional troops for the area. He also requested that we send an additional $33 billion to support those troops.

Now we know about the tragedy with General McChrystal. We know that his resignation was accepted. We know that the President nominated General Petraeus to take his place. General Petraeus appeared before the Senate last week and again reiterated the need for this money, as Secretary Gates had the week before. He said that if we didn't get this money, we had to start doing stupid things. General Petraeus was unanimously confirmed by the Senate. He is on his way right now to Kabul to take over this command. And we're here debating a rule that will delay further the money that those troops need over there.

Sunday is the Fourth of July. George Washington on the 9th of July in 1776 was so impressed by that Declaration of Independence that he had all of the Continental Army come to ranks and have that document read to them. We're going to be reminded again of that Sunday, and how important it is for us to follow our Commander in Chief and to give our troops the things they need.

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

Mr. DREIER. I yield the gentleman 30 additional seconds.

Mr. MCKEON. The letters that General Washington wrote to the Congress, I wish we could have him here now and see the letter that he would probably send us, accusing us of dithering while the troops are out there putting their lives on the line.

I ask that we defeat this rule. It doesn't have to be that complicated. We can defeat this rule and this afternoon turn it right around, pass the bill that the Senate already passed, and

have the money on the way to the troops next week. I ask my colleagues to please join me in defeating this rule and moving forward in that.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the rule and pursuant to it will vote in strong support of the domestic funding portion of the supplemental appropriation, but in reluctant acceptance of the war funding, which appropriates some $37 billion to our efforts in Afghanistan, most of it going to the troop surge that President Obama announced in December of last year.

Concern about the well-being of our troops makes its difficult to vote against supplemental war funding once the troops that funding is meant to support have already been deployed. While a ''no'' vote on the war supplemental has some appeal as a way of forcing reevaluation of our current strategy, denying those funds could jeopardize the safety of our troops. For me, that leaves little real choice in the matter.

However, that does not mean I am ready to acquiesce in a policy that appears increasingly open-ended, while its cost in lives and resources continues to mount. I am highly skeptical that an extra year and 30,000 additional troops will bring stability and effective governance in a country that for 30 years has seen nothing but conflict and for centuries has been known as the graveyard of empires. It is hard to imagine that the Karzai government will rid itself of corruption and become a reliable partner or that the Afghan forces will acquire a sustainable level of competency any time soon. The elusive ''turning point'' our policy seeks to achieve seems ever farther away.

Through it all, wear and tear on our troops has been unrelenting. More than a thousand Americans have lost their lives in Afghanistan and 6,500 have been wounded in action. The toll of multiple tours and unconventional combat has placed terrible stress on our soldiers, resulting in a near epidemic of suicides among returning veterans. When the burdens on our troops is this heavy, our policymakers must bear a commensurate burden of proof to show that the sacrifice is in our national interest and that the mission is meeting with success. In my view, this burden of proof is not being met. For that reason, I believe we should stick to the plan of bringing our troops home and beginning that withdrawal no later than July of 2011.

That is why I will support the McGovern-Obey amendment that reaffirms the President's timeline for withdrawal. The McGovern-Obey amendment requires the President to submit a detailed plan for the safe, orderly, and expeditious redeployment of U.S. troops from Afghanistan, including a timeline for completion of that redeployment.

I am determined to fight terrorism. I wish I were confident that our current strategy in Afghanistan was having the net effect of advancing that goal. But I am not. I worry instead that as this 9-year war drags on and on, it is bogging us down, sapping our strength, and distracting us from other, more effective strategies for combating the terrorist threat in that region and elsewhere in the world.

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

Mr. MCGOVERN. I yield the gentleman 30 additional seconds.

Mr. SARBANES. Mr. Speaker, I will support our troops in this supplemental but I will also continue to press for their withdrawal from Afghanistan and for a meaningful discussion of exactly how that can be accomplished in accordance with the timeline originally set by the President.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 1 minute to my very good friend from West Chester, Ohio, the very distinguished Republican Leader, Mr. BOEHNER.

Mr. BOEHNER. I want to thank my colleague for yielding and say to my colleagues that the President, on February 1, sent up a supplemental spending request to fund our activities for our troops and the State Department in Afghanistan. For 5 months, this Chamber has wallowed around trying to find a way to bring this bill to the floor. And look how we've done it.

We have a rule that provides for the consideration of the supplemental that self-executes a lot of wasteful spending here in Washington right into the rule itself. But if that isn't bad enough, there are four amendments made in order. If any of those amendments were to fail, it's as if the House has not even considered the bill. It's as though this debate that we're having right now had never even happened.

How could such a rule providing for the consideration of an important supplemental spending bill have in there this escape clause that if we don't get our way on all of these amendments, then this really didn't happen? This is supposed to be the greatest legislative body in the history of the world and we're treating it like a bunch of kids in a sandbox. I, frankly, think it's disgraceful.

Beyond what the rule does in terms of the consideration of the bill, it also deems the appropriation process to begin. And it outlines a number. We've tried for several months to pass a budget here in the House. But the budget resolution never reached the floor. There was never a debate and never an effort to actually come to grips with a fiscal crisis that's facing our country. And yet what are we going to do? We're going to authorize over a trillion dollars worth of new spending. No debate how to save money, no debate about the crisis that we're facing. We're just going to keep the spending spree alive.

This scheme-and-deem process that's included in this rule should be another reason that Members ought to think twice before they vote for this budget and vote for this rule. But I've got to tell you the worst thing that's going on here is that the Secretary of Defense has asked for this money prior to July 4th because our troops in Afghanistan need the resources in order to succeed in their mission. Not only are we trying to pile all of this new spending on the backs of our troops, the fact is that if this rule were to pass, it guarantees that this bill will not get to the President before July 4th. If this rule passes, which self-executes all of this extra spending into it, it will automatically have to go to the United States Senate, where how long it will be there, who knows. But all I can say is that the troops that are out there fighting for the defense of our country, trying to preserve the security for our country for today and tomorrow, are going to be left wanting because of the political chicanery that's going on here in this House. I think this is disgraceful. I really do.

I promised the President 2 months ago that if they brought a clean supplemental spending bill to the floor of the House, I and my Republican colleagues would be there to help the President pass it. He heard me loud and clear. He looked at the Senate Republican leader and said, Well, what do you think about this? He said, I'm with BOEHNER.

We promised the President we would help pass this bill. But, no, there was never any reaching out, never any working together to try to make sure that our troops had what they needed in a timely fashion. No, the only way we can bring this bill up was to load it up with tens of billions of dollars of new spending—just more stimulus spending that hasn't worked over the last year and a half, and this additional spending is just going to be thrown on the backs of our kids and grandkids.

Mr. Speaker, I think our colleagues tonight should do the right thing. I think they should stand up and say ''no'' to this rule. Let's say ''yes'' to a fairer process and to a process that will get our troops the funds that they need in a timely fashion, which is now. If we defeat this rule, you can bet that the supplemental spending bill, without all these other add-ons, will be on the floor of this house. And I can tell you, Mr. Speaker, that I and my Republican colleagues will gladly vote for a clean supplemental to support our troops.

Mr. MCGOVERN. Mr. Speaker, since the distinguished minority leader raised the issue of our commitment to our troops, I should point out for the record that when we debated and voted on the defense authorization bill only a few weeks ago, only nine Republicans voted for that bill. Because they thought the issue of gays in the military was more important than supporting our troops and their families.

At this point I would like to yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentleman for yielding.

Mr. Speaker, I just want to point out that the base text of funding the war originated in the Senate and that article I, section 7 of the Constitution says: all bills for raising revenue shall originate in the House of Representatives.

Now, one of General McChrystal's top aides was quoted as saying, ''If Americans started paying attention to this war, it would become even less popular.'' The question is, when will Congress finally begin paying attention to this war, which is being waged with our consent; when will Congress realize that we've lost more than 1,200 troops too many; that we've spent $300 billion too much; that the deaths of our brave soldiers cannot be justified, that their service is sacred but the mission is not; that the death of every innocent Afghan citizen is a blot on our national conscience.

When will Congress cut off funding? When will the requirements of our failing domestic economy of unemployment, factory closings, business failures, foreclosures, loss of savings, bankruptcies, failing infrastructure, and failing energy policy cause us to look homeward?

□ 1830

Or should we cut social and economic programs to balance the budget to pay for the war?

We went to war in Iraq based on lies. More than 1 million innocent Iraqis have died. We've lost more than 4,000 of our troops. The long-term cost will be close to $3 trillion.

Our presence in Afghanistan is an unmitigated disaster. The war is a cesspool of corruption. Billions in U.S. taxpayer dollars are being stuffed into suitcases and flown out of Kabul. The counterinsurgency strategy is a failure. U.S. tax dollars are going to support warlords who end up shooting at our troops. Security contractors bribe insurgents to shoot at our troops to demonstrate the U.S. needs more security services. Professional killers from Blackwater are now contracted to guard our embassy in Afghanistan. Drug production has skyrocketed during the U.S. occupation. U.S. tax dollars are going to build villas in Dubai, and our country is falling apart with a failing economy.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 15 minutes left, and the gentleman from Massachusetts has 17 minutes left.

Mr. DREIER. Mr. Speaker, with that, I am happy to yield 3½ minutes to my very good friend from Urbana, Illinois (Mr. JOHNSON).

Mr. JOHNSON of Illinois. Mr. Speaker and Members of the House, I stand in opposition to this rule and in sincere but deep opposition to this $63 billion massive spending bill, and particularly the war spending component of the bill.

I speak, I believe, on the behalf of the hundreds of thousands of brave men and women who serve America in the Middle East with neither a defined objective nor the ability to assess victory or defeat; and on behalf of families of our military personnel around the world who have lost their fathers or their mothers or their sons or their daughters in a valiant but shortsighted effort and battle that can never be won; and on behalf of the American taxpayers who have seen more than $1 trillion poured into an attempt to fight terror, where there is not even a remote relationship to the welfare of the American people; and really, also, on behalf of the innocent children who have had the misfortune to simply be in the ever-changing line of fire and the vicinity of terrorists who move effortlessly from Iraq to Somalia to Yemen to Paraguay to Afghanistan like the Whack-a-Mole at the county fair in the form of unconventional and ill-defined tribal warfare that 2,000 years have taught us we simply cannot fight.

I think it was November of 1952, when I was about 6 years old, that Charles Schultz and his Peanuts comic strip came out with the annual saga where, every year, Charlie Brown comes up to the football, and Lucy tells Charlie Brown year after year, ''Just one more time we'll let you kick ball.'' And each year, she pulled the football out, only to find Charlie Brown on his rear end.

I would suggest to you, Mr. Speaker and Members of the House, in this somewhat stretched analogy, that a series of Commanders-in-Chief are Lucy, and we're Charlie Brown, and the football is the illusive promise of a goal that we simply cannot reach. We cannot force a culture to accept our values, and we cannot impose Western democracy on a people who don't understand or accept it and whose leadership is corrupt and antidemocratic beyond repair. And we cannot continue to spend the billions and, arguably, trillions of dollars of the hardworking men and women in this country in a venture that has no objective, no end game, and no proximate connection to the well-being of our Nation.

In conclusion, Mr. Speaker and Members of the House, we cannot afford economically, we cannot afford militarily, and we cannot afford as a people to pass this bill. This President who, frankly, won an election based on his strong antiwar message, like many of his predecessors, asked us one more time to spend a few more billion dollars—in this case $38 billion—a few thousand more men and women in an effort to kick the football just one more time. It simply isn't doable.

I suggest to you, Mr. Speaker and Members of the House, that this rule underlies a bill that the vast majority, I believe, of the American people don't want. I represent a district in central Illinois, and I think I speak in many ways for middle America. I voted for the authorization of force in Iraq and, frankly, Afghanistan; and I believe, like many of us, I may have questioned my vote. But I believe that we're the greatest nation on Earth, thanks in large part to the generations of fighting men and women who have given their lives to this great cause and democracy and this great Nation of ours.

As we prepare to celebrate our independence in a few days, I think I speak on behalf of the average American citizen who says, For what? What is this money being expended for? Why are we doing it? And what's the end game? And I would suggest to you, Mr. Speaker and Members of the House, that there is no end game, and I would respectfully ask that this rule and the underlying bill be defeated.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, I hope that we will have an opportunity to do something we have not been able to do, and that is to debate the Afghan war and the direction that this war is taking and the impact on our men and women on the front lines. I particularly want to say to the families how much we appreciate the sacrifice that you've made as these men and women stand on the front lines of Afghanistan. But I think we're long overdue for a major debate that has to do with that direction.

I support this underlying rule for the purpose of allowing us to have this debate, but also that it provides, on the domestic spending, crucial issues.

Pell Grants will be provided for in $4.95 billion; border security that impacts the northern and southern border so that we can stand as we do comprehensive immigration reform and assure the American people that we will secure our boarders.

In the most catastrophic oil spill from the region that I come, the tsunami of oil spills, we are taking care of the people by providing $304 million for the gulf coast oil spill, including moneys for unemployment assistance.

Then, coming from the region I belong to, as well, we had a tragedy at Fort Hood, and we are now rebuilding the Fort Hood processing center that saw a terrible loss of life because of terrorism.

FEMA disaster. This is the most vigorous season that you could have ever imagined that is to be expected in hurricanes, and we know, among other disasters, we'll have the money here.

But we're also going to say to the youth of America when we vote on this, we're providing money for summer youth jobs, $1 billion in youth jobs that we in the Congressional Black Caucus—and many Members joined us—are fighting for. This is a crucial step forward. We're providing for black farmers who have been discriminated against over the years.

And then, as I have indicated, we will have an opportunity to question not the men and women in Afghanistan or Iraq, but to question whether or not it is wise to focus on insurgents versus terrorists so that we send men and

women into harm's way without a discerning goal.

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

Mr. MCGOVERN. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE of Texas. I thank the gentleman.

I will tell you, ladies and gentlemen, when you begin to fight those who are classified as your neighbors—and I don't use that term loosely. The Taliban live in Afghanistan. And whenever you determine to fight those individuals, it makes it very difficult to win this war.

Mr. CULBERSON. Would the gentlewoman yield?

Ms. JACKSON LEE of Texas. The gentleman has his own time. I appreciate it. I am concluding.

And finally, let me say that I offered an amendment to maintain NASA human space exploration and the funding as it was. I look forward to working with this Congress and the Democrats to make sure that happens.

Mr. DREIER. Mr. Speaker, my friend from Houston wouldn't yield; so I will yield 30 seconds to my other friend from Houston, Mr. CULBERSON.

Mr. CULBERSON. And with my 30 seconds, I invite Ms. JACKSON LEE to refer to page 14 of this bill. She may not be aware that this legislation gives control over Texas' education funding to the Federal Government and, in fact, will force tax increases and spending increases in Texas, and that this has never been done before for any State in the Union. And I want to make sure that she is aware of this provision that says that Texas cannot spend any less money on education than we are spending in the fiscal year 2011, which is going to include some stimulus money and result in tax increases for Texas, giving the Federal Government control over Texas' education spending. Was she aware of that?

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

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentlelady from Texas.

Ms. JACKSON LEE of Texas. I thank the gentleman.

And let me publicly apologize to the gentleman. I was rushing. I wanted to make sure I mentioned NASA. But let me say that, yes, I am aware, and I am enthusiastic about that language. And I thank the leadership for it because, in fact, it is celebrated and supported by 40-plus school districts in Texas to prevent the Governor of the State of Texas from misusing education dollars, as they have been misused before. This is money that will be effectively used for the schoolchildren of the State of Texas. And I thank the gentleman.

Mr. DREIER. I would be happy to yield an additional 15 seconds to my friend from Houston if she might yield to our other friend from Houston, Mr. Speaker.

Ms. JACKSON LEE of Texas. I yield to the gentleman.

Mr. CULBERSON. Is my colleague from Texas aware that this provision strips the Texas Legislature and the people of Texas of the power to make decisions at the State level?

Ms. JACKSON LEE of Texas. Reclaiming my time, what I'm aware of is that this language is supported by at least 40 school districts that support the money being able to come directly to them or not being used if it is not used for education. Additionally, this language only includes education funding not stimulus dollars. So it will not artificially increase any costs to the taxpayers. The school districts will benefit from the Governor having to use federal education dollars for education.

Mr. DREIER. Mr. Speaker, let me remind my friends that we are in the midst of a debate on the war supplemental.

At this time I am happy to yield 1 minute to my good friend from Howard, Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in opposition to the rule.

We are supposed to be dealing with emergency spending. So I ask, what is the emergency in section 4172? That section strips my district of an Appalachian Development Highway System designation. I found out about this 24 hours ago. This designation is a connection between Philipsburg, Pennsylvania, and Interstate 80 in Clearville, Pennsylvania. This highway stretch has been codified in law for over 12 years.

Mr. Speaker, this is hardly an emergency situation. The situation with my district and this mysterious section 4172 is a clear indication of what is wrong with this rule and the breakdown in the process here in this House. It appears that ''emergency'' now just translates to a ''backroom deal.''

I urge my colleagues to vote in opposition to this rule.

Mr. DREIER. Mr. Speaker, may I inquire again how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 9¾ minutes, and the gentleman from Massachusetts has 14 minutes.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker and Members, I rise in support of the rule. A lot of people have put in a lot of work to organize this supplemental in ways that many of us would have the opportunity to support.

I am focused on several aspects, but I am particularly focused on the amendment that will be brought before us by BARBARA LEE. BARBARA LEE has an amendment that basically would strip the funding that is dedicated to the war in Afghanistan and redirect those funds so that we can safely withdraw from an Army that has less and less support of the American people.

And while I will not get into details about my support for that amendment at this time—I will be speaking on it later—I wish to congratulate the leadership and our Rules Committee members for the hard work that they have put in in organizing the rule on the supplemental. It has not been easy. There are a lot of concerns. There are a lot of demands. We have a lot of needs that need to be addressed.

So while we are wrestling with addressing the needs of our domestic community and our domestic concerns, we still have to be concerned about the direction that the war is taking and what that means for the future of this country. While we are bogged down in a serious deficit, the moneys that we are spending on this war must be reconsidered in ways that will eventually wind this war down and give us an opportunity to focus on our domestic needs.

□ 1845

So I would ask my colleagues to support the rule on this supplemental.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Grandfather Community, North Carolina (Ms. FOXX), a tireless worker on the Rules Committee.

Ms. FOXX. Mr. Speaker, President Obama promised over and over during his Presidential campaign that he would end the practice of funding the wars with supplemental funding, as we are about to do today.

Then in February of 2009, during his first address to Congress, he said, ''For 7 years we have been a Nation at war. No longer will we hide its price.''

In other words, no more supplemental war funding bills.

Okay, fair enough.

Then in April 2009 President Obama requested $83 billion in additional funding for the wars, saying, ''This is the last planned war supplemental,'' in a letter to House Speaker PELOSI. He called for ''an honest, more accurate and fiscally responsible estimate of Federal spending'' after years of ''budget gimmicks and wasteful spending.''

Now his administration is requesting a $33 billion war funding supplemental bill and calling its passage essential.

What gives? Is this a budget gimmick, or is it essential spending?

Mr. Speaker, this administration can't have it both ways. We need to provide funding for our troops, and we need to do it expeditiously and without billions of pork.

Unfortunately, because of the hypocrisy of this administration on this issue, we're faced today with a supplemental funding bill that is stuffed with unrelated spending that breaks another of the President's promises.

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

I actually agree with the gentlelady in my disappointment that the President has decided to submit a supplemental bill to fund this war in Afghanistan. But I think it is not—it is a little bit, well, unfair for her to criticize President Obama when President Bush

did this routinely. And we have spent over $1 trillion, $1 trillion on the wars in Iraq and Afghanistan. And the vast majority of that money is not paid for. It's all borrowed. We're not paying for it. Our kids will pay for it and our grandkids and our great grandkids.

And, you know, so I find it also a little bit puzzling that we're having this, we had this debate earlier today over the extension of unemployment benefits for the millions of people who are unemployed in this country due to this terrible economy. And my friends on the other side of the aisle said, well, we can't afford it. We can't afford to pay for it so we're going to deny these citizens who have fallen on hard times the ability to get unemployment compensation.

Yet, when it comes to funneling money to the corrupt Karzai regime, we're a bottomless pit. So I think all of us, Republicans and Democrats, need to come together and figure out how to get this right.

And I hope that the gentlelady will join with me and my colleague, DAVE OBEY, in supporting our amendment asking for the President to develop a plan consistent with his statement that we will begin the withdrawal of our forces in July of 2011.

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

Mr. GARAMENDI. Mr. Speaker, I rise in support of the rule so that we can get on to discussing an extremely important matter, not only the domestic issues that will be included in this piece of legislation which are absolutely essential. We do need to educate our kids. We do need to provide for critical domestic policies.

I also want to get to the issue of the war, particularly the war in Afghanistan, of which there will be some $30 billion allocated for that war. I strongly oppose that appropriation.

The Lee amendments, the McGovern amendments, the Obey amendments all come to grips with that and, in various ways, will cause us to get out of that war.

We have to focus laser beam-like on al Qaeda, but that doesn't mean that we have to engage in a counterinsurgency program in Afghanistan.

$30 billion. The Pentagon estimates that it's $875,000 per soldier in Afghanistan. Roughly $87,000 is enough for a well-paid teacher in America. That translates to 300,000 teachers. If we took that $30 billion and used it in America, we could employ 300,000 teachers.

We have to have a strong economy. We know that economy is in desperate need of a well-educated workforce. Better to spend the money here at home. Better to focus laser beam-like on al Qaeda wherever it may be in this world, whether it's in Aden, whether it is in Saudi Arabia or whether Sudan or Afghanistan and Pakistan, but not engage in a terribly expensive counterinsurgency program in Afghanistan.

Some of us were around for the Vietnam War. And what this sounds like is another Vietnam, a quagmire in which we will ultimately extract ourselves with extraordinary loss of life and treasure. It's time to stop it right now. So I ask for an ''aye'' vote on the rule and support for the two amendments that we'll be dealing with.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my very good friend from Lake Jackson, Texas (Mr. PAUL).

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

Mr. PAUL. Mr. Speaker, I rise in opposition to this rule. It's been described rather vividly on this side of the aisle how messy this process is, so I strongly oppose this.

Of course, I also strongly oppose the funding, especially for the funding for the war. This is a war that I've objected to for a very long time. This war is going badly. It's not a declared war. We don't have a precise enemy. The Taliban is the spoken enemy, and yet the Taliban are individuals who have never committed terrorism outside their homeland. The Taliban is an outgrowth of the mujahadin, who we were at one time allies with, along with Osama bin Laden. So it isn't a very neat little war.

Here we are, we are the most powerful Nation in the world, the most powerful army ever organized in the history of the world. And yet we are fighting a war that essentially is not a war. We're fighting a war against individuals that have no tanks, no planes, no ships, no modern technology; and we're not doing well. There's something wrong. If it were truly a war, a declared war and we knew who the enemy was, the war would be over.

The fact that the war is not over after 9 years, it's draining us, it's draining us of life and limb, it's draining us of funding. The wars in the Middle East have drained trillions of dollars, and we are suffering from a severe problem, a financial crisis here at home. So it's time that we start looking abroad and looking at what we're trying to maintain. We're in over 130 countries, 900 bases. It's unsustainable.

It was brought to attention this past week that we were having problems. If we were doing well in Afghanistan, we wouldn't be firing our generals. We want to put the blame on the generals. If we change the generals, everything is going to be okay.

But our generals are trained to fight wars. They're not trained to be nation builders and social workers and policemen. So this is a war that I see is going to be very difficult, if not impossible, to win until we change our policy.

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

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend from Houston, Texas (Mr. CULBERSON), a hardworking member of the Committee on Appropriations.

Mr. CULBERSON. Mr. Speaker, one of the bedrock principles upon which this government was created was to provide for the common defense. Yet this Democrat majority was asked 5 months ago by the President to provide funding for the war.

It's been 35 days since the United States Senate passed a straightforward, simple funding bill for the war, which all of us on the Republican side would have voted for without objection to support our men and women in the field. Yet today we've only got 90 minutes of debate for it.

The United States, the public, the American people have only seen this bill since 11 this morning.

I serve on the Appropriations Committee, none of the Republican members of this committee, none of the Republican staff members were included in the drafting of this bill. The United States of America, particularly our troops in the field, deserve far better than this.

Is it any wonder that the public does not trust the government? Is it any wonder a tsunami is building that will sweep out this liberal majority in November and elect a constitutional conservative majority committed to fiscal responsibility, committed to preservation of our Constitution, committed to preservation of the States' rights to control something as fundamental as education spending?

On Page 14 of this bill, which no one saw until 11 today, the State of Texas is stripped of its sovereign authority to control education spending. It's given—for the first time in this Nation's history, control over education spending in a sovereign State of the Union is given to the Federal Government by an amendment no one saw until 11 today, that the liberal majority is prepared to vote for, which will result in the destruction of the 10th Amendment sovereign power of the people of Texas, in big tax increases and spending increases, because this language says we can't spend any less than was spent in 2011, an artificially high number that will include ''spendulus'' money, leading to property tax increases, statewide tax increases in Texas.

Why aren't we simply funding our troops in the field?

This is why you'll lose the majority in November.

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

Mr. Speaker, I remind my colleagues here that my friends on the Republican side of the aisle, with the exception of only nine, voted against the Defense authorization bill just a few weeks ago, a bill that provided a great deal of support for our troops and their families. Why did they vote against it? They voted against it because they were preoccupied with the social issue of gay marriage. Where were they then when it came to supporting our troops and supporting their families?

My friend talks about all of the great crises that we're facing, but much of the crises that we're facing are as a result of some of the actions that my

friends on the other side of the aisle took: two wars on borrowed money; on top of that, tax cuts for the rich on borrowed money.

And now we have an economy that the President has inherited that we're trying to dig ourselves out of, and we're going to do that. But I think it's important to keep some of this in perspective.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we all hate the fact that we have to deal with this war on terror. September 11, 2001, changed the lives of every single one of us. And it is painful and, as I said earlier, the most difficult part of our job is to call the families of loved ones who've paid the price in Afghanistan, Iraq or any other spot in the world. And we all hope and pray that we never, ever have to do it again.

We also recognize that we have to come together and ensure that our men and women in uniform who are on the front line in this battle against radical extremism have what they need.

Now, the American people are sick and tired of wasteful Federal spending. But the American people also understand, Mr. Speaker, that the five most important words in the middle of the preamble of the United States Constitution are, in fact, ''provide for the common defense.''

Virtually everything else that we do, other than our Nation's security, can be handled by individuals, by families, by churches and synagogues and mosques, by counties, by cities, by States. But our national security can only be handled by the Federal Government.

Now, the President of the United States has just issued what we refer to by the acronym a SAP around here. It's a Statement of Administration Policy. And while we sit here having a debate, which I think is very important for us to have, the President has said that if we don't provide him a clean bill that is independent of all these other extraneous matters—and by the way, if they all don't pass, this bill just dies and we have to start over again—he will veto it.

And so it is fascinating. We, as Republicans, and many thoughtful Democrats, have stepped up to the plate and said that we will join with the President to ensure that that $33.5 billion that is needed is there for our men and women in uniform.

□ 1900

We've heard from the distinguished ranking member of the Committee on Armed Services, who talked about the fact that just this week General David Petraeus, Secretary Gates, and others have said we must have this funding by July 4. This is Thursday evening, July 1. The request was made in February. The Senate passed, by a 67–28 vote on May 27, this bill, and here we are just 3 days before this time by which the Secretary has said they need these resources.

And what is it we're doing? We're adding spending, we're shifting some 10-mile stretch in Pennsylvania from one district to another. What does that have to do with an emergency supplemental? And we're increasing spending when the American people have said we need to bring about responsible spending cuts.

We can do better, Mr. Speaker. We can do better. We can immediately, after defeating this rule, go upstairs and bring down a rule that will allow us to let Members of Congress who are opposed to providing that $33.5 billion the opportunity to vote ''no,'' and those of us who want to provide those resources for the troops to vote ''yes.''

And so, Mr. Speaker, let's vote ''no'' on this rule. Let's move ahead right now. Let's do what we can to bring this war to an end so that our men and women can come home just as quickly as possible. And the best way to do that is to ensure that they have what it takes so that they can be successful.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I rise in very, very strong support of this rule, and I urge all my colleagues on both sides of the aisle to support this rule. In particular, Mr. Speaker, I am very pleased that this rule makes in order an amendment offered by myself, Mr. OBEY and Mr. JONES of North Carolina to require a meaningful exit strategy from Afghanistan.

As we are being asked to consider tens of billions of dollars in supplemental funding for the war, I believe that now is the time for us to ask tough questions and demand straight answers. Of all the problems that President Obama inherited from the Bush administration, Afghanistan is the one that keeps getting more and more complicated.

In just the past few weeks, two brave young soldiers from Fall River, Massachusetts, in my district, lost their lives in Afghanistan. So this is a big deal, and we need to get it right.

Last December, President Obama told the American people that we would begin to withdraw our forces next July. The American people deserve to know if that plan is still in place and how we're going to get there.

Much has been made about General Stanley McChrystal's comments in Rolling Stone magazine about the Nation's civilian leadership. But there are other parts of that article that I find to be much more disturbing. General McChrystal's chief of operations said that Afghanistan, and I quote, ''is not going to look like a win, smell like a win, or taste like a win. This is going to end in an argument.''

A senior adviser to General McChrystal said, and I quote again, ''If Americans pulled back and started paying attention to this war, it would become even less popular.'' A senior military official said this, and I quote again, ''There's a possibility we could ask for another surge of U.S. forces next summer if we see success here.''

Mr. Speaker, I voted in 2001 to go to war in Afghanistan, to hunt down al Qaeda, and to eliminate their threat. And I would cast that same vote today in a heartbeat. But what we are doing in Afghanistan today is far beyond that original authorization. We are engaged in extensive, expensive nation building in Afghanistan. And frankly, given the level of unemployment and the severe economic situation we face in the United States, I would rather do a little bit more nation building here at home.

Some in this body have refused to support extending unemployment benefits for out-of-work Americans because they say we cannot afford it. We are told we can't afford to help States avoid laying off teachers. We're told we can't afford to improve our roads and our bridges or help more families afford a college education. We are told we can't afford to prevent foreclosures or to improve child nutrition, and now we are being asked to borrow another $33 billion for nation building in Afghanistan?

We don't have the money to help American working families. But when it comes to supporting a corrupt and incompetent Karzai government, we are supposed to be a bottomless pit. You know, we talk a lot about the deficit around here. We have borrowed $350 billion, added to the debt, not paid for, for the war in Afghanistan. How are we supposed to address the deficit if we don't know how many more billions of dollars we are going to be spending in Afghanistan?

My colleagues, we all have a responsibility here. It's not just the President's war. It's our war, too, like it or not. We voted to send our sons and daughters to war. We voted repeatedly to send money to support this war. We have a responsibility to ask the tough questions and to do the right thing. So I urge all my colleagues to think long and hard today about this critical issue. It is time for Congress to step up to the plate and do its duty.

I hope my colleagues will support the Lee amendment. I hope they will support the McGovern-Obey-Jones amendment. And I hope they will support this rule.

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

Mr. SPRATT. Mr. Speaker, I rise to support the budget enforcement resolution for fiscal year 2011, contained in this rule. This resolution sets an overall limit of $1.121 trillion on discretionary spending in next year's appropriations bills. This limit is well below the comparable request made by the President for FY 2011 and $3 billion below the resolution approved by the Senate Budget Committee.

One of the chief functions of a budget resolution is to cap the level of discretionary spending for the forthcoming fiscal year. This resolution serves that purpose, and permits the Appropriations Committee to move forward with appropriation bills for fiscal year 2011.

The ''Pay-As-You-Go'' rule, PAYGO, passed previously, bars increases in mandatory

spending and decreases in revenues, unless offset, so that they do not add to the budget deficit. The current PAYGO system requires that the authorizing committees meet the deficit-neutrality test for four time periods: two for the House PAYGO rule and two for statutory PAYGO. This resolution would align these time windows so that the requirements for complying with House PAYGO and statutory PAYGO would be the same, and makes other synchronizing changes—thus facilitating the consideration of deficit-neutral bills.

While this resolution does not project the budget out over five years, it does look to the future by assuring that the House will have an opportunity to vote this year on longer-term budget proposals made by the President's Fiscal Commission and approved by the Senate. This resolution also sets an out-year goal for the budget: a budget in primary balance (excluding net interest costs) in 2015.

The budget enforcement resolution reinforces the Commission's goal of lowering the deficit to sustainable levels, and as mentioned, reaffirms the House leadership's commitment to bring to a vote any of the Commission's recommendations passed by the Senate.

In addition, this resolution—

instructs House committee chairs to submit recommendations for eliminating wasteful spending in their committee jurisdiction; and

accommodates additional program integrity funds of $538 million in 2010 to reduce waste, fraud, and abuse in the federal budget.

When all of these elements are brought together, they form a complete substitute, the functional equivalent of a budget resolution.

The budget enforcement resolution limits discretionary spending, while the PAYGO rules limit mandatory spending and revenue reductions. These are disciplines for the short run, while the Fiscal Commission works out recommendations for the longer run.

The budget enforcement resolution is another of many steps Democrats in the 111th Congress have taken to enforce fiscal responsibility, such as enacting statutory PAYGO; reforming defense acquisition; and insisting, successfully, that health care reform not add to the deficit.

Ms. JACKSON LEE of Texas. Mr. Speaker, I am pleased to come before you today in support of H. Res. 1500, a rule providing for H.R. 4899, the ''Supplemental Appropriations Act of 2010.''—a bill that will help create jobs for Americans and provide assistance in Iraq, Afghanistan, and Haiti.

I want to thank Chairman OBEY and Ranking Member LEWIS for their leadership on this timely legislation. Clearly, this is an important bill and must be only amended with items that are essential to provide the necessary assistance this country so greatly needs.

H.R. 4899 will provide funding for the needs of the American people, from national security, housing, employment, health, to education. I fully support these efforts and want to stress that we must continue to provide policies and funding that ensure that the United States remains a global leader in science and technology, including space exploration, which not only results in knowledge-building, but also in hundreds of thousands of jobs throughout the nation.

Mr. Speaker, this supplemental appropriation is quite different from any other supplemental appropriation that members of this body will ever consider. This supplemental appropriations bill provides over $37.47 billion to support our troops, over $24 billion to keep teachers, firefighters and law enforcement personnel on the job while states continue to recover from the recession; over $13 billion for Vietnam veterans and survivors exposed to Agent Orange; $5.7 billion for PELL; $2.8 billion for Haiti; $677 million border security; $275 million for the Gulf Coast oil spill including unemployment benefits program and unemployment assistance related to the oil spill and an oil spill relief employment program that are underway for the self-employed businessman and women who were greatly impacted by the Gulf Coast oil spill.

No price is too great to pay, Mr. Speaker, when it comes to doing what is necessary to aid our country. This bill must only be amended with key items that are critical to adequately address this nation's needs. I am therefore, offering several amendments to H.R. 4899.

GULF OIL SPILL AMENDMENT

I am offering an amendment that would require the President to appoint a research and development team to review and recommend new technologies to prevent oil spills.

The response to the Deepwater Horizon explosion and spill highlights an unfortunate deficiency in our national infrastructure. Many people have criticized the administration's response, and seeming willingness to put those responsible for the mess in charge of the cleanup. However, the sad fact is that the administration and Coast Guard had to let the oil industry take a larger role in leading the cleanup than any of us would like.

The problem is that the government does not have the tools necessary to take full charge in a disaster like this. The oil industry does. It is industry that has the equipment necessary to drill deep, deep below the surface of the ocean. The Federal government has the best in technology in many areas, but not in this one.

But as the events of the past two months have shown, the Federal government needs those tools. Where the industry cannot or will not do what is necessary to react quickly to incidents of their own creation, the government must. And where the government has responsibility, it must have the tools and technology to act effectively.

GULF OIL SPILL AMENDMENT

I am offering an additional amendment, for a team of experts. Leaders from academia, research, government agencies, and even the oil industry can review and recommend new technology that the government can use to prevent and clean up spills, particularly in deep water, to prevent them from doing nearly irreparable harm to our economy and our environment.

My amendment would require the President to appoint an emergency oil spill coordination team to respond to oil spills in this country.

One of the most disturbing questions raised in the public's mind as they watched the disaster in the Gulf of Mexico unfold is ''Who is in charge?'' For weeks it seemed as if there was no clear answer. For too long, it seemed that BP, the entity responsible for the explosion and oil slick, was in charge of the cleanup. This did nothing but diminish public confidence in the response.

Now, of course, we know who is in charge, and Admiral Allen is doing an admirable job. But it is extremely important that we establish, ahead of time, a clear and definite answer to the question of who is in charge. My Amendment will require the President to appoint an emergency oil spill coordination team in case a tragedy like this ever occurs again. The team shall consist of the Commandant of the Coast Guard, the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of Commerce, the Secretary of Interior, and chief of the Army Corps of Engineers, the leaders of the agencies most involved in tasks of this nature. The President shall also establish a clear chain of command and decision making from this team.

We hope that an incident like this, a man made disaster of this magnitude, will never, ever happen again. But in the event that it does, we need to know who is in charge of the response, with no period of unnecessary uncertainty.

BORDER SECURITY

''To provide $100 million to hire special agents and investigators at the Bureau of Alcohol, Tobacco, Firearms and Explosives to help investigate and track illegal firearms and help prevent the flow of weapons across Border States.''

My amendment will provide $100 million to hire special agents and investigators at the Bureau of Alcohol, Tobacco, Firearms and Explosives to help investigate and track illegal firearms and help prevent the flow of weapons across Border States.

The United States continues to fight the battle against the powerful drug trafficking organizations that have plagued our sister cities just across the border with violence. We have been fortunate thus far that for the most part the violence has not spilled over into the United States, but we cannot depend on being insulated forever. Instability abroad is a danger to stability at home, and we have a vested interest in helping our neighbors to the south wrest power away from the criminal organizations that have threatened the safety of their citizens, and brought drugs into our country.

One of the ways we can help them is by stemming the illegal flow of weapons across our Border States and into Mexico. I fully support the Second Amendment enshrined in our Constitution, but I do not believe we can continue to allow criminals to buy semiautomatic and assault weapons and other arms in the United States, only to use them to kill, maim, corrupt and wreak havoc on the safety and security of our Mexican neighbors. It hurts them and it hurts us. We must do everything we can to stop this illegal arms traffic.

Fortunately, in stopping this illegal traffic we can also strengthen our own safety and security in the United States. State and local law enforcement officials and experts in academia have suggested that a much needed increase in resources to the Bureau of Alcohol, Tobacco, Firearms and Explosives will increase our ability to monitor and track arms sales within the United States, helping us to prevent the illegal flow of weapons south of the border into Mexico.

By increasing the investigative capacity and manpower of this agency, we can better identify the straw buyers drug trafficking organizations are increasingly utilizing to acquire weapons here legally, which they then illegally transfer and transport into Mexico. Over 87 percent of all traceable arms recovered by Mexican authorities have been traced to the United States. We have here an enormous opportunity to help reduce the power of the drug

trafficking organizations. While stemming the illegal flow of weapons south is no panacea for reducing violence across our border, it is a very important component of that process.

Strengthening the ATF will also help us to more effectively monitor the approximately 6,700 federal firearm licensees, FFL, that exist along the southern border. By monitoring these licensed sellers and their gun sale records, it will be much simpler to track and trace suspicious purchase patterns and buyers, weakening the drug trafficking organizations' ability to acquire weapons in the United States. This is of particular importance when many of the guns favored by the cartels are those capable of loading armor piercing rounds destined for killing Mexican law enforcement officials.

The appropriations in this amendment are only a small part of what must be a larger strategy to increase security at the border and combat the drug trafficking organizations. Many challenges remain unanswered, including the ease with which individuals can illicitly acquire assault weapons that present an enormous challenge to law enforcement and even military officers in Mexico, and that weaken security in border cities in Mexico. Nonetheless, increasing strategically targeted funding for investigators and special ATF agents is a promising start to getting our border under greater control and stopping the flow of weapons into the hands of drug trafficking organizations.

BORDER SECURITY

To offer $500 million in grant assistance to state and local law enforcement agencies to Border States within 100 miles of the Border States and to cover salaries and expenses associated with border enforcement for State and local officials.

I also offer an amendment of $500 million in grant assistance to state and local law enforcement agencies to Border States within 100 miles of the Border States to purchase interoperable communications, hire additional investigators, detectives and other law enforcement personnel, and to cover salaries and expenses associated with border enforcement for State and local officials.

Our Border States are frustrated and in need of targeted assistance. In recent months I have attended a number of different hearings, briefings and press conferences on immigration, combating the drug trade, and improving the border, and in almost all instances I have heard the same comment: Border States are frustrated. The deeply misguided Arizona Law, SB1070 for example, is an expression of that very frustration. Unless we want to see more of a backlash, we in the federal government need to do more to help our Border States, vital to securing our nation and upholding our immigration laws, do their job right.

First of all, we need to do more than just provide ''boots on the ground'' to help secure our borders. While deterrence is essential to improving security, several members of the law enforcement community have stressed the importance of providing more resources for investigators and detectives, who can help to ferret out and dismantle the criminal activities taking place on our borders.

Moreover, while federal agencies have improved their coordination, communication within local and state authorities continues to be problematic. Communication in disperse rural areas presents a particular challenge. At a hearing on the Merida Initiative, I heard the moving testimony of a rancher from rural Arizona, Mr. Bill McDonald. He pointed out how a lack of resources and a rapid turnover rate make communication extremely important, but extremely lacking. These rural areas, and the people who live there, are in many cases the most vulnerable to human traffickers and drug traffickers.

This Amendment will provide Border States with the much needed support that they need in order to more effectively secure our borders from threats, and ensure a safe and stable environment for our border residents. The $500 million in grant assistance will provide for additional personnel, particularly investigators and detectives crucial to loosening the grip that criminal organizations have slowly tightened on our borders. More robust, well funded, and well resourced law enforcement systems are exactly what our Border States and residents demand.

Moreover, this Amendment will provide funds specifically for interoperable communications equipment that will improve security on our borders. Along with a more robust and effective local law enforcement effort, improved communications equipment and strategies will aid in providing more effective coverage of our more vulnerable rural areas, and ensure more effective protection of our vulnerable border residents.

Finally, this Amendment is an important piece of what must be a broader continued and tireless effort to secure our nation against ever changing threats, and provide federal leadership on an issue that continues to frustrate Border State residents and constituents nation-wide. These appropriations to improve law enforcement efforts at the border are only a small part of more comprehensive reforms to our immigration system, reforms that the American people are crying out for and that I sincerely hope my fellow members will stand behind. Thank you Madame Chair, I yield back the balance of my time.

DEFENSE AMENDMENT

To establish portability between states of individualized education programs, and disability and therapeutic benefits of a dependent of a member of the armed forces upon transfer of the member.

I offer an Amendment that will establish portability between states of individualized education programs, and disability and therapeutic benefits of a dependent of a member of the armed forces upon transfer of the member.

Our armed forces and their family members are among the most valued members of our society, custodians of our freedom and protectors of our democracy. We must re-commit ourselves to serving them with the honor, dignity and respect with which they serve their country.

An important part of anyone's quality of life is their family and dependents. One of the ways in which we can serve the members of the armed forces who sacrifice so much for our safety and our liberty is to ensure that their families are taken care of, and to eliminate the bureaucratic red tape involved in moving from one place to another. Members of the armed forces often find themselves moving, and uprooting their families and their lives. Again, my Amendment aims to facilitate a fair and equitable process.

My Amendment would make the educational, disability and therapeutic benefits of a child or dependent of a member of the armed forces transferrable from one state to another. This will greatly facilitate and simplify what is already a difficult, complicated and often painful process for the men and women who put their lives on the line for our country, and their families. Let us serve them, as they have served us.

NASA AMENDMENT

My Amendment would ensure: All managed funding for the National Aeronautics Space Administration (NASA) NASA Constellation programs will be maintained through fiscal year 2015 with the assumption that the Constellation program will continue: (2) U.S. human space flight systems shall be lead by the U.S. government to ensure crew safety and to ensure skill, capabilities and institutional knowledge attributable to NASA and ISS can be retained by the U.S. for the appropriate time; (3) strengthen partnerships between universities and NASA centers; and (4) ensure a protocol for commercial human space flight utilization shall be established.

The President's proposed FY 2011 budget eliminates funding for a portion of the Constellation Program which includes the Orion Crew Capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets.

Earlier this year, I introduced H. Res. 1150, ''Designating the National Aeronautics and Space Administration (NASA) as a national security Interest and Asset,'' and stating findings that the elimination of funding for the NASA Constellation program in the President's proposed FY 2011 budget presents national security concerns.

It is critical that managed funding for the NASA Constellation programs is maintained through fiscal year 2015 as:

1. Elimination of the Constellation programs will present Homeland security implications for cyberspace, critical infrastructure, and Intelligence community of the United States;

2. Elimination of the Constellation programs will compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence; and

3. Continuation of NASA's Constellation program is crucial to maintaining thousands of American jobs and the U.S.'s leadership role and technological edge as well as securing valuable knowledge that improves national security, climate, and research in science and medicine.

Eliminating the Constellation upon retirement of the Space Shuttle will diminish the Nation's international leadership role and efforts to advance scientific research in space. The United States will for the first time, since its space program began, be without a human space flight program.

Additionally, transferring funds from the Constellation program to the development of commercial space programs to carry humans and crew into space is taking a chance on an unproven quantity and is an unnecessary and unreasonable risk this country must not take at this time. It is more prudent to establish a protocol for commercial human space flight utilization at this time.

It will take years for the commercial spaceflight industry to get up to speed to reach the level of competence that exists at NASA today. Our government has already invested literally years and billions of dollars into this program. We should build upon these investments and not abandon them. Our country

can support the commercial spaceflight industry, but not at the expense of our human spaceflight program, which for years has inspired future generations and driven technology that enhances our quality of life.

The retirement of the Space Shuttles this year will leave the United States vulnerable and dependent upon Russia to put U.S. astronauts in orbit without the Constellation program.

In May of last year when it became clear the U.S. had no one else to turn to, Russia raised its prices from $48 to $51 million per launch for each astronaut.

In addition, it is important for us to remember that the Constellation program is not just about going to the moon, as the U.S. has a commitment to the International Space Station (ISS). With the Space Shuttles being retired this September, the Constellation is the only system under development that will give NASA the future capability to launch crews to and retrieve them from the ISS. Decreasing the use of the International Space Station would impact the ability to sustain its systems and physical infrastructure.

The Congress should recognize the policy outlined in section 501(a) of the National Aeronautics and Space Authorization Act of 2005 (42 U.S.C. 16761(a), that the United States shall maintain an uninterrupted capability for human space flight and operations in low-Earth orbit, and beyond, as an essential element of national security and the ability to ensure continued United States participation and leadership in the exploration of space.

The human space flight program should be funded to continue use of the International Space Station to support the agency and other federal, commercial, and academic research and technology testing needs. NASA conducts aeronautics research to address aviation safety, air traffic control, noise and, emissions reductions and fuel efficiency.

NASA's contribution to our knowledge of air and water supports has improved decision making for natural resource management and emergency response, thus enabling us to better respond to future homeland security threats.

Knowledge of Earth's water cycle is a critical first step in protecting our water supply; water flows over the Earth's surface in oceans, lakes, and streams, and is particularly vulnerable to attack.

NASA sensors provide a wealth of information about the water cycle, and contribute to improving our ability to monitor water resources and water quality from space. We must also protect the quality and safety of the air we breathe; airborne contaminants can pose danger to human health; and chemical, nuclear, radiological, and biological attacks are plausible threats against which we can better protect the United States through NASA's research.

Elimination of the Constellation program will present homeland security implications for cyberspace, critical infrastructure, and the intelligence community of the United States. Elimination of the Constellation program will also compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence.

Continuation of NASA's human space flight program is crucial to improving national security, studying climate change and its effects, and research in science and medicine.

For the above reasons, it is my hope that my Colleagues will join me in supporting efforts to maintain NASA's Constellation Program. It is through balanced policies that promote economic growth that we will continue to maintain our international leadership and technological competitive edge, and gain valuable knowledge relating to the national security of our nation.

SUMMER JOBS AMENDMENT

Making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010 and for other purposes.

Mr. Speaker, as you know, the Senate has proposed to strike out a portion of the Act that is vital to supporting the career development of our nation's youth. My amendment would reinstate the section of the bill pertaining to ''Employment and Training Administration,'' which appropriates $600 million dollars in grants to states to support summer employment programs for youth.

The recent recession has affected various sectors, and unemployment has been borne by many sectors of the economy, particularly in the housing and banking sectors. The suffering that comes with a major economic downturn has been felt not only by the adult population, but by our youth as well, and they have been hindered in their efforts to acquire summer employment as I speak. Statistics also demonstrate that youth minority groups have been more affected than other groups of young individuals. Data assembled by the Bureau of Labor Statistics indicates that in July 2009, 51.4 percent of young persons between the ages of 16 and 24 were involved in some form of summer employment. This was the lowest recorded rate since 1964. The youth unemployment rate, at 18.5 percent, was also a record low since the onset of the Bureau's statistical studies almost forty years ago. In comparison to a 4 percent rise in unemployment for white youth, 7 percent more African Americans and 10 percent more Hispanics became unemployed between 2006 and 2009. These numbers are troubling, and indicate a need for intervention on our part.

It is important that in our efforts to aid in the economic recovery effort, we do not forget our young Americans. Their career development is crucial to ensuring that whatever economic strides we make today will be sustainable tomorrow. As such, we must ensure that we do not neglect the hardships that have been inflicted upon them as a result of the economic downturn. These funds will promote the intellectual development of our youth, which, in turn, will promote a healthy and innovative economy. Studies have also shown that such an initiative could work to decrease the likelihood of criminal activity by young individuals, who are less likely to engage in such activity when they are involved in productive use of their time.

This amendment will provide an indispensable source of support for our states to help them develop our youth. For these reasons, I urge my Colleagues to support my amendment on summer youth jobs.

HAITI AMENDMENT

An amendment to require the Department of State to report on contracting procurement in Haiti.

Mr. Speaker, my amendment to increase oversight over the contracting process in Haiti. This amendment requires that the Department of State prepare a report that describes how offers received in response to solicitations for contracts to be carried out are evaluated.

As Haiti's neighbor, it is the responsibility of the U.S. to help Haiti recover, and to build the capacity to militate against future disasters. Yet, it must be done in a way that is transparent and accountable.

Last month, I held a town hall meeting to link USAID and contractors seeking to secure contracts to rebuild Haiti following the devastating earthquake. Similar to contractors operating in Pakistan, these groups were concerned that they were not able to access the contracts in a transparent manner.

There are vast untapped human resources and potential in the United States, and the people of Haiti are in need of our help. During these economic times, it only makes sense to ensure that the hard working men and women of the United States have an opportunity to contribute to helping the people of Haiti rebuild their nation. USAID and the American Red Cross will help open the door for our local businesses including small, minority and women-owned and disadvantaged businesses to participate in something great, at the same time strengthening our own damaged economy.

Mr. Speaker, transparency is at the heart of an effective assistance program, Again, I ask my Colleagues to allow this amendment to move forward.

PAKISTAN AMENDMENT

Amendments to require the Department of State to report on contracting procurement in Pakistan.

An amendment to increase oversight over the contracting process in Pakistan. This amendment requires that the Department of State prepare a report that describes how offers received in response to solicitations for contracts to be carried out are evaluated.

A major focus of the President's policy review was the importance of Pakistan to our efforts in Afghanistan, to regional stability, and to our national security and foreign policy interests. There remains mistrust between our two countries, but we see a critical window of opportunity created by the recent transition to democratic, civilian rule and the broad, sustained political support across Pakistan for military operations against extremists. We seek to lead the international community in helping Pakistan overcome the political, economic, and security challenges that threaten its stability, and in turn undermine regional stability. And we seek to build a long-term partnership with Pakistan based on common interests, including recognition that we cannot tolerate a safe haven for terrorists whose location is known and whose intentions are clear.

As co-Chair of the Pakistan Caucus, I have met with dozens of groups concerned about the future of Pakistan. Every single group has told me that they are unable to access information about the contracting process in Pakistan as it relates to the $1.5 billion authorized by the Kerry-Lugar-Berman bill. This lack of transparency threatens to undermine the tremendous progress we have made in Pakistan gaining the trust of the people and the government. It is therefore crucial that my Colleagues support an amendment that will work to alleviate those fears and implement transparency measures as the cornerstone to our assistance programs.

I thank you for consideration of H.R. 4899 for the Fiscal Year 2010 Emergency Supplemental Appropriations bill.

Mr. POMEROY. Mr. Speaker, I rise today in opposition to the rule allowing for consideration of House amendments to H.R. 4899, the Supplemental Appropriations Act.

I believe that it is irresponsible of Congress to leave for the Fourth of July recess without sending the Senate-passed supplemental appropriations bill to the President's desk for signature. Insisting on inclusion of additional spending above the Senate-passed supplemental levels, with absolutely no assurances that the Senate is willing or even able to pass this additional spending will do nothing but delay vitally important emergency funding.

Swift approval of the supplemental is needed not only for the war effort but also for areas of the United States, like North Dakota, who have been hit hard by disasters and desperately need Federal Emergency Management Agency (FEMA) disaster relief funding owed them. While I do not take issue with the additional offset spending that is being discussed, the current push to add it will result in Congress failing to enact a supplemental for several weeks, with the strong possibility of ending up right back where we began.

I am submitting, as a part of my statement, a copy of an editorial that recently ran in the Bismarck Tribune titled ''Congress needs to meet its responsibilities''. Congress' inability to complete even its most basic business has the American people's patience running thin. The delay in passing a supplemental appropriations bill endangers our soldiers fighting overseas and is preventing critical aid from reaching those who have been hit with disasters here at home. We must act today to pass the Senate version of this bill and avoid further delays.

[June 30, 2010]

CONGRESS NEEDS TO MEET ITS RESPONSIBILITIES

Mor-Gran-Sou Electric, crippled by the Good Friday snowstorm, qualified for financial disaster relief from the Federal Emergency Management Agency.

The damage to Mor-Gran-Sou poles and lines was extensive and pricey, upwards of $30 million.

The feds agreed to pick up 75 percent of the cost. That's what disaster relief programs are all about—financial help when a natural disaster levels an area.

Except, the check isn't in the mail.

When the feds, when anyone, says they are going to do a thing, they ought to do it—and do it in a timely fashion.

There's no excuse for FEMA, and really Congress, holding up Mor-Gran-Sou.

And the phrase ''holding up'' isn't just a metaphor. While waiting for FEMA, Mor-Gran-Sou has had to get a $30 million line of credit, which even at 2.5 percent interest could cost the co-op and its electric customers $1 million in interest over a year.

The FEMA disaster funding was placed in the bill funding the war in Afghanistan and Iraq.

One has nothing to do with the other. Lumping these funding efforts together is just another political tool—like the ''Christmas tree'' building bills in the North Dakota Legislature—for forcing lawmakers to vote in favor of something they do not want in exchange for something they need.

A congressman might not want to fund the war in Afghanistan or Iraq, but if that congressman wants disaster relief, well . . .

Congress has intentionally become a beast of complexity and burden, in this case.

Legislation, rather than being a clean, well-written policy or law with a single given purpose, has become incomprehensible in language, sheer volume and related programming, regulating and funding.

Yes, we live in a complex world and over simplification can be dangerous, but that's not justification for the present level of congressional chaos.

Congress has legislated FEMA's obligation in a natural disaster. FEMA has deemed Mor-Gran-Sou's situation as qualified for help.

Now Congress must follow through and provide funding to do what it said FEMA would do.

In Washington, a million dollars in interest might not amount to much, but on the far end of a power line in western North Dakota, with 11,000 downed poles and 550 miles of tangled line, it's a very big deal.

In people, follow-through of this kind, speaks to character. The same goes for Congress and its members.

Our delegation needs to push hard to break this log jam. Will it?

Ms. JACKSON LEE of Texas. Mr. Speaker, I thank you for the opportunity to explain my amendment to H.R. 4899—''Supplemental Appropriations Act 2010.'' H.R. 4899 will provide funding for the needs of the American people, from national security, housing, employment, health, to education. I fully support these efforts and want to stress that we must continue to provide policies and funding that ensure that the United States remains a global leader in science and technology, including space exploration, which not only results in knowledge-building but also in hundreds of thousands of jobs throughout the nation.

My amendment would ensure: all managed funding for the National Aeronautics Space Administration (NASA) NASA Constellation programs will be maintained through fiscal year 2015 with the assumption that the Constellation program will continue: (2) U.S. human space flight systems shall be lead by the U.S. government to ensure crew safety and to ensure skill, capabilities and institutional knowledge attributable to NASA and ISS can be retained by the U.S. for the appropriate time; (3) strengthen partnerships between universities and NASA centers; and (4) ensure a protocol for commercial human space flight utilization shall be established.

The President's proposed FY2011 budget eliminates funding for a portion of the Constellation Program which includes the Orion Crew Capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets.

Earlier this year, I introduced H. Res. 1150, ''Designating the National Aeronautics and Space Administration (NASA) as a national security Interest and Asset,'' and stating findings that the elimination of funding for the NASA Constellation program in the President's proposed FY 2011 budget presents national security concerns.

It is critical that managed funding for the NASA Constellation programs is maintained through fiscal year 2015 as:

1. Elimination of the Constellation programs will present Homeland Security implications for Cyberspace, critical infrastructure, and Intelligence community of the United States;

2. Elimination of the Constellation programs will compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence; and

3. Continuation of NASA's Constellation program is crucial to maintaining thousands of American jobs and the U.S.'s leadership role and technological edge as well as securing valuable knowledge that improves national security, climate, and research in science and medicine.

INTERNATIONAL LEADERSHIP AND TECHNOLOGICAL COMPETITIVE EDGE

Eliminating the Constellation upon retirement of the Space Shuttle will diminish the nation's international leadership role and efforts to advance scientific research in space. The United States will for the first time, since its space program began, be without a human space flight program.

Additionally, transferring funds from the Constellation program to the development of commercial space programs to carry a human crew into space is taking a chance on an unproven quantity and is an unnecessary and unreasonable risk this country must not take at this time. It is more prudent to establish a protocol for commercial human space flight utilization at this time.

It will take years for the commercial spaceflight industry to get up to speed to reach the level of competence that exists at NASA today. Our government has already invested literally years and billions of dollars into this program. We should build upon these investments and not abandon them. Our country can support the commercial spaceflight industry, but not at the expense of our human spaceflight program, which for years has inspired future generations and driven technology that enhances our quality of life.

The retirement of the Space Shuttles this year will leave the United States vulnerable and dependent upon Russia to put U.S. astronauts in orbit without the Constellation program. In May of last year when it became clear the U.S. had no one else to turn to, Russia raised its prices from $48 to $51 million per launch for each astronaut.

In addition, it is important for us to remember that the Constellation program is not just about going to the moon, as the U.S. has a commitment to the International Space Station (ISS). With the Space Shuttles being retired this September, the Constellation is the only system under development that will give NASA the future capability to launch crews to and retrieve them from the ISS. Decreasing the use of the International Space Station would impact the ability to sustain its systems and physical infrastructure.

NATIONAL SECURITY AND HOMELAND SECURITY

The Congress should recognize the policy outlined in section 501(a) of the National Aeronautics and Space Authorization Act of 2005 (42 U.S.C. 16761(a), that the United States shall maintain an uninterrupted capability for human space flight and operations in low-earth orbit, and beyond, as an essential element of national security and the ability to ensure continued United States participation and leadership in the exploration of space.

The human space flight program should be funded to continue use of the International Space Station to support the agency and other Federal, commercial, and academic research and technology testing needs. NASA conducts aeronautics research to address aviation safety, air traffic control, noise and, emissions reductions and fuel efficiency.

NASA's contribution to our knowledge of air and water supports has improved decision making for natural resource management and

emergency response, thus enabling us to better respond to future homeland security threats.

Knowledge of Earth's water cycle is a critical first step in protecting our water supply; water flows over the Earth's surface in oceans, lakes, and streams, and is particularly vulnerable to attack.

NASA sensors provide a wealth of information about the water cycle, and contribute to improving our ability to monitor water resources and water quality from space. We must also protect the quality and safety of the air we breathe; airborne contaminants can pose danger to human health; and chemical, nuclear, radiological, and biological attacks are plausible threats against which we can better protect the United States through NASA's research.

Elimination of the Constellation program will present homeland security implications for cyberspace, critical infrastructure, and the intelligence community of the United States. Elimination of the Constellation program will also compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence.

Continuation of NASA's human space flight program is crucial to improving national security, studying climate change and its effects, and research in science and medicine.

CONCLUSION

For all of the above reasons, it is my hope that this committee will join me in supporting efforts to maintain NASA's Constellation Program. It is through balanced policies that promote economic growth that we will continue to maintain our international leadership and technological competitive edge, and gain valuable knowledge relating to the national security of our nation. I look forward to working with all of you to ensure that we preserve a robust human space flight program in the United States.

AMENDMENT TO H.R. 4899

OFFERED BY MS. JACKSON LEE OF TEXAS

At the appropriate place, insert the following:

**SEC. _____. HUMAN SPACE FLIGHT CONTINUATION.**

The Administrator of the National Aeronautics and Space Administration shall ensure that—

(1) all planned funding for the National Aeronautics and Space Administration's Constellation programs will be maintained through fiscal year 2015 with the assumption that the Constellation programs will continue;

(2) the Federal Government will lead United States human space flight systems—

(A) to ensure crew safety; and

(B) to ensure that skills, capabilities, and institutional knowledge attributable to the National Aeronautics and Space Administration and the International Space Station are retained by the Federal Government for the appropriate time;

(3) partnerships between universities and the National Aeronautics and Space Administration's centers are strengthened; and

(4) a protocol for commercial human space flight utilization is established.

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

The previous question was ordered.

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

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

Mr. DREIER. 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, further proceedings on this question will be postponed.

## CALL OF THE HOUSE

Mr. MCGOVERN. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. Under clause 7(b) of rule XX, the Chair confers recognition for that purpose.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 427]

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

□ 1937

The SPEAKER pro tempore. On this rollcall, 419 Members have recorded their presence.

A quorum is present.

## PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 4899, SUPPLEMENTAL APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 1500, 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 resolution.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 1500 will be followed by a 5-minute vote on the motion to suspend the rules on House Resolution 1462.

The vote was taken by electronic device, and there were—yeas 215, nays 210, not voting 8, as follows:

[Roll No. 428]

YEAS—215

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

NAYS—210

| | | |
|---|---|---|
| Aderholt | Biggert | Boustany |
| Adler (NJ) | Bilbray | Brady (TX) |
| Akin | Bilirakis | Bright |
| Alexander | Bishop (UT) | Broun (GA) |
| Austria | Blackburn | Brown (SC) |
| Bachmann | Blunt | Brown-Waite, Ginny |
| Bachus | Boccieri | Buchanan |
| Barrett (SC) | Boehner | Burgess |
| Bartlett | Bonner | Burton (IN) |
| Barton (TX) | Bono Mack | Buyer |
| Berry | Boozman | Calvert |
| Camp | Inglis | Pence |
| Campbell | Issa | Perriello |
| Cantor | Jenkins | Peters |
| Cao | Johnson (IL) | Petri |
| Carter | Jones | Pingree (ME) |
| Cassidy | Jordan (OH) | Pitts |
| Castle | King (IA) | Platts |
| Chaffetz | King (NY) | Poe (TX) |
| Childers | Kingston | Pomeroy |
| Coble | Kirk | Posey |
| Coffman (CO) | Kline (MN) | Price (GA) |
| Cole | Kratovil | Putnam |
| Conaway | Kucinich | Radanovich |
| Conyers | Lamborn | Rehberg |
| Crenshaw | Lance | Reichert |
| Culberson | Latham | Roe (TN) |
| Davis (KY) | LaTourette | Rogers (AL) |
| Dent | Latta | Rogers (KY) |
| Diaz-Balart, L. | Lee (NY) | Rogers (MI) |
| Diaz-Balart, M. | Lewis (CA) | Rohrabacher |
| Djou | Linder | Rooney |
| Dreier | Lipinski | Ros-Lehtinen |
| Driehaus | LoBiondo | Roskam |
| Duncan | Lucas | Royce |
| Ehlers | Luetkemeyer | Ryan (WI) |
| Emerson | Lummis | Scalise |
| Fallin | Lungren, Daniel E. | Schmidt |
| Filner | Mack | Schock |
| Flake | Maffei | Schrader |
| Fleming | Manzullo | Sensenbrenner |
| Forbes | Marchant | Sessions |
| Fortenberry | Marshall | Shadegg |
| Foster | McCarthy (CA) | Shea-Porter |
| Foxx | McCaul | Shimkus |
| Franks (AZ) | McClintock | Shuler |
| Frelinghuysen | McCotter | Shuster |
| Gallegly | McHenry | Simpson |
| Garrett (NJ) | McKeon | Skelton |
| Gerlach | McMorris Rodgers | Smith (NE) |
| Giffords | Mica | Smith (NJ) |
| Gingrey (GA) | Michaud | Smith (TX) |
| Gohmert | Miller (FL) | Space |
| Goodlatte | Miller (MI) | Stearns |
| Granger | Miller, Gary | Sullivan |
| Graves (GA) | Minnick | Taylor |
| Graves (MO) | Mitchell | Terry |
| Grayson | Moran (KS) | Thompson (PA) |
| Grijalva | Murphy (CT) | Thornberry |
| Guthrie | Murphy (NY) | Tiahrt |
| Hall (TX) | Murphy, Tim | Tiberi |
| Halvorson | Myrick | Titus |
| Harper | Napolitano | Turner |
| Hastings (WA) | Neugebauer | Upton |
| Heller | Nunes | Walden |
| Hensarling | Nye | Westmoreland |
| Herger | Olson | Whitfield |
| Herseth Sandlin | Paul | Wilson (SC) |
| Himes | Paulsen | Wittman |
| Hunter | | Wolf |
| | | Young (FL) |

NOT VOTING—8

| | | |
|---|---|---|
| Capito | Johnson, Sam | Woolsey |
| Griffith | Rodriguez | Young (AK) |
| Hoekstra | Wamp | |

□ 2002

Ms. GIFFORDS changed her vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to section 4 of the resolution, House Resolution 1493 is hereby adopted.

The text of the resolution is as follows:

H. RES. 1493

*Resolved*,

(a) BUDGET ENFORCEMENT.—For the purposes of budget enforcement:

(1) BUDGET ALLOCATIONS.—The following allocations shall be the allocations made pursuant to section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations and shall be enforceable under section 302(f)(1) of that Act:

(A) FISCAL YEAR 2010.—In addition to amounts allocated under the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13), the allocation for new discretionary budget authority to the Committee on Appropriations shall be increased up to $538,000,000 for program integrity initiatives listed in section 422(a) of S. Con. Res. 13. The outlay allocation for fiscal year 2010 and fiscal year 2011 shall be adjusted accordingly.

(B) FISCAL YEAR 2011.—

(i) New discretionary budget authority, $1,121,000,000,000.

(ii) Discretionary outlays, $1,314,000,000,000.

(iii) New mandatory budget authority, $765,584,000,000.

(iv) Mandatory outlays, $755,502,000,000.

(2) DISCRETIONARY SPENDING ENFORCEMENT PROVISIONS.—The provisions of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13) shall remain in force and effect in the House, except that the references in section 424 (point of order against advance appropriations) to fiscal years 2010 and 2011 shall be references to fiscal years 2011 and 2012, respectively.

(b) ADDITIONAL ENFORCEMENT PROVISIONS.—For the purposes of the Congressional Budget Act of 1974 or the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13)—

(1) section 421 of S. Con. Res. 13 shall no longer apply to the consideration of bills, joint resolutions, amendments, or conference reports;

(2) the chairman of the Committee on the Budget may exclude the effect of any ''current policy adjustment'' as provided in section 4(c) of the Statutory Pay-As-You-Go Act of 2010 from a determination of the budgetary effects of any provision in a bill, joint resolution, amendment, or conference report; and

(3) the terms ''budget year'', ''current year'', and ''direct spending'' have the meanings given those terms in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that the term ''direct spending'' shall include provisions in appropriation Acts that make outyear modifications to substantive law as described under section 3(4)(C) of the Statutory Pay-As-You-Go Act of 2010.

(c) SENSE OF THE HOUSE ON DEFICIT REDUCTION.—

(1) FINDINGS.—The House finds that—

(A) passage of the Statutory Pay-As-You-Go Act of 2010, passage of legislation to reform the defense acquisition system, and passage of health care reform legislation reducing the deficit represented valuable contributions to fiscal responsibility;

(B) strengthening the economy and creating jobs are critical to reducing the long-term deficit;

(C) fiscally responsible investments in education, including the retention of high-quality teachers in the classroom, help to lay the foundation for a stronger economy;

(D) the discretionary levels for 2011 included in this resolution represent a reduction below the President's comparable budgetary request, and further contribute to fiscal discipline; and

(E) defending our country requires necessary investments and reforms to strengthen our military—including providing sufficient resources to aggressively pursue implementation of GAO recommendations to achieve efficiencies, and evaluating defense plans to ensure weapons systems that were developed to counter Cold War-era threats are not redundant and applicable to 21st century threats.

(2) SENSE OF THE HOUSE ON DEFICIT REDUCTION.—It is the sense of the House that—

(A) by 2015 the Federal budget should be in primary balance—meaning that outlays in the Federal budget shall equal receipts during a fiscal year, not counting outlays for debt service payments;

(B) the debt-to-GDP ratio should be stabilized at an acceptable level once the economy recovers;

(C) not later than September 15, 2010, the chairs of committees should submit for printing in the Congressional Record findings that identify changes in law that help achieve deficit reduction by reducing waste, fraud, abuse, and mismanagement, promoting efficiency and reform of government, and controlling spending within Government programs those committees may authorize;

(D) prior to the adjournment of the 111th Congress, any recommendations made by the National Commission on Fiscal Responsibility and Reform and approved by the Senate should be brought to a vote in the House of Representatives; and

(E) any deficit reduction achieved by the enactment of such legislation should be used for deficit reduction only and should not be available to offset the costs of future legislation.

(d) RESERVE FUND FOR DEFICIT REDUCTION.—Upon enactment of legislation containing recommendations in the final report of the National Commission on Fiscal Responsibility and Reform, established by Executive Order 13531 on February 18, 2010, that decreases the deficit for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives, the chairman of the Committee on the Budget shall, for the purposes of the Statutory Pay-As-You-Go Act of 2010, exclude any net deficit reduction from his determination of the budgetary effects of such legislation, to ensure that the deficit reduction achieved by that legislation is used only for deficit reduction and is not available as an offset for any subsequent legislation.

(e) HOUSE RULE XXVIII.—Nothing in this resolution shall be construed to engage rule XXVIII of the Rules of the House of Representatives.

## EXPRESSING SUPPORT FOR PEOPLE OF GUATEMALA, HONDURAS AND EL SALVADOR AFTER TROPICAL STORM AGATHA

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1462) expressing support for the people of Guatemala, Honduras, and El Salvador as they persevere through the aftermath of Tropical Storm Agatha which swept across Central America causing deadly floods and mudslides, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, as amended.

The question was taken.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 403, noes 1, not voting 28, as follows:

[Roll No. 429]

AYES—403

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

NOES—1

Paul

NOT VOTING—28

Blunt
Bright
Brown-Waite, Ginny
Capito
Coble
Dahlkemper
Davis (AL)
Dicks
Emerson
Gordon (TN)
Green, Gene
Griffith
Gutierrez
Harman
Hoekstra
Johnson, Sam
McCarthy (NY)
McCaul
Pingree (ME)
Polis (CO)
Radanovich
Rodriguez
Slaughter
Speier
Wamp
Waters
Woolsey
Young (AK)

□ 2013

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.

## SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 1500, I call up the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendments thereto, and offer the motion.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:*

TITLE I

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

*For an additional amount for gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, to be available from funds in the Agricultural Credit Insurance Fund, as follows: guaranteed farm ownership loans, $300,000,000; operating loans, $650,000,000, of which $250,000,000 shall be for unsubsidized guaranteed loans, $50,000,000 shall be for subsidized guaranteed loans, and $350,000,000 shall be for direct loans.*

*For an additional amount for the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: guaranteed farm ownership loans, $1,110,000; operating loans, $29,470,000, of which $5,850,000 shall be for unsubsidized guaranteed loans, $7,030,000 shall be for subsidized guaranteed loans, and $16,590,000 shall be for direct loans.*

*For an additional amount for administrative expenses necessary to carry out the direct and guaranteed loan programs, $1,000,000.*

EMERGENCY FOREST RESTORATION PROGRAM

*For implementation of the emergency forest restoration program established under section 407 of the Agricultural Credit Act of 1978 (16 U.S.C. 2206) for expenses resulting from natural disasters that occurred on or after January 1, 2010, and for other purposes, $18,000,000, to remain available until expended: Provided, That the program: (1) shall be carried out without regard to chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'') and the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (2) with rules issued without a prior opportunity for notice and comment except, as determined to be appropriate by the Farm Service Agency, rules may be promulgated by an interim rule effective on publication with an opportunity for notice and comment: Provided further, That in carrying out this program, the Secretary shall use the authority provided under section 808(2) of title 5, United States Code: Provided further, That to reduce Federal costs in administering this heading, the emergency forest restoration program shall be considered to have met the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for activities similar in nature and quantity to those of the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.).*

FOREIGN AGRICULTURAL SERVICE

FOOD FOR PEACE TITLE II GRANTS

*For an additional amount for ''Food for Peace Title II Grants'' for emergency relief and rehabilitation, and other expenses related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake, $150,000,000, to remain available until expended.*

GENERAL PROVISIONS—THIS CHAPTER

*SECTION 101. None of the funds appropriated or made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a biomass crop assistance program as authorized by section 9011 of Public Law 107–171 in excess of $552,000,000 in fiscal year 2010 or $432,000,000 in fiscal year 2011: Provided, That section 3002 shall not apply to the amount under this section.*

*SEC. 102. (a) Section 502(h)(8) of the Housing Act of 1949 (42 U.S.C. 1472(h)(8)) is amended to read as follows:*

*''(8) FEES.—Notwithstanding paragraph (14)(D), with respect to a guaranteed loan issued or modified under this subsection, the Secretary may collect from the lender—*

*''(A) at the time of issuance of the guarantee or modification, a fee not to exceed 3.5 percent of the principal obligation of the loan; and*

*''(B) an annual fee not to exceed 0.5 percent of the outstanding principal balance of the loan for the life of the loan.''.*

*(b) Section 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriation Act, 2001 (H.R. 5426 as enacted by Public Law 106–387, 115 Stat. 1549A–34) is repealed.*

*(c) For gross obligations for the principal amount of guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, an additional amount shall be for section 502 unsubsidized guaranteed loans sufficient to meet the remaining fiscal year 2010 demand, provided that existing program underwriting standards are maintained, and provided further that the Secretary may waive fees described herein for very low- and low-income borrowers, not to exceed $697,000,000 in loan guarantees.*

CHAPTER 2

DEPARTMENT OF COMMERCE

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

(RESCISSION)

*Of the funds made available under the heading ''National Telecommunications and Information Administration'' for Digital-to-Analog Converter Box Program in prior years, $111,500,000 are rescinded.*

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

*Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for ''Economic Development Assistance Programs'', for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in States that experienced damage due to severe storms and flooding during March 2010 through May 2010 for which the President declared a major disaster covering an entire State or States with more than 20 counties declared major disasters under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, $49,000,000, to remain available until expended.*

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

*For an additional amount for ''Operations, Research, and Facilities'', $5,000,000, for necessary expenses related to commercial fishery failures as determined by the Secretary of Commerce in January 2010.*

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION

*The matter contained in title III of division B of Public Law 111–117 regarding ''National Aeronautics and Space Administration Exploration'' is amended by inserting at the end of the last proviso '': Provided further, That notwithstanding any other provision of law or regulation, funds made available for Constellation in fiscal year 2010 for 'National Aeronautics and Space Administration Exploration' and from previous appropriations for 'National Aeronautics and Space Administration Exploration' shall be available to fund continued performance of Constellation contracts, and performance of such Constellation contracts may not be terminated for convenience by the National Aeronautics and Space Administration in fiscal year 2010''.*

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

*For an additional amount for ''Military Personnel, Army'', $1,429,809,000.*

MILITARY PERSONNEL, NAVY

*For an additional amount for ''Military Personnel, Navy'', $40,478,000.*

MILITARY PERSONNEL, MARINE CORPS

*For an additional amount for ''Military Personnel, Marine Corps'', $145,499,000.*

MILITARY PERSONNEL, AIR FORCE

*For an additional amount for ''Military Personnel, Air Force'', $94,068,000.*

RESERVE PERSONNEL, ARMY

*For an additional amount for ''Reserve Personnel, Army'', $5,722,000.*

RESERVE PERSONNEL, NAVY

*For an additional amount for ''Reserve Personnel, Navy'', $2,637,000.*

RESERVE PERSONNEL, MARINE CORPS

*For an additional amount for ''Reserve Personnel, Marine Corps'', $34,758,000.*

RESERVE PERSONNEL, AIR FORCE

*For an additional amount for ''Reserve Personnel, Air Force'', $1,292,000.*

NATIONAL GUARD PERSONNEL, ARMY

*For an additional amount for ''National Guard Personnel, Army'', $33,184,000.*

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

*For an additional amount for ''Operation and Maintenance, Army'', $11,719,927,000, of which $218,300,000 shall be available to restore amounts transferred from this account to ''Overseas Humanitarian, Disaster, and Civic Aid'' for emergency relief activities related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake.*

OPERATION AND MAINTENANCE, NAVY

*For an additional amount for ''Operation and Maintenance, Navy'', $2,735,194,000, of which $187,600,000 shall be available to restore amounts transferred from this account to ''Overseas Humanitarian, Disaster, and Civic Aid'' for emergency relief activities related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake.*

OPERATION AND MAINTENANCE, MARINE CORPS

*For an additional amount for ''Operation and Maintenance, Marine Corps'', $829,326,000, of which $30,700,000 shall be available to restore amounts transferred from this account to ''Overseas Humanitarian, Disaster, and Civic Aid'' for emergency relief activities related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake.*

OPERATION AND MAINTENANCE, AIR FORCE

*For an additional amount for ''Operation and Maintenance, Air Force'', $3,835,095,000, of which $218,400,000 shall be available to restore amounts transferred from this account to ''Overseas Humanitarian, Disaster, and Civic Aid'' for emergency relief activities related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake.*

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

*For an additional amount for ''Operation and Maintenance, Defense-Wide'', $1,236,727,000: Provided, That up to $50,000,000, to remain available until expended, shall be available for transfer to the Port of Guam Improvement Enterprise Fund established by section 3512 of the Duncan Hunter National Defense Authorization*

*Act for Fiscal Year 2009 (Public Law 110–417): Provided further, That funds transferred under the previous proviso shall be merged with and available for obligation for the same time period and for the same purposes as the appropriation to which transferred: Provided further, That these funds may be transferred by the Secretary of Defense only if he determines such amounts are required to improve facilities, relieve port congestion, and provide greater access to port facilities: Provided further, That any amounts transferred pursuant to the previous three provisos shall be available to the Secretary of Transportation, acting through the Administrator of the Maritime Administration, to carry out under the Port of Guam Improvement Enterprise Program planning, design, and construction of projects for the Port of Guam to improve facilities, relieve port congestion, and provide greater access to port facilities: Provided further, That the transfer authority in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary shall, not fewer than five days prior to making transfers under this authority, notify the congressional defense committees in writing of the details of any such transfer.*

*OPERATION AND MAINTENANCE, ARMY RESERVE*

*For an additional amount for ''Operation and Maintenance, Army Reserve'', $41,006,000.*

*OPERATION AND MAINTENANCE, NAVY RESERVE*

*For an additional amount for ''Operation and Maintenance, Navy Reserve'', $75,878,000.*

*OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

*For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $857,000.*

*OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

*For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $124,039,000.*

*OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

*For an additional amount for ''Operation and Maintenance, Army National Guard'', $180,960,000.*

*OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

*For an additional amount for ''Operation and Maintenance, Air National Guard'', $203,287,000.*

*AFGHANISTAN SECURITY FORCES FUND*

*For an additional amount for ''Afghanistan Security Forces Fund'', $2,604,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer.*

*IRAQ SECURITY FORCES FUND*

*For the ''Iraq Security Forces Fund'', $1,000,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, United States Forces—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, and renovation: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer.*

*PROCUREMENT*

*AIRCRAFT PROCUREMENT, ARMY*

*For an additional amount for ''Aircraft Procurement, Army'', $219,470,000, to remain available until September 30, 2012.*

*PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY*

*For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $3,000,000, to remain available until September 30, 2012.*

*PROCUREMENT OF AMMUNITION, ARMY*

*For an additional amount for ''Procurement of Ammunition, Army'', $17,055,000, to remain available until September 30, 2012.*

*OTHER PROCUREMENT, ARMY*

*For an additional amount for ''Other Procurement, Army'', $2,065,006,000, to remain available until September 30, 2012.*

*AIRCRAFT PROCUREMENT, NAVY*

*For an additional amount for ''Aircraft Procurement, Navy'', $296,000,000, to remain available until September 30, 2012.*

*OTHER PROCUREMENT, NAVY*

*For an additional amount for ''Other Procurement, Navy'', $31,576,000, to remain available until September 30, 2012.*

*PROCUREMENT, MARINE CORPS*

*For an additional amount for ''Procurement, Marine Corps'', $162,927,000, to remain available until September 30, 2012.*

*AIRCRAFT PROCUREMENT, AIR FORCE*

*For an additional amount for ''Aircraft Procurement, Air Force'', $174,766,000, to remain available until September 30, 2012.*

*OTHER PROCUREMENT, AIR FORCE*

*For an additional amount for ''Other Procurement, Air Force'', $672,741,000, to remain available until September 30, 2012.*

*PROCUREMENT, DEFENSE-WIDE*

*For an additional amount for ''Procurement, Defense-Wide'', $189,276,000, to remain available until September 30, 2012.*

*MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND*

*(INCLUDING TRANSFER OF FUNDS)*

*For an additional amount for the ''Mine Resistant Ambush Protected Vehicle Fund'', $1,123,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: Provided further, That the Secretary shall transfer such funds only to appropriations for operations and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That the funds transferred shall be merged with and available for the same purposes and the same time period as the appropriation to which they are transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

*For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $44,835,000, to remain available until September 30, 2011.*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE*

*For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $163,775,000, to remain available until September 30, 2011.*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE*

*For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $65,138,000, to remain available until September 30, 2011.*

*REVOLVING AND MANAGEMENT FUNDS*

*DEFENSE WORKING CAPITAL FUNDS*

*For an additional amount for ''Defense Working Capital Funds'', $1,134,887,000, to remain available until expended.*

*OTHER DEPARTMENT OF DEFENSE PROGRAMS*

*DEFENSE HEALTH PROGRAM*

*For an additional amount for ''Defense Health Program'', $33,367,000 for operation and maintenance: Provided, That language under this heading in title VI, division A of Public Law 111–118 is amended by striking ''$15,093,539,000'' and inserting in lieu thereof ''$15,121,714,000''.*

*DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES*

*(INCLUDING TRANSFER OF FUNDS)*

*For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $94,000,000, to remain available until September 30, 2011.*

*GENERAL PROVISIONS—THIS CHAPTER*

*SEC. 301. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)): Provided, That section 8079 of the Department of Defense Appropriations Act, 2010 (Public Law 111–118; 123 Stat. 3446) is amended by striking ''fiscal year 2010 until'' and all that follows and insert ''fiscal year 2010.''.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 302. Section 8005 of the Department of Defense Appropriations Act, 2010 (division A of Public Law 111–118) is amended by striking ''$4,000,000,000'' and inserting ''$4,500,000,000''.*

*SEC. 303. Funds made available in this chapter to the Department of Defense for operation and*

maintenance may be used to purchase items having an investment unit cost of not more than $250,000: Provided, That upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 304. Of the funds obligated or expended by any Federal agency in support of emergency humanitarian assistance services at the request of or in coordination with the Department of Defense, the Department of State, or the U.S. Agency for International Development, on or after January 12, 2010 and before February 12, 2010, in support of the Haitian earthquake relief efforts not to exceed $500,000 are deemed to be specifically authorized by the Congress.

SEC. 305. Section 8011 of the title VIII, division A of Public Law 111–118 is amended by striking ''within 30 days of enactment of this Act'' and inserting in lieu thereof ''30 days prior to contract award''.

(RESCISSIONS)

SEC. 306. (a) Of the funds appropriated in Department of Defense Appropriation Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Other Procurement, Air Force, 2009/2011'', $5,000,000; and

''Research, Development, Test and Evaluation, Army, 2009/2010'', $72,161,000.

(b) Section 3002 shall not apply to the amounts in this section.

SEC. 307. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal years 2009 or 2010 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

HIGH-VALUE DETAINEE INTERROGATION GROUP CHARTER AND REPORT

SEC. 308. (a) SUBMISSION OF CHARTER AND PROCEDURES.—Not later than 30 days after the final approval of the charter and procedures for the interagency body established to carry out an interrogation pursuant to a recommendation of the report of the Special Task Force on interrogation and Transfer Policies submitted under section 5(g) of Executive Order 13491 (commonly known as the High-Value Detainee Interrogation Group), or not later than 30 days after the date of the enactment of this Act, whichever is later, the Director of National Intelligence shall submit to the congressional intelligence committees such charter and procedures.

(b) UPDATES.—Not later than 30 days after the final approval of any significant modification or revision to the charter or procedures referred to in subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees any such modification or revision.

(c) LESSONS LEARNED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report setting forth an analysis and assessment of the lessons learned as a result of the operations and activities of the High-Value Detainee Interrogation Group since the establishment of that group.

(d) SUBMITTAL OF CHARTER AND REPORTS TO ADDITIONAL COMMITTEES OF CONGRESS.—At the same time the Director of National Intelligence submits the charter and procedures referred to in subsection (a), any modification or revision to the charter or procedures under subsection (b), and any report under subsection (c) to the congressional intelligence committees, the Director shall also submit such matter to—

(1) the Committees on Armed Services, Homeland Security and Governmental Affairs, the Judiciary, and Appropriations of the Senate; and

(2) the Committees on Armed Services, Homeland Security, the Judiciary, and Appropriations of the House of Representatives.

## CHAPTER 4

## DEPARTMENT OF DEFENSE—CIVIL

## DEPARTMENT OF THE ARMY

### CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for ''Investigations'', $5,400,000: Provided, That funds provided under this heading in this chapter shall be used for studies in States affected by severe storms and flooding: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for ''Mississippi River and Tributaries'' to dredge eligible projects in response to, and repair damages to Federal projects caused by, natural disasters, $18,600,000, to remain available until expended: Provided, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

OPERATION AND MAINTENANCE

For an additional amount for ''Operation and Maintenance'' to dredge navigation projects in response to, and repair damages to Corps projects caused by, natural disasters, $173,000,000, to remain available until expended: Provided, That the Secretary of the Army is directed to use $44,000,000 of the amount provided under this heading for nondisaster related emergency repairs to critical infrastructure: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for ''Flood Control and Coastal Emergencies'', as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to natural disasters as authorized by law, $20,000,000, to remain available until expended: Provided, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

### GENERAL PROVISIONS—THIS CHAPTER

EMERGENCY DROUGHT RELIEF

SEC. 401. For an additional amount for ''Water and Related Resources'', $10,000,000, for drought emergency assistance: Provided, That financial assistance may be provided under the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2201 et seq.) and any other applicable Federal law (including regulations) for the optimization and conservation of project water supplies to assist drought-plagued areas of the West.

SEC. 402. Funds made available in the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85), under the account ''Weapons Activities'' shall be available for the purchase of not to exceed one aircraft.

RECLASSIFICATION OF CERTAIN APPROPRIATIONS FOR THE NATIONAL NUCLEAR SECURITY ADMINISTRATION

SEC. 403. (a) FISCAL YEAR 2009 APPROPRIATIONS.—The matter under the heading ''Weapons Activities'' under the heading ''National Nuclear Security Administration'' under the heading ''Atomic Energy Defense Activities'' under the heading ''Department of Energy'' under title III of division C of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 621) is amended by striking ''the 09–D–007 LANSCE Refurbishment, PED,'' and inserting ''capital equipment acquisition, installation, and associated design funds for LANSCE,''.

(b) FISCAL YEAR 2010 APPROPRIATIONS.—The amount appropriated under the heading ''Weapons Activities'' under the heading ''National Nuclear Security Administration'' under the heading ''Atomic Energy Defense Activities'' under the heading ''Department of Energy'' under title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85; 123 Stat. 2866) and made available for LANSCE Reinvestment, PED, Los Alamos National Laboratory, Los Alamos, New Mexico, shall be made available instead for capital equipment acquisition, installation, and associated design funds for LANSCE, Los Alamos National Laboratory, Los Alamos, New Mexico.

SEC. 404. (a) Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c)) is amended by striking ''September 30, 2010'' and inserting ''September 30, 2012'' in lieu thereof.

(b) Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2241) is amended by striking ''through 2010'' and inserting ''through 2012'' in lieu thereof.

SEC. 405. (a) The Secretary of the Army shall not be required to make a determination under the National Historic Preservation Act of 1966 (16 U.S.C. 470, et seq.) for the project for flood control, Trinity River and tributaries, Texas, authorized by section 2 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 [59 Stat. 18], as modified by section 5141 of the Water Resources Development Act of 2007 [121 Stat. 1253].

(b) The Federal Highway Administration is exempt from the requirements of 49 U.S.C. 303 and 23 U.S.C. 138 for any highway project to be constructed in the vicinity of the Dallas Floodway, Dallas, Texas.

SEC. 406. (a) The Secretary of the Army may use funds made available under the heading ''OPERATION AND MAINTENANCE'' of this chapter to place, at full Federal expense, dredged material available from maintenance dredging of existing Federal navigation channels located in the Gulf Coast region to mitigate the impacts of the Deepwater Horizon Oil spill in the Gulf of Mexico.

(b) The Secretary of the Army shall coordinate the placement of dredged material with appropriate Federal and Gulf Coast State agencies.

(c) The placement of dredged material pursuant to this section shall not be subject to a least-cost-disposal analysis or to the development of a Chief of Engineers report.

(d) Nothing in this section shall affect the ability or authority of the Federal Government to recover costs from an entity determined to be a responsible party in connection with the Deepwater Horizon Oil spill pursuant to the Oil Pollution Act of 1990 or any other applicable Federal statute for actions undertaken pursuant to this section.

## CHAPTER 5

## DEPARTMENT OF THE TREASURY

### DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses for emergency

*relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake, $690,000, to remain available until expended: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

*OFFICE OF INSPECTOR GENERAL*

*SALARIES AND EXPENSES*

*(RESCISSION)*

*Of the amounts made available for necessary expenses of the Office of Inspector General under this heading in Public Law 111–117, $1,800,000 are rescinded: Provided, That section 3002 shall not apply to the amount under this heading.*

*DISTRICT OF COLUMBIA*

*FEDERAL FUNDS*

*FEDERAL PAYMENT TO THE PUBLIC DEFENDER SERVICE FOR THE DISTRICT OF COLUMBIA*

*(INCLUDING RESCISSION)*

*For an additional amount for ''Federal Payment to the Public Defender Service for the District of Columbia'', $700,000, to remain available until September 30, 2012.*

*Of the funds provided under this heading for ''Federal Payment to the District of Columbia Public Defender Service'' in title IV of division D of Public Law 111–8, $700,000 are rescinded: Provided, That section 3002 shall not apply to the amounts under this heading.*

*INDEPENDENT AGENCY*

*FINANCIAL CRISIS INQUIRY COMMISSION*

*SALARIES AND EXPENSES*

*For the necessary expenses of the Financial Crisis Inquiry Commission established pursuant to section 5 of the Fraud Enforcement and Recovery Act of 2009 (Public Law 111–21), $1,800,000, to remain available until February 15, 2011: Provided, That section 3002 shall not apply to the amount under this heading.*

*CHAPTER 6*

*DEPARTMENT OF HOMELAND SECURITY*

*COAST GUARD*

*OPERATING EXPENSES*

*For an additional amount for ''Operating Expenses'' for necessary expenses and other disaster-response activities related to Haiti following the earthquake of January 12, 2010, $50,000,000, to remain available until September 30, 2012.*

*ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

*For an additional amount for ''Acquisition, Construction, and Improvements'', $15,500,000, to remain available until September 30, 2014, for aircraft replacement.*

*FEDERAL EMERGENCY MANAGEMENT AGENCY*

*DISASTER RELIEF*

*(INCLUDING TRANSFER OF FUNDS)*

*For an additional amount for ''Disaster Relief'', $5,100,000,000, to remain available until expended, of which $5,000,000 shall be transferred to the Department of Homeland Security Office of the Inspector General for audits and investigations related to disasters.*

*UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES*

*For an additional amount for ''United States Citizenship and Immigration Services'' for necessary expenses and other disaster response activities related to Haiti following the earthquake of January 12, 2010, $10,600,000, to remain available until September 30, 2011.*

*GENERAL PROVISIONS—THIS CHAPTER*

*SEC. 601. Notwithstanding the 10 percent limitation contained in section 503(c) of Public Law 111–83, for fiscal year 2010, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000, from appropriations available to the Department of Homeland Security: Provided, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 5 days in advance of such transfer.*

*(RESCISSIONS)*

*SEC. 602. (a) The following unobligated balances made available pursuant to section 505 of Public Law 110–329 are rescinded: $2,200,000 from Coast Guard ''Operating Expenses''; $1,800,000 from the ''Office of the Secretary and Executive Management''; and $489,152 from ''Analysis and Operations''.*

*(b) The third clause of the proviso directing the expenditure of funds under the heading ''Alteration of Bridges'' in the Department of Homeland Security Appropriations Act, 2009, is repealed, and from available balances made available for Coast Guard ''Alteration of Bridges'', $5,910,848 are rescinded: Provided, That funds rescinded pursuant to this subsection shall exclude balances made available in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).*

*(c) From the unobligated balances of appropriations made available in Public Law 111–83 to the ''Office of the Federal Coordinator for Gulf Coast Rebuilding'', $700,000 are rescinded.*

*(d) Section 3002 shall not apply to the amounts in this section.*

*SEC. 603. The Administrator of the Federal Emergency Management Agency shall consider satisfied for Hurricane Katrina the non-Federal match requirement for assistance provided by the Federal Emergency Management Agency pursuant to section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5170c(a).*

*SEC. 604. Funds appropriated in Public Law 111–83 under the heading National Protection and Programs Directorate ''Infrastructure Protection and Information Security'' shall be available for facility upgrades and related costs to establish a United States Computer Emergency Readiness Team Operations Support Center/Continuity of Operations capability.*

*SEC. 605. Two C–130J aircraft funded elsewhere in this Act shall be transferred to the Coast Guard.*

*SEC. 606. Notwithstanding any other provision of law, including any agreement, the Federal share of assistance, including direct Federal assistance provided under sections 403, 406, and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5140b, 5172, and 5173), for damages resulting from FEMA–3311–EM–RI, FEMA–1894–DR, FEMA–1906–DR, FEMA–1909–DR, and all other areas Presidentially declared a disaster, prior to or following enactment, and resulting from the May 1 and 2, 2010 weather events that elicited FEMA–1909–DR, shall not be less than 90 percent of the eligible costs under such sections.*

*SEC. 607. (a) Not later than 30 days after the date of the enactment of this Act, the Assistant Secretary for the Transportation Security Administration shall issue a security directive that requires a commercial foreign air carrier who operates flights in and out of the United States to check the list of individuals that the Transportation Security Administration has prohibited from flying not later than 30 minutes after such list is modified and provided to such air carrier.*

*(b) The requirements of subsection (a) shall not apply to commercial foreign air carriers that operate flights in and out of the United States and that are enrolled in the Secure Flight program or that are Advance Passenger Information System Quick Query (AQQ) compliant.*

*CHAPTER 7*

*DEPARTMENT OF LABOR*

*DEPARTMENTAL MANAGEMENT*

*SALARIES AND EXPENSES*

*(INCLUDING TRANSFER OF FUNDS)*

*For an additional amount for ''Departmental Management'' for mine safety activities and legal services related to the Department of Labor's caseload before the Federal Mine Safety and Health Review Commission (''FMSHRC''), $18,200,000, which shall remain available for obligation through the date that is 12 months after the date of enactment of this Act: Provided, That the Secretary of Labor may transfer such sums as necessary to the ''Mine Safety and Health Administration'' for enforcement and mine safety activities, which may include conference litigation functions related to the FMSHRC caseload, investigation of the Upper Big Branch Mine disaster, standards and rulemaking activities, emergency response equipment purchases and upgrades, and organizational improvements: Provided further, That the Committees on Appropriations of the Senate and the House of Representatives are notified at least 15 days in advance of any transfer.*

*DEPARTMENT OF HEALTH AND HUMAN SERVICES*

*OFFICE OF THE SECRETARY*

*PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*

*(INCLUDING TRANSFER OF FUNDS)*

*For an additional amount for ''Public Health and Social Services Emergency Fund'' for necessary expenses for emergency relief and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, and for other disaster-response activities relating to the earthquake, $220,000,000, to remain available until expended: Provided, That these funds may be transferred by the Secretary to accounts within the Department of Health and Human Services, shall be merged with the appropriation to which transferred, and shall be available only for the purposes provided herein: Provided further, That none of the funds provided in this paragraph may be transferred prior to notification of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available in this or any other Act: Provided further, That funds appropriated in this paragraph may be used to reimburse agencies for obligations incurred for the purposes provided herein prior to enactment of this Act: Provided further, That funds may be used for the non-Federal share of expenditures for medical assistance furnished under title XIX of the Social Security Act, and for child health assistance furnished under title XXI of such Act, that are related to earthquake response activities: Provided further, That funds may be used for services performed by the National Disaster Medical System in connection with such earthquake, for the return of evacuated Haitian citizens to Haiti, and for grants to States and other entities to reimburse payments made for otherwise uncompensated health and human services furnished in connection with individuals given permission by the United States Government to come from Haiti to the United States after such earthquake, and not eligible for assistance under such titles: Provided further, That the limitation in subsection (d) of section 1113 of the Social Security Act shall not apply with respect to any repatriation assistance provided in response to the Haiti earthquake of January 12, 2010: Provided further, That with respect to the previous proviso, such additional repatriation assistance shall only be available from the funds appropriated herein.*

RELATED AGENCY

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

*For an additional amount for ''Federal Mine Safety and Health Review Commission, Salaries and Expenses''$3,800,000, to remain available for obligation for 12 months after enactment of this Act.*

CHAPTER 8

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

*For a payment to Joyce Murtha, widow of John P. Murtha, late a Representative from Pennsylvania, $174,000: Provided, That section 3002 shall not apply to this appropriation.*

CAPITOL POLICE

GENERAL EXPENSES

*For an additional amount for ''Capitol Police, General Expenses'' to purchase and install the indoor coverage portion of the new radio system for the Capitol Police, $12,956,000, to remain available until September 30, 2012: Provided, That the Chief of the Capitol Police may not obligate any of the funds appropriated under this heading without approval of an obligation plan by the Committees on Appropriations of the Senate and the House of Representatives.*

CHAPTER 9

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

*For an additional amount for ''Military Construction, Army'', $242,296,000, to remain available until September 30, 2012: Provided, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.*

MILITARY CONSTRUCTION, AIR FORCE

*For an additional amount for ''Military Construction, Air Force'', $406,590,000, to remain available until September 30, 2012: Provided, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.*

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

*For an additional amount for ''Family Housing Operation and Maintenance, Air Force'', $7,953,000.*

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

*For an additional amount for ''Compensation and Pensions'', $13,377,189,000, to remain available until expended: Provided, That section 3002 shall not apply to the amount under this heading.*

GENERAL PROVISION—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

*SEC. 901. (a) Of the amounts made available to the Department of Veterans Affairs under the ''Construction, Major Projects'' account, in fiscal year 2010 or previous fiscal years, up to $67,000,000 may be transferred to the ''Filipino Veterans Equity Compensation Fund'' account or may be retained in the ''Construction, Major Projects'' account and used by the Secretary of Veterans Affairs for such major medical facility projects (as defined under section 8104(a) of title 38, United States Code) that have been authorized by law as the Secretary considers appropriate: Provided, That any amount transferred from ''Construction, Major Projects'' shall be derived from unobligated balances that are a direct result of bid savings: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*(b) Section 3002 shall not apply to the amount in this section.*

LIMITATION ON USE OF FUNDS AVAILABLE TO THE DEPARTMENT OF VETERANS AFFAIRS

*SEC. 902. The amount made available to the Department of Veterans Affairs by this chapter under the heading ''VETERANS BENEFITS ADMINISTRATION'' under the heading ''COMPENSATION AND PENSIONS'' may not be obligated or expended until the expiration of the period for Congressional disapproval under chapter 8 of title 5, United States Code (commonly referred to as the ''Congressional Review Act''), of the regulations prescribed by the Secretary of Veterans Affairs pursuant to section 1116 of title 38, United States Code, to establish a service connection between exposure of veterans to Agent Orange during service in the Republic of Vietnam during the Vietnam era and hairy cell leukemia and other chronic B cell leukemias, Parkinson's disease, and ischemic heart disease.*

CHAPTER 10

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

*For an additional amount for ''Diplomatic and Consular Programs'', $1,261,000,000, to remain available until September 30, 2011: Provided, That the Secretary of State may transfer up to $149,500,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon concurrence of the head of such department or agency and after consultation with the Committees on Appropriations, to support operations in and assistance for Afghanistan and Pakistan and to carry out the provisions of the Foreign Assistance Act of 1961.*

*For an additional amount for ''Diplomatic and Consular Programs'' for necessary expenses for emergency relief, rehabilitation, and reconstruction support, and other expenses related to Haiti following the earthquake of January 12, 2010, $65,000,000, to remain available until September 30, 2011: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act: Provided further, That up to $3,700,000 of the funds made available in this paragraph may be transferred to, and merged with, funds made available under the heading ''Emergencies in the Diplomatic and Consular Service'': Provided further, That up to $290,000 of the funds made available in this paragraph may be transferred to, and merged with, funds made available under the heading ''Repatriation Loans Program Account''.*

OFFICE OF INSPECTOR GENERAL

*For an additional amount for ''Office of Inspector General'' for necessary expenses for oversight of operations and programs in Afghanistan, Pakistan, and Iraq, $3,600,000, to remain available until September 30, 2013.*

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

*For an additional amount for ''Embassy Security, Construction, and Maintenance'' for necessary expenses for emergency needs in Haiti following the earthquake of January 12, 2010, $79,000,000, to remain available until expended: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

*For an additional amount for ''Contributions for International Peacekeeping Activities'' for necessary expenses for emergency security related to Haiti following the earthquake of January 12, 2010, $96,500,000, to remain available until September 30, 2011: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

*For an additional amount for ''International Broadcasting Operations'' for necessary expenses for emergency broadcasting support and other expenses related to Haiti following the earthquake of January 12, 2010, $3,000,000, to remain available until September 30, 2011: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OFFICE OF INSPECTOR GENERAL

*For an additional amount for ''Office of Inspector General'' for necessary expenses for oversight of operations and programs in Afghanistan and Pakistan, $3,400,000, to remain available until September 30, 2013.*

*For an additional amount for ''Office of Inspector General'' for necessary expenses for oversight of emergency relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, $4,500,000, to remain available until September 30, 2012: Provided, That up to $1,500,000 of the funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH AND CHILD SURVIVAL

*For an additional amount for ''Global Health and Child Survival'' for necessary expenses for pandemic preparedness and response, $45,000,000, to remain available until September 30, 2011.*

INTERNATIONAL DISASTER ASSISTANCE

*For an additional amount for ''International Disaster Assistance'' for necessary expenses for emergency relief and rehabilitation, and other expenses related to Haiti following the earthquake of January 12, 2010, $460,000,000, to remain available until expended: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

*For an additional amount for ''Economic Support Fund'', $1,620,000,000, to remain available until September 30, 2012, of which not less than $1,309,000,000 shall be made available for assistance for Afghanistan and not less than $259,000,000 shall be made available for assistance for Pakistan: Provided, That funds appropriated under this heading in this Act and in prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Afghanistan may be made available, after consultation with the Committees on Appropriations, for disarmament, demobilization and reintegration activities, subject to the requirements of section 904(e) in this chapter, and for a United States contribution to an internationally managed fund to support the reintegration into Afghan society of individuals who have renounced violence against the Government of Afghanistan.*

*For an additional amount for ''Economic Support Fund'' for necessary expenses for emergency relief, rehabilitation, and reconstruction*

*aid, and other expenses related to Haiti following the earthquake of January 12, 2010, $770,000,000, to remain available until September 30, 2012: Provided, That of the funds appropriated in this paragraph, up to $120,000,000 may be transferred to the Department of the Treasury for United States contributions to a multi-donor trust fund for reconstruction and recovery efforts in Haiti: Provided further, That of the funds appropriated in this paragraph, up to $10,000,000 may be transferred to, and merged with, funds made available under the heading ''United States Agency for International Development, Funds Appropriated to the President, Operating Expenses'' for administrative costs relating to the purposes provided herein and to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act: Provided further, That funds appropriated in this paragraph may be transferred to, and merged with, funds available under the heading ''Development Credit Authority'' for the purposes provided herein: Provided further, That such transfer authority is in addition to any other transfer authority provided by this or any other Act: Provided further, That funds made available to the Comptroller General pursuant to title I, chapter 4 of Public Law 106–31, to monitor the provision of assistance to address the effects of hurricanes in Central America and the Caribbean, shall also be available to the Comptroller General to monitor relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, and shall remain available until expended: Provided further, That funds appropriated in this paragraph may be made available to the United States Agency for International Development and the Department of State to reimburse any accounts for obligations incurred for the purpose provided herein prior to enactment of this Act.*

*For an additional amount for ''Economic Support Fund'' for necessary expenses for assistance for Jordan, $100,000,000, to remain available until September 30, 2012.*

*DEPARTMENT OF STATE*

*MIGRATION AND REFUGEE ASSISTANCE*

*For an additional amount for ''Migration and Refugee Assistance'' for necessary expenses for assistance for refugees and internally displaced persons, $165,000,000, to remain available until expended.*

*DEPARTMENT OF THE TREASURY*

*INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

*For an additional amount for ''International Affairs Technical Assistance'' for necessary expenses for emergency relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, $7,100,000, to remain available until September 30, 2012: Provided, That of the funds appropriated in this paragraph, up to $60,000 may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

*INTERNATIONAL SECURITY ASSISTANCE*

*DEPARTMENT OF STATE*

*INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT*

*For an additional amount for ''International Narcotics Control and Law Enforcement'', $1,034,000,000, to remain available until September 30, 2012: Provided, That of the funds appropriated under this heading, not less than $650,000,000 shall be made available for assistance for Iraq of which $450,000,000 is for one-time start up costs and limited operational costs of the Iraqi police program, and $200,000,000 is for implementation, management, security, communications, and other expenses related to such program and may be obligated only after the Secretary of State determines and reports to the Committees on Appropriations that the Government of Iraq supports and is cooperating with such program: Provided further, That funds appropriated in this chapter for assistance for Iraq shall not be subject to the limitation on assistance in section 7042(b)(1) of division F of Public Law 111–117: Provided further, That of the funds appropriated in this paragraph, not less than $169,000,000 shall be made available for assistance for Afghanistan and not less than $40,000,000 shall be made available for assistance for Pakistan: Provided further, That of the funds appropriated under this heading, $175,000,000 shall be made available for assistance for Mexico for judicial reform, institution building, anti-corruption, and rule of law activities, and shall be available subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.*

*For an additional amount for ''International Narcotics Control and Law Enforcement'' for necessary expenses for emergency relief, rehabilitation, and reconstruction aid, and other expenses related to Haiti following the earthquake of January 12, 2010, $147,660,000, to remain available until September 30, 2012: Provided, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.*

*FUNDS APPROPRIATED TO THE PRESIDENT*

*FOREIGN MILITARY FINANCING PROGRAM*

*For an additional amount for ''Foreign Military Financing Program'', $100,000,000, to remain available until September 30, 2012, of which not less than $50,000,000 shall be made available for assistance for Pakistan and not less than $50,000,000 shall be made available for assistance for Jordan.*

*GENERAL PROVISIONS—THIS CHAPTER*

*EXTENSION OF AUTHORITIES*

*SEC. 1001. Funds appropriated in this chapter may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).*

*ALLOCATIONS*

*SEC. 1002. (a) Funds appropriated in this chapter for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the report accompanying this Act:*

*(1) ''Diplomatic and Consular Programs''.*

*(2) ''Economic Support Fund''.*

*(3) ''International Narcotics Control and Law Enforcement''.*

*(b) For the purposes of implementing this section, and only with respect to the tables included in the report accompanying this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as appropriate, may propose deviations to the amounts referred in subsection (a), subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.*

*SPENDING PLANS AND NOTIFICATION PROCEDURES*

*SEC. 1003. (a) SPENDING PLANS.—Not later than 45 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, and the Broadcasting Board of Governors, shall submit reports to the Committees on Appropriations detailing planned uses of funds appropriated in this chapter, except for funds appropriated under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance''.*

*(b) OBLIGATION REPORTS.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, and the Broadcasting Board of Governors, shall submit reports to the Committees on Appropriations not later than 90 days after enactment of this Act, and every 180 days thereafter until September 30, 2012, on obligations, expenditures, and program outputs and outcomes.*

*(c) NOTIFICATION.—Funds made available in this chapter shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961, except for funds appropriated under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance''.*

*AFGHANISTAN*

*SEC. 1004. (a) The terms and conditions of sections 1102(a), (b)(1), (c), and (d) of Public Law 111–32 shall apply to funds appropriated in this chapter that are available for assistance for Afghanistan.*

*(b) Funds appropriated in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' that are available for assistance for Afghanistan may be obligated only if the Secretary of State reports to the Committees on Appropriations that prior to the disbursement of funds, representatives of the Afghan national, provincial or local government, local communities and civil society organizations, as appropriate, will be consulted and participate in the design of programs, projects, and activities, and following such disbursement will participate in implementation and oversight, and progress will be measured against specific benchmarks.*

*(c)(1) Funds appropriated in this chapter may be made available for assistance for the Government of Afghanistan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Afghanistan is—*

*(A) cooperating with United States reconstruction and reform efforts;*

*(B) demonstrating a commitment to accountability by removing corrupt officials, implementing fiscal transparency and other necessary reforms of government institutions, and facilitating active public engagement in governance and oversight of public resources; and*

*(C) respecting the internationally recognized human rights of Afghan women.*

*(2) If at any time after making the determination required in paragraph (1) the Secretary receives credible information that the factual basis for such determination no longer exists, the Secretary should suspend assistance and promptly inform the relevant Afghan authorities that such assistance is suspended until sufficient factual basis exists to support the determination.*

*(d) Funds appropriated in this chapter and in prior Acts that are available for assistance for Afghanistan may be made available to support reconciliation with, or reintegration of, former combatants only if the Secretary of State determines and reports to the Committees on Appropriations that—*

*(1) Afghan women are participating at national, provincial and local levels of government in the design, policy formulation and implementation of the reconciliation or reintegration process, and women's internationally recognized human rights are protected in such process; and*

*(2) such funds will not be used to support any pardon, immunity from prosecution or amnesty, or any position in the Government of Afghanistan or security forces, for any leader of an armed group responsible for crimes against humanity, war crimes, or other violations of internationally recognized human rights.*

*(e) Funds appropriated in this chapter that are available for assistance for Afghanistan may be made available to support the work of the Independent Electoral Commission and the Electoral Complaints Commission in Afghanistan*

*only if the Secretary of State determines and reports to the Committees on Appropriations that—*

*(1) the Independent Electoral Commission has no members or other employees who participated in, or helped to cover up, acts of fraud in the 2009 elections for president in Afghanistan, and the Electoral Complaints Commission is a genuinely independent body with all the authorities that were invested in it under Afghanistan law as of December 31, 2009, and with no members appointed by the President of Afghanistan; and*

*(2) the central Government of Afghanistan has taken steps to ensure that women are able to exercise their rights to political participation, whether as candidates or voters.*

*(f)(1) Not more than 45 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committees on Appropriations a strategy to address the needs and protect the rights of Afghan women and girls, including planned expenditures of funds appropriated in this chapter, and detailed plans for implementing and monitoring such strategy.*

*(2) Such strategy shall be coordinated with and support the goals and objectives of the National Action Plan for Women of Afghanistan and the Afghan National Development Strategy and shall include a defined scope and methodology to measure the impact of such assistance.*

*(g)(1) Notwithstanding section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) and requirements for awarding task orders under task and delivery order contracts under section 303J of such Act (41 U.S.C. 253j), the Secretary of State may award task orders for police training in Afghanistan under current Department of State contracts for police training.*

*(2) Any task order awarded under paragraph (1) shall be for a limited term and shall remain in performance only until a successor contract or contracts awarded by the Department of Defense using full and open competition have entered into full performance after completion of any start-up or transition periods.*

*PAKISTAN*

*SEC. 1005. (a) Funds appropriated in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Foreign Military Financing Program'' and ''Pakistan Counterinsurgency Capability Fund'' shall be made available—*

*(1) in a manner that promotes unimpeded access by humanitarian organizations to detainees, internally displaced persons, and other Pakistani civilians adversely affected by the conflict; and*

*(2) in accordance with section 620J of the Foreign Assistance Act of 1961, and the Secretary of State shall inform relevant Pakistani authorities of the requirements of section 620J and of its application, and regularly monitor units of Pakistani security forces that receive United States assistance and the performance of such units.*

*(b)(1) Of the funds appropriated in this chapter under the heading ''Economic Support Fund'' for assistance for Pakistan, $5,000,000 shall be made available through the Bureau of Democracy, Human Rights and Labor, Department of State, for human rights programs in Pakistan, including training of government officials and security forces, and assistance for human rights organizations.*

*(2) Not later than 90 days after enactment of this Act and prior to the obligation of funds under this subsection, the Secretary of State shall submit to the Committees on Appropriations a human rights strategy in Pakistan including the proposed uses of funds.*

*(c) Of the funds appropriated in this chapter under the heading ''Economic Support Fund'' for assistance for Pakistan, up to $1,500,000 should be made available to the Department of State and the United States Agency for International Development for the lease of aircraft to implement programs and conduct oversight in northwestern Pakistan, which shall be coordinated under the authority of the United States Chief of Mission in Pakistan.*

*IRAQ*

*SEC. 1006. (a) The uses of aircraft in Iraq purchased or leased with funds made available under the headings ''International Narcotics Control and Law Enforcement'' and ''Diplomatic and Consular Affairs'' in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the United States Chief of Mission in Iraq.*

*(b) The terms and conditions of section 1106(b) of Public Law 111–32 shall apply to funds made available in this chapter for assistance for Iraq under the heading ''International Narcotics Control and Law Enforcement''.*

*(c) Of the funds appropriated in this chapter and in prior acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Diplomatic and Consular Programs'' and ''Embassy Security, Construction, and Maintenance'' for Afghanistan, Pakistan and Iraq, up to $300,000,000 may, after consultation with the Committees on Appropriations, be transferred between, and merged with, such appropriations for activities related to security for civilian led operations in such countries.*

*HAITI*

*SEC. 1007. (a) Funds appropriated in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' that are available for assistance for Haiti may be obligated only if the Secretary of State reports to the Committees on Appropriations that prior to the disbursement of funds, representatives of the Haitian national, provincial or local government, local communities and civil society organizations, as appropriate, will be consulted and participate in the design of programs, projects, and activities, and following such disbursement will participate in implementation and oversight, and progress will be measured against specific benchmarks.*

*(b)(1) Funds appropriated in this chapter under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' may be made available for assistance for the Government of Haiti only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Haiti is—*

*(A) cooperating with United States reconstruction and reform efforts; and*

*(B) demonstrating a commitment to accountability by removing corrupt officials, implementing fiscal transparency and other necessary reforms of government institutions, and facilitating active public engagement in governance and oversight of public resources.*

*(2) If at any time after making the determination required in paragraph (1) the Secretary receives credible information that the factual basis for making such determination no longer exists, the Secretary should suspend assistance and promptly inform the relevant Haitian authorities that such assistance is suspended until sufficient factual basis exists to support the determination.*

*(c)(1) Funds appropriated in this chapter for bilateral assistance for Haiti may be provided as direct budget support to the central Government of Haiti only if the Secretary of State reports to the Committees on Appropriations that the Government of the United States and the Government of Haiti have agreed, in writing, to clear and achievable goals and objectives for the use of such funds, and have established mechanisms within each implementing agency to ensure that such funds are used for the purposes for which they were intended.*

*(2) The Secretary should suspend any such direct budget support to an implementing agency if the Secretary has credible evidence of misuse of such funds by any such agency.*

*(3) Any such direct budget support shall be subject to prior consultation with the Committees on Appropriations.*

*(d) Funds appropriated in this chapter that are made available for assistance for Haiti shall be made available, to the maximum extent practicable, in a manner that emphasizes the participation and leadership of Haitian women and directly improves the security, economic and social well-being, and political status of Haitian women and girls.*

*(e) Funds appropriated in this chapter may be made available for assistance for Haiti notwithstanding any other provision of law, except for section 620J of the Foreign Assistance Act of 1961 and provisions of this chapter.*

*HAITI DEBT RELIEF*

*SEC. 1008. (a) For an additional amount for ''Contribution to the Inter-American Development Bank'', ''Contribution to the International Development Association'', and ''Contribution to the International Fund for Agricultural Development'', to cancel Haiti's existing debts and repayments on disbursements from loans committed prior to January 12, 2010, and for the United States share of an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, to the extent separately authorized in this chapter, in furtherance of providing debt relief for Haiti in view of the Cancun Declaration of March 21, 2010, a total of $212,000,000, to remain available until September 30, 2012.*

*(b) Up to $40,000,000 of the amounts appropriated under the heading ''Department of the Treasury, Debt Restructuring'' in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used to cancel Haiti's existing debts and repayments on disbursements from loans committed prior to January 12, 2010, to the Inter-American Development Bank, the International Development Association, and the International Fund for Agricultural Development, and for the United States share of an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank in furtherance of providing debt relief to Haiti in view of the Cancun Declaration of March 21, 2010.*

*HAITI DEBT RELIEF AUTHORITY*

*SEC. 1009. The Inter-American Development Bank Act, Public Law 86–147, as amended (22 U.S.C. 283 et seq.), is further amended by adding at the end thereof the following new section:*

***''SEC. 40. AUTHORITY TO VOTE FOR AND CONTRIBUTE TO AN INCREASE IN RESOURCES OF THE FUND FOR SPECIAL OPERATIONS; PROVIDING DEBT RELIEF TO HAITI.***

*''(a) VOTE AUTHORIZED.—In accordance with section 5 of this Act, the United States Governor of the Bank is authorized to vote in favor of a resolution to increase the resources of the Fund for Special Operations up to $479,000,000, in furtherance of providing debt relief for Haiti in view of the Cancun Declaration of March 21, 2010, which provides that:*

*''(1) Haiti's debts to the Fund for Special Operations are to be cancelled;*

*''(2) Haiti's remaining local currency conversion obligations to the Fund for Special Operations are to be cancelled;*

*''(3) undisbursed balances of existing loans of the Fund for Special Operations to Haiti are to be converted to grants; and*

*''(4) the Fund for Special Operations is to make available significant and immediate grant financing to Haiti as well as appropriate resources to other countries remaining as borrowers within the Fund for Special Operations,*

*consistent with paragraph 6 of the Cancun Declaration of March 21, 2010.*

*''(b) CONTRIBUTION AUTHORITY.—To the extent and in the amount provided in advance in appropriations Acts the United States Governor of the Bank may, on behalf of the United States and in accordance with section 5 of this Act, contribute up to $252,000,000 to the Fund for Special Operations, which will provide for debt relief of:*

*''(1) up to $240,000,000 to the Fund for Special Operations;*

*''(2) up to $8,000,000 to the International Fund For Agricultural Development (IFAD); and*

*''(3) up to $4,000,000 for the International Development Association (IDA).*

*''(c) AUTHORIZATION OF APPROPRIATIONS.—To pay for the contribution authorized under subsection (b), there are authorized to be appropriated, without fiscal year limitation, for payment by the Secretary of the Treasury $212,000,000, for the United States contribution to the Fund for Special Operations.''.*

*MEXICO*

*SEC. 1010. (a) For purposes of funds appropriated in this chapter and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ''International Narcotics Control and Law Enforcement'' that are made available for assistance for Mexico, the provisions of paragraphs (1) through (3) of section 7045(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8) shall apply and the report required in paragraph (1) shall be based on a determination by the Secretary of State of compliance with each of the requirements in paragraph (1)(A) through (D).*

*(b) Funds appropriated in this chapter under the heading ''International Narcotics Control and Law Enforcement'' that are available for assistance for Mexico may be made available only after the Secretary of State submits a report to the Committees on Appropriations detailing a coordinated, multi-year, interagency strategy to address the causes of drug-related violence and other organized criminal activity in Central and South America, Mexico, and the Caribbean, which shall describe—*

*(1) the United States multi-year strategy for the region, including a description of key challenges in the source, transit, and demand zones; the key objectives of the strategy; and a detailed description of outcome indicators for measuring progress toward such objectives;*

*(2) the integration of diplomatic, administration of justice, law enforcement, civil society, economic development, demand reduction, and other assistance to achieve such objectives;*

*(3) progress in phasing out law enforcement activities of the militaries of each recipient country, as applicable; and*

*(4) governmental efforts to investigate and prosecute violations of internationally recognized human rights.*

*(c) Of the funds appropriated in this chapter under the heading ''Diplomatic and Consular Programs'', up to $5,000,000 may be made available for armored vehicles and other emergency diplomatic security support for United States Government personnel in Mexico.*

*EL SALVADOR*

*SEC. 1011. Of the funds appropriated in this chapter under the heading ''Economic Support Fund'', $25,000,000 shall be made available for necessary expenses for emergency relief and reconstruction assistance for El Salvador related to Hurricane/Tropical Storm Ida.*

*DEMOCRATIC REPUBLIC OF THE CONGO*

*SEC. 1012. Of the funds appropriated in this chapter under the heading ''Economic Support Fund'', $15,000,000 shall be made available for necessary expenses for emergency security and humanitarian assistance for civilians, particularly women and girls, in the eastern region of the Democratic Republic of the Congo.*

*INTERNATIONAL SCIENTIFIC COOPERATION*

*SEC. 1013. Funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for science and technology centers in the former Soviet Union may be used to support productive, non-military projects that engage scientists and engineers who have no weapons background, but whose competence could otherwise be applied to weapons development, provided such projects are executed through existing science and technology centers and notwithstanding sections 503 and 504 of the FREEDOM Support Act (Public Law 102–511), and following consultation with the Committees on Appropriations, the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.*

*INTERNATIONAL RENEWABLE ENERGY AGENCY*

*SEC. 1014. For fiscal year 2011 and thereafter, the President is authorized to accept the statute of, and to maintain membership of the United States in, the International Renewable Energy Agency, and the United States' assessed contributions to maintain such membership may be paid from funds appropriated for ''Contributions to International Organizations''.*

*OFFICE OF INSPECTOR GENERAL PERSONNEL*

*SEC. 1015. (a) Funds appropriated in this chapter for the United States Agency for International Development Office of Inspector General (OIG) may be made available to contract with United States citizens for personal services when the Inspector General determines that the personnel resources of the OIG are otherwise insufficient.*

*(1) Not more than 5 percent of the OIG personnel (determined on a full-time equivalent basis), as of any given date, are serving under personal services contracts.*

*(2) Contracts under this paragraph shall not exceed a term of 2 years unless the Inspector General determines that exceptional circumstances justify an extension of up to 1 additional year, and contractors under this paragraph shall not be considered employees of the Federal Government for purposes of title 5, United States Code, or members of the Foreign Service for purposes of title 22, United States Code.*

*(b)(1) The Inspector General may waive subsections (a) through (d) of section 8344, and subsections (a) through (e) of section 8468 of title 5, United States Code, and subsections (a) through (d) of section 4064 of title 22, United States Code, on behalf of any re-employed annuitant serving in a position within the OIG to facilitate the assignment of persons to positions in Iraq, Pakistan, Afghanistan, and Haiti or to positions vacated by members of the Foreign Service assigned to those countries.*

*(2) The authority provided in paragraph (1) shall be exercised on a case-by-case basis for positions for which there is difficulty recruiting or retaining a qualified employee or to address a temporary emergency hiring need, individuals employed by the OIG under this paragraph shall not be considered employees for purposes of subchapter III of chapter 83 of title 5, United States Code, or chapter 84 of such title, and the authorities of the Inspector General under this paragraph shall terminate on October 1, 2012.*

*AUTHORITY TO REPROGRAM FUNDS*

*SEC. 1016. Of the funds appropriated by this chapter for assistance for Afghanistan, Iraq and Pakistan, up to $100,000,000 may be made available pursuant to the authority of section 451 of the Foreign Assistance Act of 1961, as amended, for assistance in the Middle East and South Asia regions if the President finds, in addition to the requirements of section 451 and certifies and reports to the Committees on Appropriations, that exercising the authority of this section is necessary to protect the national security interests of the United States: Provided, That the Secretary of State shall consult with the Committees on Appropriations prior to the reprogramming of such funds, which shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the funding limitation otherwise applicable to section 451 of the Foreign Assistance Act of 1961 shall not apply to this section: Provided further, That the authority of this section shall expire upon enactment of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2011.*

*SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION*

*(INCLUDING RESCISSION)*

*SEC. 1017. (a) Of the funds appropriated under the heading ''Department of State, Administration of Foreign Affairs, Office of Inspector General'' and authorized to be transferred to the Special Inspector General for Afghanistan Reconstruction in title XI of Public Law 111–32, $7,200,000 are rescinded.*

*(b) For an additional amount for ''Department of State, Administration of Foreign Affairs, Office of Inspector General'' which shall be available for the Special Inspector General for Afghanistan Reconstruction for reconstruction oversight in Afghanistan, $7,200,000, and shall remain available until September 30, 2011.*

## *CHAPTER 11*

## *DEPARTMENT OF TRANSPORTATION*

*NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*

*HIGHWAY TRAFFIC SAFETY GRANTS*

*(HIGHWAY TRUST FUND)*

*(INCLUDING RESCISSION)*

*Of the amounts provided for Safety Belt Performance Grants in Public Law 111–117, $15,000,000 shall be available to pay for expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under subtitle C of title X of Public Law 109–59 and chapter 301 and part C of subtitle VI of title 49, United States Code, and for the planning or execution of programs authorized under section 403 of title 23, United States Code: Provided, That such funds shall be available until September 30, 2011, and shall be in addition to the amount of any limitation imposed on obligations in fiscal year 2011.*

*Of the amounts made available for Safety Belt Performance Grants under section 406 of title 23, United States Code, $25,000,000 in unobligated balances are permanently rescinded: Provided, That section 3002 shall not apply to the amounts under this heading.*

*CONSUMER ASSISTANCE TO RECYCLE AND SAVE PROGRAM*

*(RESCISSION)*

*Of the amounts made available for the Consumer Assistance to Recycle and Save Program, $44,000,000 in unobligated balances are rescinded.*

## *DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT*

*COMMUNITY PLANNING AND DEVELOPMENT*

*COMMUNITY DEVELOPMENT FUND*

*For an additional amount for the ''Community Development Fund'', for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization in areas affected by severe storms and flooding from March 2010 through May 2010 for which the President declared a major disaster covering an entire State or States with more than 20 counties declared major disasters under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, $100,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93–383): Provided, That funds shall be awarded directly to*

*the State or unit of general local government at the discretion of the Secretary: Provided further, That prior to the obligation of funds a grantee shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: Provided further, That funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: Provided further, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State or subdivision thereof under the Community Development Fund: Provided further, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by a State or subdivision thereof explaining why such waiver is required to facilitate the use of such funds or guarantees, if the Secretary finds that such waiver would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: Provided further, That the Secretary shall obligate to a State or subdivision thereof not less than 50 percent of the funding provided under this heading within 90 days after the enactment of this Act.*

## TITLE II

## DEPARTMENT OF COMMERCE

### ECONOMIC DEVELOPMENT ADMINISTRATION

#### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

*For an additional amount, in addition to amounts provided elsewhere in this Act, for ''Economic Development Assistance Programs'', to carry out planning, technical assistance and other assistance under section 209, and consistent with section 703(b), of the Public Works and Economic Development Act (42 U.S.C. 3149, 3233), in States affected by the incidents related to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, $5,000,000, to remain available until expended.*

### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

#### OPERATIONS, RESEARCH, AND FACILITIES

*For an additional amount, in addition to amounts provided elsewhere in this Act, for ''Operations, Research, and Facilities'', $13,000,000, to remain available until expended, for responding to economic impacts on fishermen and fishery-dependent businesses: Provided, That the amounts appropriated herein are not available unless the Secretary of Commerce determines that resources provided under other authorities and appropriations including by the responsible parties under the Oil Pollution Act, 33 U.S.C. 2701, et seq., are not sufficient to respond to economic impacts on fishermen and fishery-dependent business following an incident related to a spill of national significance declared under the National Contingency Plan provided for under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605).*

*For an additional amount, in addition to amounts provided elsewhere in this Act, for ''Operations, Research, and Facilities'', for activities undertaken including scientific investigations and sampling as a result of the incidents related to the discharge of oil and the use of oil dispersants that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, $7,000,000, to remain available until expended. These activities may be funded through the provision of grants to universities, colleges and other research partners through extramural research funding.*

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### FOOD AND DRUG ADMINISTRATION

#### SALARIES AND EXPENSES

*For an additional amount for ''Salaries and Expenses'', Food and Drug Administration, Department of Health and Human Services, for food safety monitoring and response activities in connection with the incidents related to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, $2,000,000, to remain available until expended.*

## DEPARTMENT OF THE INTERIOR

### DEPARTMENTAL OFFICES

### OFFICE OF THE SECRETARY

#### SALARIES AND EXPENSES

#### (INCLUDING TRANSFER OF FUNDS)

*For an additional amount for the ''Office of the Secretary, Salaries and Expenses'' for increased inspections, enforcement, investigations, environmental and engineering studies, and other activities related to emergency offshore oil spill incidents in the Gulf of Mexico, $29,000,000, to remain available until expended: Provided, That such funds may be transferred by the Secretary to any other account in the Department of the Interior to carry out the purposes provided herein.*

## DEPARTMENT OF JUSTICE

### LEGAL ACTIVITIES

#### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

*For an additional amount for ''Salaries and Expenses, General Legal Activities'', $10,000,000, to remain available until expended, for litigation expenses resulting from incidents related to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon.*

## ENVIRONMENTAL PROTECTION AGENCY

### SCIENCE AND TECHNOLOGY

*For an additional amount for ''Science and Technology'' for a study on the potential human and environmental risks and impacts of the release of crude oil and the application of dispersants, surface washing agents, bioremediation agents, and other mitigation measures listed in the National Contingency Plan Product List (40 C.F.R. Part 300 Subpart J), as appropriate, $2,000,000, to remain available until expended: Provided, That the study shall be performed at the direction of the Administrator of the Environmental Protection Agency, in coordination with the Secretary of Commerce and the Secretary of the Interior: Provided further, That the study may be funded through the provision of grants to universities and colleges through extramural research funding.*

## GENERAL PROVISION—THIS TITLE

### DEEPWATER HORIZON

*SEC. 2001. Section 6002(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2752) is amended in the second sentence:*

*(1) by inserting '': (1)'' before ''may obtain an advance'' and after ''the Coast Guard'';*

*(2) by striking ''advance. Amounts'' and inserting the following: ''advance; (2) in the case of discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, may, without further appropriation, obtain one or more advances from the Oil Spill Liability Trust Fund as needed, up to a maximum of $100,000,000 for each advance, the total amount of all advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986 (26 U.S.C. 9509(c)(2)), and within 7 days of each advance, shall notify Congress of the amount advanced and the facts and circumstances necessitating the advance; and (3) amounts''.*

### PROHIBITION ON FINES AND LIABILITY

*SEC. 2002. None of the funds made available by this Act shall be used to levy against any person any fine, or to hold any person liable for construction or renovation work performed by the person, in any State under the final rule entitled ''Lead; Renovation, Repair, and Painting Program; Lead Hazard Information Pamphlet; Notice of Availability; Final Rule'' (73 Fed. Reg. 21692 (April 22, 2008)), and the final rule entitled ''Lead; Amendment to the Opt-out and Recordkeeping Provisions in the Renovation, Repair, and Painting Program'' signed by the Administrator on April 22, 2010.*

### RIGHT-OF-WAY

*SEC. 2003. (a) Notwithstanding any other provision of law, the Secretary of the Interior shall—*

*(1) not later than 30 days after the date of enactment of this Act, amend Right-of-Way Grants No. NVN–49781/IDI–26446/NVN–85211/NVN–85210 of the Bureau of Land Management to shift the 200-foot right-of-way for the 500-kilovolt transmission line project to the alignment depicted on the maps entitled ''Southwest Intertie Project'' and dated December 10, 2009, and May 21, 2010, and approve the construction, operation and maintenance plans of the project; and*

*(2) not later than 90 days after the date of enactment of this Act, issue a notice to proceed with construction of the project in accordance with the amended grants and approved plans described in paragraph (1).*

*(b) Notwithstanding any other provision of law, the Secretary of Energy may provide or facilitate federal financing for the project described in subsection (a) under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115) or the Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.), based on the comprehensive reviews and consultations performed by the Secretary of the Interior.*

### FUNDING FOR ENVIRONMENTAL AND FISHERIES IMPACTS

*SEC. 2004. (1) FISHERIES DISASTER RELIEF.—For an additional amount, in addition to other amounts provided in this Act for the National Oceanic and Atmospheric Administration, $15,000,000 to be available to provide fisheries disaster relief under section 312 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a) related to a commercial fishery failure due to a fishery resource disaster in the Gulf of Mexico that resulted from the Deepwater Horizon oil discharge.*

*(2) EXPANDED STOCK ASSESSMENT OF FISHERIES.—For an additional amount, in addition to other amounts provided in this Act for the National Oceanic and Atmospheric Administration, $10,000,000 to conduct an expanded stock assessment of the fisheries of the Gulf of Mexico. Such expanded stock assessment shall include an assessment of the commercial and recreational catch and biological sampling, observer programs, data management and processing activities, the conduct of assessments, and follow-up evaluations of such fisheries.*

*(3) ECOSYSTEM SERVICES IMPACTS STUDY.—For an additional amount, in addition to other amounts provided for the Department of Commerce, $1,000,000 to be available for the National*

*Academy of Sciences to conduct a study of the long-term ecosystem service impacts of the Deepwater Horizon oil discharge. Such study shall assess long-term costs to the public of lost water filtration, hunting, and fishing (commercial and recreational), and other ecosystem services associated with the Gulf of Mexico.*

*(4) IN GENERAL.—Of the amounts appropriated or made available under division B, title I of Public Law 111–117 that remain unobligated as of the date of the enactment of this Act under Procurement, Acquisition, and Construction for the National Oceanic and Atmospheric Administration, $26,000,000 of the amounts appropriated are hereby rescinded.*

*TITLE III*

*GENERAL PROVISIONS—THIS ACT*

*AVAILABILITY OF FUNDS*

*SEC. 3001 No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.*

*EMERGENCY DESIGNATION*

*SEC. 3002. Unless otherwise specified, each amount in this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.*

*SEC. 3003. (a) Notwithstanding any other provision of law, for fiscal year 2010 only, all funds received from sales, bonuses, royalties, and rentals under the Geothermal Steam Act of 1970 (30 U.S.C. §§1001 et seq.) shall be deposited in the Treasury, of which—*

*(1) 50 percent shall be used by the Secretary of the Treasury to make payments to States within the boundaries of which the leased land and geothermal resources are located;*

*(2) 25 percent shall be used by the Secretary of the Treasury to make payments to the counties within the boundaries of which the leased land or geothermal resources are located; and*

*(3) 25 percent shall be deposited in miscellaneous receipts.*

*(b) Section 3002 shall not apply to this section.*

*SEC. 3004. (a) Public Law 111–88, the Interior, Environment, and Related Agencies Appropriations Act, 2010, is amended under the heading ''Office of the Special Trustee for American Indians'' by—*

*(1) striking ''$185,984,000'' and inserting ''$176,984,000''; and*

*(2) striking ''$56,536,000'' and inserting ''$47,536,000''.*

*(b) Section 3002 shall not apply to the amounts in this section.*

*SEC. 3005. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105–312) is amended by striking ''2008'' and inserting ''2011''.*

*SEC. 3006. For fiscal years 2010 and 2011—*

*(1) the National Park Service Recreation Fee Program account may be available for the cost of adjustments and changes within the original scope of contracts for National Park Service projects funded by Public Law 111–5 and for associated administrative costs when no funds are otherwise available for such purposes;*

*(2) notwithstanding section 430 of division E of Public Law 111–8 and section 444 of Public Law 111–88, the Secretary of the Interior may utilize unobligated balances for adjustments and changes within the original scope of projects funded through division A, title VII, of Public Law 111–5 and for associated administrative costs when no funds are otherwise available;*

*(3) the Secretary of the Interior shall ensure that any unobligated balances utilized pursuant to paragraph (2) shall be derived from the bureau and account for which the project was funded in Public Law 111–5; and*

*(4) the Secretary of the Interior shall consult with the Committees on Appropriations prior to making any charges authorized by this section.*

*SEC. 3007. (a) Section 205(d) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2304(d)) is amended by striking ''10 years'' and inserting ''11 years''.*

*(b) Section 3002 shall not apply to this section.*

*SEC. 3008. Of the amounts appropriated for the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) under the heading ''STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under the heading ''STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES'' under title II of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 579), at the discretion of the Attorney General, the amounts to be made available to Genesee County, Michigan for assistance for individuals transitioning from prison in Genesee County, Michigan pursuant to the joint statement of managers accompanying that Act may be made available to My Brother's Keeper of Genesee County, Michigan to provide assistance for individuals transitioning from prison in Genesee County, Michigan.*

*SEC. 3009. Section 159(b)(2)(C) of title I of division A of the Consolidated Appropriations Act, 2010 (49 U.S.C. 24305 note) is amended by striking clauses (i) and (ii) and inserting the following:*

*''(i) requiring inspections of any container containing a firearm or ammunition; and*

*''(ii) the temporary suspension of firearm carriage service if credible intelligence information indicates a threat related to the national rail system or specific routes or trains.''.*

*PUBLIC AVAILABILITY OF CONTRACTOR INTEGRITY AND PERFORMANCE DATABASE*

*SEC. 3010. Section 872(e)(1) of the Clean Contracting Act of 2008 (subtitle G of title VIII of Public Law 110–417; 41 U.S.C. 417b(e)(1)) is amended by adding at the end the following: ''In addition, the Administrator shall post all such information, excluding past performance reviews, on a publicly available Internet website.''.*

*ASSESSMENTS ON GUANTANAMO BAY DETAINEES*

*SEC. 3011. (a) SUBMISSION OF INFORMATION RELATED TO DISPOSITION DECISIONS.—Not later than 45 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the participants of the interagency review of Guantanamo Bay detainees conducted pursuant to Executive Order 13492 (10 U.S.C. 801 note), shall fully inform the congressional intelligence committees concerning the basis for the disposition decisions reached by the Guantanamo Review Task Force, and shall provide to the congressional intelligence committees—*

*(1) the written threat analyses prepared on each detainee by the Guantanamo Review Task Force established pursuant to Executive Order 13492; and*

*(2) access to the intelligence information that formed the basis of any such specific assessments or threat analyses.*

*(b) FUTURE SUBMISSIONS.—In addition to the analyses, assessments, and information required under subsection (a) and not later than 10 days after the date that a threat assessment described in subsection (a) is disseminated, the Director of National Intelligence shall provide to the congressional intelligence committees—*

*(1) any new threat assessment prepared by any element of the intelligence community of a Guantanamo Bay detainee who remains in detention or is pending release or transfer; and*

*(2) access to the intelligence information that formed the basis of such threat assessment.*

*(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' has the meaning given that term in section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7)).*

*SEC. 3012. Of the amounts appropriated for the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) under the heading ''STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under the heading ''STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES'' under title II of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 579), at the discretion of the Attorney General, the amounts to be made available to the Marcus Institute, Atlanta, Georgia, to provide remediation for the potential consequences of childhood abuse and neglect, pursuant to the joint statement of managers accompanying that Act, may be made available to the Georgia State University Center for Healthy Development, Atlanta, Georgia.*

*COASTAL IMPACT ASSISTANCE*

*SEC. 3013. Section 31 of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a) is amended by adding at the end the following:*

*''(e) EMERGENCY FUNDING.—*

*''(1) IN GENERAL.—In response to a spill of national significance under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), at the request of a producing State or coastal political subdivision and notwithstanding the requirements of part 12 of title 43, Code of Federal Regulations (or a successor regulation), the Secretary may immediately disburse funds allocated under this section for 1 or more individual projects that are—*

*''(A) consistent with subsection (d); and*

*''(B) specifically designed to respond to the spill of national significance.*

*''(2) APPROVAL BY SECRETARY.—The Secretary may, in the sole discretion of the Secretary, approve, on a project by project basis, the immediate disbursal of the funds under paragraph (1).*

*''(3) STATE REQUIREMENTS.—*

*''(A) ADDITIONAL INFORMATION.—If the Secretary approves a project for funding under this subsection that is included in a plan previously approved under subsection (c), not later than 90 days after the date of the funding approval, the producing State or coastal political subdivision shall submit to the Secretary any additional information that the Secretary determines to be necessary to ensure that the project is in compliance with subsection (d).*

*''(B) AMENDMENT TO PLAN.—If the Secretary approves a project for funding under this subsection that is not included in a plan previously approved under subsection (c), not later than 90 days after the date of the funding approval, the producing State or coastal political subdivision shall submit to the Secretary for approval an amendment to the plan that includes any projects funded under paragraph (1), as well as any information about such projects that the Secretary determines to be necessary to ensure that the project is in compliance with subsection (d).*

*''(C) LIMITATION.—If a producing State or coastal political subdivision does not submit the additional information or amendments to the plan required by this paragraph, or if, based on the information submitted by the Secretary determines that the project is not in compliance with subsection (d), by the deadlines specified in this paragraph, the Secretary shall not disburse any additional funds to the producing State or the coastal political subdivisions until the date on which the additional information or amendment to the plan has been approved by the Secretary.''.*

*This Act may be cited as the ''Supplemental Appropriations Act, 2010''.*

Amend the title so as to read: ''Making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes.''.

MOTION TO CONCUR

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

The text of the motion is as follows:

Mr. Obey moves that the House concur in the Senate amendment to the text of H.R. 4899 with each of the five amendments printed in House Report 111–522.

The text of the amendments is as follows:

AMENDMENT NO. 1

In the matter proposed to be inserted by the Senate amendment to the text of the bill, insert before the short title at the end the following:

**TITLE V—OTHER PROVISIONS**

**Subtitle A—Settlements and Other Program Provisions**

**SEC. 5001. APPROPRIATION OF FUNDS FOR FINAL SETTLEMENT OF CLAIMS FROM IN RE BLACK FARMERS DISCRIMINATION LITIGATION.**

(a) DEFINITIONS.—In this section:

(1) SETTLEMENT AGREEMENT.—The term ''Settlement Agreement'' means the settlement agreement dated February 18, 2010 (including any modifications agreed to by the parties and approved by the court under that agreement) between certain plaintiffs, by and through their counsel, and the Secretary of Agriculture to resolve, fully and forever, the claims raised or that could have been raised in the cases consolidated in *In re Black Farmers Discrimination Litigation*, No. 08–511 (D.D.C.), including Pigford claims asserted under section 14012 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2209).

(2) PIGFORD CLAIM.—The term ''Pigford claim'' has the meaning given that term in section 14012(a)(3) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2210).

(b) APPROPRIATION OF FUNDS.—There is hereby appropriated to the Secretary of Agriculture $1,150,000,000, to remain available until expended, to carry out the terms of the Settlement Agreement if the Settlement Agreement is approved by a court order that is or becomes final and nonappealable. The funds appropriated by this subsection are in addition to the $100,000,000 of funds of the Commodity Credit Corporation made available by section 14012(i) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2212) and shall be available for obligation only after those Commodity Credit Corporation funds are fully obligated. If the Settlement Agreement is not approved as provided in this subsection, the $100,000,000 of funds of the Commodity Credit Corporation made available by section 14012(i) of the Food, Conservation, and Energy Act of 2008 shall be the sole funding available for Pigford claims.

(c) USE OF FUNDS.—The use of the funds appropriated by subsection (b) shall be subject to the express terms of the Settlement Agreement.

(d) TREATMENT OF REMAINING FUNDS.—If any of the funds appropriated by subsection (b) are not obligated and expended to carry out the Settlement Agreement, the Secretary of Agriculture shall return the unused funds to the Treasury and may not make the unused funds available for any purpose related to section 14012 of the Food, Conservation, and Energy Act of 2008, for any other settlement agreement executed in *In re Black Farmers Discrimination Litigation*, No. 08–511 (D.D.C.), or for any other purpose.

(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed as requiring the United States, any of its officers or agencies, or any other party to enter into the Settlement Agreement or any other settlement agreement. Nothing in this section shall be construed as creating the basis for a Pigford claim.

(f) CONFORMING AMENDMENTS.—Section 14012 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2209) is amended—

(1) in subsection (c)(1)—

(A) by striking ''subsection (h)'' and inserting ''subsection (g)''; and

(B) by striking ''subsection (i)'' and inserting ''subsection (h)'';

(2) by striking subsection (e);

(3) in subsection (g), by striking ''subsection (f)'' and inserting ''subsection (e)'';

(4) in subsection (i)—

(A) by striking ''(1) IN GENERAL.—Of the funds'' and inserting ''Of the funds''; and

(B) by striking paragraph (2);

(5) by striking subsection (j); and

(6) by redesignating subsections (f), (g), (h), (i), and (k) as subsections (e), (f), (g), (h), and (i), respectively.

**SEC. 5002. EMPLOYMENT FOR YOUTH.**

There is appropriated, out of any funds in the Treasury not otherwise appropriated, for an additional amount for ''Department of Labor—Employment and Training Administration—Training and Employment Services'' for activities under the Workforce Investment Act of 1998 (''WIA''), $1,000,000,000 shall be available for obligation on the date of enactment of this Act for grants to States for youth activities, including employment for youth: *Provided*, That no portion of such funds shall be reserved to carry out section 127(b)(1)(A) of the WIA: *Provided further*, That for purposes of section 127(b)(1)(C)(iv) of the WIA, funds available for youth activities shall be allotted as if the total amount available for youth activities in the fiscal year does not exceed $1,000,000,000: *Provided further*, That with respect to the youth activities provided with such funds, section 101(13)(A) of the WIA shall be applied by substituting ''age 24'' for ''age 21'': *Provided further*, That the work readiness performance indicator described in section 136(b)(2)(A)(ii)(I) of the WIA shall be the only measure of performance used to assess the effectiveness of employment for youth provided with such funds: *Provided further*, That an amount that is not more than 1 percent of such amount may be used for the administration, management, and oversight of the programs, activities, and grants carried out with such funds, including the evaluation of the use of such funds: *Provided further*, That funds available under the preceding proviso, together with funds described in section 801(a) of division A of the American Recovery and reinvestment Act of 2009 (Public Law 111–5), and funds provided in such Act under the heading ''Department of Labor–Departmental Management–Salaries and Expenses'', shall remain available for obligation through September 30, 2011.

**SEC. 5003. THE INDIVIDUAL INDIAN MONEY ACCOUNT LITIGATION SETTLEMENT ACT OF 2010.**

(a) SHORT TITLE.—This section may be cited as the ''Individual Indian Money Account Litigation Settlement Act of 2010''.

(b) DEFINITIONS.—In this section:

(1) AMENDED COMPLAINT.—The term ''Amended Complaint'' means the Amended Complaint attached to the Settlement.

(2) LAND CONSOLIDATION PROGRAM.—The term ''Land Consolidation Program'' means a program conducted in accordance with the Settlement and the Indian Land Consolidation Act (25 U.S.C. 2201 et seq.) under which the Secretary may purchase fractional interests in trust or restricted land.

(3) LITIGATION.—The term ''Litigation'' means the case entitled Elouise Cobell et al. v. Ken Salazar et al., United States District Court, District of Columbia, Civil Action No. 96–1285 (JR).

(4) PLAINTIFF.—The term ''Plaintiff'' means a member of any class certified in the Litigation.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) SETTLEMENT.—The term ''Settlement'' means the Class Action Settlement Agreement dated December 7, 2009, in the Litigation, as modified by the parties to the Litigation.

(7) TRUST ADMINISTRATION CLASS.—The term ''Trust Administration Class'' means the Trust Administration Class as defined in the Settlement.

(c) PURPOSE.—The purpose of this section is to authorize the Settlement.

(d) AUTHORIZATION.—The Settlement is authorized, ratified, and confirmed.

(e) JURISDICTIONAL PROVISIONS.—

(1) IN GENERAL.—Notwithstanding the limitation of jurisdiction of district courts contained in section 1346(a)(2) of title 28, United States Code, the United States District Court for the District of Columbia shall have jurisdiction over the claims asserted in the Amended Complaint for purposes of the Settlement.

(2) CERTIFICATION OF TRUST ADMINISTRATION CLASS.—

(A) IN GENERAL.—Notwithstanding the requirements of the Federal Rules of Civil Procedure, the court overseeing the Litigation may certify the Trust Administration Class.

(B) TREATMENT.—On certification under subparagraph (A), the Trust Administration Class shall be treated as a class under Federal Rule of Civil Procedure 23(b)(3) for purposes of the Settlement.

(f) TRUST LAND CONSOLIDATION.—

(1) TRUST LAND CONSOLIDATION FUND.—

(A) ESTABLISHMENT.—On final approval (as defined in the Settlement) of the Settlement, there shall be established in the Treasury of the United States a fund, to be known as the ''Trust Land Consolidation Fund''.

(B) AVAILABILITY OF AMOUNTS.—Amounts in the Trust Land Consolidation Fund shall be made available to the Secretary during the 10-year period beginning on the date of final approval of the Settlement—

(i) to conduct the Land Consolidation Program; and

(ii) for other costs specified in the Settlement.

(C) DEPOSITS.—

(i) IN GENERAL.—On final approval (as defined in the Settlement) of the Settlement, the Secretary of the Treasury shall deposit in the Trust Land Consolidation Fund $2,000,000,000 of the amounts appropriated by section 1304 of title 31, United States Code.

(ii) CONDITIONS MET.—The conditions described in section 1304 of title 31, United States Code, shall be considered to be met for purposes of clause (i).

(D) TRANSFERS.—In a manner designed to encourage participation in the Land Consolidation Program, the Secretary may transfer, at the discretion of the Secretary, not more than $60,000,000 of amounts in the Trust Land Consolidation Fund to the Indian Education Scholarship Holding Fund established under paragraph 2.

(2) INDIAN EDUCATION SCHOLARSHIP HOLDING FUND.—

(A) ESTABLISHMENT.—On the final approval (as defined in the Settlement) of the Settlement, there shall be established in the Treasury of the United States a fund, to be known as the ''Indian Education Scholarship Holding Fund''.

(B) AVAILABILITY.—Notwithstanding any other provision of law governing competition, public notification, or Federal procurement or assistance, amounts in the Indian Education Scholarship Holding Fund shall be made available, without further appropriation, to the Secretary to contribute to an Indian Education Scholarship Fund, as described in the Settlement, to provide scholarships for Native Americans.

(3) ACQUISITION OF TRUST OR RESTRICTED LAND.—The Secretary may acquire, at the discretion of the Secretary and in accordance with the Land Consolidation Program, any fractional interest in trust or restricted land.

(4) TREATMENT OF UNLOCATABLE PLAINTIFFS.—A Plaintiff the whereabouts of whom are unknown and who, after reasonable efforts by the Secretary, cannot be located during the 5 year period beginning on the date of final approval (as defined in the Settlement) of the Settlement shall be considered to have accepted an offer made pursuant to the Land Consolidation Program.

(g) TAXATION AND OTHER BENEFITS.—

(1) INTERNAL REVENUE CODE.—For purposes of the Internal Revenue Code of 1986, amounts received by an individual Indian as a lump sum or a periodic payment pursuant to the Settlement—

(A) shall not be included in gross income; and

(B) shall not be taken into consideration for purposes of applying any provision of the Internal Revenue Code of 1986 that takes into account excludable income in computing adjusted gross income or modified adjusted gross income, including section 86 of that Code (relating to Social Security and tier 1 railroad retirement benefits).

(2) OTHER BENEFITS.—Notwithstanding any other provision of law, for purposes of determining initial eligibility, ongoing eligibility, or level of benefits under any Federal or federally assisted program, amounts received by an individual Indian as a lump sum or a periodic payment pursuant to the Settlement shall not be treated for any household member, during the 1-year period beginning on the date of receipt—

(A) as income for the month during which the amounts were received; or

(B) as a resource.

**SEC. 5004. EXTENSION AND FLEXIBILITY FOR CERTAIN ALLOCATED SURFACE TRANSPORTATION PROGRAMS.**

(a) MODIFICATION OF ALLOCATION RULES.—Section 411(d) of the Surface Transportation Extension Act of 2010 (Public Law 111–147; 124 Stat. 80) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''1301, 1302,''; and

(ii) by striking ''1198, 1204,''; and

(B) in subparagraph (A)—

(i) in the matter preceding clause (i) by striking ''apportioned under sections 104(b) and 144 of title 23, United States Code,'' and inserting ''specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program),''; and

(ii) in clause (ii) by striking ''apportioned under such sections of such Code'' and inserting ''specified in such section 105(a)(2) (except the high priority projects program)'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''1301, 1302,''; and

(ii) by striking ''1198, 1204,''; and

(B) in subparagraph (A)—

(i) in the matter preceding clause (i) by striking ''apportioned under sections 104(b) and 144 of title 23, United States Code,'' and inserting ''specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program),''; and

(ii) in clause (ii) by striking ''apportioned under such sections of such Code'' and inserting ''specified in such section 105(a)(2) (except the high priority projects program)''; and

(3) by adding at the end the following:

''(5) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE AND NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROGRAMS.—

''(A) REDISTRIBUTION AMONG STATES.—Notwithstanding sections 1301(m) and 1302(e) of SAFETEA–LU (119 Stat. 1202 and 1205), the Secretary shall apportion funds authorized to be appropriated under subsection (b) for the projects of national and regional significance program and the national corridor infrastructure improvement program among all States such that each State's share of the funds so apportioned is equal to the State's share for fiscal year 2009 of funds apportioned or allocated for the programs specified in section 105(a)(2) of title 23, United States Code.

''(B) DISTRIBUTION AMONG PROGRAMS.—Funds apportioned to a State pursuant to subparagraph (A) shall be—

''(i) made available to the State for the programs specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program), and in the same proportion for each such program that—

''(I) the amount apportioned to the State for that program for fiscal year 2009; bears to

''(II) the amount apportioned to the State for fiscal year 2009 for all such programs; and

''(ii) administered in the same manner and with the same period of availability as funding is administered under programs identified in clause (i).''.

(b) EXPENDITURE AUTHORITY FROM HIGHWAY TRUST FUND.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended by striking ''Surface Transportation Extension Act of 2010'' and inserting ''Supplemental Appropriations Act, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the date of enactment of the Surface Transportation Extension Act of 2010 (Public Law 111–147; 124 Stat. 78 et seq.) and shall be treated as being included in that Act at the time of the enactment of that Act.

(d) SAVINGS CLAUSE.—

(1) IN GENERAL.—For fiscal year 2010 and for the period beginning on October 1, 2010, and ending on December 31, 2010, the amount of funds apportioned to each State under section 411(d) of the Surface Transportation Extension Act of 2010 (Public Law 111–147) that is determined by the amount that the State received or was authorized to receive for fiscal year 2009 to carry out the projects of national and regional significance program and national corridor infrastructure improvement program shall be the greater of—

(A) the amount that the State was authorized to receive under section 411(d) of the Surface Transportation Extension Act of 2010 with respect to each such program according to the provisions of that Act, as in effect on the day before the date of enactment of this Act; or

(B) the amount that the State is authorized to receive under section 411(d) of the Surface Transportation Extension Act of 2010 with respect to each such program pursuant to the provisions of that Act, as amended by the amendments made by this section.

(2) OBLIGATION AUTHORITY.—For fiscal year 2010, the amount of obligation authority distributed to each State shall be the greater of—

(A) the amount that the State was authorized to receive pursuant to section 120(a)(4)(A) (as it pertains to the Appalachian Development Highway System program) of title I of division A of the Consolidated Appropriations Act, 2010 (Public Law 111–117) and sections 120(a)(4)(B) and 120(a)(6) of such title, as of the day before the date of enactment of this Act; or

(B) the amount that the State is authorized to receive pursuant to section 120(a)(4)(A) (as it pertains to the Appalachian Development Highway System program) of title I of division A of the Consolidated Appropriations Act, 2010 (Public Law 111–117) and sections 120(a)(4)(B) and 120(a)(6) of such title, as of the date of enactment of this Act.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) such sums as may be necessary to carry out this subsection.

(4) INCREASE IN OBLIGATION LIMITATION.—The limitation under the heading ''Federal-aid Highways (Limitation on Obligations) (Highway Trust Fund)'' in Public Law 111–117 is increased by such sums as may be necessary to carry out this subsection.

(5) CONTRACT AUTHORITY.—Funds made available to carry out this subsection shall be available for obligation and administered in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(6) AMOUNTS.—The dollar amount specified in section 105(d)(1) of title 23, United States Code, the dollar amount specified in section 120(a)(4)(B) of title I of division A of the Consolidated Appropriations Act, 2010 (Public Law 111–117), and the dollar amount specified in section 120(b)(10) of such title shall each be increased as necessary to carry out this subsection.

**Subtitle B—Revenue Provisions**

**SEC. 5101. REQUIRED MINIMUM 10-YEAR TERM, ETC., FOR GRANTOR RETAINED ANNUITY TRUSTS.**

(a) IN GENERAL.—Subsection (b) of section 2702 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraphs (1), (2) and (3) as subparagraphs (A), (B), and (C), respectively, and by moving such subparagraphs (as so redesignated) 2 ems to the right,

(2) by striking ''For purposes of'' and inserting the following:

''(1) IN GENERAL.—For purposes of'', and

(3) by striking ''paragraph (1) or (2)'' in paragraph (1)(C) (as so redesignated) and inserting ''subparagraph (A) or (B)'', and

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

''(2) ADDITIONAL REQUIREMENTS WITH RESPECT TO GRANTOR RETAINED ANNUITIES.—For purposes of subsection (a), in the case of an interest described in paragraph (1)(A) (determined without regard to this paragraph) which is retained by the transferor, such interest shall be treated as described in such paragraph only if—

''(A) the right to receive the fixed amounts referred to in such paragraph is for a term of not less than 10 years,

''(B) such fixed amounts, when determined on an annual basis, do not decrease relative to any prior year during the first 10 years of the term referred to in subparagraph (A), and

''(C) the remainder interest has a value greater than zero determined as of the time of the transfer.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers made after the date of the enactment of this Act.

**SEC. 5102. CRUDE TALL OIL INELIGIBLE FOR CELLULOSIC BIOFUEL PRODUCER CREDIT.**

(a) IN GENERAL.—Clause (iii) of section 40(b)(6)(E) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''or'' at the end of subclause (I),

(2) by striking the period at the end of subclause (II) and inserting '', or'',

(3) by adding at the end the following new subclause:

''(III) such fuel has an acid number greater than 25.'', and

(4) by striking ''UNPROCESSED'' in the heading and inserting ''CERTAIN''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuels sold or used on or after January 1, 2010.

**SEC. 5103. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.**

The percentage under paragraph (2) of section 561 of the Hiring Incentives to Restore Employment Act in effect on the date of the enactment of this Act is increased by 5.25 percentage points.

**Subtitle C—Budgetary Provisions**

**SEC. 5201. BUDGETARY PROVISIONS.**

(a) STATUTORY PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.

(b) EXCLUSION FROM PAYGO.—

(1) Savings in this Act that would be subject to inclusion in the Statutory Pay-As-You-Go scorecards are providing an offset to increased discretionary spending. As such, they should not be available on the scorecards maintained by the Office of Management and Budget to provide offsets for future legislation.

(2) The Director of the Office of Management and Budget shall not include any net savings resulting from the changes in direct spending or revenues contained in this Act on the scorecards required to be maintained by OMB under the Statutory Pay-As-You-Go Act of 2010.

AMENDMENT NO. 2

Page 90, after line 18, insert the following:

TITLE IV

CHAPTER 1

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Subject to section 502 of the Congressional Budget Act of 1974, commitments to guarantee loans under title XVII of the Energy Policy Act of 2005, shall not exceed a total principal amount of $18,000,000,000 for eligible projects, to remain available until committed, of which $9,000,000,000 shall be for nuclear power facilities and $9,000,000,000 shall be for renewable energy system and efficient end-use energy technology projects: *Provided*, That these amounts are in addition to authorities provided in any other Act: *Provided further*, That for amounts collected pursuant to section 1702(b)(2) of the Energy Policy Act of 2005, the source of such payment received from borrowers is not a loan or other debt obligation that is guaranteed by the Federal Government: *Provided further*, That none of the loan guarantee authority made available in this paragraph shall be available for commitments to guarantee loans for any projects where funds, personnel, or property (tangible or intangible) of any Federal agency, instrumentality, personnel, or affiliated entity are expected to be used (directly or indirectly) through acquisitions, contracts, demonstrations, exchanges, grants, incentives, leases, procurements, sales, other transaction authority, or other arrangements, to support the project or to obtain goods or services from the project: *Provided further*, That the previous proviso shall not be interpreted as precluding the use of the loan guarantee authority in this paragraph for commitments to guarantee loans for projects as a result of such projects benefitting from (1) otherwise allowable Federal income tax benefits; (2) being located on Federal land pursuant to a lease or right-of-way agreement for which all consideration for all uses is (A) paid exclusively in cash, (B) deposited in the Treasury as offsetting receipts, and (C) equal to the fair market value as determined by the head of the relevant Federal agency; (3) Federal insurance programs, including under section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; commonly known as the ''Price-Anderson Act''); or (4) for electric generation projects, use of transmission facilities owned or operated by a Federal Power Marketing Administration or the Tennessee Valley Authority that have been authorized, approved, and financed independent of the project receiving the guarantee: *Provided further*, That none of the loan guarantee authority made available in this paragraph shall be available for any project unless the Director of the Office of Management and Budget has certified in advance in writing that the loan guarantee and the project comply with the provisions under this paragraph: *Provided further*, That none of the loan guarantee authority made available in this paragraph may be used to make a final or conditional loan guarantee award unless the Secretary of Energy provides notification of the award, including the proposed subsidy cost, to the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of such award: *Provided further*, That section 3002 shall not apply to the amounts under this heading.

DEPARTMENTAL ADMINISTRATION

For necessary expenses of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling established by, and in order to carry out activities under, Executive Order 13543, $12,000,000, to remain available until September 30, 2011: *Provided*, That funds appropriated in this paragraph may be used to reimburse obligations incurred for the purposes provided herein prior to enactment of this Act.

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $356,900,000, to remain available until September 30, 2012, of which $78,000,000 shall be for costs to maintain U.S. Customs and Border Protection Officer staffing on the Southwest Border of the United States, $58,000,000 shall be for hiring additional U.S. Customs and Border Protection Officers for deployment at ports of entry on the Southwest Border of the United States, $208,400,000 shall be for hiring additional Border Patrol agents for deployment to the Southwest Border of the United States, $2,500,000 shall be for forward operating bases on the Southwest Border of the United States, and $10,000,000 shall be to support integrity and background investigation programs.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For an additional amount for ''Border Security Fencing, Infrastructure, and Technology,'' $14,000,000, to remain available until September 30, 2011, for costs of designing, building, and deploying tactical communications for support of enforcement activities on the Southwest Border of the United States.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'', $32,000,000, to remain available until September 30, 2012, for costs of acquisition and deployment of unmanned aircraft systems.

CONSTRUCTION AND FACILITIES MANAGEMENT

For an additional amount for ''Construction and Facilities Management'', $9,000,000, to remain available until September 30, 2011, for costs to construct up to three forward operating bases for use by the Border Patrol to carry out enforcement activities on the Southwest Border of the United States.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for 'Salaries and Expenses', $30,000,000, to remain available until September 30, 2011, for law enforcement activities targeted at reducing the threat of violence along the Southwest Border of the United States.

FEDERAL EMERGENCY MANAGEMENT AGENCY

STATE AND LOCAL PROGRAMS

For an additional amount for ''State and Local Programs'', $50,000,000 to remain available until September 30, 2011, for Operation Stonegarden.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $8,100,000, to remain available until September 30, 2011, for costs to provide basic training for new U.S. Customs and Border Protection Officers and Border Patrol agents.

DEPARTMENT OF EDUCATION

EDUCATION JOBS FUND

For necessary expenses for an Education Jobs Fund, $10,000,000,000: *Provided*, That section 3002 shall not apply to $1,300,000,000 of the amount under this heading: *Provided further*, That the amount under this heading shall be administered under the terms and conditions of sections 14001 through 14013 and title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) except as follows:

(1) ALLOCATION OF FUNDS.—

(A) Funds appropriated under this heading shall be available only for allocation by the Secretary of Education (in this heading referred to as the ''Secretary'') in accordance with subsections (a), (b), (d), (e), and (f) of section 14001 of division A of Public Law 111–5 and subparagraph (B) of this paragraph, except that the amount reserved under such subsection (b) shall not exceed $1,000,000 and such subsection (f) shall be applied by substituting ''one year'' for ''two years''.

(B) Prior to allocating funds to States under section 14001(d) of division A of Public Law 111–5, the Secretary shall allocate 0.5 percent to the Secretary of the Interior for schools operated or funded by the Bureau of Indian Affairs on the basis of the schools' respective needs for activities consistent with this heading under such terms and conditions as the Secretary of the Interior may determine.

(2) RESERVATION.—A State that receives an allocation of funds appropriated under this heading may reserve not more than 2 percent for the administrative costs of carrying out its responsibilities with respect to those funds.

(3) AWARDS TO LOCAL EDUCATIONAL AGENCIES.—

(A) Except as specified in paragraph (2), an allocation of funds to a State shall be used only for awards to local educational agencies for the support of elementary and secondary education in accordance with paragraph (5) for the 2010–2011 school year (or, in the case of reallocations made under section 14001(f) of division A of Public Law 111–5, for the 2010–2011 or the 2011–2012 school year).

(B) Funds used to support elementary and secondary education shall be distributed through a State's primary elementary and secondary funding formulae or based on local educational agencies' relative shares of

funds under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) for the most recent fiscal year for which data are available.

(C) Subsections (a) and (b) of section 14002 of division A of Public Law 111–5 shall not apply to funds appropriated under this heading.

(4) COMPLIANCE WITH EDUCATION REFORM ASSURANCES.—For purposes of awarding funds appropriated under this heading, any State that has an approved application for Phase II of the State Fiscal Stabilization Fund that was submitted in accordance with the application notice published in the Federal Register on November 17, 2009 (74 Fed. Reg. 59142) shall be deemed to be in compliance with subsection (b) and paragraphs (2) through (5) of subsection (d) of section 14005 of division A of Public Law 111–5.

(5) REQUIREMENT TO USE FUNDS TO RETAIN OR CREATE EDUCATION JOBS.—Notwithstanding section 14003(a) of division A of Public Law 111–5, funds awarded to local educational agencies under paragraph (3)—

(A) may be used only for compensation and benefits and other expenses, such as support services, necessary to retain existing employees, to recall or rehire former employees, and to hire new employees, in order to provide early childhood, elementary, or secondary educational and related services; and

(B) may not be used for ''general administrative expenses'' or for ''other support services expenditures'' as those terms were defined by the National Center for Education Statistics in its Common Core of Data as of the date of enactment of this Act.

(6) PROHIBITION ON USE OF FUNDS FOR RAINY-DAY FUNDS OR DEBT RETIREMENT.—A State that receives an allocation may not use such funds, directly or indirectly, to—

(A) establish, restore, or supplement a rainy-day fund;

(B) supplant State funds in a manner that has the effect of establishing, restoring, or supplementing a rainy-day fund;

(C) reduce or retire debt obligations incurred by the State; or

(D) supplant State funds in a manner that has the effect of reducing or retiring debt obligations incurred by the State.

(7) DEADLINE FOR AWARD.—The Secretary shall award funds appropriated under this heading not later than 45 days after the date of the enactment of this Act to States that have submitted applications meeting the requirements applicable to funds under this heading. The Secretary shall not require information in applications beyond what is necessary to determine compliance with applicable provisions of law.

(8) ALTERNATE DISTRIBUTION OF FUNDS.—If, within 30 days after the date of the enactment of this Act, a Governor has not submitted an approvable application, the Secretary shall provide for funds allocated to that State to be distributed to another entity or other entities in the State (notwithstanding section 14001(e) of division A of Public Law 111–5) for support of elementary and secondary education, under such terms and conditions as the Secretary may establish, provided that all terms and conditions that apply to funds appropriated under this heading shall apply to such funds distributed to such entity or entities. No distribution shall be made to a State under this paragraph, however, unless the Secretary has determined (on the basis of such information as may be available) that the requirements of clauses (i), (ii), or (iii) of paragraph 10(A) are likely to be met, notwithstanding the lack of an application from the Governor of that State.

(9) LOCAL EDUCATIONAL AGENCY APPLICATION.—Section 442 of the General Education Provisions Act shall not apply to a local educational agency that has previously submitted an application to the State under title XIV of division A of Public Law 111–5. The assurances provided under that application shall continue to apply to funds awarded under this heading.

(10) MAINTENANCE OF EFFORT.—

(A) Except as provided in paragraph (8), the Secretary shall not allocate funds to a State under paragraph (1) unless the Governor of the State provides an assurance to the Secretary that—

(i) for State fiscal year 2011, the State will maintain State support for elementary and secondary education (in the aggregate or on the basis of expenditures per pupil) and for public institutions of higher education (not including support for capital projects or for research and development or tuition and fees paid by students) at not less than the level of such support for each of the two categories, respectively, for State fiscal year 2009;

(ii) for State fiscal year 2011, the State will maintain State support for elementary and secondary education and for public institutions of higher education (not including support for capital projects or for research and development or tuition and fees paid by students) at a percentage of the total revenues available to the State that is equal to or greater than the percentage provided for each of the two categories, respectively, for State fiscal year 2010; or

(iii) in the case of a State in which State tax collections for calendar year 2009 were less than State tax collections for calendar year 2006, for State fiscal year 2011 the State will maintain State support for elementary and secondary education (in the aggregate) and for public institutions of higher education (not including support for capital projects or for research and development or tuition and fees paid by students)—

(I) at not less than the level of such support for each of the two categories, respectively, for State fiscal year 2006; or

(II) at a percentage of the total revenues available to the State that is equal to or greater than the percentage provided for each of the two categories, respectively, for State fiscal year 2006.

(B) Section 14005(d)(1) and subsections (a) through (c) of section 14012 of division A of Public Law 111–5 shall not apply to funds appropriated under this heading.

(11) ADDITIONAL REQUIREMENTS FOR THE STATE OF TEXAS.—The following requirements shall apply to the State of Texas:

(A) Notwithstanding paragraph (3)(B), funds used to support elementary and secondary education shall be distributed based on local educational agencies' relative shares of funds under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) for the most recent fiscal year which data are available. Funds distributed pursuant to this paragraph shall be used to supplement and not supplant State formula funding that is distributed on a similar basis to part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

(B) The Secretary shall not allocate funds to the State of Texas under paragraph (1) unless the Governor of the State provides an assurance to the Secretary that the State will for fiscal years 2011, 2012, and 2013 maintain State support for elementary and secondary education at a percentage of the total revenues available to the State that is equal to or greater than the percentage provided for such purpose for fiscal year 2011 prior to the enactment of this Act.

(C) Notwithstanding paragraph (8), no distribution shall be made to the State of Texas or local education agencies therein unless the Governor of Texas makes an assurance to the Secretary that the requirements in paragraphs (11)(A) and (11)(B) will be met, notwithstanding the lack of an application from the Governor of Texas.

STUDENT FINANCIAL ASSISTANCE

For an additional amount for ''Student Financial Assistance'', $4,950,000,000, to remain available through September 30, 2011, to carry out subpart 1 of part A of title IV of the Higher Education Act of 1965: *Provided*, That section 3002 shall not apply to the amount under this heading.

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $16,500,000, to remain available until September 30, 2011, for a soldier readiness processing center: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That section 3002 shall not apply to the amount under this heading.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 4101. For an additional amount for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)), $50,000,000: *Provided*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4102. There is rescinded from accounts under the heading ''Department of Agriculture—Natural Resources Conservation Service'', $69,900,000, to be derived from the unobligated balances of funds that were provided for such accounts in prior appropriation Acts (other than Public Law 111–5) and that were designated by the Congress in such Acts as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(RESCISSION)

SEC. 4103. There is rescinded from accounts under the heading ''Department of Agriculture—Rural Development'', $122,000,000, to be derived from the unobligated balances of funds that were provided for such accounts in prior appropriation Acts (other than Public Law 111–5) and that were designated by the Congress in such Acts as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(RESCISSION)

SEC. 4104. Of the funds made available for ''Department of Agriculture—Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program'' in title I of division A of Public Law 111–5 (123 Stat. 118), $300,000,000 is rescinded.

(RESCISSION)

SEC. 4105. There is rescinded from accounts under the heading ''Department of Agriculture—Food and Nutrition Service—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)'', $361,825,000, to be derived from unobligated balances available from amounts placed in reserve in title I of division A of Public Law 111–5 (123 Stat. 115).

(RESCISSION)

SEC. 4106. Of the unobligated balances available for ''Department of Agriculture—Food and Nutrition Service—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)'' as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $125,000,000 is rescinded: *Provided*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4107. Of the funds appropriated under the heading ''Department of Commerce—National Institute of Standards and Technology—Construction of Research Facilities'' in title II of division A of Public Law 111–5 (123 Stat. 129) $15,000,000 is rescinded.

(RESCISSION)

SEC. 4108. Of the funds made available for ''Department of Commerce—National Telecommunications and Information Administration—Broadband Technology Opportunities Program'' in title II of division A of Public Law 111–5, $302,000,000 is rescinded.

SEC. 4109. For an additional amount for the Department of Justice for necessary expenses for increased law enforcement activities related to Southwest border enforcement, $201,000,000, to remain available until September 30, 2011: *Provided*, That funds shall be distributed to the following accounts and in the following specified amounts:

(1) ''Administrative Review and Appeals'', $2,118,000;

(2) ''Detention Trustee'', $7,000,000;

(3) ''Legal Activities, Salaries and Expenses, General Legal Activities'', $3,862,000;

(4) ''Legal Activities, Salaries and Expenses, United States Attorneys'', $9,198,000;

(5) ''United States Marshals Service, Salaries and Expenses'', $29,651,000;

(6) ''United States Marshals Service, Construction'', $8,000,000;

(7) ''Interagency Law Enforcement, Interagency Crime and Drug Enforcement'', $21,000,000;

(8) ''Federal Bureau of Investigation, Salaries and Expenses'', $25,262,000;

(9) ''Drug Enforcement Administration, Salaries and Expenses'', $35,805,000;

(10) ''Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses'', $39,104,000; and

(11) ''Federal Prison System, Salaries and Expenses'', $20,000,000.

SEC. 4110. Section 8005 of the Department of Defense Appropriations Act, 2010 (division A of Public Law 111–118) is amended by striking the dollar amount specified in such section and inserting ''$6,000,000,000'': *Provided*, That section 3002 shall not apply to the amount in this section: *Provided further*, That the amendment made by this section shall apply in lieu of any amendment made by another provision of this Act to such dollar amount.

SEC. 4111. With respect to the multiyear procurement of F/A–18E, F/A–18F, and EA–18G aircraft—

(1) section 8011 of division A of Public Law 111–118 is amended by striking ''within 30 days of enactment of this Act'' and inserting ''30 days prior to contract award'';

(2) the term ''March 1 of the year in which the Secretary requests legislative authority to enter into such contract,'' in section 2306b(i)(1) of title 10, United States Code, and section 128(a)(2) of Public Law 111–84, shall be deemed to be a reference to September 1, 2010;

(3) the Secretary of Defense may submit the report identified in section 2306b(l)(4) of title 10, United States Code, to the congressional defense committees on or before September 1, 2010; and

(4) the authority provided in section 8011 of Public Law 111–118 and section 128(a) of Public Law 111–84, as amended by this section, shall satisfy, with respect to the procurement of F/A–18E, F/A–18F, and EA–18G aircraft, the requirements of sections 2306b(i)(3) and 2306b(l)(3) of title 10, United States Code, that a multiyear contract be authorized by law in an appropriations Act and an Act other than an appropriations Act.

SEC. 4112. For all major defense acquisition programs for which the Department of Defense plans to proceed to source selection during the current fiscal year and fiscal year 2011, the Secretary of Defense shall perform an assessment of such programs and the proposals of all bidders to determine whether or not the costs are realistic and reasonable with respect to expected industry development and production costs: *Provided*, That the assessments shall address whether the programs and proposals of all bidders are at fair market value: *Provided further*, That the Secretary of Defense shall provide an assessment of the programs and proposals of all bidders to determine the number of jobs, including an estimate of development and direct manufacturing jobs, supported or lost in the United States of America: *Provided further*, That jobs supported or lost shall be measured as full time equivalent personnel: *Provided further*, That the Secretary of Defense shall provide a report, in consultation with the Secretary of Labor, containing the results of these assessments to the congressional defense committees not later than 60 days after enactment of this Act and on a quarterly basis thereafter.

(INCLUDING RESCISSION)

SEC. 4113. (a) In addition to the amounts provided elsewhere in this Act, there is appropriated $300,000,000 for an additional amount for ''Operation and Maintenance, Defense-Wide'', to remain available until expended. Such funds may be available for the Office of Economic Adjustment, notwithstanding any other provision of law, for transportation infrastructure improvements associated with medical facilities related to recommendations of the Defense Base Closure and Realignment Commission.

(b) Of the funds appropriated for ''Defense Health Program'' in title VI of division A of Public Law 111–118, $300,000,000 is rescinded, to be derived from amounts for operation and maintenance.

(c) Section 3002 shall not apply to the amounts in this section.

(RESCISSION)

SEC. 4114. (a) Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are rescinded from the following accounts in the specified amounts:

''Shipbuilding and Conversion, Navy, 2006/2010'', $107,000,000;

''Aircraft Procurement, Army, 2008/2010'', $21,000,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2008/2010'', $21,000,000;

''Procurement of Ammunition, Army, 2008/2010'', $17,000,000;

''Other Procurement, Army, 2008/2010'', $75,000,000;

''Aircraft Procurement, Navy, 2008/2010'', $166,000,000;

''Weapons Procurement, Navy, 2008/2010'', $26,000,000;

''Other Procurement, Navy, 2008/2010'', $42,000,000;

''Procurement, Marine Corps, 2008/2010'', $13,000,000;

''Aircraft Procurement, Air Force, 2008/2010'', $102,000,000;

''Missile Procurement, Air Force, 2008/2010'', $28,000,000;

''Procurement of Ammunition, Air Force, 2008/2010'', $7,000,000;

''Other Procurement, Air Force, 2008/2010'', $130,000,000;

''Procurement, Defense-Wide, 2008/2010'', $33,000,000;

''Research, Development, Test and Evaluation, Army, 2009/2010'', $76,000,000;

''Research, Development, Test and Evaluation, Navy, 2009/2010'', $131,000,000;

''Research, Development, Test and Evaluation, Air Force, 2009/2010'', $164,000,000;

''Research, Development, Test and Evaluation, Defense-Wide, 2009/2010'', $137,000,000;

''Operation, Test and Evaluation, Defense, 2009/2010'', $1,000,000;

''Operation and Maintenance, Army, 2010'', $154,000,000;

''Operation and Maintenance, Navy, 2010'', $155,000,000;

''Operation and Maintenance, Marine Corps, 2010'', $25,000,000;

''Operation and Maintenance, Air Force, 2010'', $155,000,000;

''Operation and Maintenance, Defense-Wide, 2010'', $126,000,000;

''Operation and Maintenance, Army Reserve, 2010'', $12,000,000;

''Operation and Maintenance, Navy Reserve, 2010'', $6,000,000;

''Operation and Maintenance, Marine Corps Reserve, 2010'', $1,000,000;

''Operation and Maintenance, Air Force Reserve, 2010'', $14,000,000;

''Operation and Maintenance, Army National Guard, 2010'', $28,000,000; and

''Operation and Maintenance, Air National Guard, 2010'', $27,000,000.

(b) Section 3002 shall not apply to amounts in this section.

(RESCISSIONS)

SEC. 4115. (a) Of the funds appropriated in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), the following funds are rescinded from the following accounts in the specified amounts:

''Operation and Maintenance, Army, 2009/2010'', $113,500,000;

''Operation and Maintenance, Navy, 2009/2010'', $34,000,000;

''Operation and Maintenance, Marine Corps, 2009/2010'', $7,000,000;

''Operation and Maintenance, Air Force, 2009/2010'', $61,000,000;

''Operation and Maintenance, Army Reserve, 2009/2010'', $3,500,000;

''Operation and Maintenance, Navy Reserve, 2009/2010'', $8,000,000;

''Operation and Maintenance, Marine Corps Reserve, 2009/2010'', $1,000,000;

''Operation and Maintenance, Air Force Reserve, 2009/2010'', $2,000,000;

''Operation and Maintenance, Army National Guard, 2009/2010'', $1,000,000;

''Operation and Maintenance, Air National Guard, 2009/2010'', $2,500,000; and

''Defense Health Program, 2009/2010'', $27,000,000.

(b) Of the funds appropriated in the Supplemental Appropriations Act, 2008 (Public Law 110–252), the following funds are rescinded from the following account in the specified amount:

''Procurement, Marine Corps, 2008/2010'', $177,180,000.

(INCLUDING TRANSFER OF FUNDS AND RESCISSIONS)

SEC. 4116. (a) In addition to amounts provided elsewhere in this Act, there is appropriated $163,000,000 for an additional amount for ''Operation and Maintenance, Defense-Wide'', to remain available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense.

(b)(1) Of the funds appropriated for ''Procurement of Weapons and Tracked Combat Vehicles, Army'' in title III of division A of public Law 111–118, $116,000,000 is rescinded.

(2) Of the funds appropriated under the heading ''Operation and Maintenance, Army'' in title II of division A of Public Law 111–118, $100,000,000 is rescinded.

(3) Of the funds appropriated for ''Other Procurement, Army'' in title III of division C of Public Law 110–329, $87,000,000 is rescinded.

(c) Section 3002 shall not apply to amounts in this section.

SEC. 4117. (a) SPECIFIC APPROPRIATION OR CONTRIBUTION.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—

''(1) IN GENERAL.—No guarantee shall be made unless—

''(A) an appropriation for the cost of the guarantee has been made;

''(B) the Secretary has received from the borrower a payment in full for the cost of the guarantee and deposited the payment into the Treasury; or

''(C) a combination of one or more appropriations under subparagraph (A) and one or more payments from the borrower under subparagraph (B) has been made that is sufficient to cover the cost of the guarantee.

''(2) LIMITATION.—The source of payments received from a borrower under paragraph (1)(B) or (C) shall not be a loan or other debt obligation that is made or guaranteed by the Federal Government.''; and

(2) by adding at the end the following:

''(l) CREDIT REPORT.—If, in the opinion of the Secretary, a third-party credit rating of the applicant or project is not necessary for the Secretary to begin review of an application, the project costs are not projected to exceed $100,000,000, and the applicant agrees to accept the credit rating assigned to the applicant by the Secretary, the Secretary may waive an otherwise applicable requirement (including any requirement described in part 609 of title 10, Code of Federal Regulations) to provide a third-party credit report with an application, provided that the Secretary requires a third party credit report prior to issuance of a conditional commitment for a guarantee.

''(m) MULTIPLE SITES.—Notwithstanding any contrary requirement (including any provision under part 609 of title 10, Code of Federal Regulations) an eligible project may be located on two or more non-contiguous sites in the United States.''.

(b) APPLICATIONS FOR MULTIPLE ELIGIBLE PROJECTS.—Section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(e) MULTIPLE APPLICATIONS.—Notwithstanding any contrary requirement (including any provision under part 609.3(a) of title 10, Code of Federal Regulations), a project applicant or sponsor of an eligible project may submit an application for more than one eligible project under this section.''.

(c) ENERGY EFFICIENCY LOAN GUARANTEES.—Section 1705(a) of the Energy Policy Act of 2005 (42 U.S.C. 16516(a)) is amended by adding at the end the following:

''(4) Efficient end-use energy technologies.

''(5) Combined heat and power or industrial waste energy recovery projects.''.

(d) ADMINISTRATIVE COSTS.—Section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) is amended by striking subsection (f) and inserting the following:

''(f) FEES.—The Secretary is authorized to charge and collect fees from applicants for or recipients of an award or loan to cover administrative costs. For any given loan or award, such fees shall not exceed $100,000 or 10 basis points of the loan or award. In addition to the foregoing fees, the Secretary may require applicants for and recipients of an award or loan under this section to pay directly, or through the payment of fees to be used by the Secretary to pay, all fees and expenses of agents, consultants, and professional advisors retained by the Secretary in connection with activities authorized under this section.''.

(RESCISSIONS)

SEC. 4118. There are rescinded the following amounts from the specified accounts:

(1) $35,000,000, to be derived from unobligated balances made available under ''Mississippi River and Tributaries'' in Public Law 110–329.

(2) $4,874,037, to be derived from unobligated balances made available under ''Flood Control and Coastal Emergencies'' in Public Law 109–234.

(3) $5,005,400, to be derived from unobligated balances made available under ''Flood Control and Coastal Emergencies'' in title V of Public Law 110–28.

(4) $2,199,629, to be derived from unobligated balances made available under ''Construction'' in Public Law 109–148.

(RESCISSIONS)

SEC. 4119. (a) There are rescinded the following amounts from the specified accounts:

(1) $150,000,000, to be derived from unobligated balances of funds made available under the heading ''Corps of Engineers, Civil—Construction'' in prior appropriations Acts (other than Public Law 111–5) for projects and activities authorized under section 205 of the Flood Control Act of 1948, section 1135 of the Water Resources Development Act of 1986, and section 206 of the Water Resources Act of 1996.

(2) $40,000,000, to be derived from unobligated balances of funds made available under the heading ''Corps of Engineers, Civil—Construction'' in prior appropriations Acts, other than funds designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Section 3002 shall not apply to amounts in this section.

(RESCISSIONS)

SEC. 4120. (a) There are rescinded the following amounts from the specified accounts:

(1) $78,000,000, to be derived from unobligated balances of funds made available under the heading ''Department of Energy—Energy Efficiency and Renewable Energy'' in division C of Public Law 111–8 and Public Law 111–85 for biomass and biorefinery research, development, and demonstration.

(2) $71,000,000, to be derived from unobligated balances of funds made available in prior appropriations Acts under the heading ''Department of Energy—Strategic Petroleum Reserve'', including $14,493,000 provided in Public Law 110–161 for new site land acquisition activities; $31,507,000 provided in Public Law 111–8 for new site expansion activities, beyond land acquisition; and $25,000,000 provided in Public Law 111–85.

(3) $20,000,000, to be derived from unobligated balances of funds made available in prior appropriations Acts under the heading ''Department of Energy—Nuclear Energy''.

(b) Section 3002 shall not apply to amounts in this section.

(RESCISSION)

SEC. 4121. Of the unobligated balances of funds provided under the heading ''Nuclear Regulatory Commission'' in prior appropriations Acts, $18,000,000 is permanently rescinded: *Provided*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4122. From unobligated balances of prior year appropriations made available to ''Domestic Nuclear Detection Office—Systems Acquisition'', $50,000,000 is rescinded: *Provided*, That section 3002 shall not apply to the amount in this section.

SEC. 4123. (a) The Administrator of General Services, not later than 90 days after the date of enactment of this Act, shall prepare and submit to the Congress a building project survey report related to a consolidated headquarters for the Federal Bureau of Investigation in the Washington metropolitan region (as defined in section 8301 of title 40, United States Code).

(b) The building project survey report shall be prepared by the Administrator of General Services in consultation with the Director of the Federal Bureau of Investigation, and each strategy described in the report shall contain, at a minimum, an estimated cost, a financing and development plan, a budgetary and financial impact analysis, a procurement and implementation plan, an analysis of security and information technology issues specific to the Federal Bureau of Investigation, and a schedule.

(c) The building project survey report shall identify a preferred strategy.

(RESCISSION)

SEC. 4124. There are permanently rescinded from ''General Services Administration—Real Property Activities—Federal Building Fund'', $75,000,000 from Rental of Space and $25,000,000 from Building Operations, to be derived from unobligated balances that were provided in previous appropriations Acts: *Provided*, That section 3002 shall not apply to the amount in this section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 4125. (a) The Secretary of Homeland Security may transfer to the Secretary of the Interior amounts available for environmental mitigation requirements for ''U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology'' for fiscal year 2009 or thereafter, for use by the Secretary of the Interior under laws administered by such Secretary to mitigate adverse environmental impacts, including impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) resulting from construction, operation, and maintenance activities related to border security.

(b) Uses of funds authorized by this section include acquisition of land or interests in land that will, in the judgment of the Secretary of the Interior, mitigate or off-set such adverse impacts.

(c) Any funds transferred under this section shall be used in accordance with an agreement between the Secretaries.

(d) Not later than September 30, 2010, and on an annual basis thereafter, the Secretary of the Interior shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report that describes in detail the actions taken in the preceding year with amounts transferred under this section.

(RESCISSION)

SEC. 4126. From unobligated balances of prior year appropriations made available for ''Transportation Security Administration—Aviation Security'' in chapter 5 of title III of Public Law 110–28, $6,600,000 is rescinded.

(RESCISSION)

SEC. 4127. From unobligated balances of prior year appropriations made available for ''United States Coast Guard—Acquisition, Construction, and Improvements'' in chapter

4 of title I of division B of Public Law 109–148, $3,000,000 is rescinded.

(RESCISSION)

SEC. 4128. From unobligated balances of prior year appropriations made available for ''United States Coast Guard—Acquisition, Construction, and Improvements'' in chapter 4 of title II of Public Law 109–234, $4,000,000 is rescinded.

(RESCISSION)

SEC. 4129. From unobligated balances of prior year appropriations made available for ''Federal Emergency Management Agency—Administrative and Regional Operations'' in chapter 4 of title II of Public Law 109–234, $36,000,000 is rescinded.

(RESCISSION)

SEC. 4130. From unobligated balances of prior year appropriations made available for ''Domestic Nuclear Detection Office—Research, Development, and Operations'' in chapter 5 of title III of Public Law 110–28, $3,800,000 is rescinded.

(RESCISSION)

SEC. 4131. From unobligated balances of prior year appropriations made available to ''U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology'', $200,000,000 is rescinded: *Provided*, That section 3002 shall not apply to the amount in this section.

SEC. 4132. Notwithstanding any other provision of law, including any agreement, the Federal share of assistance, including direct Federal assistance provided under sections 403, 406, and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, and 5173), for damages resulting from FEMA–1909–DR, FEMA–1894–DR, and FEMA–3311–EM–RI shall not be less than 90 percent of the eligible costs under such sections.

(RESCISSION)

SEC. 4133. Of the funds made available for ''Bureau of Land Management—Management of Lands and Resources'' in title VII of division A of Public Law 111–5, $6,400,000 is rescinded.

(RESCISSION)

SEC. 4134. Of the funds made available for ''Bureau of Land Management—Construction'' in title VII of division A of Public Law 111–5, $3,600,000 is rescinded.

(RESCISSION)

SEC. 4135. Of the funds made available for ''National Park Service—Construction'' in title VII of division A of Public Law 111–5, $3,200,000 is rescinded.

(RESCISSION)

SEC. 4136. Of the funds made available for ''United States Geological Survey—Surveys, Investigations, and Research'' in title VII of division A of Public Law 111–5, $5,000,000 is rescinded.

(RESCISSION)

SEC. 4137. Of the funds made available for ''Bureau of Indian Affairs—Construction'' in title VII of division A of Public Law 111–5, $2,934,000 is rescinded.

(RESCISSION)

SEC. 4138. Of the funds made available for ''Bureau of Indian Affairs—Indian Guaranteed Loan Program Account'' in title VII of division A of Public Law 111–5, $6,820,000 is rescinded.

(RESCISSION)

SEC. 4139. Of the funds made available for ''Environmental Protection Agency—Hazardous Substance Superfund'' in title VII of division A of Public Law 111–5, $6,000,000 is rescinded.

(RESCISSION)

SEC. 4140. Of the funds made available for ''Environmental Protection Agency—Leaking Underground Storage Tank Trust Fund Program'' in title VII of division A of Public Law 111–5, $9,200,000 is rescinded.

(RESCISSION)

SEC. 4141. Of the funds made available for transfer in title VII of division A of Public Law 111–5, ''Environmental Protection Agency—Environmental Programs and Management'', $13,000,000 is rescinded.

(RESCISSION)

SEC. 4142. Of the funds made available for ''Department of Agriculture—Forest Service—Capital Improvement and Maintenance'' in title VII of division A of Public Law 111–5, $20,000,000 is rescinded.

(RESCISSION)

SEC. 4143. Of the funds transferred in section 703 of title VII of division A of Public Law 111–5, ''Department of the Interior—Working Capital Fund'', $4,400,000 is permanently rescinded.

(RESCISSION)

SEC. 4144. Of the funds made available for ''National Park Service—Construction'' in chapter 5 of title II of Public Law 105–18, $7,600,000 is rescinded.

(RESCISSION)

SEC. 4145. Of the funds made available for ''National Park Service—Construction'' in chapter 7 of division B of Public Law 108–324, $5,104,000 is rescinded.

(RESCISSION)

SEC. 4146. Of the funds made available for ''National Park Service—Construction'' in chapter 5 of title II of Public Law 109–234, $6,700,000 is rescinded.

(RESCISSION)

SEC. 4147. Of the funds made available for ''Fish and Wildlife Service—Construction'' in chapter 6 of title I of division B of Public Law 110–329, $13,300,000 is rescinded.

SEC. 4148. Section 11(c)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1340(c)(1)) is amended in the fourth sentence by striking ''within thirty days of its submission,'' and inserting the following: ''within 90 days of its submission or within such additional time as the Secretary determines is necessary to complete any environmental, safety, or other reviews (in the case of leases issued pursuant to a sale held after March 17, 2010), or within 90 days of its submission or, with the consent of the holder of the lease, within such additional time as the Secretary determines is necessary to complete any environmental, safety, or other reviews (in the case of leases issued pursuant to a sale held on or before March 17, 2010),''.

SEC. 4149. From funds appropriated in this Act under the heading ''Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund'', the Secretary of Health and Human Services shall make grants to States, in the amount needed to defray actual costs, for the purpose of assisting school districts serving significant numbers of children who entered the United States from Haiti during the period January 12, 2010, through May 30, 2010, and who are United States citizens or Haitian nationals, to meet the educational and related needs of such children.

(RESCISSION)

SEC. 4150. The unobligated balance of funds appropriated in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1995 (Public Law 103–333; 108 Stat. 2574) under the heading ''Public Health and Social Services Emergency Fund'' is rescinded.

SEC. 4151. Amounts in section 1012 of division B of Public Law 111–118 shall be deemed to have been designated by such section on the date of its enactment as an emergency requirement and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 4152. (a) OIL SPILL UNEMPLOYMENT ASSISTANCE.—Upon a determination by the President that additional resources are necessary to respond to an incident related to a spill of national significance declared under the National Contingency Plan provided for under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605) (''covered incident''), the Secretary of Labor is authorized to provide to any individual unemployed as a result of such covered incident such benefit assistance as the Secretary deems appropriate while such individual is unemployed for the weeks of such unemployment with respect to which the individual is not entitled to any other unemployment compensation (as that term is defined in section 85(b) of the Internal Revenue Code of 1986) or waiting period credit. Such assistance as the Secretary shall provide shall be available to an individual as long as the individual's unemployment caused by such covered incident continues or until the individual is reemployed in a suitable position, but no longer than 26 weeks after the individual's unemployment that resulted from the covered incident. Oil spill unemployment assistance payments for a week of unemployment shall not exceed the maximum weekly amount authorized under the unemployment compensation law of the individual's State. The Secretary is directed to provide such assistance through agreements with States that, in the Secretary's judgment, have an adequate system for administering such assistance through existing State agencies.

(b) FEDERAL-STATE AGREEMENTS.—Any State affected by a covered incident may enter into and participate in an agreement under this section with the Secretary. Any State which is a party to an agreement under this section may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(c) PROVISIONS OF AGREEMENT.—Any agreement under subsection (b) shall provide that the State agency of the State will—

(1) make payments of oil spill unemployment assistance to individuals who—

(A) are unemployed as a result of a covered incident;

(B) have no rights to regular compensation or extended compensation with respect to a week under State law or any other State unemployment compensation law or to compensation under any other Federal law; and

(C) are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(2) refer individuals receiving oil spill unemployment assistance under this section to one-stop delivery systems established under section 134(c) of the Workforce Investment Act of 1998 for reemployment services or training provided under such Act, the Wagner-Peyser Act, or other Federal law.

(d) WEEKLY BENEFIT AMOUNT, DUE PROCESS RIGHTS.—For purposes of any agreement under this section, the terms and conditions of Federal law and regulations which apply to claims for disaster unemployment assistance and to the payment thereof shall apply to claims for oil spill unemployment assistance and the payment thereof, except where otherwise inconsistent with the provisions of this section or with the regulations or operating instructions of the Secretary promulgated to carry out this section.

(e) UNAUTHORIZED ALIENS INELIGIBLE.—A State shall require as a condition of oil spill unemployment assistance under this section

that each alien who receives such assistance must be legally authorized to work in the United States, as defined for purposes of the Federal Unemployment Tax Act (26 U.S.C. 3101 et seq.). In determining whether an alien meets the requirements of this subsection, a State must follow the procedures provided in section 1137(d) of the Social Security Act (42 U.S.C. 1320b–7(d)).

(f) FRAUD AND OVERPAYMENTS.—

(1) IN GENERAL.—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received an amount of oil spill unemployment assistance under this section to which such individual was not entitled, such individual—

(A) shall be ineligible for further oil spill unemployment assistance under this section in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation; and

(B) shall be subject to prosecution under section 1001 of title 18, United States Code.

(2) REPAYMENT.—In the case of an individual who has received oil spill unemployment assistance under this section to which such individual was not entitled, the State shall require such individual to repay the amount of such oil spill unemployment assistance to the State agency, except that the State agency may waive such repayment if it determines that—

(A) the payment of such oil spill unemployment assistance was without fault on the part of any such individual; and

(B) such repayment would be contrary to equity and good conscience.

(3) PREVENTION AND DETECTION BY STATE AGENCY.—The State agency shall submit a weekly payment file of all benefit payments to the National Directory of New Hires, and shall make arrangements for the cross match of the benefit payment recipients' social security numbers with the National Directory of New Hires Reported Hire and Benefit payment databases a minimum of once each week and investigate all matches.

(4) RECOVERY BY STATE AGENCY.—

(A) IN GENERAL.—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any oil spill unemployment assistance payable to such individual under this section or from any unemployment compensation payable to such individual under any State or Federal unemployment compensation law administered by the State agency or under any other State or Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individual received the payment of the oil spill unemployment assistance to which such individual was not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(B) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(5) REVIEW.—Any determination by a State agency under this subsection shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

(g) PAYMENTS TO STATES.—

(1) BENEFITS.—There shall be paid to each State that has entered into an agreement under this section an amount equal to 100 percent of the oil spill unemployment assistance paid to individuals by the State under such agreement.

(2) ADMINISTRATION.—There shall be paid to each State that has entered into an agreement under this section such amounts as the Secretary determines necessary for the proper and efficient administration of such agreement.

(h) FINANCING.—

(1) IN GENERAL.—There are appropriated out of the general fund of the United States Treasury such funds as may be necessary in meeting the costs of benefits, Federal administration, and State administration of agreements under this section.

(2) CERTIFICATION.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section. Upon receipt of the certification from the Secretary, the Secretary of the Treasury shall make payments to the State in accordance with such certification, by transfers from the general fund of the United States Treasury.

(i) RELATIONSHIP WITH INCOME REPLACEMENT PAYMENTS FOR LOST WAGES OR SELF EMPLOYMENT INCOME BY THE RESPONSIBLE PARTY.—

(1) The total combined amount an individual receives of oil spill unemployment assistance and payments by the responsible party for either lost wages or self-employment income shall not exceed the greater of—

(A) the total amount of unemployment assistance that an individual is entitled to receive under subsection (a), as determined by the State agency; or

(B) the liability of the responsible party to such individual for lost wages or self-employment income.

(2) If a responsible party or the Oil Spill Liability Trust Fund under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) makes a payment to the individual for lost wages related to unemployment resulting from a covered incident, and an individual has previously received unemployment assistance under this section for such period of unemployment, the responsible party or the Oil Spill Liability Trust Fund shall subtract from such payment the amount of such unemployment assistance and shall reimburse such subtracted amount to the United States for deposit in the general fund of the Treasury. If a responsible party fails to reimburse such subtracted amount pursuant to this paragraph, the Secretary of the Treasury shall request the Attorney General to bring a civil action against the responsible party or a guarantor in an appropriate district court to recover the amount of the demand, plus all costs incurred in obtaining payment including prejudgment interest, attorneys fees, and any other administrative and adjudicative costs involved.

(3) If a responsible party or the Oil Spill Liability Trust Fund has made a payment to an individual for lost wages related to unemployment resulting from a covered incident, the amount of such payment shall be subtracted from the unemployment assistance under this section that the individual subsequently receives for such period of unemployment.

(4) Any individual's receipt of unemployment assistance under this section related to unemployment resulting from a covered incident shall be conditional on the individual taking appropriate actions, as determined by the Secretary, to seek payment for lost wages for such period of unemployment under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) from the responsible party or the Oil Spill Liability Trust Fund.

(5) Any individual, as a condition of receiving oil spill unemployment assistance, shall provide informed consent to the sharing of benefit information between the State agency and the responsible party (or its claim processor) or the Oil Spill Liability Trust Fund, as appropriate, for the purpose of determining eligibility and to avoid duplicate payments as deemed necessary.

(6) If the Secretary determines the actions described in paragraphs (2) through (5) have not succeeded in avoiding duplicate payments, the Secretary may take such other actions as the Secretary determines necessary in order to avoid duplicate payments, consistent with the responsible party or the Oil Spill Liability Trust Fund making payments to individuals for lost wages related to unemployment resulting from a covered incident.

(7) The Secretary may take such actions as the Secretary determines are necessary for implementing this section, including entering into agreements with States that have agreements with the Secretary to administer this program, and the responsible party with respect to each State's administration of this program and payments made by the responsible party to claimants for lost wages and self-employment income to establish processes for—

(A) the coordination of payment of oil spill unemployment assistance under this section and payments for lost wages and self employment income by the responsible party or the Oil Spill Liability Trust Fund so as to minimize duplicate payments to claimants, including methods to—

(i) prevent duplicate payments, such as developing methods for claims processing that identify eligibility for both types of payments so as to ensure the individual receives no more than the amount specified in paragraph (1) of this subsection;

(ii) document that individuals who received either oil spill unemployment assistance or payments by the responsible party or the Oil Spill Liability Trust Fund prior to execution of the agreement were unemployed as a result of the oil spill; and

(iii) ensure prompt and accurate payment of oil spill unemployment assistance under this section or payment of claims by the responsible party or the Oil Spill Liability Trust Fund;

(B) sharing and protecting information regarding an individual's claim for oil spill unemployment assistance or claims for replacement of wages that is necessary to coordinate benefit payments and claims by the responsible party or the Oil Spill Liability Trust Fund under subparagraph (A);

(C) reimbursement by the responsible party to the Federal Government and States for payment of oil spill unemployment assistance to individuals whose unemployment was the result of a covered incident and for the administration of this program, which may include the responsible party developing a special fund for use by the States to pay benefits under this program, in accordance with the process developed under subparagraph (A) with a periodic reconciliation process to make future claims unnecessary;

(D) ensuring that the responsible party shall make benefit information available to government organizations upon request, subject to the safeguards applicable to confidential unemployment compensation information in Federal law and regulations, which shall apply to the Secretary, the State agencies administering the oil spill unemployment assistance program, the responsible party, and the Oil Spill Liability Trust Fund; and

(E) developing similar agreements with the responsible party to coordinate payments of unemployment compensation under State law related to a covered incident and payments made by the responsible party or the Oil Spill Liability Trust Fund.

(8) The procedures developed under this section may be employed by States to coordinate payments of unemployment compensation under State law related to a covered incident and payments made by the responsible party or the Oil Spill Liability Trust Fund.

(j) LIABILITY OF RESPONSIBLE PARTIES.—Each responsible party under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) is liable for any costs, net of any payments by the responsible party to the United States under subsection (i), incurred by the United States under this section and shall, upon the demand of the Secretary of the Treasury, reimburse the general fund of the Treasury for these costs as well as the costs of the United States in administering its responsibilities under this section. If a responsible party fails to pay a demand of the Secretary of the Treasury pursuant to this subsection, the Secretary shall request the Attorney General to bring a civil action against the responsible party or a guarantor in an appropriate district court to recover the amount of the demand, plus all costs incurred in obtaining payment including prejudgment interest, attorneys fees, and any other administrative and adjudicative costs involved. Such reimbursement shall be without regard to limits of liability under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704).

(k) EFFECTIVE DATE.—This section shall take effect immediately upon enactment of this Act and shall apply to all responsible parties under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), including any party determined to be liable under such Act for any incident that occurred prior to the enactment of this section.

(l) DEFINITIONS.—For purposes of this section:

(1) DUPLICATE PAYMENTS.—The term ''duplicate payments'' includes any payment that would cause the individual to receive payments in excess of the amount determined under paragraph (1) of subsection (i).

(2) RESPONSIBLE PARTY.—The term ''responsible party'' means one or more responsible parties.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(4) STATE.—The term ''State'' means any State, as such term is defined in section 3306(j)(1) of the Federal Unemployment Tax Act (26 U.S.C. 3306(j)(1)).

(5) STATE AGENCY.—The term ''State agency'' means the State agency which administers the unemployment compensation law of the State approved by the Secretary of Labor under section 3304 of the Internal Revenue Code of 1986.

SEC. 4153. (a) IN GENERAL.—Section 173(a) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(a)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

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

''(5) to provide assistance to the Governor of any State within the boundaries of an area that is the subject of a Presidential determination that additional resources are necessary to respond to an incident related to a spill of national significance declared under the National Contingency Plan provided for under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605) (‘covered incident') to provide oil spill relief employment in the area.''.

(b) OIL SPILL RELIEF EMPLOYMENT ASSISTANCE REQUIREMENTS.—Section 173 of the Workforce Investment Act of 1998 (29 U.S.C. 2918) is amended by adding at the end the following new subsection:

''(h) OIL SPILL RELIEF EMPLOYMENT ASSISTANCE REQUIREMENTS.—

''(1) IN GENERAL.—Funds made available under subsection (a)(5)—

''(A) shall be used to provide oil spill relief employment on projects involving the cleaning, restoration, renovation, repair and reconstruction of lands, marshes, waters, structures, and facilities located within the area of the covered incident, as well as offshore areas related to such incident, and projects that provide food, clothing, shelter, and other humanitarian assistance to individuals harmed by the covered incident;

''(B) may be expended through public and private agencies and organizations engaged in such projects;

''(C) may be expended to provide employment and training activities;

''(D) may be expended to provide personal protective equipment to workers engaged in oil spill relief employment described in subparagraph (A);

''(E) may be used to increase the capacity of States to make available the full range of services authorized under this title and provide information (in languages appropriate to the individuals served) about, and access to, the variety of public and private services available to individuals adversely affected by the covered incident in One-Stop Career Centers and other access points (including other public facilities, mobile service delivery units, and social services offices); and

''(F) may be used to provide temporary employment by public sector entities for a period not to exceed 6 months, in addition to the oil spill relief employment described in subparagraph (A).

''(2) ELIGIBILITY.—An individual shall be eligible for services under subsection (a)(5) if such individual is temporarily or permanently laid off as a consequence of the covered incident described in such subsection, is a dislocated worker, is a long-term unemployed individual, or meets such other criteria as the Secretary may establish.

''(3) LIMITATIONS ON OIL SPILL RELIEF EMPLOYMENT ASSISTANCE.—No individual shall be employed under subsection (a)(5) for more than 6 months for oil spill relief employment related to recovery from a single covered incident. The Secretary may, upon reviewing a State's request, extend such employment related to recovery from a single covered incident for up to an additional 6 months.

''(4) REIMBURSEMENT.—Each responsible party under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) is liable for any costs incurred by the United States under this subsection or subsection (a)(5) and shall, upon the demand of the Secretary of the Treasury, reimburse the general fund of the Treasury for the costs incurred under this subsection or subsection (a)(5) as well as the costs of the United States in administering its responsibilities under this subsection or subsection (a)(5). If a responsible party fails to pay a demand of the Secretary of the Treasury pursuant to this subsection or subsection (a)(5), the Secretary shall request the Attorney General to bring a civil action against the responsible party or a guarantor in an appropriate district court to recover the amount of the demand, plus all costs incurred in obtaining payment including prejudgment interest, attorney's fees, and any other administrative and adjudicative costs involved. Such reimbursement shall be without regard to limits of liability under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704).

''(5) USE OF AVAILABLE FUNDS.—Funds appropriated for fiscal years 2009 and 2010 and remaining available for obligation by the Secretary to provide any assistance authorized under this section shall be available to assist workers affected by a covered incident, including workers who have relocated from areas in which a covered incident has been declared. Under such conditions as the Secretary may approve, any State may use funds that remain available for expenditure under any grants awarded to the State under this section to provide any assistance authorized under this subsection. Funds used pursuant to the authority provided under this paragraph shall be subject to the reimbursement requirements described in paragraph (4).

''(6) REQUIREMENTS FOR GRANT APPLICATIONS.—An application submitted to the Secretary under this subsection shall include a detailed description of—

''(A) how the State will ensure the capacity of One-Stop Career Centers and other access points to—

''(i) provide affected individuals with information, in languages appropriate to the individuals served, about the range of available services; and

''(ii) provide affected individuals with access to the range of needed services;

''(B) how the State will prioritize individuals who are temporarily or permanently laid off as a consequence of the covered incident in the assignment of temporary employment positions; and

''(C) any other supporting information the Secretary may require.''.

(c) EFFECTIVE DATE.—This section, and the amendments made by this section, shall take effect immediately upon enactment of this Act and shall apply to all responsible parties under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), including any party determined to be liable under such Act for any incident that occurred prior to the enactment of this Act.

(d) APPROPRIATION.—There is appropriated $50,000,000 for an additional amount for ''Department of Labor—Employment and Training Administration—Training and Employment Services'', to carry out section 173(a)(5) and (h) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(a)(5) and (h)) (''WIA'') as amended by this Act, to remain available through June 30, 2011: *Provided*, That funding shall be available upon enactment of this Act, notwithstanding section 189(g)(1) of WIA.

SEC. 4154. (a) The Secretary of Labor may reserve not more than 1 percent of the funds available to carry out section 4152 of this Act and section 173(h) of the Workforce Investment Act of 1998 (as added by section 4153 of this Act) for transfer to appropriate Department of Labor accounts for program administration and support activities in the Department of Labor associated with such sections, and for the increased worker protection and workplace benefit activities and oversight and coordination activities in connection with the application of laws and regulations associated with the Department's response to spills of national significance declared under the National Contingency Plan provided for under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605).

(b) A responsible party under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) shall, upon the demand of the Secretary of the Treasury, reimburse the general fund of the Treasury for all or a portion of the additional amount appropriated herein, as determined by the Secretary of the Treasury.

(c) If a responsible party fails to pay a demand of the Secretary of the Treasury pursuant to this section, the Secretary shall request the Attorney General to bring a civil

action against the responsible party or a guarantor in an appropriate district court to recover the amount of the demand, plus all costs incurred in obtaining payment including prejudgment interest, attorneys fees, and any other administrative and adjudicative costs involved. Such reimbursement shall be without regard to limits of liability under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704).

(d) This section shall take effect immediately upon enactment of this Act and shall apply to all responsible parties under the Oil Pollution Act of 1990, including any party determined to be liable under such Act for any incident that occurred prior to the enactment of this Act.

(e) The Secretary of Labor shall provide to the Committees on Appropriations of the House of Representatives and the Senate a report describing the use of the funds not later than 1 year after the date of enactment of this Act.

(RESCISSION)

SEC. 4155. Of the unobligated balance of funds appropriated without fiscal year limitation under the heading ''Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund'' in fiscal years 2006 through 2010 to prepare for and respond to an influenza pandemic (including any amount not yet designated by the President as emergency funds) and the unobligated balance of funds transferred to ''Public Health and Social Services Emergency Fund'' pursuant to the fourth paragraph under such heading in Public Law 111–117, $2,000,000,000 is rescinded: *Provided*, That the Secretary of Health and Human Services, in consultation with the Director of the Office of Management and Budget, shall determine the amount to be rescinded from each appropriation and shall transmit a written notice of such determination to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after enactment of this Act: *Provided further*, That section 3002 shall not apply to $500,000,000 of the amount in this section.

(RESCISSION)

SEC. 4156. Of the funds appropriated for ''Department of Education—Innovation and Improvement'' in division D of Public Law 111–117 (123 Stat. 3263), $100,000,000 is rescinded, to be derived only from the amount available for grants authorized under subpart I of part B of title V of the Elementary and Secondary Education Act of 1965: *Provided*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4157. Of the funds appropriated for ''Department of Education—Innovation and Improvement'' in division A of Public Law 111–5 (123 Stat. 182) and division D of Public Law 111–117 (123 Stat. 3263), $200,000,000 is rescinded, to be derived only from amounts available for the Teacher Incentive Fund: *Provided*, That section 3002 shall not apply to $100,000,000 of the amount in this section.

(RESCISSION)

SEC. 4158. Of the funds appropriated for ''Department of Education—State Fiscal Stabilization Fund'' in title XIV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 279), $500,000,000 is rescinded, to be derived only from the amount made available for grants under section 14006 of such title and through a corresponding reduction in the total amount reserved under section 14001(c) of such title for grants under such section 14006.

SEC. 4159. Amounts appropriated to the Architect of the Capitol in the Legislative Branch Appropriations Act, 2006 (Public Law 109–55) under the heading ''Architect of the Capitol—Capitol Police Building and Grounds'' and that remain available until September 30, 2010, and amounts appropriated to the Architect of the Capitol in the Legislative Branch Appropriations Act, 2010 (Public Law 111–68) under the heading ''Architect of the Capitol—Capitol Police Buildings, Grounds and Security'' and that remain available until September 30, 2014, shall be available to the Architect of the Capitol for the purchase of real property (including any buildings or facilities) for the use of the Capitol Police.

SEC. 4160. (a) TERMINATION OF OEPPO.—Section 905 of the Emergency Supplemental Act, 2002 (2 U.S.C. 130i) is repealed.

(b) TRANSFER TO SERGEANT AT ARMS.—The functions and responsibilities of the Office of Emergency Planning, Preparedness, and Operations under section 905 of the Emergency Supplemental Act, 2002 (2 U.S.C. 130i) (as in effect on the day before the date referred to in subsection (c)) shall be transferred and assigned to the Sergeant at Arms of the House of Representatives.

(c) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect February 1, 2010.

(RESCISSION)

SEC. 4161. Of the unobligated balances available to the Architect of the Capitol from prior year appropriations for the Capitol Visitor Center project, $5,000,000 is rescinded: *Provided*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4162. Of the unobligated balances available under ''Department of Defense, Military Construction, Army'' from prior appropriations Acts, $340,000,000 is rescinded: *Provided*, That no funds may be rescinded from amounts that were designated by the Congress as an emergency requirement or as appropriations for overseas deployments and other activities pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4163. Of the unobligated balances available under ''Department of Defense, Military Construction, Navy and Marine Corps'' from prior appropriations Acts, $110,000,000 is rescinded: *Provided*, That no funds may be rescinded from amounts that were designated by the Congress as an emergency requirement or as appropriations for overseas deployments and other activities pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4164. Of the unobligated balances available under ''Department of Defense, Military Construction, Air Force'' from prior appropriations Acts, $50,000,000 is rescinded: *Provided*, That no funds may be rescinded from amounts that were designated by the Congress as an emergency requirement or as appropriations for overseas deployments and other activities pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4165. Of the funds made available for the General Operating Expenses account of the Department of Veterans Affairs in section 2201(e)(4)(A)(ii) of division B of Public Law 111–5 (123 Stat. 454; 26 U.S.C. 6428 note), $6,100,000 is rescinded.

SEC. 4166. None of the funds appropriated or otherwise made available by this Act may be obligated by any covered executive agency in contravention of the certification requirement of section 6(b) of the Iran Sanctions Act of 1996, as included in the revisions to the Federal Acquisition Regulation pursuant to such section.

(RESCISSIONS)

SEC. 4167. (a) MILLENNIUM CHALLENGE CORPORATION.—Of the unobligated balances available under the heading ''Millennium Challenge Corporation'' in title III of division H of Public Law 111–8 and under such heading in prior Acts making appropriations for the Department of State, foreign operations, and related programs, $150,000,000 is rescinded.

(b) CIVILIAN STABILIZATION INITIATIVE.—

(1) DEPARTMENT OF STATE.—Of the unobligated balances available under the heading ''Department of State—Administration of Foreign Affairs—Civilian Stabilization Initiative'' in prior Acts making appropriations for the Department of State, foreign operations, and related programs, $40,000,000 is rescinded.

(2) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Of the unobligated balances available under the heading ''United States Agency for International Development—Funds Appropriated to the President—Civilian Stabilization Initiative'' in prior Acts making appropriations for the Department of State, foreign operations, and related programs, $30,000,000 is rescinded.

(c) Section 3002 shall not apply to the amounts in this section.

(RESCISSION)

SEC. 4168. Of the unobligated balances available under the heading ''Capital Investment Fund'' in title XI of division A of Public Law 111-5, $40,000,000 is rescinded.

(RESCISSION)

SEC. 4169. Of the unobligated balances of funds made available under section 108(b) of Public Law 101–100, as added by Public Law 101–130, to the Emergency Fund authorized by section 125 of title 23, United States Code, $10,893,687 is rescinded: *Provided*, That section 3002 shall not apply to the amount in this section.

(RESCISSIONS)

SEC. 4170. There are rescinded the following amounts from the specified accounts:

(1) ''Department of Transportation—Federal Aviation Administration—Facilities and Equipment'', $2,182,544, to be derived from unobligated balances made available under this heading in Public Law 108–324.

(2) ''Department of Transportation—Federal Aviation Administration—Facilities and Equipment'', $5,705,750, to be derived from unobligated balances made available under this heading in Public Law 109–148.

(3) ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'', $111,602,923, to be derived from unobligated balances made available under this heading in chapter 10 of title I of division B of Public Law 110–329.

SEC. 4171. The item relating to ''Federal Housing Administration—General and Special Risk Program Account'' in title II of division A of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3091) is amended by striking ''$15,000,000,000'' and inserting ''$20,000,000,000'': *Provided*, That section 3002 shall not apply to the amount in this section.

SEC. 4172. Section 1117(d) of the Transportation Equity Act for the 21st Century (112

Stat. 161) is repealed and the designation made by that section shall no longer be effective.

(RESCISSION)

SEC. 4173. Of the unobligated balances of contract authority apportioned to each State for the programs listed in section 105(a)(2) of title 23, United States Code (except the equity bonus program under section 105 of such title and the high priority projects program under section 117 of such title), $2,200,000,000 is permanently rescinded: *Provided*, That such rescission shall be distributed within each State among all programs for which funds were apportioned for fiscal year 2009 and to which the rescission applies, to the extent sufficient funds remain available for obligation, in the ratio that the amount of funds apportioned for each such program for such fiscal year, bears to the amount of funds apportioned for all such programs for such fiscal year: *Provided further*, That funds set aside under sections 133(d)(2) and 133(d)(3) of title 23, United States Code, shall be treated as being apportioned for the purposes of this section: *Provided further*, That section 1132 of Public Law 110–140 shall not apply to the rescission under this section: *Provided further*, That section 3002 shall not apply to the amount in this section.

(RESCISSION)

SEC. 4174. Of the unobligated balances of funds under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' made available by section 159 of Public Law 110–92, as added by division B of Public Law 110–116, $400,000,000 is rescinded.

## CHAPTER 2
## PRESERVE ACCESS TO AFFORDABLE GENERICS ACT

SHORT TITLE

SEC. 4201. This chapter may be cited as the ''Preserve Access to Affordable Generics Act''.

UNLAWFUL COMPENSATION FOR DELAY

SEC. 4202. (a) IN GENERAL.—The Federal Trade Commission Act (15 U.S.C. 44 et seq.) is amended—

(1) by redesignating section 28 as section 29; and

(2) by inserting before section 29, as redesignated, the following:

**''SEC. 28. PRESERVING ACCESS TO AFFORDABLE GENERICS.**

''(a) IN GENERAL.—

''(1) ENFORCEMENT PROCEEDING.—The Federal Trade Commission may initiate a proceeding to enforce the provisions of this section against the parties to any agreement resolving or settling, on a final or interim basis, a patent infringement claim, in connection with the sale of a drug product.

''(2) PRESUMPTION.—

''(A) IN GENERAL.—Subject to subparagraph (B), in such a proceeding, an agreement shall be presumed to have anticompetitive effects and be unlawful if—

''(i) an ANDA filer receives anything of value; and

''(ii) the ANDA filer agrees to limit or forego research, development, manufacturing, marketing, or sales of the ANDA product for any period of time.

''(B) EXCEPTION.—The presumption in subparagraph (A) shall not apply if the parties to such agreement demonstrate by clear and convincing evidence that the procompetitive benefits of the agreement outweigh the anticompetitive effects of the agreement.

''(b) COMPETITIVE FACTORS.—In determining whether the settling parties have met their burden under subsection (a)(2)(B), the fact finder shall consider—

''(1) the length of time remaining until the end of the life of the relevant patent, compared with the agreed upon entry date for the ANDA product;

''(2) the value to consumers of the competition from the ANDA product allowed under the agreement;

''(3) the form and amount of consideration received by the ANDA filer in the agreement resolving or settling the patent infringement claim;

''(4) the revenue the ANDA filer would have received by winning the patent litigation;

''(5) the reduction in the NDA holder's revenues if it had lost the patent litigation;

''(6) the time period between the date of the agreement conveying value to the ANDA filer and the date of the settlement of the patent infringement claim; and

''(7) any other factor that the fact finder, in its discretion, deems relevant to its determination of competitive effects under this subsection.

''(c) LIMITATIONS.—In determining whether the settling parties have met their burden under subsection (a)(2)(B), the fact finder shall not presume—

''(1) that entry would not have occurred until the expiration of the relevant patent or statutory exclusivity; or

''(2) that the agreement's provision for entry of the ANDA product prior to the expiration of the relevant patent or statutory exclusivity means that the agreement is procompetitive, although such evidence may be relevant to the fact finder's determination under this section.

''(d) EXCLUSIONS.—Nothing in this section shall prohibit a resolution or settlement of a patent infringement claim in which the consideration granted by the NDA holder to the ANDA filer as part of the resolution or settlement includes only one or more of the following:

''(1) The right to market the ANDA product in the United States prior to the expiration of—

''(A) any patent that is the basis for the patent infringement claim; or

''(B) any patent right or other statutory exclusivity that would prevent the marketing of such drug.

''(2) A payment for reasonable litigation expenses not to exceed $7,500,000.

''(3) A covenant not to sue on any claim that the ANDA product infringes a United States patent.

''(e) REGULATIONS AND ENFORCEMENT.—

''(1) REGULATIONS.—The Federal Trade Commission may issue, in accordance with section 553 of title 5, United States Code, regulations implementing and interpreting this section. These regulations may exempt certain types of agreements described in subsection (a) if the Commission determines such agreements will further market competition and benefit consumers. Judicial review of any such regulation shall be in the United States District Court for the District of Columbia pursuant to section 706 of title 5, United States Code.

''(2) ENFORCEMENT.—A violation of this section shall be treated as a violation of section 5.

''(3) JUDICIAL REVIEW.—Any person, partnership or corporation that is subject to a final order of the Commission, issued in an administrative adjudicative proceeding under the authority of subsection (a)(1), may, within 30 days of the issuance of such order, petition for review of such order in the United States Court of Appeals for the District of Columbia Circuit or the United States Court of Appeals for the circuit in which the ultimate parent entity, as defined at 16 C.F.R. 801.1(a)(3), of the NDA holder is incorporated as of the date that the NDA is filed with the Secretary of the Food and Drug Administration, or the United States Court of Appeals for the circuit in which the ultimate parent entity of the ANDA filer is incorporated as of the date that the ANDA is filed with the Secretary of the Food and Drug Administration. In such a review proceeding, the findings of the Commission as to the facts, if supported by evidence, shall be conclusive.

''(f) ANTITRUST LAWS.—Nothing in this section shall be construed to modify, impair, or supersede the applicability of the antitrust laws as defined in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)) and of section 5 of this Act to the extent that section 5 applies to unfair methods of competition. Nothing in this section shall modify, impair, limit or supersede the right of an ANDA filer to assert claims or counterclaims against any person, under the antitrust laws or other laws relating to unfair competition.

''(g) PENALTIES.—

''(1) FORFEITURE.—Each person, partnership or corporation that violates or assists in the violation of this section shall forfeit and pay to the United States a civil penalty sufficient to deter violations of this section, but in no event greater than 3 times the value received by the party that is reasonably attributable to a violation of this section. If no such value has been received by the NDA holder, the penalty to the NDA holder shall be shall be sufficient to deter violations, but in no event greater than 3 times the value given to the ANDA filer reasonably attributable to the violation of this section. Such penalty shall accrue to the United States and may be recovered in a civil action brought by the Federal Trade Commission, in its own name by any of its attorneys designated by it for such purpose, in a district court of the United States against any person, partnership or corporation that violates this section. In such actions, the United States district courts are empowered to grant mandatory injunctions and such other and further equitable relief as they deem appropriate.

''(2) CEASE AND DESIST.—

''(A) IN GENERAL.—If the Commission has issued a cease and desist order with respect to a person, partnership or corporation in an administrative adjudicative proceeding under the authority of subsection (a)(1), an action brought pursuant to paragraph (1) may be commenced against such person, partnership or corporation at any time before the expiration of 1 year after such order becomes final pursuant to section 5(g).

''(B) EXCEPTION.—In an action under subparagraph (A), the findings of the Commission as to the material facts in the administrative adjudicative proceeding with respect to such person's, partnership's or corporation's violation of this section shall be conclusive unless—

''(i) the terms of such cease and desist order expressly provide that the Commission's findings shall not be conclusive; or

''(ii) the order became final by reason of section 5(g)(1), in which case such finding shall be conclusive if supported by evidence.

''(3) CIVIL PENALTY.—In determining the amount of the civil penalty described in this section, the court shall take into account—

''(A) the nature, circumstances, extent, and gravity of the violation;

''(B) with respect to the violator, the degree of culpability, any history of violations, the ability to pay, any effect on the ability to continue doing business, profits earned by the NDA holder, compensation received by the ANDA filer, and the amount of commerce affected; and

''(C) other matters that justice requires.

''(4) REMEDIES IN ADDITION.—Remedies provided in this subsection are in addition to,

and not in lieu of, any other remedy provided by Federal law. Nothing in this paragraph shall be construed to affect any authority of the Commission under any other provision of law.

''(h) DEFINITIONS.—In this section:

''(1) AGREEMENT.—The term 'agreement' means anything that would constitute an agreement under section 1 of the Sherman Act (15 U.S.C. 1) or section 5 of this Act.

''(2) AGREEMENT RESOLVING OR SETTLING A PATENT INFRINGEMENT CLAIM.—The term 'agreement resolving or settling a patent infringement claim' includes any agreement that is entered into within 30 days of the resolution or the settlement of the claim, or any other agreement that is contingent upon, provides a contingent condition for, or is otherwise related to the resolution or settlement of the claim.

''(3) ANDA.—The term 'ANDA' means an abbreviated new drug application, as defined under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)).

''(4) ANDA FILER.—The term 'ANDA filer' means a party who has filed an ANDA with the Food and Drug Administration.

''(5) ANDA PRODUCT.—The term 'ANDA product' means the product to be manufactured under the ANDA that is the subject of the patent infringement claim.

''(6) DRUG PRODUCT.—The term 'drug product' means a finished dosage form (e.g., tablet, capsule, or solution) that contains a drug substance, generally, but not necessarily, in association with 1 or more other ingredients, as defined in section 314.3(b) of title 21, Code of Federal Regulations.

''(7) NDA.—The term 'NDA' means a new drug application, as defined under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)).

''(8) NDA HOLDER.—The term 'NDA holder' means—

''(A) the party that received FDA approval to market a drug product pursuant to an NDA;

''(B) a party owning or controlling enforcement of the patent listed in the Approved Drug Products With Therapeutic Equivalence Evaluations (commonly known as the 'FDA Orange Book') in connection with the NDA; or

''(C) the predecessors, subsidiaries, divisions, groups, and affiliates controlled by, controlling, or under common control with any of the entities described in subparagraphs (A) and (B) (such control to be presumed by direct or indirect share ownership of 50 percent or greater), as well as the licensees, licensors, successors, and assigns of each of the entities.

''(9) PATENT INFRINGEMENT.—The term 'patent infringement' means infringement of any patent or of any filed patent application, extension, reissue, renewal, division, continuation, continuation in part, reexamination, patent term restoration, patents of addition and extensions thereof.

''(10) PATENT INFRINGEMENT CLAIM.—The term 'patent infringement claim' means any allegation made to an ANDA filer, whether or not included in a complaint filed with a court of law, that its ANDA or ANDA product may infringe any patent held by, or exclusively licensed to, the NDA holder of the drug product.

''(11) STATUTORY EXCLUSIVITY.—The term 'statutory exclusivity' means those prohibitions on the approval of drug applications under clauses (ii) through (iv) of section 505(c)(3)(E) (5- and 3-year data exclusivity), section 527 (orphan drug exclusivity), or section 505A (pediatric exclusivity) of the Federal Food, Drug, and Cosmetic Act .''.

(b) EFFECTIVE DATE.—Section 28 of the Federal Trade Commission Act, as added by this section, shall apply to all agreements described in section 28(a)(1) of that Act entered into after November 15, 2009. Section 28(g) of the Federal Trade Commission Act, as added by this section, shall not apply to agreements entered into before the date of enactment of this chapter.

NOTICE AND CERTIFICATION OF AGREEMENTS

SEC. 4203. (a) NOTICE OF ALL AGREEMENTS.—Section 1112(c)(2) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (21 U.S.C. 355 note) is amended—

(1) by striking ''the Commission the'' and inserting the following: ''the Commission—

''(1) the'';

(2) by striking the period and inserting ''; and''; and

(3) by inserting at the end the following:

''(2) any other agreement the parties enter into within 30 days of entering into an agreement covered by subsection (a) or (b).''.

(b) CERTIFICATION OF AGREEMENTS.—Section 1112 of such Act is amended by adding at the end the following:

''(d) CERTIFICATION.—The Chief Executive Officer or the company official responsible for negotiating any agreement required to be filed under subsection (a), (b), or (c) shall execute and file with the Assistant Attorney General and the Commission a certification as follows: 'I declare that the following is true, correct, and complete to the best of my knowledge: The materials filed with the Federal Trade Commission and the Department of Justice under section 1112 of subtitle B of title XI of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, with respect to the agreement referenced in this certification: (1) represent the complete, final, and exclusive agreement between the parties; (2) include any ancillary agreements that are contingent upon, provide a contingent condition for, or are otherwise related to, the referenced agreement; and (3) include written descriptions of any oral agreements, representations, commitments, or promises between the parties that are responsive to subsection (a) or (b) of such section 1112 and have not been reduced to writing.'.''.

FORFEITURE OF 180-DAY EXCLUSIVITY PERIOD

SEC. 4204. Section 505(j)(5)(D)(i)(V) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 355(j)(5)(D)(i)(V)) is amended by inserting ''section 28 of the Federal Trade Commission Act or'' after ''that the agreement has violated''.

COMMISSION LITIGATION AUTHORITY

SEC. 4205. Section 16(a)(2) of the Federal Trade Commission Act (15 U.S.C. 56(a)(2)) is amended—

(1) in subparagraph (D), by striking ''or'' after the semicolon;

(2) in subparagraph (E), by inserting ''or'' after the semicolon; and

(3) by inserting after subparagraph (E) the following:

''(F) under section 28;''.

STATUTE OF LIMITATIONS

SEC. 4206. The Commission shall commence any enforcement proceeding described in section 28 of the Federal Trade Commission Act, as added by section 3202, except for an action described in section 28(g)(2) of the Federal Trade Commission Act, not later than 3 years after the date on which the parties to the agreement file the Notice of Agreement as provided by section 1112(c) of the Medicare Prescription Drug Improvement and Modernization Act of 2003 (21 U.S.C. 355 note).

SEVERABILITY

SEC. 4207. If any provision of this chapter, an amendment made by this chapter, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this chapter, the amendments made by this chapter, and the application of the provisions of such chapter or amendments to any person or circumstance shall not be affected thereby.

CHAPTER 3

COMPUTATION OF MEDICAID AVERAGE MANUFACTURER PRICE

COMPUTATION OF MEDICAID AVERAGE MANUFACTURER PRICE (AMP) FOR DRUGS NOT DISPENSED THROUGH RETAIL COMMUNITY PHARMACIES

SEC. 4301. (a) IN GENERAL.—Section 1927(k)(1)(B)(i)(IV) of the Social Security Act (42 U.S.C. 1396r–8(k)(1)(B)(i)(IV)), as amended by section 2503(a)(2)(B) of the Patient Protection and Affordable Care Act (Public Law 111–148) and by section 1102(c)(2) of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), is amended by inserting after ''retail community pharmacy'' the following: '', except that in the case of an inhalation, infusion, or injectable drug that is not dispensed through a retail community pharmacy, the exclusion under this subclause shall not apply to payments received from, and rebates and discounts provided to, distributors or hospitals, clinics, doctors, and other entities directly dispensing the drug; and''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 2503 of Public Law 111–148.

CHAPTER 4

PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT

SHORT TITLE

SEC. 4401. This chapter may be cited as the ''Public Safety Employer-Employee Cooperation Act of 2010''.

DECLARATION OF PURPOSE AND POLICY

SEC. 4402. The Congress declares that the following is the policy of the United States:

(1) Labor-management relationships and partnerships are based on trust, mutual respect, open communication, bilateral consensual problem solving, and shared accountability. Labor-management cooperation fully utilizes the strengths of both parties to best serve the interests of the public, operating as a team, to carry out the public safety mission in a quality work environment. In many public safety agencies, it is the union that provides the institutional stability as elected leaders and appointees come and go.

(2) State and local public safety officers play an essential role in the efforts of the United States to detect, prevent, and respond to terrorist attacks, and to respond to natural disasters, hazardous materials, and other mass casualty incidents. State and local public safety officers, as first responders, are a component of our Nation's National Incident Management System, developed by the Department of Homeland Security to coordinate response to and recovery from terrorism, major natural disasters, and other major emergencies. Public safety employer-employee cooperation is essential in meeting these needs and is, therefore, in the National interest.

(3) The Federal Government needs to encourage conciliation, mediation, and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions, and to make all reasonable efforts through negotiations to settle their differences by mutual agreement reached through collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes.

(4) The absence of adequate cooperation between public safety employers and employees has implications for the security of employees and can affect interstate and intrastate commerce. The lack of such labor-management cooperation can detrimentally impact the upgrading of police and fire services of local communities, the health and well-being of public safety officers, and the morale of the fire and police departments. Additionally, these factors could have significant commercial repercussions. Moreover, providing minimal standards for collective bargaining negotiations in the public safety sector can prevent industrial strife between labor and management that interferes with the normal flow of commerce.

(5) Many States and localities already provide public safety officers with collective bargaining rights comparable to or greater than the rights and responsibilities set forth in this chapter, and such State and local laws should be respected.

DEFINITIONS

SEC. 4403. In this chapter:

(1) AUTHORITY.—The term ''Authority'' means the Federal Labor Relations Authority.

(2) CONFIDENTIAL EMPLOYEE.—The term ''confidential employee'' has the meaning given such term under applicable State law on the date of enactment of this Act. If no such State law is in effect, the term means an individual, employed by a public safety employer, who—

(A) is designated as confidential; and

(B) is an individual who routinely assists, in a confidential capacity, supervisory employees and management employees.

(3) EMERGENCY MEDICAL SERVICES PERSONNEL.—The term ''emergency medical services personnel'' means an individual who provides out-of-hospital emergency medical care, including an emergency medical technician, paramedic, or first responder.

(4) EMPLOYER; PUBLIC SAFETY AGENCY.—The terms ''employer'' and ''public safety agency'' mean any State, or political subdivision of a State, that employs public safety officers.

(5) FIREFIGHTER.—The term ''firefighter'' has the meaning given the term ''employee engaged in fire protection activities'' in section 3(y) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(y)).

(6) LABOR ORGANIZATION.—The term ''labor organization'' means an organization composed in whole or in part of employees, in which employees participate, and which represents such employees before public safety agencies concerning grievances, conditions of employment, and related matters.

(7) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' has the meaning given such term in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b).

(8) MANAGEMENT EMPLOYEE.—The term ''management employee'' has the meaning given such term under applicable State law in effect on the date of enactment of this Act. If no such State law is in effect, the term means an individual employed by a public safety employer in a position that requires or authorizes the individual to formulate, determine, or influence the policies of the employer.

(9) PERSON.—The term ''person'' means an individual or a labor organization.

(10) PUBLIC SAFETY OFFICER.—The term ''public safety officer''—

(A) means an employee of a public safety agency who is a law enforcement officer, a firefighter, or an emergency medical services personnel;

(B) includes an individual who is temporarily transferred to a supervisory or management position; and

(C) does not include a permanent supervisory, management, or confidential employee.

(11) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, and any territory or possession of the United States.

(12) SUBSTANTIALLY PROVIDES.—The term ''substantially provides'', when used with respect to the rights and responsibilities described in section 3404(b), means compliance with each right and responsibility described in such section.

(13) SUPERVISORY EMPLOYEE.—The term ''supervisory employee'' has the meaning given such term under applicable State law in effect on the date of enactment of this Act. If no such State law is in effect, the term means an individual, employed by a public safety employer, who—

(A) has the authority in the interest of the employer to hire, direct, assign, promote, reward, transfer, furlough, lay off, recall, suspend, discipline, or remove public safety officers, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment; and

(B) devotes a majority of time at work to exercising such authority.

DETERMINATION OF RIGHTS AND RESPONSIBILITIES

SEC. 4404. (a) DETERMINATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Authority shall make a determination as to whether a State substantially provides for the rights and responsibilities described in subsection (b).

(2) CONSIDERATION OF ADDITIONAL OPINIONS.—In making the determination described in paragraph (1), the Authority shall consider the opinions of affected employers and labor organizations. In the case where the Authority is notified by an affected employer and labor organization that both parties agree that the law applicable to such employer and labor organization substantially provides for the rights and responsibilities described in subsection (b), the Authority shall give such agreement weight to the maximum extent practicable in making the Authority's determination under this subsection.

(3) LIMITED CRITERIA.—In making the determination described in paragraph (1), the Authority shall be limited to the application of the criteria described in subsection (b) and shall not require any additional criteria.

(4) SUBSEQUENT DETERMINATIONS.—

(A) IN GENERAL.—A determination made pursuant to paragraph (1) shall remain in effect unless and until the Authority issues a subsequent determination, in accordance with the procedures set forth in subparagraph (B).

(B) PROCEDURES FOR SUBSEQUENT DETERMINATIONS.—Upon establishing that a material change in State law or its interpretation has occurred, an employer or a labor organization may submit a written request for a subsequent determination. If satisfied that a material change in State law or its interpretation has occurred, the Authority shall issue a subsequent determination not later than 30 days after receipt of such request.

(5) JUDICIAL REVIEW.—Any person or employer aggrieved by a determination of the Authority under this section may, during the 60-day period beginning on the date on which the determination was made, petition any United States Court of Appeals in the circuit in which the person or employer resides or transacts business or in the District of Columbia circuit, for judicial review. In any judicial review of a determination by the Authority, the procedures contained in subsections (c) and (d) of section 7123 of title 5, United States Code, shall be followed.

(b) RIGHTS AND RESPONSIBILITIES.—In making a determination described in subsection (a), the Authority shall consider a State's law to substantially provide the required rights and responsibilities unless such law fails to provide rights and responsibilities comparable to or greater than the following:

(1) Granting public safety officers the right to form and join a labor organization, which may exclude management employees, supervisory employees, and confidential employees, that is, or seeks to be, recognized as the exclusive bargaining representative of such employees.

(2) Requiring public safety employers to recognize the employees' labor organization (freely chosen by a majority of the employees), to agree to bargain with the labor organization, and to commit any agreements to writing in a contract or memorandum of understanding.

(3) Providing for the right to bargain over hours, wages, and terms and conditions of employment.

(4) Making available an interest impasse resolution mechanism, such as fact-finding, mediation, arbitration, or comparable procedures.

(5) Requiring enforcement of all rights, responsibilities, and protections provided by State law and enumerated in this section, and of any written contract or memorandum of understanding between a labor organization and a public safety employer, through—

(A) a State administrative agency, if the State so chooses; and

(B) at the election of an aggrieved party, the State courts.

(c) COMPLIANCE WITH REQUIREMENTS.—If the Authority determines, acting pursuant to its authority under subsection (a), that a State substantially provides rights and responsibilities described in subsection (b), then this chapter shall not preempt State law.

(d) FAILURE TO MEET REQUIREMENTS.—

(1) IN GENERAL.—If the Authority determines, acting pursuant to its authority under subsection (a), that a State does not substantially provide for the rights and responsibilities described in subsection (b), then such State shall be subject to the regulations and procedures described in section 3405 beginning on the later of—

(A) the date that is 2 years after the date of enactment of this Act;

(B) the date that is the last day of the first regular session of the legislature of the State that begins after the date of the enactment of this Act; or

(C) in the case of a State receiving a subsequent determination under subsection (a)(4), the date that is the last day of the first regular session of the legislature of the State that begins after the date the Authority made the determination.

(2) PARTIAL FAILURE.—If the Authority makes a determination that a State does not substantially provide for the rights and responsibilities described in subsection (b) solely because the State law substantially provides for such rights and responsibilities for certain categories of public safety officers covered by this chapter but not others, the Authority shall identify those categories of public safety officers that shall be subject to the regulations and procedures described in section 4405, pursuant to section 4408(b)(3) and beginning on the appropriate date described in paragraph (1), and those categories of public safety officers that shall remain subject to State law.

ROLE OF FEDERAL LABOR RELATIONS AUTHORITY

SEC. 4405. (a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Authority shall issue regulations in accordance with the rights and responsibilities described in section 4404(b) establishing collective bargaining procedures for employers and public safety officers in States which the Authority has determined, acting pursuant to section 4404(a), do not substantially provide for such rights and responsibilities.

(b) ROLE OF THE FEDERAL LABOR RELATIONS AUTHORITY.—The Authority, to the extent provided in this chapter and in accordance with regulations prescribed by the Authority, shall—

(1) determine the appropriateness of units for labor organization representation;

(2) supervise or conduct elections to determine whether a labor organization has been selected as an exclusive representative by a voting majority of the employees in an appropriate unit;

(3) resolve issues relating to the duty to bargain in good faith;

(4) conduct hearings and resolve complaints of unfair labor practices;

(5) resolve exceptions to the awards of arbitrators;

(6) protect the right of each employee to form, join, or assist any labor organization, or to refrain from any such activity, freely and without fear of penalty or reprisal, and protect each employee in the exercise of such right; and

(7) take such other actions as are necessary and appropriate to effectively administer this chapter, including issuing subpoenas requiring the attendance and testimony of witnesses and the production of documentary or other evidence from any place in the United States, and administering oaths, taking or ordering the taking of depositions, ordering responses to written interrogatories, and receiving and examining witnesses.

(c) ENFORCEMENT.—

(1) AUTHORITY TO PETITION COURT.—The Authority may petition any United States Court of Appeals with jurisdiction over the parties, or the United States Court of Appeals for the District of Columbia Circuit, to enforce any final orders under this section, and for appropriate temporary relief or a restraining order. Any petition under this section shall be conducted in accordance with subsections (c) and (d) of section 7123 of title 5, United States Code.

(2) PRIVATE RIGHT OF ACTION.—Unless the Authority has filed a petition for enforcement as provided in paragraph (1), any party has the right to file suit in any appropriate district court of the United States to enforce compliance with the regulations issued by the Authority pursuant to subsection (b), and to enforce compliance with any order issued by the Authority pursuant to this section. The right provided by this subsection to bring a suit to enforce compliance with any order issued by the Authority pursuant to this section shall terminate upon the filing of a petition seeking the same relief by the Authority.

STRIKES AND LOCKOUTS PROHIBITED

SEC. 4406. (a) IN GENERAL.—Subject to subsection (b), an employer, public safety officer, or labor organization may not engage in a lockout, sickout, work slowdown, strike, or any other organized job action that will measurably disrupt the delivery of emergency services and is designed to compel an employer, public safety officer, or labor organization to agree to the terms of a proposed contract.

(b) NO PREEMPTION.—Nothing in this section shall be construed to preempt any law of any State or political subdivision of any State with respect to strikes by public safety officers.

EXISTING COLLECTIVE BARGAINING UNITS AND AGREEMENTS

SEC. 4407. A certification, recognition, election-held, collective bargaining agreement or memorandum of understanding which has been issued, approved, or ratified by any public employee relations board or commission or by any State or political subdivision or its agents (management officials) and is in effect on the day before the date of enactment of this Act shall not be invalidated by the enactment of this Act.

CONSTRUCTION AND COMPLIANCE

SEC. 4408. (a) CONSTRUCTION.—Nothing in this chapter shall be construed—

(1) to preempt or limit the remedies, rights, and procedures of any law of any State or political subdivision of any State that provides greater or comparable rights and responsibilities than the rights and responsibilities described in section 4404(b);

(2) to prevent a State from enforcing a right-to-work law that prohibits employers and labor organizations from negotiating provisions in a labor agreement that require union membership or payment of union fees as a condition of employment;

(3) to preempt or limit any State law in effect on the date of enactment of this Act that provides for the rights and responsibilities described in section 4404(b) solely because such State law permits an employee to appear on the employee's own behalf with respect to the employee's employment relations with the public safety agency involved;

(4) to preempt or limit any State law in effect on the date of enactment of this Act that provides for the rights and responsibilities described in section 4404(b) solely because such State law excludes from its coverage employees of a State militia or national guard;

(5) to permit parties in States subject to the regulations and procedures described in section 4405 to negotiate provisions that would prohibit an employee from engaging in part-time employment or volunteer activities during off-duty hours;

(6) to prohibit a State from exempting from coverage under this chapter a political subdivision of the State that has a population of less than 5,000 or that employs less than 25 full-time employees; or

(7) to preempt or limit the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4404(b) solely because such law or ordinance does not require bargaining with respect to pension, retirement, or health benefits.

For purposes of paragraph (6), the term ''employee'' includes each and every individual employed by the political subdivision except any individual elected by popular vote or appointed to serve on a board or commission.

(b) COMPLIANCE.—

(1) ACTIONS OF STATES.—Nothing in this chapter or the regulations promulgated under this chapter shall be construed to require a State to rescind or preempt the laws or ordinances of any of the State's political subdivisions if such laws provide rights and responsibilities for public safety officers that are comparable to or greater than the rights and responsibilities described in section 4404(b).

(2) ACTIONS OF THE AUTHORITY.—Nothing in this chapter or the regulations promulgated under this chapter shall be construed to preempt—

(A) the laws or ordinances of any State or political subdivision of a State, if such laws provide collective bargaining rights for public safety officers that are comparable to or greater than the rights enumerated in section 4404(b);

(B) the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4404(b) with respect to certain categories of public safety officers covered by this Act solely because such rights and responsibilities have not been extended to other categories of public safety officers covered by this chapter; or

(C) the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4404(b), solely because such laws or ordinances provide that a contract or memorandum of understanding between a public safety employer and a labor organization must be presented to a legislative body as part of the process for approving such contract or memorandum of understanding.

(3) LIMITED ENFORCEMENT POWER.—In the case of a law described in paragraph (2)(B), the Authority shall only exercise the powers provided in section 4405 with respect to those categories of public safety officers who have not been afforded the rights and responsibilities described in section 4404(b).

(4) EXCLUSIVE ENFORCEMENT PROVISION.—Notwithstanding any other provision of the chapter, and in the absence of a waiver of a State's sovereign immunity, the Authority shall have the exclusive power to enforce the provisions of this chapter with respect to employees of a State.

AUTHORIZATION OF APPROPRIATIONS

SEC. 4409. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter.

CHAPTER 5

PROGRAM INTEGRITY INITIATIVES

DEPARTMENT OF THE TREASURY

INTERNAL REVENUE SERVICE

ENFORCEMENT

For an additional amount for ''Enforcement'', $245,000,000, to remain available through September 30, 2011, for additional and enhanced tax enforcement activities: *Provided*, That section 3002 shall not apply to the amount under this heading.

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For an additional amount for ''State Unemployment Insurance and Employment Service Operations'', $5,000,000, to be expended from the Employment Security Administration Account of the Unemployment Trust Fund and remain available through September 30, 2011, to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews: *Provided*, That section 3002 shall not apply to the amount under this heading.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

For an additional amount for ''Health Care Fraud and Abuse Control Account'', $250,000,000, to remain available through September 30, 2012, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which $124,747,000 shall be for Centers for Medicare and Medicaid Services Program Integrity Activities, including administrative costs, to conduct oversight activities for Medicare Advantage and the Medicare Prescription Drug Program authorized in title XVIII of the Social Security Act, for activities listed

in section 1893 of such Act, and for Medicaid and Children's Health Insurance Program program integrity activities; of which $65,040,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act; and of which $60,213,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: *Provided*, That section 3002 shall not apply to the amounts under this heading.

RELATED AGENCIES

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

For an additional amount for ''Limitation on Administrative Expenses'', $38,000,000, to remain available through September 30, 2011, for the cost associated with conducting continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act: *Provided*, That section 3002 shall not apply to the amount under this heading.

CHAPTER 6

GENERAL PROVISIONS—THIS TITLE

SEC. 4601. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency, or other entity, to carry out criminal investigation, prosecution, or adjudication activities.

SEC. 4602. (a) STATUTORY PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.

(b) EXCLUSION FROM PAYGO.—

(1) Savings in this Act that would be subject to inclusion in the Statutory Pay-As-You-Go scorecards are providing an offset to increased discretionary spending. As such, they should not be available on the scorecards maintained by the Office of Management and Budget to provide offsets for future legislation.

(2) The Director of the Office of Management and Budget shall not include any net savings resulting from the changes in direct spending or revenues contained in this Act on the scorecards required to be maintained by OMB under the Statutory Pay-As-You-Go Act of 2010.

AMENDMENT NO. 3

Page 8, strike line 3 and all that follows through page 9, line 6.

Page 9, line 10, strike ''$11,719,927,000, of which $218,300,000'' and insert ''$218,300,000, which''.

Page 9, line 18, strike ''$2,735,194,000, of which $187,600,000'' and insert ''$187,600,000, which''.

Page 10, line 3, strike ''$829,326,000, of which $30,700,000'' and insert ''$30,700,000, which''.

Page 10, line 11, strike ''$3,835,095,000, of which $218,400,000'' and insert ''$218,400,000, which''.

Page 10, beginning on line 20, strike ''$1,236,727,000: *Provided*, That up to $50,000,000, to remain available until expended,'' and insert ''$50,000,000, to remain available until expended: *Provided*, That such amount''.

Page 11, strike line 22 and all that follows through page 18, line 18.

Page 18, strike line 20, and all that follows through page 19, line 18.

Page 19, line 19, strike ''304.'' and insert ''301.''.

Page 20, line 3, strike ''305.'' and insert ''302.''.

Page 20, line 8, strike ''306.'' and insert ''303.''.

Page 20, line 18, strike ''307.'' and insert ''304.''.

Page 21, line 3, strike ''308.'' and insert ''305.''.

Page 38, strike lines 4 through 22.

Page 41, strike lines 6 through 16.

Page 42, strike lines 8 through 12.

Page 43, strike lines 22 through 25.

Page 45, strike lines 3 through 19.

Page 48, line 8, strike the dollar amount and all that follows through ''available'' on page 49, line 3 and insert ''$175,000,000, to remain available until September 30, 2012,''.

Page 49, line 20, after the first comma, strike the dollar amount and all that follows through ''available'' on line 23 and insert ''$50,000,000, to remain available until September 30, 2012,''.

Page 52, strike line 3 and all that follows through page 58, line 20.

Page 58, line 22, strike ''1007.'' and insert ''1004.''.

Page 61, line 13, strike ''1008.'' and insert ''1005.''.

Page 62, line 15, strike ''1009.'' and insert ''1006.''.

Page 64, line 14, strike ''1010.'' and insert ''1007.''.

Page 66, line 10, strike ''1011.'' and insert ''1008.''.

Page 66, line 16, strike ''1012.'' and insert ''1009.''.

Page 66, line 23, strike ''1013.'' and insert ''1010.''.

Page 67, line 13, strike ''1014.'' and insert ''1011.''.

Page 67, line 21, strike ''1015.'' and insert ''1012.''.

Page 68, line 21, strike ''Iraq, Pakistan, Afghanistan, and''.

Page 68, line 23, strike ''those countries'' and insert ''that country''.

Page 69, strike line 8 and all that follows through page 70, line 18.

AMENDMENT NO. 4

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

SEC. ____. (a) LIMITATION.—Funds appropriated in this Act for the continued military operations of the Armed Forces in Afghanistan may be obligated and expended within Afghanistan only for the purposes of—

(1) providing for the continued protection of members of the Armed Forces and civilian and contractor personnel of the Federal Government who are in Afghanistan; and

(2) beginning the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan.

(b) CLARIFICATION.—Nothing in subsection (a) shall be construed to prohibit or otherwise restrict the use of funds available to any department or agency of the United States to carry out diplomatic efforts or humanitarian activities in Afghanistan, including security related to such efforts and activities.

AMENDMENT NO. 5

Page 22, after line 16, insert the following:

SEC. 309. (a) FINDINGS REGARDING SECURITY AND STABILITY CONDITIONS IN AFGHANISTAN.—Since the last national intelligence estimate on conditions in Afghanistan, there have been fundamental changes in the conditions in that country, and fundamental changes in the United States military and diplomatic strategy toward that country, including—

(1) the August 2009 elections in Afghanistan;

(2) the strategy announced by the President in December 2009 to guide United States military operations, including a commitment to begin redeployment of troops out of Afghanistan by July 2011;

(3) the tactics employed by the United States, which emphasize counterinsurgency military operations and increasing civilian participation;

(4) the level of United States forces deployed to Afghanistan; and

(5) the continuing development of Afghanistan's security forces, including the Afghan National Army and the Afghan National Police.

(b) REPORT.—Not later than January 31, 2011, the Director of National Intelligence shall submit to the President and the Congress a new national intelligence estimate on security and stability in Afghanistan and Pakistan, which shall include—

(1) an assessment of the ability, performance, intent, and commitment of the Government of Afghanistan to work with the United States to implement the strategy announced in December 2009;

(2) an assessment of the ability, performance, intent, and commitment of the Government of Pakistan to work with the United States to implement the strategy announced in December 2009;

(3) an assessment of the security forces of Afghanistan and Pakistan, including their ability to maintain security in areas where they are deployed, and an assessment of the timing of full deployment as envisioned by the December 2009 strategy;

(4) an assessment of whether continuing United States military presence in Afghanistan contributes to Afghan and Pakistani support for, or sympathy toward, the Taliban, al Qaeda, or other insurgents;

(5) an assessment of the effect of continuing United States military presence on the strength of al Qaeda and other terrorist organizations in Afghanistan and neighboring countries, including those in the United States Central Command and United States Africa Command areas of responsibility; and

(6) an assessment of the effect of the continuing United States military presence on the ability of al Qaeda and related terrorist organizations to obtain resources, recruit personnel, and continue operations targeted at the United States and its allies.

(c) PLAN WITH TIMETABLE REQUIRED.—Not later than April 4, 2011, the President shall submit to Congress a plan for the safe, orderly, and expeditious redeployment of the Armed Forces from Afghanistan, including military and security-related contractors, together with a timetable for the completion of that redeployment and information regarding variables that could alter that timetable.

(d) STATUS UPDATES.—Not later than 90 days after the date of the submittal of the plan required by subsection (c), and every 90 days thereafter, the President shall submit to Congress a report setting forth the current status of the plan for redeploying the Armed Forces from Afghanistan.

(e) OVERSIGHT OF CONTRACTORS ENGAGED IN ACTIVITIES RELATING TO AFGHANISTAN.—

(1) RECOMMENDATIONS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Special Inspector General for Afghanistan Reconstruction shall, in consultation with the Inspector General of the

Department of Defense, the Inspector General of the United States Agency for International Development, and the Inspector General of the Department of State—

(A) issue recommendations on measures to increase oversight of contractors engaged in activities relating to Afghanistan that have a record of engaging in waste, fraud, or abuse;

(B) report on the status of efforts of the Department of Defense, the United States Agency for International Development, and the Department of State to implement existing recommendations regarding oversight of such contractors; and

(C) report on the extent to which military and security contractors or subcontractors engaged in activities relating to Afghanistan have been responsible for the deaths of Afghan civilians.

(2) ELEMENTS OF RECOMMENDATIONS.—The recommendations issued under paragraph (1) shall include—

(A) recommendations for reducing the reliance of the United States on—

(i) military and security contractors or subcontractors engaged in activities relating to Afghanistan that have been responsible for the deaths of Afghan civilians; and

(ii) Afghan militias or other armed groups that are not part of the Afghan National Security Forces; and

(B) recommendations for prohibiting the Department of Defense, the Department of State, or the United States Agency for International Development from entering into contracts with contractors engaged in activities relating to Afghanistan that have a record of engaging in waste, fraud, or abuse.

SEC. 310. (a) LIMITATION ON FUNDS.—None of the funds available to the Department of Defense in the Department of Defense Appropriations Act, 2011 may be obligated or expended in a manner that is inconsistent with the President's policy announced on December 1, 2009, to begin the orderly withdrawal of United States troops from Afghanistan after July 1, 2011, unless the Congress approves a joint resolution as specified in subsection (b).

(b) JOINT RESOLUTION.—For purposes of this section, the term ''joint resolution'' means a joint resolution introduced in either House of the Congress after receipt by the Congress of the national intelligence estimate required under section 309 of this Act, the matter after the resolving clause of which is as follows: ''That the Congress approves the obligation and expenditure of funds appropriated in the Department of Defense Appropriations Act, 2011 for United States combat operations in Afghanistan after July 1, 2011, even if the plan submitted on April 4, 2011, is inconsistent with the intention to begin the process of orderly withdrawal of United States troops from such combat operations in Afghanistan.''.

(c) EXPEDITED PROCEDURES IN THE HOUSE.—

(1) A joint resolution in the House of Representatives shall be referred to the Committee on Appropriations.

(2) If the committee has not reported the joint resolution at the end of 20 legislative days after its introduction, the committee shall be discharged from further consideration of the joint resolution, and the joint resolution shall be placed on the appropriate calendar of the House.

(3) When the committee has reported a joint resolution or been discharged from further consideration, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution. The motion is highly privileged in the House. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or not agreed to shall not be in order.

(4) Debate on the joint resolution shall be limited to not more than 9 hours, which shall be divided equally between those favoring and those opposing the joint resolution. An amendment to, or motion to recommit, the joint resolution is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or not agreed to is not in order.

(5) Motions to postpone and motions to proceed to the consideration of other business shall be decided without debate.

(6) Appeals from the decisions of the Chair relating to the application of the rules of the House to the procedure relating to the joint resolution shall be decided without debate.

(d) EXPEDITED PROCEDURES IN THE SENATE.—[To be supplied.]

(e) CONGRESSIONAL RULEMAKING.—Subsections (c) and (d) are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedures to be followed in that House in the case of joint resolutions described in subsection (b), and they supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

SEC. 311. Nothing in section 309 or 310 shall be construed so as to limit or prohibit any authority of the President to—

(1) attack al Qaeda forces wherever they are located;

(2) gather, provide, and share intelligence with allies operating in Afghanistan and Pakistan; or

(3) modify the military strategy and operations of the Armed Forces as such Armed Forces redeploy pursuant to a timetable and strategy developed under section 309(c).

The SPEAKER pro tempore. Pursuant to House Resolution 1500, the motion shall be debatable for 1 hour and 30 minutes, with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; then 30 minutes equally divided and controlled by the gentlewoman from California (Ms. LEE), or her designee, and an opponent; and then 30 minutes equally divided and controlled by the gentleman from Massachusetts (Mr. MCGOVERN), or his designee, and an opponent.

The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the pending legislation.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the underlying bill presented to us by the Senate is, essentially, a bill to provide funding to continue the war activities in Afghanistan. Why, people might ask, are we trying to add this amendment to that proposal?

I would suggest the numbers tell the story. With this bill from the Senate, we will be spending, in this fiscal year, $167 billion on the war in Iraq and Afghanistan. It is obvious to any but the most obtuse that that expenditure is killing our ability to finance a recovery of our own economy.

We tried to deal with that problem in December with a $90 billion economic package. The Senate declined to act on it. We've proposed smaller packages on two occasions since then. About a month ago we offered a $23 billion package aimed primarily at trying to save teachers' jobs, teachers who otherwise are going to be laid off because of the severe economic conditions in virtually every State in the Union, except a few lucky exceptions like North Dakota and South Dakota.

We now bring before the House a bill which reflects what we've been asked to do by a great many Members. It attempts to provide a much smaller aid package to keep those teachers on the job, about $10 billion; and it contains a few other small items, including almost $5 billion in additional Pell Grants funds for some 87,000 students who are going to need them badly.

We were also asked to provide offsets, and so we have done that. We have offsets for virtually every dollar above the President's request, and those offsets are not pleasant, and they are not popular. Certainly, I don't like some of them myself. But the fact is that they are necessary if we're to provide a fiscally disciplined bill that has a chance of getting the votes to pass this House, and that's what we've done.

I think people need to ask themselves one question: Are they interested in simply standing by and allowing teachers to be fired day after day for the next 3 months all around the country, or are they willing to do something about it? I hope the answer is the latter.

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

□ 2020

Mr. LEWIS of California. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, let me begin by making a personal observation. This evening we are embarking upon the most irresponsible, convoluted legislative exercise I have seen in my many years in this body. My dear friend and former chairman of the Senate Appropriations Committee, the late Senator Robert Byrd, would be embarrassed by this process, or the lack of process, because it greatly diminishes the integrity of this Congress he loved so dearly. I can

hear Senator Byrd's voice clear as day. ''Shame, shame,'' he would say.

It was 35 days ago that the full Appropriations Committee was scheduled to mark up the fiscal year 2010 emergency supplemental before us. Republicans and Democrats alike had a number of amendments they planned to offer to make the package a better piece of legislation. But, for reasons that remain a mystery to everyone, that markup was abruptly canceled 3 hours before it was to occur. Tonight, the House is considering legislation written by Chairman OBEY and the majority leadership with absolutely no input from rank-and-file Members on either side of the aisle.

The only legislation we should be considering today is a clean emergency supplemental funding bill to provide critical funding for our troops; foreign assistance and economic support for Afghanistan, as well as Pakistan and Iraq, should be included; FEMA disaster assistance; oil spill cleanup assistance; and relief for Haiti. Many other funding and policy items could easily be addressed through our regular order spending bills.

Just hours ago we were sent a package of six different amendments and two resolutions, totaling 153 pages. Included in that package were efforts to cut off troop funding, a timetable for troop withdrawal from Afghanistan, billions in additional spending on domestic programs, a variety of complex legal settlements piggybacked into a billion-dollar summer youth program, and a deem-and-scheme resolution that proposes spending $31 billion more in discretionary spending in FY 2011 than was spent in FY 2010. It's worth noting that only in Washington could Chairman OBEY and Chairman SPRATT characterize this $31 billion increase as a cut.

I am deeply concerned about the impact these amendments could have on our ability to approve a bill for the President's signature prior to the Fourth of July recess. The failure of this body to approve critical funds for our troops before the Fourth of July would send absolutely the wrong message to our men and women in uniform, and delay needed money for other emergency needs.

Further, this inaction would force our commanders to begin making budget decisions that could compromise our military readiness. It would also signal to our enemies a lack of resolve that could undermine our mission in several very dangerous areas of the world.

The fact that we are sitting here in July without this spending bill passed and signed into law is, frankly, astonishing to me. The President submitted his request in February of this year. The Senate passed its war funding measure on May 27, and indicated that it was ready to conference the bill with the House. The House never marked up this supplemental or had an opportunity to amend it in any way. And yet, here we are 35 days and tens of billions of dollars of spending later, and we still have not approved funding for our troops.

Yesterday, the nonpartisan Congressional Budget Office released a long-term budget outlook. CBO noted that our national debt equaled 40 percent of our country's economic input in 2008. By the end of this year, the Federal debt will represent 62 percent of our national economy. That's a 22 percent increase in the level of debt in just 2 years. The additional unrequested nontroop-related spending the House is considering today would drive that debt even higher.

I recognize there are tremendous political pressures that come to bear on majority Members when it comes to opposing measures sponsored by their own party. Today my request to the Members of the majority is quite simple: Please think long and hard about the consequences of supporting anything beyond the clean Senate supplemental spending bill.

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

Mr. LEWIS of California. I yield myself 30 additional seconds.

I urge my colleagues on both sides, particularly my friends in the majority who are truly concerned about the ever-escalating rates of growth of spending, to reject these amendments and reject this Fourth of July spending spree. Let's support our troops, pass a clean version of the supplemental on a broad, bipartisan basis, and get this package to the Commander in Chief. Our men and women in harm's way deserve no less.

I reserve the balance of my time.

Mr. OBEY. I yield myself 1 minute.

Somehow we are being told that we are committing a mortal sin because we are trying to attach some material to the bill sent to us by the Senate. I would simply point out that just a few weeks ago, as the gentleman from Massachusetts pointed out earlier in the debate, when the defense authorization bill was on the floor only nine Republicans in this House voted for it. They felt then that another matter was evidently more important than providing passage for that bill. And yet today they criticize us because we are suggesting several additions to the appropriations bill. I find that inconsistent.

I would also point out that there are a number of high-priority national items that we are trying to add besides education funding. We are trying to provide additional funds for Pell Grants, some $5 billion. We are trying to provide $700 million more for border security, $180 million more for energy loans, $163 million more for schools on military installations, $142 million for gulf coast oil spill funding, and $16 million to build a new soldier processing center at Fort Hood.

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

Mr. OBEY. I yield myself 30 additional seconds.

I would like to know what's wrong with any of those items.

I yield 2 minutes to the distinguished gentleman from Texas (Mr. REYES) to explain why it's necessary to do additional funding for border security.

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding.

I urge my colleagues to vote in favor of this amendment, the Obey amendment, because during these tough economic times there are many areas that merit attention. This amendment takes a comprehensive approach to addressing the vital needs of our communities. Of particular importance to me is the support in this amendment for border security and also for education.

Border security is a major portion of the concern of Americans, as we have seen in recent days. This amendment provides $701 million to strengthen our security efforts along the U.S.-Mexico border. The funds would be used to hire 1,200 Border Patrol agents and 500 Customs and Border Protection officers that would be working the ports of entry, critically needed today, as well as to improve tactical communications and make other much-needed investments in the security along the U.S.-Mexico border.

Residents along the border in districts such as the one that I represent remain deeply concerned about the level of violence affecting our southern neighbor Mexico. As a former Border Patrol sector chief and veteran of 26½ years in the United States Border Patrol, I know very well what these resources that are provided in this amendment mean to a critical area such as the Southwest border.

I am particularly encouraged by Mr. OBEY's efforts in this amendment to address the long-standing needs of our ports of entry by providing funds for Customs and Border Protection officers. For too long, inadequate staffing and outdated infrastructure at our ports of entry have made the U.S. and Mexico border less safe. This is a major step forward in making our Nation even more secure by providing funding for more officers at our ports of entry to conduct a more thorough and efficient inspection and to keep Americans safe.

□ 2030

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

Mr. OBEY. I yield the gentleman an additional 30 seconds.

Mr. REYES. In addition, this amendment also provides $10 billion to support our teachers across the country and another $4.9 billion to fill the shortage, as Mr. OBEY said, in the Pell Grant program.

It is vitally important that we recognize that the resources that are dedicated here are important not just along the border but to the security of Americans everywhere. So, therefore, I urge my colleagues to vote for the Obey amendment. And I thank Chairman OBEY, Speaker PELOSI, Majority Leader HOYER, and Chairman PRICE for their leadership on this very important issue.

Mr. LEWIS of California. Mr. Speaker, I'm pleased to yield 3 minutes to our leader of the Homeland Security Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the chairman for yielding.

I rise today to voice my opposition to the blatant exploitation of our brave troops and the brazen process being undertaken here tonight. With this ongoing charade, the Democrat majority has chosen to drag out the consideration of this supplemental appropriations bill now 5 months lagging. They've chosen to bypass a markup by the Appropriations Committee. They've chosen to dictate by the few rather than legislate by the representative many. And worst of all, they're holding hostage vital funding for our troops as a vehicle for more spending, more bailouts, more encroachment by the Federal Government into our private lives.

A clean supplemental, Mr. Speaker, could have easily been disposed of through regular order months ago. Regrettably, the majority has waited until the very last minute, twisted the rules of the House, and put the Pentagon and our warfighters in dire straits. This abuse of Congress' national security responsibilities would be outrageous if it wasn't so sad. And for what? For what? Another bailout? more spending? political points? to curry special interest favors?

The American people want a fiscally responsible government that first and foremost provides for the safety and security of this great Nation, and the American people expect the Congress to meet that solemn responsibility while mindful it is their money, not ours.

Instead, let's just call this what it is. The Democrat majority has hijacked our national security for their perceived political security. This is not the governance the American people want nor deserve. We can do better.

And so I plead with my colleagues to restore regular order and return to the business at hand, which is providing for our warfighters and responsibly wielding the power of the purse.

I urge a defeat of all of these amendments and this bill.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS of Texas. Mr. Speaker, I had the humbling privilege of representing Fort Hood, America's largest Army installation, for 14 years, through three combat deployments. It is now next door to my district in central Texas.

Fort Hood has sent more troops to Iraq and Afghanistan than any other military installation in America. And despite that sacrifice, sadly, the soldiers and families at Fort Hood had to face an unbearable and unspeakable tragedy at the hands of a terrorist in our midst who killed 12 Fort Hood Army soldiers and one Army civilian just several months ago.

The soldier processing center through which soldiers go—often the last building they see before they leave Fort Hood, and it's the first building they see when they come home from being a year away from their family serving in Iraq or Afghanistan—is a soldier development servicing center there.

At the request of the Pentagon, I want to thank Chairman OBEY for putting our request for $16.5 million into this amendment. First, because that center was old and antiquated, inefficient and too small, but most importantly because the soldiers at Fort Hood who've sacrificed so much for our Nation's defense in Iraq and Afghanistan should not be asked to process through a building where 12 of their fellow soldier comrades in that installation were brutally murdered at the hands of a domestic terrorist.

I thank Chairman OBEY for putting this in. It is a meaningful, dignified way to show support for our troops. And I support this amendment and ask my colleagues on a bipartisan basis to support it as well.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 2 minutes to the ranking member of the Judiciary Committee, Mr. SMITH of Texas.

Mr. SMITH of Texas. Mr. Speaker, first of all, I want to thank the ranking member, the gentleman from California (Mr. LEWIS), for yielding me time.

Mr. Speaker, I'm opposed to the inclusion of the Preserve Access to Affordable Generics Act'' in H.R. 4899.

Most cases in the United States, whether civil or criminal, antitrust or patent, settle. The reasons for this are simple. Litigation is expensive and its outcomes are uncertain.

The supposed problem involves a payment of cash in a settlement of a patent case brought by a generic drug manufacturer. Such payments are said to frustrate the intent of Federal law by allowing the brand name pharmaceutical company to pay to delay entry of the generic competitor into the market.

The proposed solution to this problem incorporated in this bill goes much too far. It creates a presumption that all such settlements are unlawful. The bill sets forth the criteria that a court may use to determine whether to uphold the settlement. However, the validity of the underlying patent is not one of those specified criteria.

Also, the bill dramatically reduces the ability of the companies to settle these cases. If the parties cannot agree on the date of entry into the market, then in many cases they would effectively be forced to litigate the case. This means that the entry of the generic into a particular drug market could be delayed significantly.

The majority of Federal courts, including the Second, Eleventh, and D.C. Circuits, have upheld the validity of these settlements. Congress should uphold the well-reasoned judgment of these courts. Innovative new drugs, after all, are created in the laboratory, not in the courtroom.

I urge my colleagues to reject this attempt to legislate an unrelated domestic issue on a bill that is intended to pay for our troops overseas.

Mr. OBEY. I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, we are here on a bill that allegedly provides supplemental funding for our troops, yet within the bowels of this House amendment are provisions that have implications for our border security, provisions in violation of our rules but nonetheless provide a permanent authority to transfer money from border patrol to the Department of the Interior with absolutely no limit—$50 million this time, but then unlimited after that.

So to have the situation of Congress appropriating money we think is going to border patrol, but then border patrol will have to give that money to the Department of the Interior for alleged mitigation issues, such concepts and projects as, in the past: hiring three employees of the Interior to monitor prong-horned antelope or having a biologist watch the erection of 15-foot towers to verify that no animal was crushed; or having Fish and Wildlife, for one acre of possible habitat loss, insisting border patrol buy 55 acres somewhere else to give to them.

We will have the outrageous situation of Interior and Forest Service regulations blocking the border patrol from their patrols and doing their job, and yet the same provision, the border patrol has to pay DOI, with no oversight from the legislature, no internal rules for caution of spending, no limitation, just to do their job.

□ 2040

Even Secretary Napolitano last year sent us a letter in which she said the Border Patrol stops the drug cartels, the human traffickers, the potential terrorists, and that is a value in and of itself to the environment and should count as mitigation.

Yet, in the provisions within this particular bill, that does not take place. This provision was a dumb idea in the wrong bill. It diverts dollars from the Border Patrol and makes our border less secure.

Mr. OBEY. Mr. Speaker, how much time does each side have remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin has 6 minutes remaining. The gentleman from California has 3½ minutes remaining.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman for yielding.

Mr. Speaker, as the chairman of the Homeland Security Appropriations Subcommittee, I am happy to remind

our colleagues of the provisions in this bill that will enhance border security.

The Obey amendment will add money for urgent needs, to address the alarming level of violence attributable to Mexican gangs and drug cartels. It will increase the presence of critical Border Patrol and Customs personnel at the border, and it will strengthen the protection of jeopardized communities.

There are four critical aspects of these border provisions:

First, the Obey amendment will strengthen enforcement between ports of entry to deter and apprehend smugglers and illegal crossings. That means 1,200 new Border Patrol agents. It means up to three additional forward operating bases, and it will provide two new unmanned aircraft systems for CBP to patrol the border.

Second, the Obey amendment will tighten enforcement at ports of entry while aiding legitimate travel and commerce. It will sustain hundreds of critical CBP officer positions at risk of being cut because of declining fee collections. It will add 500 CBP officers for inspection and enforcement at ports of entry, inbound and outbound, to crack down on drugs, weapons, cash, and alien traffickers.

Third, the bill enhances Immigration and Customs Enforcement's (ICE's) investigative operations on the border and their cooperation with our Mexican partners to target the cartels, their criminal enterprises, and their violent henchmen.

Four new Southwest Border Enforcement Security Task Forces. Additional vetted law enforcement units with the Government of Mexico. A 120-day surge in the ICE Joint Criminal Alien Removal Task Force and Criminal Alien Programs. Training for Mexican officials on investigations of transnational drug smuggling, money laundering, human trafficking, and child exploitation.

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

Mr. OBEY. I yield the gentleman an additional 15 seconds.

Mr. PRICE of North Carolina. Finally, the bill expands aid to State and local partners along the border, expanding the grant assistance under Operation Stonegarden to State and local law enforcement in cooperation with DHS.

Mr. Speaker, this Obey amendment would greatly enhance our border security. I urge its adoption.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from the Appropriations Committee, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Mr. Speaker, I want to associate my remarks with my ranking member, Mr. LEWIS.

Following the time-honored tradition of our Defense Appropriations Subcommittee, Chairman DICKS and Mr. YOUNG have put together, in a collegial manner, a solid product. The funding for defense operations and maintenance, for the Afghan and Iraq Security Forces, for Army base operations, M-RAPs, National Guard and Reserve equipment, and the other portions of the defense and of the military construction portion of the bill are worthy of our support.

If that's where the story ended, we would be fine, but as Ronald Reagan famously said, ''There they go again.''

This legislation contains over $72 billion in discretionary and mandatory spending. Less than half of that total, $35 billion, is related to the ongoing fight against the Taliban and al Qaeda in Afghanistan or our withdrawal from Iraq and the State Department funding related to the war on terror. The rest is earmarked for nondefense programs, new bailouts, and pet projects to benefit the majority's political allies.

I share the views of Mr. LEWIS on the extraneous spending in this bill: the $10 billion State bailout fund, the $5 billion Pell Grant infusion, the $500 million to ''forward-fund'' accounts in the fiscal year 2011 appropriations bills, thereby freeing up money to spend on other activities in fiscal year 2011, the $245 million to allow the IRS to ramp up its enforcement activities.

My colleagues in the majority just don't get it. This is Washington ''business as usual'' as this Congress uses funding for our deployed warfighters, many of them in harm's way as we speak, to provide for more unnecessary social spending.

My colleagues, I urge the adoption of a clean supplemental appropriation as quickly as possible so our men and women in uniform can continue to do their important work on our behalf.

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

Mr. LEWIS of California. I yield myself such time as I may consume.

Mr. Speaker, it is important for all of my colleagues, especially those on the majority side of the aisle, to make note of the fact that this is the President's supplemental request. This amendment adds almost $17 billion in new domestic spending to a critical war funding and disaster assistance bill, most of which was never formally requested by the Commander in Chief and none of which is included in the Senate-passed bill. These bloated domestic spending add-ons include those that either are unnecessary spending or should be considered as part of the regular fiscal year 2011 appropriations process.

For example, the amendment includes language under the Teacher Jobs Fund that singles out Texas by requiring that Texas maintain a higher level of State support for elementary and secondary education and higher education spending than any other State. It adds $4.95 billion for Pell Grants that would normally be and should be funded in the fiscal year 2011 Labor, Health, and Human Services bill, as has been the practice in previous years.

There is $538 million to game the fiscal year 2011 appropriations process by forward-funding certain activities now with fiscal year 2010 funds, thereby freeing up money to spend on other activities in 2011. This includes giving the IRS an additional $245 million now to ramp up its enforcement.

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

Mr. OBEY. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Ohio (Mr. KUCINICH).

(Mr. KUCINICH asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. KUCINICH. I thank the gentleman for yielding.

I rise in support of the Obey amendment, amendment No. 2 to H.R. 4899, Supplemental Appropriations for FY 2010. However, I do so with significant reservation because of the $9 billion in nuclear loan guarantees that have been inserted into this bill of otherwise badly needed funding.

The nuclear power industry has already received $51 billion in loan guarantee authority. The guarantees leave the taxpayer on the hook for energy policy so fiscally irresponsible, it has attracted bipartisan opposition. Indeed, private investment in new plants is nearly impossible to come by because the investment is so unattractive. The Congressional Budget Office characterized the risk of default on such projects as ''well above 50 percent.'' Even plants under construction are being abandoned. If private firms won't invest, should we be putting taxpayers on the hook?

Energy from wind and solar makes more financial sense and creates many more jobs when compared with nuclear power sans massive subsidies. But the loan guarantees for clean energy sources, which were added to make the nuclear loan giveaways easier to swallow, are not an industry priority. They need more direct subsidies to get started with the urgency required to address global warming.

This amendment also contains otherwise valuable funding for teacher's jobs, Pell grants, and Gulf Coast oil spill clean-up. I voted for this amendment because of the dire needs in these areas and others. But slipping in $9 billion in nuclear loan guarantees when we struggle to find money to extend unemployment compensation and create new green jobs is not acceptable.

THE ECONOMICS OF NUCLEAR REACTORS: RENAISSANCE OR RELAPSE?

(By Mark Cooper, Senior Fellow for Economic Analysis, Institute for Energy and the Environment, Vermont Law School—June 2009)

ISSUE BRIEF

*Findings*

Within the past year, estimates of the cost of nuclear power from a new generation of reactors have ranged from a low of 8.4 cents per kilowatt hour (kWh) to a high of 30 cents. This paper tackles the debate over the cost of building new nuclear reactors, with the key findings as follows:

The initial cost projections put out early in today's so-called ''nuclear renaissance'' were about one-third of what one would have expected, based on the nuclear reactors completed in the 1990s.

The most recent cost projections for new nuclear reactors are, on average, over four times as high as the initial ''nuclear renaissance'' projections.

There are numerous options available to meet the need for electricity in a carbon-constrained environment that are superior to building nuclear reactors. Indeed, nuclear reactors are the worst option from the point of view of the consumer and society.

The low carbon sources that are less costly than nuclear include efficiency, cogeneration, biomass, geothermal, wind, solar thermal and natural gas. Solar photovoltaics that are presently more costly than nuclear reactors are projected to decline dramatically in price in the next decade. Fossil fuels with carbon capture and storage, which are not presently available, are projected to be somewhat more costly than nuclear reactors.

Numerous studies by Wall Street and independent energy analysts estimate efficiency and renewable costs at an average of 6 cents per kilowatt hour, while the cost of electricity from nuclear reactors is estimated in the range of 12 to 20 cents per kWh.

The additional cost of building 100 new nuclear reactors, instead of pursuing a least cost efficiency-renewable strategy, would be in the range of $1.9–$4.4 trillion over the life of the reactors.

Whether the burden falls on ratepayers (in electricity bills) or taxpayers (in large subsidies), incurring excess costs of that magnitude would be a substantial burden on the national economy and add immensely to the cost of electricity and the cost of reducing carbon emissions.

*Approach*

This paper arrives at these conclusions by viewing the cost of nuclear reactors through four analytic lenses.

First, in an effort to pin down the likely cost of new nuclear reactors, the paper dissects three dozen recent cost projections.

Second, it places those projections in the context of the history of the nuclear industry with a database of the costs of 100 reactors built in the U.S. between 1971 and 1996.

Third, it examines those costs in comparison to the cost of alternatives available today to meet the need for electricity.

Fourth, it considers a range of qualitative factors including environmental concerns, risks and subsidies that affect decisions about which technologies to utilize in an environment in which public policy requires constraints on carbon emissions.

The stakes for consumers and the nation are huge. While some have called for the construction of 200 to 300 new nuclear reactors over the next 40 years, the much more modest task of building 100 reactors, which has been proposed by some policymakers as a goal, is used to put the stakes in perspective. Over the expected forty-year life of a nuclear reactor, the excess cost compared to least-cost efficiency and renewables would range from $19 billion to $44 billion per plant, with the total for 100 reactors reaching the range of $1.9 trillion to $4.4 trillion over the life of the reactors.

*Hope and Hype vs. Reality in Nuclear Reactor Costs*

From the first fixed price turnkey reactors in the 1960s to the May 2009 cost projection of the Massachusetts Institute of Technology, the claim that nuclear power is or could be cost competitive with alternative technologies for generating electricity has been based on hope and hype. In the 1960s and 1970s, the hope and hype analyses prepared by reactor vendors and parroted by government officials helped to create what came to be known as the ''great bandwagon market.'' In about a decade utilities ordered over 200 nuclear reactors of increasing size.

Unfortunately, reality did not deliver on the hope and the hype. Half of the reactors ordered in the 1960s and 1970s were cancelled, with abandoned costs in the tens of billions of dollars. Those reactors that were completed suffered dramatic cost overruns. On average, the final cohort of great bandwagon market reactors cost seven times as much as the cost projection for the first reactor of the great bandwagon market. The great bandwagon market ended in fierce debates in the press and regulatory proceedings throughout the 1980s and 1990s over how such a huge mistake could have been made and who should pay for it.

In an eerie parallel to the great bandwagon market, a series of startlingly low-cost estimates prepared between 2001 and 2004 by vendors and academics and supported by government officials helped to create what has come to be known as the ''nuclear renaissance.'' However, reflecting the poor track record of the nuclear industry in the U.S., the debate over the economics of the nuclear renaissance is being carried out before substantial sums of money are spent. Unlike the 1960s and 1970s, when the utility industry, reactor vendors and government officials monopolized preparation of cost analyses, today Wall Street and independent energy analysts have come forward with much higher estimates of the cost of nuclear reactors.

The most recent cost projections are, on average, over four times as high as the initial nuclear renaissance projections.

Even though the early estimates have been subsequently revised upward in the past year and utilities offered some estimates in regulatory proceedings that were twice as high as the initial projections, these estimates remain well below the projections from Wall Street and independent analysts. Moreover, in an ominous repeat of history, utilities are insisting on cost-plus treatment of their reactor projects and have steadfastly refused to shoulder the responsibility for cost overruns.

One thing that utilities and Wall Street analysts agree on is that nuclear reactors will not be built without massive direct subsidies either from the federal government or ratepayers, or from both.

In this sense, nuclear reactors remain as uneconomic today as they were in the 1980s when so many were cancelled or abandoned.

*The economic cost of low carbon alternatives*

There is a second major difference between the debate today and the debate in the 1970s and 1980s. In the earlier debate, the competition was almost entirely between coal and nuclear power generation. Today, because the debate is being carried out in the context of policies to address climate change, a much wider array of alternatives is on the table. While future fossil fuel (coal and natural gas) plants with additional carbon capture and storage technologies that are not yet available are projected to be somewhat more costly than nuclear reactors (see Figure ES–2), efficiency and renewables are also primary competitors and their costs are projected to be much lower than nuclear reactors.

Figure ES–2 presents the results of half a dozen recent studies of the cost of alternatives, including two by government entities, three by Wall Street analysts and one by an independent analyst. Figure ES–2 expresses the cost estimated by each study for each technology as a percentage of the study's nuclear cost estimate. Every author identifies a number of alternatives that are less costly than nuclear reactors.

One of the central concerns about reliance on efficiency and renewables to meet future electricity needs is that they may not be available in sufficient supply. However, analysis of the technical potential to deliver economically practicable options for low-cost, low-carbon approaches indicates that the supply is ample to meet both electricity needs and carbon reduction targets for three decades or more based on efficiency, renewables and natural gas (see Figure ES–3).

Figure ES–3 builds a ''supply curve'' of the potential contribution and cost of efficiency and renewables, based on analyses by the Rand Corporation, McKinsey and Company, the National Renewable Energy Laboratory, the Union of Concerned Scientists and the American Council for an Energy Efficient Economy. Clearly, there is huge potential for low carbon approaches to meet electricity needs. To put this potential into perspective, long-term targets call for emissions reductions below 2005 levels of slightly more than 40 percent by 2030 and 80 percent by 2050. Even assuming that all existing low carbon sources (about 30 percent of the current mix) have to be replaced by 2030, there is more than ample potential in the efficiency and renewables.

With continuing demand growth, it would still not be until 2040 that costly or as yet nonexistent technologies would be needed. Thus, pursuing these low cost options first meets the need for electricity and emissions reductions, while allowing time for technologies to be developed, such as electricity storage or carbon capture, that could meet electricity needs after 2040. The contending technologies that would have to be included in the long term are all shown with equal costs, above the technologies that have lower costs because it is difficult to project costs that far out in future and there will likely be a great deal of technological change before those technologies must be tapped to add substantial incremental supplies.

*A comprehensive view of options for meeting electricity needs*

In addition to their cost, nuclear reactors possess two other characteristics that make them an inferior choice among the options available.

The high capital costs and long construction lead times associated with nuclear reactors make them a risky source of electricity, vulnerable to market, financial, and technological change that strengthen the economic case against them.

While nuclear power is a low carbon source of electricity, it is not an environmentally benign source. The uranium fuel cycle has significant safety, security, and waste issues that are far more damaging than the environmental impact of efficiency and renewables.

Figure ES–4 depicts three critical characteristics of the alternatives available for meeting electricity needs in a carbon-constrained environment. The horizontal axis represents the economic cost. The vertical axis represents the societal cost (with societal cost including environmental, safety, and security concerns). The size of the circles represents the risk. Public policy should exploit the options closest to the origin, as these are the least-cost alternatives. Where the alternatives are equal on economic cost and societal impact, the less risky should be pursued.

Nuclear reactors are shown straddling the positive/negative line on societal impact. If the uranium production cycle—mining, processing, use and waste disposal—were deemed to have a major societal impact, nuclear reactors would be moved much higher on the societal impact dimension. If one believes that nuclear reactors have a minor impact, reactors would be moved down on the societal impact dimension. In either case, there are numerous options that should be pursued

first. Thus, viewed from a multidimensional perspective, including economic, environmental, and risk factors, there are numerous preferable alternatives.

*The impact of subsidies*

As noted, nuclear reactors are very unlikely to be built without ratepayer and taxpayer subsidies. Many of the hope and hype analyses advance scenarios in which carbon is priced and nuclear reactors are the beneficiaries of large subsidies. Under those sets of extreme assumptions, nuclear reactors become less costly than fossil fuels with carbon capture and storage costs. However, they do not become less costly than efficiency and renewables. High carbon costs make efficiency' and renewables more attractive.

Moreover, public policy has not tended to be quite so biased, although the supporters of nuclear power would like it to be. Imposing a price on carbon makes all low carbon options, including efficiency and renewables, more attractive as options. Subsidy programs tend to be applied to all low carbon technologies. As a result, although the carbon pricing and subsidy programs implemented and contemplated in recent years tend to impose cost on consumers or shift them from ratepayers to taxpayers; they do not change the order in which options enter the mix. In other words, given pricing and subsidies that simply values carbon emission or its abatement, the economic costs as estimated above dictate the order in which options are implemented. Nuclear reactors remain the worst option. It is possible to bias policies so severely that the order of priority changes, but that simply imposes unnecessary costs on consumers, taxpayers, and society.

*Conclusion*

The highly touted renaissance of nuclear power is based on fiction, not fact. It got a significant part of its momentum in the early 2000s with a series of cost projections that vastly understated the direct costs of nuclear reactors. As those early cost estimates fell by the wayside and the extremely high direct costs of nuclear reactors became apparent, advocates for nuclear power turned to climate change as the rationale to offset the high cost. But introducing environmental externalities does not resuscitate the nuclear option for two reasons. First, consideration of externalities improves the prospects of non-fossil, non-nuclear options to respond to climate change. Second, introducing externalities so prominently into the analysis highlights nuclear power's own environmental problems. Even with climate change policy looming, nuclear power cannot stand on its own two feet in the marketplace, so its advocates are forced to seek to prop it up by shifting costs and risks to ratepayers and taxpayers.

The aspiration of the nuclear enthusiasts, embodied in early reports from academic institutions, like MIT, has become desperation, in the updated MIT report, precisely because their reactor cost numbers do not comport with reality. Notwithstanding their hope and hype, nuclear reactors are not economically competitive and would require massive subsidies to force them into the supply mix. It was only by ignoring the full range of alternatives—above all efficiency and renewables—that the MIT studies could pretend to see an economic future for nuclear reactors, but the analytic environment has changed from the early days of the great bandwagon market, so that it is much more difficult to get away with passing off hope and hype as reality.

The massive shift of costs necessary to render nuclear barely competitive with the most expensive alternatives and the huge amount of leverage (figurative and literal) that is necessary to make nuclear power palatable to Wall Street and less onerous on ratepayers is simply not worth it because the burden falls on taxpayers. Policymakers, regulators, and the public should turn their attention to and put their resources behind the lower-cost, more environmentally benign alternatives that are available. If nuclear power's time ever comes, it will be far in the future, after the potential of the superior alternatives available today has been exhausted.

Mr. OBEY. Mr. Speaker, let me simply say that our Republican friends are running true to form tonight. In the past 2 weeks, they have voted against funding unemployment insurance for people who have been laid off in the most excruciating recession in 70 years. Now, today, they are refusing to support a proposal which will help us stave off the laying off of well over 100,000 additional teachers around the country—something which, I think, thoughtful people would recognize would injure not just those teachers but their students and the communities in which those students are supposed to learn. There is nothing as expensive as ignorance, and ignorance is fed when you have an inadequate number of quality teachers.

Let me devote the rest of my time to something that I consider to be fairly off the point today because it had been suggested to us that the Secretary of Education is somewhat unhappy because of the offsets that we have required in order to pay for this additional funding. Let me put that into perspective.

We are trying to provide $15 billion in additional education resources to this administration—$10 billion to stave off the firing of teachers and about $5 billion to fill the shortfall that developed in the Pell program this year because of the economy.

□ 2050

In order to finance that, we have had to cut many programs. I don't like to do that, and the administration certainly doesn't like to see it either. But we also had to require that the Secretary's department itself take a cut that is equal to about 5 percent of the value of the additional education dollars that his department would receive.

One of the Secretary's objections, evidently, is the fact that last year in the stimulus package we provided him with a $4.3 billion pot of money to use virtually any way he wanted to stimulate educational progress in this country; $4.3 billion. He has spent a very small amount of that, about $600 million, and we decided we had to cut about $500 million out of that fund in order to finance and fully pay for the package before us. That still leaves him with $3.2 billion in money that he can spend any way his department wants.

We had a big discussion yesterday in the Agriculture Appropriations Subcommittee about whether or not it was acceptable for the Secretary of Agriculture to have a $38 million pot, yet the Secretary of Education is somehow offended because he only has $3.2 billion to pass around. I would suggest that that loose money, that untargeted money that he has available, is roughly functional to what could be called a congressional earmark. In fact, what I would call that fund is a fund that enables the Secretary to provide executive branch earmarks.

I would point out that all of the legislative-directed earmarks in the Labor-H bill last year amounted to less than $1 billion, and yet the Secretary seems to be offended by the fact that he only has three times that amount to spread around as he sees fit.

I would also point out that in the year-and-a-half they have only gotten grants out to two States, and the department has already announced that at most there will be about 15 other States that might get winning grants, which means that more than half the country will never see a dime from that money.

I would suggest that there is nothing wrong with providing the Secretary a modest amount of funds to promote educational change. God knows we need it. But to suggest that we are being unduly harsh is a joke.

With that, I urge support for this amendment.

The SPEAKER pro tempore. All time for debate from the Committee on Appropriations has expired.

Pursuant to the rule, the gentlewoman from California (Ms. LEE) and the gentleman from California (Mr. LEWIS) each will control 15 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE of California. Mr. Speaker, I want to first thank Chairman OBEY for his incredible leadership on this supplemental. It was a very difficult job to put this together, but you have done a phenomenal job.

Let me also thank the Chair of the Rules Committee, Congresswoman SLAUGHTER, and Speaker PELOSI, for their leadership and for allowing this important discussion and amendment.

Also I would like to applaud Congressman MCGOVERN for his thoughtful and important amendment. He and Mr. OBEY set forth this amendment that we will vote on today. I strongly support it and their efforts to get an exit strategy to end this war.

My amendment is very straightforward. It would prevent any escalation or any ongoing combat operation in Afghanistan and limit the funding to the safe and orderly withdrawal of our troops and military contractors from Afghanistan.

It is critical to understand that this amendment would provide for the safety of our troops, civilian personnel, and contractors while troop withdrawal takes place. It does not allow funding for ongoing combat operations or for this escalation. It is not a cut-and-run amendment. It would not leave our troops stranded in harm's way.

Simply put, this amendment provides for the safe and orderly withdrawal of

our troops from Afghanistan, and we need it because the reality is that there is no military solution to Afghanistan. In fact, the occupation of Afghanistan is making us less safe. Our occupation is a prime recruiting tool for the insurgency and for al Qaeda.

If we remember, nearly 9 years ago the reason the authorization was granted, which I could not support, was to provide authorization to go after al Qaeda and Osama bin Laden. Well, nearly a decade later, what are we doing there? We need to redefine this mission. We need to begin the safe, timely withdrawal of U.S. troops and military contractors, and we should do so by adopting this amendment today which stops this funding.

A few months from now, the war from Afghanistan will enter, as I said, its tenth year. It is already the longest war in our Nation's history, longer than Vietnam and the Civil War, and there is really no end in sight. In fact, this concern of ''war without end'' again is why I opposed the resolution authorizing military force on September 14, 2001. It was a blank check then, and it remains a blank check now.

I think it is important to take a moment and put the evolution of this war in context, because we have to remember that, again, there was no discussion about the potential consequences of invading Afghanistan. The debate we are having today should have happened 10 years ago.

Few people imagined that we would have nearly 100,000 troops there a decade later, despite the fact that the CIA estimates that there may be only 50 to 100 al Qaeda in Afghanistan. So we have to be honest; the war is not working. The Afghan government is plagued by incompetence and corruption, The Afghan Security Forces are in shambles, and, tragically, just over 1,000 servicemen and -women have lost their lives.

It is clear that our servicemen and -women have performed with incredible courage and commitment. They have done everything we have asked them to do. As the daughter of a 25-year military officer, my dad was a lieutenant colonel in the Army, I understand and know the sacrifices these families are making. But the truth is, they have been put in an impossible situation. The Afghan government is anything but a reliable partner, and conditions on the ground make winning over the Afghan people extremely difficult, if not nearly an impossible task.

Sadly, this war has no end in sight. We are bound to see the generals come back to us and ask us for more money, more time, and more troops if they say it is going well. If it is not going well, I expect to see the generals come back and ask for more money, more time, and more troops.

So regardless of the situation, unless Congress does something, and we have to face this, if Congress allows this, it will be an endless war. So enough is enough. The U.S. has no choice but to pursue and support a political and diplomatic solution in Afghanistan. We must be about that hard work now.

So please join me in supporting the safe and orderly withdrawal of our troops. We can and we must responsibly bring them home and end this war now.

I reserve the balance of my time.

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

Mr. LEWIS of California. I rise to oppose the Lee amendment to essentially cut off the funding for our troops in Afghanistan.

I am very proud to yield 5 minutes to my colleague, our leader on the Defense Subcommittee, the gentleman from Florida, BILL YOUNG.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding the time.

I rise to give compliments to Chairman NORM DICKS of the subcommittee for having worked with the minority and the majority, as well as the President of the United States, to develop a very good Defense appropriations supplemental appropriations bill for our troops who are fighting in Iraq and Afghanistan.

The bill provides the equipment necessary for those troops to carry out their mission. The bill provides for training. The bill provides for self-protective measures to keep our troops safe while they fight the war they were sent to fight.

□ 2100

The only problem I have is we're not going to vote on that bill. Although this is supposedly a defense supplemental, that bill is not going to be voted on. That bill was reported and approved by the subcommittee back in May, but yet there has been no consideration beyond that date. The subcommittee approved it back in May after the President requested it.

The members of the Appropriations Committee have not had an opportunity to vote on a Defense supplemental appropriations bill. The Members of the House have not had an opportunity to vote on a Defense appropriations supplemental bill. There's something wrong with that.

Chairman DICKS did a good job. He worked with us, as did Chairman Murtha before him, and it was a good bipartisan effort. We're not only not going to vote on that good bill, but we're not even going to have a chance to vote on the Senate version of the bill that's not quite as good as the House version, but it's better than nothing. And it's time that we provide the funding for our troops in the field, deployed and exposed to danger, so that they're provided with what they need.

I have a problem with this. I said the subcommittee approved the bill back in May. The full committee has not considered it. As a matter of fact, we are rapidly approaching the 1-year anniversary of the last time the Appropriations Committee met to consider an appropriations bill. Now, that's unusual. It seems to me like it flies in the face of the Constitution, because Article I, section 9 makes it very clear that the executive branch of government cannot spend money from the General Treasury that has not first been appropriated by Congress. And if the Appropriations Committee doesn't meet to approve the bills or to report the bills to the House, how are we going to meet that constitutional responsibility? It's pretty tough.

July 22 last year was the last time the Appropriations Committee met to consider an appropriations bill. So I compliment Chairman DICKS for creating a good bipartisan product that the President of the United States supported, and I am just disappointed that we're not going to have a chance to vote on it. Our troops in the field need to know that we are supporting them with whatever it is that they need to carry out their mission.

I am opposed to all of these amendments that we are considering because none of them do anything to support our troops in the field, which is what this bill is supposed to be all about. These amendments are not good, and it's just a real shame that we are not considering the needs of our troops who are deployed, to provide what it is that they need in order to accomplish the mission that we sent them to accomplish and to protect themselves while they're doing it.

Mr. Speaker, typically, I would use my time talking on a Supplemental as the Ranking Member of the Defense Subcommittee to congratulate Chairman DICKS on a fine bi-partisan package that he and his staff put together. I would thank him for treating us fairly and listening to the minority's concerns, and suggest that we pass the bill as quickly as possible.

Regrettably, I cannot do that today because the bill before us is the product of such an abuse of power and process that we aren't even voting on Chairman DICKS' bill.

Instead, we find ourselves voting on the Senate defense supplemental in the hope of getting the Department of Defense the desperately needed funds for on-going Afghanistan operations before they run out.

And I must say that really upsets me. While this is our best chance of getting badly needed funds to the Department, Chairman DICKS and his staff had produced a very fine, truly bipartisan supplemental bill . . . one that in my opinion was much better than this Senate bill.

But because of his leadership, that bill never saw the light of day. Not because it was controversial, or contained something bad, but because procedurally a small group of Members couldn't find a way to get unrelated, extraneous domestic spending items attached to it.

So instead today, maybe it is in my best interest for me to use this time making a case for my old spot on the Armed Services Committee.

That may seem odd, but I can only wonder how much longer the Appropriations Committee will exist . . . if it still does.

I do thank Mr. DICKS for his courtesy and cooperation. I only regret that his leadership

decided to play politics with what was a good bill which supported our troops.

Ms. LEE of California. I yield 1½ minutes to the gentleman from California, Chairman GEORGE MILLER.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. I want to thank the gentlewoman for offering this amendment and for yielding me time.

This is an important amendment. The time has come to understand what is taking place in Afghanistan and the incredible price that our soldiers are paying in that country and the incredible price that the American taxpayer is paying to fund this war. We've got to understand that the ingredients for victory, as people identify it and discuss it and describe it, are simply not present in Afghanistan:

The idea that we would expand the franchise of an honest central government to the countryside so we could stabilize the countryside. There is no honest central government in Afghanistan. It's rife with corruption, including the President of the country and his family and his relatives and his warlords and his ministers, and that's got to stop;

The idea that we are going to get help from the neighbors. We're getting minimal help from the Pakistanis. We're getting no help of any consequence from the Russians or the Chinese or the Indians because they're all engaged in the same game. They are protecting their position while America bleeds, while America bleeds the blood of our soldiers, while our Treasury bleeds the dollars of our taxpayers, and that's been going on and on and on and on.

We know how these Taliban were created. We know who supported them. We know the double accounting they do. We know the protections that they run. We know the sanctuaries that they provide them. And yet our soldiers are required to go in and ferret it out over and over and over again. We're told that we are going to develop this nation, that if we bring development, we'll have peace in Pakistan.

One of the first requests from the generals 8 years ago, 9 years ago was to send small-scale agriculture. You know what the request is 9, 10 years later? Send small-scale agriculture. Get us a police force that is honest. Get us troops that are honest, that will fight. None of that has been matched. But what has been matched is the death and the maiming and the injuries of our American soldiers. It is time to bring them home.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Missouri, IKE SKELTON, the chairman of the House authorizing committee on national security or defense.

Mr. SKELTON. Mr. Speaker, I rise today in strong opposition to all of the amendments to end funding for the war in Afghanistan or to withdraw our troops before the job is done. Afghanistan is the epicenter for terrorism, and it was the genesis of multiple attacks against our Nation, including the attacks on September 11. We must not forget why we are fighting this war. There's far too much at stake.

For nearly a decade during the previous administration, Afghanistan was the forgotten war with no clear strategy. But now we have a strategy, a good strategy. We're already seeing clear signs of success even before the surge of an additional 30,000 troops is complete. With the help of our allies, we are capturing or killing terrorists every week, including the most significant Taliban capture since the start of the war.

We've been in Afghanistan for many years, and I recognize that the patience of the American people is not unlimited. But thanks to the men and women of our military and the new strategy adopted, we are finally on the path to success. Now is not the time to abandon this war, our NATO allies, and the Afghan people.

The amendments to immediately cut off funding for the war in Afghanistan or to immediately redeploy our troops are clearly the wrong thing to do. But it would be equally unwise to make a decision now to leave Afghanistan before the job is done. At long last, we have a strategy for success. Now is not the time to abandon that strategy. I urge my colleagues to join me in standing behind our troops and the security of our Nation by voting against these amendments.

Ms. LEE of California. I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Just a few days before his dismissal, General McChrystal wrote what has been described as a devastating report on his mission. He pointed out that he faced a resilient and growing insurgency with too few troops, and he expected no progress in the coming months. Why are we continuing to send our troops into a mission impossible? Why are we committing our troops to a situation which is certainly bound to bring about more casualties, both of our troops and innocent civilians?

General Petraeus is promising an escalation of the war which will put more American lives on the line and more innocent civilians killed. Do we support our troops? If we do, and if we really paid attention to what's going on in Afghanistan, if we really supported our troops, we'd bring them home. And that's exactly what the Barbara Lee amendment is designed to do, and that's why we should support it.

As related by William Polk in his recent article in "Counterpunch"—Just a few days before his dismissal, General McChrystal wrote what has been described as a "devastating report on his mission." He pointed out that he faced a "resilient and growing insurgency" with too few troops and he expected no progress in the coming months.

Why are we continuing to send our troops into a mission impossible? Why are we committing our troops to a situation which is certainly bound to bring about more casualties, both of our troops and innocent civilians? General Petraeus is promising an escalation of the war which will put more American lives on the line and more innocent civilians killed.

Do we support our troops? If we do, and if we really paid attention to what's going on in Afghanistan, if we really supported our troops we would bring them home. That's exactly what the Barbara Lee Amendment is designed to do, and that's why we should support it.

What Now?

AFGHANISTAN SITREP

(By William R. Polk)

On June 24, the International Herald Tribune published an editorial from its parent, The New York Times, entitled "Obama's Decision." Both the attribution—printing in the two newspapers which ensures that the editorial will reach both directly and through subsidiary reprinting almost every "decision maker" in the world—and the date—just before the appointment of David Petraeus to succeed Stanley McChrystal—are significant. They could have suggested a momentary lull in which basic questions on the Afghan war might have been reconsidered.

That did not happen. The President made clear his belief that the strategy of the war was sound and his commitment to continue it even if the general responsible for it had to be changed.

The editorial sounded a different note arising from the events surrounding the fall of General McChrystal: Mr. Obama, said The Times, "must order all of his top advisers to stop their sniping and maneuvering" and come up with a coherent political and military plan for driving back the Taliban and building a minimally effective Afghan government."

In short, Mr. Obama must get his team together and evolve a plan.

Unfortunately, the task he faces is not that simple.

First, consider the "team." It has two major components, the military officers whom McChrystal gathered in Kabul. As they made clear in the Rolling Stone interview, they think of themselves as "Team America" and hold in contempt everyone else. Those who don't fully subscribe to their approach to the war are unpatriotic, stupid or cowardly. Those officers are not alone. Agreeing with them is apparently now a large part of the professional military establishment. They are the junior officers whom David Petraeus and Stanley McChrystal have selected, promoted and with whom they take their stand.

The other "component" is not a group but many groups with different agendas and constituencies. The most crucial for my purposes here are the advisers to the President; they were dismissed out of hand as "the wimps in the White House." Most, but not all, were civilians. Other senior military officers, now retired, who are not part of "Team America" and its adherents were also disparaged. Famously, General Jim Jones, the director of the National Security Council staff, was called a "clown."

These were the comments that forced Mr. Obama's hand and were what the press latched upon to explain the events. But many missed the point that McChrystal had just a few days before his dismissal written a devastating report on his mission. Confidential copies of it were obtained by the London newspaper, The Independent on Sunday, which published it today, but of course

the President had seen it earlier. Essentially, its message boiled down to failure.

McChrystal pointed out that he faced a ''resilient and growing insurgency,'' with too few troops and expected no progress in the coming six months. Despite expenditures of at least $7 billion a month, his politico-military strategy wasn't working. Within weeks of the ''victory'' over the Taliban in the agricultural district of Marja, the Taliban were back and the box full of government he had announced proved to be nearly empty. As the expression went in the days of the Vietnam war, whatever happened during the day, the guerrillas ''owned the night.'' As he described it, Marja was the ''bleeding ulcer'' of the American campaign.

Behind McChrystal's words, the figures were even more devastating: Marja, despite the descriptions in the press is not a town, much less a city; it is a hundred or so square miles of farm land with dispersed hamlets in which about 35,000 people live and work. Into that small and lightly populated area, McChrystal poured some 15,000 troops, and they failed to secure it.

To appreciate what those figures mean, consider them in context of Petraeus's counterinsurgency theory, on which McChrystal was basing his strategy. As he had explained it, Marja should be taken, secured and held. Then an administration—McChrystal's ''government in a box''—should be imposed upon it. Despite all the hoopla about the brilliant new strategy, it was hardly new. In fact it was a replay of the strategy the French General Lyautey called the tache d'huile (the oil spot) and applied in Indochina over a century ago. We also tried it in Vietnam, renaming it the ''ink spot.'' The hope was that the ''spot,'' once fixed on the Marja, would smudge into adjoining areas and so eventually spread across the country. Clear and simple, but unfortunately, like so much in counterinsurgency theory, it never seemed to work.

Petraeus's counterinsurgency theory also illuminated how to create the ''spot.'' What was required was a commitment of forces in proportion to native population size. Various numbers have been put forth but a common number is about one soldier for each 50 inhabitants. Marja was the area chosen for the ''spot.'' The people living there, after all, were farmers, wedded to the land, and so should be more tractable than the wild warriors along the tribal frontier. Moreover, it was the place where the first significant American aid program, the Helmand Valley Authority, had been undertaken in the late 1950s. So, if an area were to be favorable to Americans, it ought to be Marja. But, to take no chances, General McChrystal decided to employ overwhelming force. So, what is particularly stunning about the failure in Marja is that the force applied was not the counterinsurgency model of 1 soldier for each 50 inhabitants but nearly 1 soldier for each 2 inhabitants.

If these numbers were projected to the planned offensive in the much larger city of Kandahar, which has a population of nearly 500,000, they become impossibly large. Such an attack would require at least four times as many U.S. and NATO as in Marja. That is virtually the entire fighting force and what little control over Marja and most other areas, perhaps even the capital, Kabul, that now exists would have to be given up or else large numbers of additional American troops would have to be engaged. Moreover, in response to such an attack, it would be possible for the insurgents also to redeploy so the numbers would again increase.

The more fundamental question, which needs to be addressed, is why didn't this relatively massive introduction of troops with awesome and overwhelming fire power succeed. Just a few days before he was fired, as I have mentioned, General McChrystal posed, but could not answer, that question. I hope President Obama is also pondering it.

For those who read history, the answer is evident. But, as I have quoted in my book Understanding Iraq, the great German philosopher, Georg Willhelm Friedrich Hegel, despaired that ''Peoples and governments never have learned anything from history or acted on principles deduced from it'' and, therefore, as the American philosopher George Santayana warned us, not having learned from history, we are doomed to repeat it. Indeed, it seems that each generation of Americans has to start all over again to find the answers. Who among our leaders and certainly among college students now really remembers Vietnam? So, consider these simple facts:

The first fact, whether we like it or not, is that nearly everyone in the world has a deep aversion to foreigners on his land. As far as we know, this feeling goes back to the very beginning of our species because we are territorial animals. Dedication to the protection of homeland permeates history. And the sentiment has never died out. Today we call it nationalism. Nationalism in various guises is the most powerful political idea of our times. Protecting land, culture, religion and people from foreigners is the central issue in insurgency. The former head of the Pakistani intelligence service, who has had unparallelled experience with the Taliban over many years, advised us that we should open our eyes to seeing the Afghan insurgents as they see themselves: ''They are freedom fighters fighting for their country and fighting for their faith.'' We agreed when they were fighting the Russians; now, when many of the same people are fighting us, we see them only as terrorists. That label does not help us understand why they are fighting.

Instead of asking why they are fighting, counterinsurgents think they can overcome aversion to foreign invaders by ''renting'' the natives. In Marja, we not only put in a large military contingent but, as Rajiv Chandrasekaran reported this month in The Washington Post, we offered to employ virtually the entire adult population, some 10,000 people. Unquestionably such efforts do persuade some of the people for some of the time. But not all or permanently. In Marja, only 1,200 people signed up for the jobs we offered.

Why so few? After all, the Afghans, as I wrote in an earlier article, have suffered through virtually continuous war for thirty years. Many are wounded or sick, with some even on the brink of starvation. More than one in three subsists on the equivalent of less than 45 cents a day, almost one in two lives below the poverty line and more than one in two preschool children is stunted because of malnutrition. They are the lucky ones; one in five dies before the age of 5. Obviously, the Afghans need help, so we think they should welcome our efforts to aid them. But Marja shows that they do not. Nationwide, independent observers have found that attitude is common: most do not want us there, even giving them aid. And even those who do are fairly easily dissuaded by the insurgents.

Threats or attacks by the insurgents have brought them into our gunsights. In Afghanistan, as in Vietnam, we have tried to so weaken the insurgents that they cannot effectively block our programs. Our ''body counts'' in Vietnam showed that we killed off the entire Viet Minh several times over and today we are told that the ranks of the Taliban have been severely depleted. But, because the motivation that energized the first group of insurgents is widely shared, and is usually intensified by foreign military action, which by its nature is regarded by many of the natives as unjustified and brutal, new insurgents as well as supporters of the temporarily evicted insurgents will emerge from among the inhabitants of the oil/ink spot. Outsiders may have come in, but, according to U.S. military intelligence about three in four insurgents fight within five miles of their homes. They were ''home'' and taking up arms within a month in Marja.

Indeed, the campaign may have been, to use that cumbersome locution of governmentese, ''counter-productive.'' According to the former British counter-terrorism chief and current head of the U.N. monitoring mission, Richard Barnett, as cited in The Guardian/The Observer last week, ''Attempts by British and American forces to expand their control over Afghan territory over the past 12 months have been counter-productive and led to a worsening security situation.''

The second fact is that those insurgents who don't get killed are the ones who have learned three simple ways to defeat the counterinsurgents.

The first of these ways to defeat counterinsurgents is to use appropriate tactics—never stand and fight. Insurgents can see that their enemies outgun, and usually far out-number, them so they should hit and run—lay mines, ambush patrols, disrupt logistics but never get caught. Drawing on a Kenyan fable, this has been termed ''the war of the flea and the lion.'' The flea bites and jumps away. The powerful lion swats, occasionally hits, but eventually tires and moves away. Lions don't defeat fleas.

The second way insurgents can defeat the counterinsurgent is a form of jujitsu—using his strength against him. His strength is his superiority in weapons. So the insurgent seeks to incite him to use them. Inevitably, caught in the middle, the people—who are after all the ''spoil'' in insurgency warfare—get hurt. And when they get hurt, they naturally come to hate those who fire the weapons. In Vietnam, insurgents would sometimes enter a ''neutral'' village, shoot at an American airplane and then steal away. The attacked airplane would call in troops or gunships. The villagers would suffer and would be confirmed in their hatred of the Americans. It was brutal but very effective.

Counterinsurgents think they can avoid this problem by withholding as much as possible of their lethal power. But doing so is very difficult. Their soldiers also get hurt and angry. And they come to hate the locals—wogs, gooks, rag heads, untermenschen—who appear to them dirty, slovenly, corrupt and cowardly. No one can be trusted when even children act as spies or carry bombs. Soldiers make bad neighbors to civilians in the best of circumstances and insurgency is not one of those circumstances. As I have pointed out in my book, The Birth of America, it was the presence of even superbly disciplined British troops in Boston that touched off the American Revolution.

The third way insurgents can defeat invaders is by destroying their local puppets. Ruling another country is, of course, expensive and difficult so foreigners have almost always and everywhere enrolled willing natives to help. In the American Revolution we called those people ''the Loyalists.'' In Vietnam, they were the government of the South. In Afghanistan they are the ''Kabul government.''

So the insurgents regard collaborators—''Quislings'' as we called them in the Second World War—as their prime target. In America, the colonists threatened, tarred and feathered, lashed, imprisoned, hanged or drove away tens of thousands of the Loyalists. In Vietnam, French police records show

that in the 1950s, the Viet Minh virtually wiped out the administration of the southern government, murdering policemen, postmen, judges and other civil servants as well as teachers and doctors. And today in Afghanistan, as Rod Nordland reported in The New York Times on June 10, ''The Taliban have been stepping up a campaign of assassinations in recent months against officials and anyone else associated with local government in an attempt to undermine counterinsurgency operations in the south.''

One Afghan told Nordland, ''I know many people who are afraid to take jobs with the government or the aid community now. It's a very effective and very efficient campaign; the armed opposition are using this tool because it works.'' Even from a nationalist perspective, this is very rough justice. But many Afghans appear to believe it is both ''justice'' and Afghan justice.

To validate their actions, the insurgents must themselves supply what the foreigners and their local supporters offer. We have full records of how insurgents did this in Yugoslavia and Greece during the Second World War. The records are not so open for Afghanistan as yet. But, we know from a study by the U.S. Government Accountability Office (GAO) that the Taliban has set up a ''widespread paramilitary shadow government . . . in a majority of Afghanistan's 34 provinces.''

One of the things these shadow governments do is administer the law. For years, I have read reports contrasting what happens in a government court and a Taliban court. In the government court, cases languish for months or years while bribes are collected. A U.N. study found earlier this year that officials shake down their fellow citizens for an amount that is nearly a quarter of the country's gross domestic product. In a Taliban court, there is no bribery and no delay: Islamic law as defined by Afghan custom is immediate. From our point of view, this too is very rough justice, if justice at all, but in insurgencies, people appear willing to put aside the niceties of peaceful life. In our Revolution we did too.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 3 minutes to IKE SKELTON's partner, the gentleman from California, BUCK MCKEON, who is the ranking member of the Armed Services Committee.

Mr. MCKEON. I thank the leader for yielding me the time.

Mr. Speaker, I am very disappointed that the House Democratic leadership would allow a vote on these three amendments at this time. Make no mistake, all three would go far to cripple the war effort in Afghanistan and directly undermine the Commander in Chief.

Just 24 hours ago, the Senate unanimously confirmed General David Petraeus as the new commander of the U.S. and international forces in Afghanistan. And yet, not a day later, here we are on the House floor taking dangerous political potshots at our troops' mission and the President's strategy to surge an additional 30,000 troops in the region.

□ 2110

I strongly oppose all three Afghanistan amendments before us. Not only would they tie the hands of the Commander in Chief, but they send the exact wrong message to our allies and enemies alike at such a critical moment in our efforts in Afghanistan.

Today, our newly confirmed commander walked the halls at NATO headquarters, working to reassure our allies that our country is committed to this war. And right now he is heading to Afghanistan to take command. We should stand in unity with him, not sit here in Washington taking vote after vote to strip funding from our warfighters before his plan even touches down.

General Petraeus has proven himself to be one of America's most capable military officers. He turned around a perilous situation in Iraq, and our combat troops have started coming home. By the end of August, our troop levels in Iraq will be down to 50,000 for training and reserve purposes.

I believe the President has chosen the right commander and the right strategy in Afghanistan. I'm confident that General Petraeus and our troops can succeed if given the time, space, and resources they need to complete their mission.

As the General arrives in Afghanistan, those of us here in Congress cannot lose sight of the broader perspective. Our brave military men and women and their civilian counterparts are in the midst of a tough fight that's critical to the U.S. national security. Cutting off their funding in the middle of that fight is tantamount to abandonment.

In December, and again last week, the President reminded us why we are in Afghanistan. It was the epicenter of where al Qaeda planned and launched the 9/11 attacks against innocent Americans. After an exhaustive 90-day review last fall, the President recommitted the United States to defeating al Qaeda and the Taliban.

The timeline for success in Afghanistan cannot be dictated by arbitrary political clocks here in Washington. It must be driven by the operational clock in Kabul, Kandahar and the Afghanistan countryside. We all hope and pray that the goal can be accomplished by July 2011, but the President must adhere to his recent comments that conditions on the ground will dictate the pace of any withdrawal next summer.

I urge my colleagues to reject these ill-timed measures, reject attempts to strip funding for our warfighters and, instead, show our troops and allies a united front in our efforts.

Ms. LEE of California. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. I thank the gentlewoman for her courageous lead on this issue.

This $35 billion for Afghanistan is roughly equivalent to the amount in the Recovery Act for highways and transit. If instead of Afghanistan these funds were invested at home, we could do the equivalent of what we did in the Recovery Act, 35,000 lane-miles of highway improved; 1,262 bridges; 12,000 transit buses and rail passenger cars; 5,000 transit stations improved; and 1.3 million jobs that we've documented on our portion of the Recovery Act.

But this is a conflict with no exit, no end, no offset; and we should not provide more money for it.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I rise in opposition to the amendment and also to the underlying bill.

I have great respect for the gentlelady who brings this amendment. She said earlier that there is, in her way of thinking, no military solution in Afghanistan. But let me say that surrender is a military tactic. I just oppose it.

This is a very serious time in the life of our country here at home; and it's easy, I suspect, for some Americans to forget that we're a Nation at war. But we are.

As I was reminded when I traveled to Afghanistan the day after Christmas this last year, at this very hour, we have men and women in uniform in harm's way in Afghanistan and Iraq. And we owe them, in this moment, the resources they need to complete their mission, get the job done, and come home safe. We also owe them the respect of doing that without using our soldiers as a vehicle for other domestic spending priorities.

Military spending bills should be about military spending, and nothing else. And this legislation fails that test.

Before us today is a $75 billion spending bill, but less than half of this legislation will be used to support the Defense Department's war operations. Less than half. The military funding measure will spend almost $5 billion, supposedly, on a temporary bailout for a Federal Pell Grant program. This so-called military funding measure will spend $50 million on the Port of Guam, and $18 million for emergency reforestation, and $15 million for a highway safety study.

This military funding measure will also even spend, as we've heard in earlier debate, $10 billion on teacher jobs.

Now, I've been married, as of a month ago, for 25 years to a teacher. I support teachers. I believe education is a State and local function.

Anybody else remember that we just spent $53 billion in supposedly one-time spending for education in the President's failed stimulus bill? And now, on the backs of our soldiers, comes another $10 billion that has to be appropriated to save teachers jobs?

We can do better, men and women.

To top it all off, $63 billion of this bill isn't even paid for, just more deficits and more debt.

One of the ways the Democrats are saving a little bit of money here is by $3 billion in cuts to the Defense Department.

We can do better. Our soldiers deserve better. Let's reject this legislation. Let's do right by our soldiers.

Military spending bills should be about military spending, and nothing else.

Ms. LEE of California. I yield 1 minute to the gentlewoman from California, Congresswoman WATERS.

Ms. WATERS. Mr. Speaker, I rise in support, strong support, of Congresswoman BARBARA LEE's amendment to the 2010 Supplemental Appropriations Act. This amendment would limit the funds appropriated within the supplemental to the continued protection of our military and civilian personnel in Afghanistan, while a plan is implemented to begin their safe and orderly withdrawal from the region.

Despite nearly $300 billion spent on a predominantly military operation, by the way, resulting in the loss of over 1,000 U.S. troops in Afghanistan, we have not been able to successfully address Afghanistan's economic depravity, political corruption, or social divisions that have significantly impeded our military efforts within the country.

The American public is tired of this long, drawn-out war. Moreover, many of us in Congress do not see the logic in investing further funds toward training the Afghan Army, when all methods utilized to this point have failed to achieve tangible gains.

Furthermore, charges of corruption within the Karzai government have negatively impacted our credibility among Afghans, forcing them to choose between two different groups of terrorists.

The counterinsurgency (COIN) strategy is failing in Afghanistan and the Afghan government remains corrupt and illegitimate in the eyes of many of the Afghan citizens. The critical appropriations being offered in other Amendments (disaster relief, education funding, black farmer settlements) today underscores why we can no longer afford to continue our expensive military strategy in Afghanistan.

Deploying more combat troops to Afghanistan and continuing Bush wartime engagement strategies will fail to help Afghanistan build long-term sustainable institutions and a credible democratic government. Despite nearly $300 billion spent on a predominantly military operation (resulting in the loss of over 1,000 U.S. troops in Afghanistan), we have not been able to successfully address Afghanistan's economic depravity, political corruption, or social divisions that have significantly impeded our military efforts within the country. The American public is beginning to tire of this long drawn-out war. Moreover, many of us in Congress do not see the logic in investing further funds towards training the Afghan army when all methods utilized to this point have failed to achieve tangible gains. Furthermore, charges of corruption within the Karzai government have negatively impacted our credibility among Afghans, forcing them to choose between two different groups of terrorists—the Taliban or the corrupt Karzai government comprised of former warlords, responsible for some of the same atrocities the Taliban currently inflicts upon civilians.

A strengthened Taliban has resurfaced and is engaged in violent attacks throughout the country so that now is the deadliest time for American soldiers since the war began. Booming opium production helps fund the Taliban, which also receives aid from al Qaeda networks in Pakistan. The fledgling Afghan army and police are not ready to defend the country from insurgent attacks and operate independently from U.S. military involvement, training, and support. The highly organized and determined insurgency has continued to exploit the weak central government. Although the main insurgent groups may not have the same operational structure or long-term goals, they are inherently united in their efforts to drive the U.S. out of Afghanistan and unravel the central Afghan "democratic" government.

Therefore, Mr. Speaker, I strongly urge my colleagues to vote yes on Representative LEE's Amendment so that we can begin the process of bringing our troops home!

□ 2120

Ms. LEE of California. Just for clarification, let me make sure that the opposition understands that this bill did not leave here as a military spending bill. It left here as a government-wide spending bill. It is very legitimate to deal with domestic issues because it was a disaster-relief bill. The military spending was actually added in the Senate. So what we are doing today is very credible, very legitimate. We want to begin to end this war, and we want to do it by stopping the funding.

I yield 1 minute to Congressman ROHRABACHER, the gentleman from California.

Mr. ROHRABACHER. Yes, there are snowballs in hell. I rise in support of amendments 4 and 5. I do so with a heavy heart, as I deeply appreciate the Americans whose lives are in danger in Afghanistan. They are there to protect us against the radical forces of Islam, which used Afghanistan as a base of operations that led to the slaughter of 3,000 Americans on 9/11, which is almost 9 years ago. After that vicious attack on our civilian population, yes, we cannot let down our guard. However, that does not mean rubberstamping any military operation, even if it does not have a chance of success.

I have been engaged in Afghanistan since the 1980s, and I can state emphatically that if we continue our present strategy in Afghanistan, we will not succeed, and America will eventually be weakened by loss of lives and the expenditures of hundreds of billions of dollars.

What works in Afghanistan is what has worked in Afghanistan: Let the Afghans pay the price. Let them do their fighting. Putting American boys in their place is contrary to our national interests, and will not lead to success. Trying to foist upon the Afghan people a corrupt centralized government in Kabul will not work. We need to change strategy instead of putting our people into a meat grinder in the place of Afghans themselves.

I rise in support of Amendments Nos. 4 and 5. I do this with a heavy heart, as I deeply appreciate the brave Americans whose lives are in danger in Afghanistan. They are there to protect us against the forces of radical Islam, which used Afghanistan as a base of operations. And that is what led directly to the slaughter of 3,000 Americans on 9–11 almost nine years ago. After that vicious attack on our civilian population, we must never let down our guard, or show signs of weakness before this evil fanatic enemy. However, that doesn't mean rubber stamping any military operation even if it does not appear to have a chance of success. I have been engaged in Afghanistan since the 1980s and I can state emphatically that if we continue our present strategy in Afghanistan we will not succeed and America will eventually be weakened by loss of lives and the expenditure of hundreds of billions of dollars.

Putting our courageous defenders in a no-win situation will sap the will of our people and the capabilities of our military, as it did in Iraq. And while going into Iraq was neither illegal nor immoral, it was a mistake, because there was no way to succeed and withdraw before being stuck in a bloody and costly war of attrition, from which we are only presently extricating ourselves.

Continuing the war in Afghanistan as we are now engaged will lead nowhere but to a similar meat grinder, dragging us down and at a horrendous cost. None of this means that I believe we should cede control of Afghanistan to radical anti-American Muslims. It instead means we must be realistic, so the sacrifice of our brave defenders will not be in vain.

We could have and should have eliminated Saddam Hussein through an alliance with those forces in Iraq that despised that bloody tyrant— the Kurds, the Shiites, the professional soldiers and bureaucracy.

A similar strategy already worked in Afghanistan after 9–11, the Taliban and al-Qaeda forces were not defeated by an invasion of U.S. military troops. Only 200 American military personnel were on the ground when this terrorist army was driven out. It was the Afghans themselves—the Northern Alliance—who won the day. They had American air support but they were the ones on the ground. I'd say it was not ours, but their boots on the ground that did the job. However, most of them didn't have boots. This "let the locals do their own fighting" principle is the formula for success. In Afghanistan, let those forces who despise the radical Taliban fight them and defeat them with our help, but not in their place. Instead, our young people are doing the fighting, and the dying. Why? Because we are trying to foist onto all Afghans a structure of government that is totally inconsistent with their culture and tradition—a centralized all-powerful government in Kabul. That has never worked in Afghan history, especially when that central government is corrupt and backed by a foreign army.

America needs to rethink our approach in Afghanistan. We owe it to those who are risking their lives to not keep them engaged in an impossible mission. Nonetheless, I firmly believe radical Islam can be defeated in Afghanistan.

I would suggest that it is time for America to open and honestly discuss the various approaches available, and then to move toward a plan that will work.

As for me, I say, let the Afghans who expelled the Taliban in the past do the fighting for themselves now. Let them do their own fighting—it is a strategy that works.

Spending more to keep the current situation from deteriorating in the long run will be a waste of treasure and a waste of lives.

I ask my colleagues to join me in voting "yes" on Amendments 4 and 5.

Ms. LEE of California. I yield 1 minute to the gentlelady from Maryland, Congresswoman DONNA EDWARDS.

Ms. EDWARDS of Maryland. Mr. Speaker, I rise in support as a cosponsor of this amendment, and I thank Congresswoman LEE for her steadfast leadership on this issue.

This amendment requires that we act on evidence. And we know that based on the evidence, our Afghanistan policy is a failure. Numerous revised strategies and restated mission statements, from President Bush, to Prime Minister Gordon Brown, to Prime Minister Blair, to President Obama, restated mission statements that continue to fall short of the touted successes, so-called successes.

The U.S. military reported today that 102 coalition forces were killed in June alone, along with countless Afghanis, rivaling the heights of the Iraq war. It's time to cast aside a policy of increasing entrenchment and use our resources to bring our troops, our treasure home.

I want to be perfectly clear: My opposition to the war is opposition to the policy; it's not to the brave men and women who serve this country with honor. But we do them an injustice by not having a real debate on the floor of this House about this policy and its failure.

I have seen the conditions on the ground, just recently in May, for myself, and I can assure you this war will never end quickly, if at all. I urge my colleagues to support this amendment. And whether it was McKiernan, McChrystal, Petraeus, it's not just about the generals; it's about the policy. And it's a failure.

Ms. LEE of California. I yield 1 minute to the gentlelady from Texas, Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I rise strongly to support the Barbara Lee amendment, of which I am a cosponsor. And this is allowing the orderly withdrawal of our troops, one thing that we did not do in the Vietnam war, when we lost 58,000 of our young men and women, who we treasure and thank them for their service.

Now today we have the opportunity to do what Congress should do. It's not to give an unending mandate to a war that is not a constitutionally declared war, which this is not.

So I would say that if we are looking for the terrorists, al Qaeda is not there. Our intelligence authorities, and General Petraeus have indicated that there are less than a hundred al Qaeda terrorists in Afghanistan. There are insurgents who are the Taliban. It is well known that if you give to the Taliban the mountains and valleys that have been given by General McChrystal, and concentrate your war efforts in the cities, you still will lose this war. The Taliban will never surrender the mountains and will continue to attack.

A thousand-plus have died; $37 billion is in this bill. We must do what we did not do in Vietnam, and not cry after the fact when we saw the 58,000 body bags come home.

Yes, we salute the young men and women who are on the front lines. We thank them for their service and the sacrifice of their families. I have been to Afghanistan many times, and I believe we have a better way. Now is the time to invest in the Afghan people, and the government to make a difference, not continue to lose the precious treasure of America. Stand against this war and have an orderly withdrawal for the sake of the American people and bring our troops home with honor. America has not lost the war. America has created a roadmap for Afghanistan to follow and to build its country up.

Our stated, limited military mission was precisely to hold back Talibon momentum—i.e., to "stalemate" it—while economics development and good governance took hold and we enabled Afghan security forces to replace ours. Instead, our military assistance has dwarfed our development and government efforts—which are still stumbling—and no independent analyst seriously thinks the Afghan army and police will be able to take over the nation's security for years. Military's momentum has taken over.

We have changed the Afghan equation, but for the worse. The U.S. troop surge illustrates a lesson we learned in Vietnam. Large-scale insertion of foreign troops into a domestic insurgency—whatever its initial cause—dramatically transforms the hostilities from an internal dispute into one focused on driving out "foreign invaders," as Afghanistan has done repeatedly throughout its history.

Even if, contrary to fact, a Taliban takeover threatened our security, the Administration's strategy would make no sense. There is a basic contradiction between, on the one hand, the claim that defeating the Taliban is vital to our safety and, on the other hand, the claim that our commitment is short term and of limited extent. The two efforts to square that inconsistency have already proven unrealistic.

The Pentagon told us that successful campaigns in Taliban strongholds like Helmand and Kandahar Provinces would break the back of Taliban efforts to control the country and bring them to the bargaining table.

But it now is very unlikely that our military will be holding a decisive upper hand after the Kandahar and similar campaigns. The Helmand campaign remains, at best, a "work in progress," with dubious results thus far. The supposedly decision campaign to "win Kandahar province" has been heavily diluted and downgraded, even before getting fully underway. The new focus on nighttime raids and air strikes continues to kill civilians, badly undercutting U.S. strategy to "win over" the Afghan people.

June was the deadliest month of the nine-year-long Afghanistan war. Should the U.S. get out of Afghanistan? Why or why not?

Frank Askin, professor of law at Rutgers University, said: There is no use throwing good money (and good bodies) after bad. There can be no successful outcome to this war, unless we are prepared to stay in Afghanistan forever. We need the money back home, Let's just declare victory and get out!

Paul Kawika Martin, policy and political director of Peace Action, said: Yes, the U.S. should get the military out of Afghanistan.

Today, Representatives in the house will have the opportunity to vote against $33 Billion dollars "emergency" supplemental funding for the failed escalation in Afghanistan. They will also have the opportunity to vote for a MdGovern/Obey amendment that will among other things require the president to present Congress with:

(1) a new National Intelligence Estimate on Afghanistan by January 31, 2011. 2) a plan by April 4, 2011 on the safe, orderly and expeditious redeployment of U.S. troops from Afghanistan, including a timeframe for the completion of the redeployment.

The amendment also requires Congress to vote if the president wants to change his announce plan to begin to drawdown troops by July 2011 and expands oversight of private contractors in Afghanistan to deal more effectively with corruption, waste, fraud and abuse.

A large coalition of 20 organization representing nearly 13 million people support this amendment because the enormous costs in blood and treasure is not necessarily making Americans safer. Instead, focusing on regional political solutions and investing in Afghan-led aid and development that brings people out of poverty has a far better chance of success at a fraction of the cost. Let's not forget that we are funding this war by borrowing from China and as Admiral Mike Mullen, the Chairman of the Joint Chiefs, said last week: debt is the number one threat to America's National Security. It is time to bring our troops home with honor.

OPERATION IRAQI FREEDOM (OIF) U.S. CASUALTY STATUS:
Fatalities as of: July 1, 2010, 10 a.m. EDT

| | Total deaths | KIA | Non-hostile | WIA RTD** | WIA not RTD** |
|---|---|---|---|---|---|
| OIF U.S. Military Casualties By Phase: | | | | | |
| Combat Operations—19 Mar 03 thru 30 Apr 03 | 139 | 109 | 30 | 116 | 429 |
| Post Combat Ops—1 May thru Present | 4,261 | 3,370 | 891 | 17,782 | 13,547 |
| OIF U.S. DoD Civilian Casualties | 13 | 9 | 4 | ..... | ..... |
| Totals | 4,413 | 3,488 | 925 | 17,898 | 13,976 |

| | Total deaths | KIA | Non-hostile | WIA RTD** | WIA not RTD** |
|---|---|---|---|---|---|
| OPERATION ENDURING FREEDOM (OEF) U.S. CASUALTY STATUS<br>FATALITIES AS OF: July 1, 2010, 10 a.m. EDT | | | | | |
| OEF U.S. Military Casualties: | | | | | |
| In and Around Afghanistan*** | 1056 | 840 | 216 | 2,973 | 3,649 |
| Other Locations**** | 78 | 8 | 70 | ..... | 1 |
| OEF U.S. DoD Civilian Casualties | 2 | 1 | 1 | ..... | ..... |
| Worldwide Total | 1,136 | 849 | 287 | 2,973 | 3,650 |

*OPERATION IRAQI FREEDOM includes casualties that occurred on or after March 19, 2003 in the Arabian Sea, Bahrain, Gulf of Aden, Gulf of Oman, Iraq, Kuwait, Oman, Persian Gulf, Qatar, Red Sea, Saudi Arabia, and United Arab Emirates. Prior to March 19, 2003, casualties in these countries were considered OEF.

**These columns indicate the number of servicemembers who were Wounded in Action (WIA) and Returned to Duty within 72 hours AND WIA and Not Returned to Duty within 72 hours. To determine the total WIA figure, add the columns "WIA RTD" and "WIA Not RTD" together. These figures are updated on Tuesday unless there is a preceding holiday.

***OPERATION ENDURING FREEDOM (In and Around Afghanistan), includes casualties that occurred in Afghanistan, Pakistan, and Uzbekistan.

****OPERATION ENDURING FREEDOM (Other Locations), includes casualties that occurred in Guantanamo Bay (Cuba), Djibouti, Eritrea, Ethiopia, Jordan, Kenya, Kyrgyzstan, Philippines, Seychelles, Sudan, Tajikistan, Turkey, and Yemen.

Mr. LEWIS of California. Mr. Speaker, how much time do we have on each side?

The SPEAKER pro tempore. The gentleman has 2½ minutes. The gentlewoman from California has 3 minutes.

Mr. LEWIS of California. I reserve the balance of my time.

Ms. LEE of California. I yield 30 seconds to the gentleman from Wisconsin (Mr. KAGEN).

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

Mr. KAGEN. I rise in support of this amendment and ask a question: Whose side are these gentlemen on? The leader of Iran was there with the leader of Afghanistan 1 day after our Secretary of Defense, Secretary Gates, was there. Are these our friends? Are these the people you are willing to invest $35 billion in?

Two thousand three hundred years of human history have proven one thing in Afghanistan: It's easy to get into Afghanistan, and very hard to get out. When you leave, they will shoot you in the rear end.

Forty percent of all money we are investing in Afghanistan is being stolen. One hundred al Qaeda were there before we had the surge. This is our time to leave Afghanistan, with all honor and respect. We will always support our troops, but not a losing policy.

Ms. LEE of California. I yield 1 minute to the gentleman from Florida (Mr. GRAYSON).

Mr. GRAYSON. I speak tonight in support of peace. The hardest thing that we often do as human beings is this, to admit that we are wrong. It's not easy. We all know it. We don't look forward to it. And sometimes we feel bad afterward. But we have to admit we are wrong when we are wrong, because if we don't we keep hurting ourselves. And that's exactly what we see in Iraq and Afghanistan. At this point, we are hurting ourselves. We are hurting ourselves extremely deeply.

We have spent over $3 trillion pursuing these wars. That's over $10,000 for every man, woman, and child in this country. We have put our whole national economy at risk, bringing it to the brink of national bankruptcy. We have killed thousands of Americans, hundreds of thousands of Afghans, and of Iraqis. We have shed blood all over the Middle East at this point.

And in addition to that, we have done lasting damage to ourselves as a country on a moral level, on an economic level, and on a level of the health of the young men and women who serve us. A quarter of a million of them left with permanent brain abnormalities. We are hurting ourselves. We are a strong country. We decide when wars begin and when wars end, and we have to decide to end this one right now.

Ms. LEE of California. How much time do I have now, Mr. Speaker?

The SPEAKER pro tempore. The gentlewoman has 1½ minutes remaining.

Ms. LEE of California. I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. CHU).

(Ms. CHU asked and was given permission to revise and extend her remarks.)

Ms. CHU. I rise in support of the amendment.

Ms. LEE of California. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. Mr. Speaker, every dollar we spend in Afghanistan, every life we sacrifice there is a tragic waste that does not enhance the security of the United States.

We were attacked on 9/11 by al Qaeda. Al Qaeda had bases in Afghanistan. It made sense to go in and destroy those bases, and we did. But those bases are no longer there. They are in Pakistan and Yemen and Somalia, and we are not invading those countries. Why do we undertake to invent the corrupt government and try to impose it on the country?

Afghanistan is in the middle of a 35-year civil war. We have no business intervening in that civil war. We have no ability and no necessity to win it for one side or the other.

This whole idea of counterinsurgency, that we are going to persuade the people left alive after our firepower is applied to love the government that we like, is absurd. At this point we must recognize that rebuilding Afghanistan is both beyond our ability and irrelevant to our purpose of preventing terrorist attacks on the United States.

We should support this amendment. We should support our troops. We should bring them home now.

Every dollar we spend in Afghanistan, every life we sacrifice there, is a tragic waste that does not enhance the security of the United States. We were attacked on 9/11 by Al Qaeda. Al Qaeda had bases in Afghanistan; it made sense to go in and destroy those bases, and we did. But the CIA tells us that there are fewer than one hundred Al Qaeda personnel now in all of Afghanistan—their bases are in Pakistan, but we are not invading Pakistan. They have bases in Somalia and Yemen, but we are not invading Somalia and Yemen.

An intelligent policy might be to attack the bases from which mayhem is being plotted against us, wherever they are—not to try to remake a country that nobody since Genghis Khan has managed to conquer. What makes us think, what arrogance gives us the right to assume, that we can succeed where the Moguls, the British, the Soviets, failed. No government in Afghanistan, no government in Kabul, has ever been able to make its writ run and rule the country.

Why have we undertaken to invent a government that is not supported by the majority of the people, that is corrupt, and try to impose it on the country? Afghanistan is in the middle of what is, at this point, a 53-year-civil war. We have no business intervening in that civil war, we have no ability and no necessity to win it for one side or the other. This whole idea of counter-insurgency, that we are going to persuade the people left alive after our firepower is applied, to love the government that we like is absurd.

It will take tens of years, hundred of billions of dollars, tens of thousands of American lives, if it can be done at all, and we don't need to do it. It's their country. If they want to have a civil war, we can't stop them. We can't choose the rulers that they have, we don't have to like the rulers that they have, we don't have to like their choices. It's not up to us.

Aside from assuring that specific bases are not being used against us—we should not spend a nickel, we should not waste a life, in pursuit of an unintelligent, unthought-through, unachievable, and unnecessary goal.

At this point, we must recognize that rebuilding Afghanistan is both beyond our ability, and irrelevant to our purpose of preventing terrorist attacks on the United States.

We should support this amendment.

We should support our troops.

We should bring them home.

□ 2130

Mr. LEWIS of California. I yield myself the balance of my time.

Mr. Speaker, let me begin by reminding the Members that this supplemental originally was sent to us by our Commander in Chief, the President of the United States, Barack Obama.

I understand the concerns about the war in Afghanistan. I have similar concerns, especially following the recent turmoil regarding command changes. But I also have full faith and confidence in our brave and selfless men and women fighting over there.

The President knows that war is tough and a dirty business. But our forces, although tired, are eager for the opportunity to succeed and more than capable of doing so.

I have in my hand a Statement of Administration Policy from our Commander in Chief, Barack Obama. In it, his advisers suggest, if this amendment is a part of the bill, that they will be recommending to the President that he veto this bill.

Indeed, it is time for us to recognize that the war on terror is very real. The challenge in Afghanistan is supported by the President because he recognizes it's very real, and it's one of the bases of operation for their activities. In fact, I believe that we have to let conditions on the ground dictate the process, as General Petraeus just testified this week, even if those conditions require forces to stay past the President's July 11 withdrawal date.

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

Ms. LEE of California. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as we approach the 10-year mark in this war, which is the longest war in U.S. history, we need to ask when is enough enough? How many of our brave men and women must be sacrificed in this never-ending war? How much blood, how much treasure do we have to spend in Afghanistan? And, also, we have to ask ourselves do we need another 10 years to figure it out. I suggest that we don't.

It's time to change course. It's time for Congress to assert itself in our responsibilities, in our role. We control the purse strings, and enough is enough. We need to say today that we must begin to safely withdraw our young men and women from Afghanistan. No more funds for combat operations.

The SPEAKER pro tempore. All time for debate from the gentlewoman from California (Ms. LEE) and an opponent has expired.

Pursuant to the rule, the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from California (Mr. LEWIS) each will control 15 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I rise in strong support of the McGovern-Obey-Jones amendment. Quite simply, all this amendment does is make sure that the President and the Congress be accountable to the American people, our troops, and their families about what our policy in Afghanistan is going to be from July 2011 onward.

At this time I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), chairman of the Appropriations Committee.

Mr. OBEY. Mr. Speaker, as was pointed out earlier, those who suggest that any efforts to add any items to what is called a military supplemental are somehow out of line are simply wrong. This legislation started out as a disaster relief bill. It went to the Senate, and they morphed it into a military supplemental, and we're simply now responding to that action.

I want to talk about the problems in Afghanistan. A year ago, I made the statement that while I was dubious about the mission in Afghanistan, I would give the President a year to see whether his policy would bear fruit. But I warned at the time that we could have the best possible policy in the world and, if we did not have the tools to implement it, it would be a failure. And I would suggest that the only two tools that we have available to use in that region of the world are the Pakistan Government and the Afghan Government; and I think it's safe to say that both of them have been less than a spectacular success, to say the least. Since then, I think it's also fair to say that events have gone downhill, especially in Afghanistan.

And in addition, since we're now spending $167 billion on these two wars, I think it's also obvious that we're having a profoundly negative effect on our ability to reinvest in and rebuild our own economy. And I think the time has come for new consideration.

Now, last December the President indicated that it was his intention to follow a policy which would begin to withdraw our troops from Afghanistan beginning in July of 2011. This amendment is meant to simply buttress that commitment, and what it says is this: It requires that in January, a new intelligence estimate be provided, and that after that is provided, the administration, by April 4, must respond to it by sending to the Congress an outline of its plans to follow the policy which they have announced which would begin to get us out of there starting in July of next year.

What this amendment also says is, if the administration decides to follow a different policy by, for instance, extending that date, then they cannot do that unless the Congress explicitly votes to allow the funds to be used for that purpose.

What I'm concerned about is this: What I can see happening is come next July, we can be told by the Pentagon, well, things are marginally better than we thought they would be and so we're going to need more time and that target date will be slipped. On the other hand, they can also say things are really going badly and so we obviously can't get out at this time. We need to have more time.

I want to know that there is a serious, determined commitment to withdraw our troops beginning in June of next year. That is more than ample time for the Pakistani Government and the Afghan Government to demonstrate whether they are capable of doing this mission or not.

I think it is obvious that we are not going to be able to rebuild our own country and make the investments we need here at home so long as we're continuing this mission in Afghanistan. And so I think this provides an orderly, rational, responsible, thoughtful way by which we can reach a conclusion to get out of that country rather than spending another 9 years before we finally face up to reality.

I thank the gentleman for the time.

DISCLOSURE OF EARMARKS

The following table lists the congressional earmarks (as defined in clause 9(e) of rule XXI) contained in the House amendment to the Senate amendment to H.R. 4899. The House amendment does not contain any limited tax or tariff benefits as defined in paragraphs (f) or (g) of clause 9 of rule XXI.

TABLE IV—CHAPTER 1—DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION, ARMY

[Congressionally Directed Spending Items]

| Account | Location | Project | Amount | Requester |
|---|---|---|---|---|
| Military Construction, Army | Texas: Ft. Hood | Soldier Readiness Processing Center | $16,500,000 | Edwards (TX) |

TABLE IV—CHAPTER 1—GENERAL

[Congressionally Directed Spending Items]

| Agency | Account | Project | Amount | Requester(s) |
|---|---|---|---|---|
| FEMA | General Provision | Reimbursements for Presidentially Declared Disasters, RI, TN | | Kennedy; Langevin |
| FHWA | General Provision | Repeal of Section 1117(d) of the Transportation Equity Act for the 21st Century. | | Carney |

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

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to my colleague from New Jersey, RODNEY FRELINGHUYSEN.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise this evening to oppose all amendments to this legislation, especially those dealing with our operations in Afghanistan.

Mr. Speaker, my colleagues, how quickly we forget. As Mr. LEWIS mentioned, as did Mr. PENCE, with historic

speed, the Senate this week unanimously confirmed our new NATO commander in Afghanistan. During his brief confirmation hearing, General David Petraeus urged this Congress to approve the War Funding Bill in an expedited way. Yet this evening, this process guarantees that no funding will be signed into law before mid-July. And if that's not bad enough, we find ourselves here on the floor debating not one, but three amendments that have the effect of defunding our Afghanistan operations, basically tying the hands of our Commander in Chief and micromanaging the military at a time when they need to do their job and to be successful.

Mr. Speaker and my colleagues, we are a nation at war. We have soldiers and Marines deployed halfway around the world. Many of them are in combat at this very hour facing a dangerous enemy. And yet we find ourselves here tonight questioning the very mission we've asked our troops to execute. What message does that send to them if they're watching us? What message does it say to our allies, some of whom may question it in their own governments, their resolution to stay the course? What message does it send to our enemies, people who would launch deadly attacks in our homeland as they've done in their homeland each and every day at an early opportunity.

This is a critical moment in our efforts in Afghanistan. I urge rejection of these amendments and support of our troops.

Let's pass the clean supplemental. Get rid of these amendments that do harm to our mission in Afghanistan and get about the business of supporting our national defense in a proper way.

□ 2140

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. JONES), a cosponsor of this amendment.

Mr. JONES. Mr. Speaker, I would like to start my comments out with an editorial from the Pensacola News Journal, dated June 25: ''Is Afghanistan worth it?''

''It isn't often that conservative columnist George Will and liberal columnist Thomas Friedman are on the same page. Welcome to Afghanistan.''

Mr. Speaker, the reason we need to have this debate tonight is due to one issue. The main issue that bothers me greatly is what is called ''rules of engagement.''

In fact, on the 20th of June, in The Washington Post, George Will wrote an editorial, ''An NCO recognizes a flawed Afghanistan strategy.''

''A recent email from a noncommissioned officer serving in Afghanistan: He explains why the rules of engagement for U.S. troops are 'too prohibitive for coalition forces to achieve sustained tactical success.' ''

I also would like to show, very quickly, two newspapers articles from the Marine Times:

''Rules of engagement. We are putting our kids out there to fight with their hands handcuffed—left to die. They call for help. Negligent Army leadership refuse and abandon them on the battlefield. Four marines and one Army killed.''

I actually spoke to this father, Mr. Speaker, from Maine, who was featured in the Marine Times, which reads: ''Caution killed my son. Marine families blast suicidal tactics in Afghanistan.''

This is what they call ''rules of engagement.'' We handcuff our troops, and we tell them we want them to go out and fight.

Mr. Speaker, I have a retired general who, for the last 9 months, has been my adviser on Afghanistan. I gave him my word that I would not use his name publicly on the floor of the House, in a committee or in a newspaper. Six weeks ago, I asked him again about Afghanistan, and this is what he emailed back to me:

''Afghanistan has been too tough a nut to crack for every nation that has ever tried to crack it. We need to figure out a way to honorably pack our bags and get out. It is not in our national interests to be there.''

That is why I am on this amendment with Mr. MCGOVERN and Mr. OBEY. I don't see how anybody could be opposed to this. If you are concerned about our troops and if you are concerned about the frequent deployments that are wearing out our military and their families, if you are concerned about the billions of dollars that are unaccounted for in Afghanistan, this is a reasonable amendment. It will give hope to our troops, and it will give hope to our taxpayers that we are watching their moneys. More importantly, the troops will know what is in front of them—not 10 more years of going down a road that has no end to it.

With that, Mr. Speaker, I will ask the men and women in this room to continue to pray for our men and women in uniform and their families. Let's pass this amendment. It is a good amendment.

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

Mr. MCGOVERN. Mr. Speaker, I would like to insert into the RECORD two articles that appeared in the Washington Post. One is entitled, ''U.S. Indirectly Paying Afghan Warlords as Part of Security Contract.'' The other is entitled, ''U.S. Officials Say Karzai Aides are Derailing Corruption Cases Involving Elite.''

[From the Washington Post, June 22, 2010]

U.S. INDIRECTLY PAYING AFGHAN WARLORDS AS PART OF SECURITY CONTRACT

(By Karen DeYoung)

The U.S. military is funding a massive protection racket in Afghanistan, indirectly paying tens of millions of dollars to warlords, corrupt public officials and the Taliban to ensure safe passage of its supply convoys throughout the country, according to congressional investigators.

The security arrangements, part of a $2.16 billion transport contract, violate laws on the use of private contractors, as well as Defense Department regulations, and ''dramatically undermine'' larger U.S. objectives of curtailing corruption and strengthening effective governance in Afghanistan, a report released late Monday said.

The report describes a Defense Department that is well aware that some of the money paid to contractors winds up in the hands of warlords and insurgents. Military logisticians on the ground are focused on getting supplies where they are needed and have ''virtually no understanding of how security is actually provided'' for the local truck convoys that transport more than 70 percent of all goods and materials used by U.S. troops. Alarms raised by prime trucking contractors were met by the military ''with indifference and inaction,'' the report said.

''The findings of this report range from sobering to shocking,'' Rep. John Tierney (D–Mass.) wrote in an introduction to the 79-page report, titled ''Warlord, Inc., Extortion and Corruption Along the U.S. Supply Chain in Afghanistan.''

The report comes as the number of U.S. casualties is rising in the Afghan war, and public and congressional support is declining. The administration has been on the defensive in recent weeks, insisting that the slow progress of anti-Taliban offensives in Helmand province and the city of Kandahar does not mean that more time is needed to assess whether President Obama's strategy is working.

''I think it's much too early to draw a negative conclusion,'' said a senior administration official, speaking on the condition of anonymity to discuss internal deliberations. ''I think there's more positive than negative. We're heading toward a year-end assessment, which will be a big one for us.'' The review was set when Obama announced in December that he would send an additional 30,000 troops to Afghanistan and begin to withdraw them in July 2011.

Tierney is chairman of the national security subcommittee of the House Committee on Oversight and Government Reform, whose majority staff spent six months preparing the report. A proponent of a smaller U.S. military footprint in Afghanistan and targeted attacks on insurgents, Tierney said in an interview Monday that he hopes the report will help members of Congress ''analyze whether they think this is the most effective way to go about dealing with terrorism. Or the most cost-effective way.''

The report's conclusions will be introduced at a hearing Tuesday at which senior military and defense officials are scheduled to testify. The report says that all evidence and findings were made available to Republicans on the subcommittee. A spokesman for Rep. Jeff Flake (Ariz.), the ranking Republican, said the lawmaker will not comment until he has seen the entire report.

In testimony shortly after Obama's strategy announcement, Secretary of State Hillary Rodham Clinton said that ''much of the corruption'' in Afghanistan has been fueled by billions of dollars' worth of foreign money spent there, ''and one of the major sources of funding for the Taliban is the protection money.''

Military officials said that they have begun several corruption investigations in Afghanistan and that a task force has been named, headed by Navy Rear Adm. Kathleen Dussault, director of logistics and supply operations for the chief of naval operations and former head of the Baghdad-based joint contracting command for Iraq and Afghanistan.

Rear Adm. Gregory J. Smith, communications chief for U.S. and NATO forces in Kabul, said that the entire Tierney report

has not been examined but that Dussault will be ''reviewing every aspect of our contracting process and recommending changes to avoid our contribution to what is arguably a major source of revenue that feeds the cycle of corruption.''

The U.S. military imports virtually everything it uses in Afghanistan—including food, water, fuel and ammunition—by road through Pakistan or Central Asia to distribution hubs at Bagram air base north of Kabul and a similar base outside Kandahar. From there, containers are loaded onto trucks provided by Afghan contractors under the $2.16 billion Host Nation Trucking contract. Unlike in the Iraq war, the security and vast majority of the trucks are provided by Afghans, a difference that Army Gen. Stanley A. McChrystal, the top U.S. and NATO commander in Afghanistan, has praised as promoting local entrepreneurship.

The trucks distribute the material to more than 200 U.S. military outposts across Afghanistan, most of them in the southern and eastern parts of the country where roads are largely controlled by warlords and insurgent groups.

The report found no direct evidence of payoffs to the Taliban, but one trucking program manager estimated that $1.6 million to $2 million per week goes to the insurgents.

Most of the eight companies approved for the contract are Afghan-owned, but they serve largely as brokers for subcontractors that provide the trucks and security for the convoys, which often contain hundreds of vehicles. According to the congressional report, the U.S. officers charged with supervising the deliveries never travel off bases to determine how the system works or to ensure that U.S. laws and regulations are followed.

The report describes a system in which subcontractors—most of them well-known warlords who maintain their own militias—charge $1,500 to $15,000 per truck to supply guards and help secure safe passage through territory they control. The most powerful of them, known as Commander Ruhullah, controls passage along Highway One, the principal route between Kabul and Kandahar, under the auspices of Watan Risk Management, a company owned by two of Afghan President Hamid Karzai's cousins.

Overall management of who wins the security subcontracts, it said, is often controlled by local political powerbrokers such as Karzai's half brother, Ahmed Wali Karzai, head of the Kandahar provincial council.

Relatively unknown before U.S. forces arrived in Afghanistan in fall 2001, Ruhullah is ''prototypical of a new class of warlord in Afghanistan,'' the report said. Unlike more traditional warlords, he has no political aspirations or tribal standing but ''commands a small army of over 600 guards.''

The ''single largest security provider for the U.S. supply chain in Afghanistan,'' Ruhullah ''readily admits to bribing governors, police chiefs and army generals,'' the report said. In a meeting with congressional investigators in Dubai, he complained about ''the high cost of ammunition in Afghanistan—he says he spends $1.5 million per month on rounds for an arsenal that includes AK–47s, heavy machine guns and RPGs,'' or rocket-propelled grenades. It added: ''Villagers along the road refer to him as 'the Butcher.'''

Despite his ''critical role,'' the report said, ''nobody from the Department of Defense or the U.S. intelligence community has ever met with him,'' other than special operations forces who have twice arrested and released him, and he ''is largely a mystery to both the U.S. government and the contractors that employ his services.''

Defense regulations and laws promulgated following difficulties with private security contractors in Iraq limit the weaponry that contractors can use and require detailed incident reports every time shots are fired. But such reports are rarely, if ever, filed, investigators said.

Another trucking contractor described a ''symbiotic'' relationship between security providers such as Ruhullah and the Taliban, whose fighters operate in the same space, and said that the Taliban is paid not to cause trouble for the convoys. ''Many firefights are really negotiations over the fee,'' the report said.

Among its recommendations, the report calls on the military to establish ''a direct line of authority and accountability over the private security companies that guard the supply chain'' and to provide ''the personnel and resources required to manage and oversee its trucking and security contracts in Afghanistan.''

---

[From the Washington Post, June 28, 2010]

## U.S. Officials Say Karzai Aides Are Derailing Corruption Cases Involving Elite

(By Greg Miller and Ernesto Londoño)

Top officials in President Hamid Karzai's government have repeatedly derailed corruption investigations of politically connected Afghans, according to U.S. officials who have provided Afghanistan's authorities with wiretapping technology and other assistance in efforts to crack down on endemic graft.

In recent months, the U.S. officials said, Afghan prosecutors and investigators have been ordered to cross names off case files, prevent senior officials from being placed under arrest and disregard evidence against executives of a major financial firm suspected of helping the nation's elite move millions of dollars overseas.

As a result, U.S. advisers sent to Kabul by the Justice Department, the FBI and the Drug Enforcement Administration have come to see Afghanistan's corruption problem in increasingly stark terms.

''Above a certain level, people are being very well protected,'' said a senior U.S. official involved in the investigations.

Karzai spokesman Waheed Omar denied investigations had been derailed. ''There is no case, no instance, in which the palace or anyone from the palace has interfered with a case,'' he said.

Afghanistan is awash in international aid and regarded as one of the most corrupt countries in the world. Indeed, even as the United States and its allies pour money in, U.S. officials estimate that as much as $1 billion a year is flowing out as part of a massive cash exodus. The money, as first reported in The Washington Post in February, is often carried out in full view of customs officials at Kabul's airport, where such transfers are legal as long as they are declared. Officials suspect much of the cash is going to the Persian Gulf emirate of Dubai, where elite Afghans, including Karzai's older brother, have villas.

For the Obama administration, the ability of Afghan investigators to crack down on corruption is crucial. If American voters see Karzai's government as hopelessly corrupt, public support for the war could plunge. Corruption also fuels the Taliban insurgency and complicates efforts to persuade ordinary Afghans to side with leaders in Kabul.

Afghanistan's attorney general, Mohammed Ishaq Aloko, was seen as a potential ally against corruption when he took the job two years ago. Some investigations have ended in convictions. But U.S. officials said that Aloko, a native of Kandahar province who studied law in Germany, has repeatedly impeded prosecutions of suspects with political ties.

In meetings with U.S. Justice Department officials, Aloko has seemed almost apologetic and acknowledged coming under pressure from Karzai as well as members of parliament, officials said. On one occasion, according to a U.S. official, Aloko told his American counterparts, ''I'm doing this because that is what the president tells me I have to do.''

The official, like others quoted in this report, spoke on the condition of anonymity to discuss sensitive investigations.

Aloko referred questions to his deputy, Rahmatullah Nazari, who blamed resource constraints for his office's failure to win more corruption convictions. ''There isn't any kind of pressure on the attorney general's office,'' Nazari said. ''If anyone caves to pressure, they should go to prison.''

But U.S. officials point to multiple instances of interference. The most prominent example to surface publicly involves Afghanistan's former minister of Islamic affairs, who fled the country this year as prosecutors were preparing to charge him with extorting millions of dollars from companies seeking contracts to take pilgrims to the Muslim holy land, a trip known as the hajj.

A travel ban was issued to block the former minister, Mohammad Siddiq Chakari, from leaving. But U.S. officials said Chakari escaped after showing airport security officials a letter he obtained from Aloko's office saying he had cooperated in the case and was not to be detained. Nazari said Chakari had not been convicted of a crime and, therefore, could not be prevented from leaving.

Chakari, who is now in London, has repeatedly maintained his innocence. Because there is no extradition treaty between Afghanistan and Britain, U.S. officials said it is unlikely that he will ever stand trial. Even so, some regard his departure as a moral victory.

''The very fact that the former minister of the hajj had to leave the country is in a way a remarkable achievement,'' said Steve Kraft, director of Afghanistan and Pakistan programs for the State Department's Bureau of International Narcotics and Law Enforcement. ''We would rather see him in jail here. But in the old days, they would have scoffed'' at the idea of pursuing such a probe, he added.

### COMBINED EFFORTS

Critics say Karzai's initiatives are meant to appease the international community. ''It's all a show,'' lawmaker Sayed Rahman said, noting that no senior government official has been imprisoned on corruption charges.

Over the past year, U.S. officials said, Afghan investigators have assembled evidence against three Karzai-appointed provincial governors accused of embezzlement or bribery. All three cases have been blocked. The interference has persisted, officials said, despite Karzai's pledge in November during his second inaugural address to make fighting corruption a focus of his new term.

The extent of the interference has become evident, officials said, in large part because of improvements in Afghan authorities' ability to pursue corruption cases.

Over the past two years, U.S. agencies have allied with their Afghan counterparts to create elite investigative and prosecutorial teams. Afghan applicants undergo polygraph tests in which they are asked whether they have taken bribes. Some have been sent to U.S. facilities, including the DEA academy in Quantico, to be trained.

Still, Karzai's administration has reportedly taken steps to limit the independence of these units. The U.S. official said that Aloko recently created a three-member commission to ''review'' the units'' cases and that it has

removed names of politically connected Afghans from prosecutors' files.

Nazari, Aloko's deputy, said that if others know of a list of names that have been removed, ''they should bring it to us.''

The long-term aim of the anti-corruption units, Kraft said, is to assemble cases in which the evidence is ''so profound and well-known that the ability to get people off the hook will no longer be there.''

EVIDENCE FROM WIRETAPS

A key capability is a U.S.-provided eavesdropping system that allows Afghan investigators to intercept celiphone calls in the most populous parts of the country.

The wiretaps, approved by Afghan judges, have yielded key evidence in a growing list of embezzlement and bribery cases. U.S. officials said the wiretaps have also caught senior officials and members of parliament discussing efforts to derail certain cases.

In January, Afghan authorities raided the offices of New Ansari, a firm that has served as Afghanistan's primary link to the ''hawala'' money exchange system. This informal system for transferring cash overseas makes electronic tracking difficult. A second U.S. official familiar with the investigation said the firm is suspected of laundering drug money, delivering funds to insurgents and helping Afghan officials transfer tens of millions of dollars to accounts abroad.

After the raid, wiretaps picked up conversations indicating that there had been a frantic meeting involving Karzai aides at the presidential palace. U.S. officials said members of Karzai's administration as well as members of parliament held subsequent meetings with Aloko, pressuring him to ensure that certain New Ansari executives not be charged.

Among those protected was Haji Muhammad Rafi Azimi, deputy chairman of Afghan United Bank, a subsidiary of New Ansari, U.S. officials said. On a wiretap recording, Azimi is heard discussing bribes paid to Chakari. The recorded conversations were played in open court in the trial of a lower-ranking official in the Religious Affairs Ministry, Mohammed Noor.

''It's clear to everyone involved he should be indicted and charged,'' a U.S. official said of Azimi. But, the official said, Azimi is ''a businessman who knows a great deal about the finances of government officials.''

A second U.S. official familiar with the case concurred. ''What happened is a large group of very powerful people . . . went to the attorney general and told him to stand down,'' the official said.

Phone calls and e-mails to Azimi did not elicit any responses. Guards outside New Ansari's office in Kabul told a reporter that the site had been closed for months. They said they did not know why they were still getting paid to guard it.

Noor, a civil servant, was sentenced to 15 years in prison after being convicted in May of collecting bribe money for Chakari in Saudi Arabia and bringing it to Afghanistan. Two others in the case are awaiting trial. Azimi remains in his position at Afghan United Bank.

Aloko has announced that his office is investigating five current and former ministers, reportedly including Mohammad Ibrahim Adel, the mines minister, accused by U.S. officials of taking a $30 million bribe from a Chinese firm. Adel stepped down, but neither he nor any other minister—besides Chakari—has been charged.

Mr. Speaker, at this time I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I thank Mr. MCGOVERN for granting me the time and for bringing this amendment.

Mr. Speaker, you don't put good money after bad, and this would be putting good money after bad.

I was in this Hall earlier with Senator McGovern, in the Speaker's lobby, and I said something to Senator McGovern, former Senator McGovern.

He said, Did I hear Vietnam?

Well, the echoes of Vietnam are in this Chamber, Mr. Speaker. When people on the other side say they don't want to hear about surrender and that that is not right, we could still be in Vietnam, and we would still be losing American lives and American resources, because that was a war we couldn't win, and some people wouldn't accept it. So we lost more lives and more American economies and more opportunities in America.

My district cannot afford another $35 billion and $35 billion and $35 billion in trying to create infrastructure in Afghanistan, which is not a Third World country, but probably like a fifth world country—the third most corrupt nation on the face of the Earth. That is not what the United States of America is known for doing—supporting corrupt countries around the world with a man like Karzai, whose brother is in the opium trade, with a country that predominantly benefits from the growing of poppies and from the spreading of heroin around the world. That is who we are supporting.

We should not be spending our money and our lives. I go to the funerals of every soldier in my district who passes, and I don't want to go to more of them. I stop every soldier I see in airports and ask them about where they are going.

When they are going to Afghanistan or to Iraq, I ask them, How is it going?

Almost all of them going to Afghanistan say, Not well. They look at me and they say, We should not stay there. We are not doing well.

I went to a function in my district in the west side, almost entirely African American, and to a person, we need to spend our money here. On the east side of my district, which is entirely Caucasian, and I asked this crowd of 30: Does anybody want me to go to Washington and vote for more funds for Afghanistan? Not one.

This war is lost. Bring our troops home. Save our money.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentleman for yielding.

Mr. Speaker, I heard the majority, the leader of the House, during the debate on the rule give a really good talk about how we wished that every Member could have something to input on this bill and that there are 435 of us, so they structured a rule in the way that they think.

There is one choice that is missing. There is no ability for a Member of the House tonight to vote on the Senate bill and send to the President of the United States before the 4th of July a clean funding bill for the troops who are in the field. Because the rule is self-executing an amendment already, if that bill passes, it conflicts with the Senate bill, and nothing can go to the President. The Senate is in West Virginia.

So, Mr. Speaker, what I think the House ought to be doing is clearing the Senate amendments for presentation to the President, not sending more proposals to the Senate, but putting the test that the Senate has already passed on the President's desk for approval of law tomorrow.

So, to that end, I wonder if the proponent of the pending motion, the gentleman from Wisconsin, would yield to me for a unanimous consent request. I'll even tell you what it is in the hopes that it might be propounded.

I would like to ask unanimous consent that the pending motion to concur in the Senate amendment with amendments be considered as withdrawn in favor of a motion simply to concur in the Senate amendment. I would ask the gentleman if he would yield to me for that purpose.

Will you yield to me to permit the Members of this House to have a clean bill on war funding to support the troops? It is a ''yes'' or ''no'' question.

Mr. Speaker, I've got to tell you the silence on the other side is deafening. There is no ability tonight to cast a vote on a bill that the Senate has passed that can go to the President.

Mr. OBEY. Will the gentleman yield?

Mr. LATOURETTE. I am happy to yield to the gentleman.

Mr. OBEY. The gentleman seems to think the Senate bill is the original bill. The Senate amended the House bill, which was a disaster bill. If you wanted a clean vote, we would be voting on the disaster bill tonight, not the war.

Mr. LATOURETTE. Reclaiming my time, Mr. Speaker, quite frankly, my understanding of where we are is that the Senate hollowed out the House bill so that you don't have a motion to recommit, so that you don't have any amendments except the ones that you have structured, and you have denied the Members of this House the opportunity to cast an up-or-down vote on the war funding instead.

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

Mr. LEWIS of California. Mr. Speaker, I yield 1 additional minute to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I only need 10 seconds.

Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. 4899, with the Senate amendments thereto, and concur in the Senate amendments.

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

Mr. OBEY. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. LATOURETTE. Reclaiming my time, Mr. Speaker, this is really unfortunate. We have troops in the field; we have a holiday upon us, and no one in this House is going to be able to cast a vote on a clean supplemental. The President of the United States, for crying out loud, has asked for it. He has issued a veto threat against this charade that we're performing tonight, and I think it's a shame that we can't at least have a vote and let the House work its will.

Mr. LEWIS of California. Mr. Speaker, I yield myself the balance of my time.

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

□ 2150

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think it is very important for the Members to one more time remind themselves, ourselves, that this is the President's supplemental and it is designed to provide needed funding for our troops who are representing our interests and fighting for freedom in Afghanistan.

I think it is very important that this amendment goes on to restrict year 2011 funds from being used in a manner inconsistent with a July 2011 troop withdrawal unless expressly provided for and by a joint resolution of the Congress. The President of the United States has indicated in his policy administration statement coming from his chief advisers that if the amendments we have been considering this evening are a part of this bill, those chief advisers will recommend to the President that he veto this funding measure.

It is very apparent that the other body tomorrow is leaving town, if they haven't already left town. Indeed, amendments to this bill will cause this bill to involve a considerable delay for funding for our troops almost regardless. As I argued under the previous administration, we should not tie the President's hands while he is executing his duties as Commander in Chief, perhaps the most solemn of the Commander in Chief's responsibilities. This amendment would do just that.

Further, just this week the President's new commanding general testified that the July 11th date is not a race for the exits. Rather, that date will begin a condition-based process. He further left open the option of recommending changes or delays in the current plan.

The amendment further attempts to encumber future year funds, which is not only impractical, but the conditions on which those funds would be encumbered are questionable.

Honestly, I fail to see the logic in attempting to fence future year funds, and I can't help but wonder why try to do this now when the fiscal year 2011 process is working its way through the committee. The war on terror, Mr. Speaker, continues to be very real. Our troops certainly understand it, even if our majority leadership does not understand it.

Of course, I want our troops home as quickly as possible, but tying the hands of the Commander in Chief and the commanders executing the war is irresponsible and dangerous.

Mr. Speaker, for that reason, I have a unanimous consent request.

Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. 4899, with the Senate amendments thereto, and concur in the Senate amendments.

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

Mr. OBEY. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. LEWIS of California. Mr. Speaker, I am very surprised there was an objection to that recommendation. After all, we are just trying to find some way to get the President's original recommendations up here so that the Commander in Chief can support our troops so that they can come home as quickly as possible. In Afghanistan, whether we believe it or not, the war on al Qaeda involves our future freedom, and certainly it would have a significant impact upon peace in the world.

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

Mr. MCGOVERN. I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia, JACK KINGSTON.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding, and while I certainly appreciate the sincerity of the people who are offering this amendment, I disagree with it, inasmuch as it ties the hands of the military.

I have had the opportunity to go to Iraq and Afghanistan several times, and I can say war is complicated. War does not always go your way. The enemy does not always cooperate with the best of our plans. And yet we here in the safety of the U.S. Congress can dictate to the commanders in the field what direction the war should go in and the timeframe and what should happen next, according to a political guideline and a political deadline as opposed to military guidelines and military deadlines.

When the Defense Subcommittee on Appropriations visited General McChrystal and Ambassador Eikenberry and the rest of our leadership in March in Afghanistan, one of the things that they told us is that there had been a difference, some significant differences, in the war. Part of it was that the Afghan army was stepping up in a completely different way, a new culture, if you will. They were taking ownership in the war.

In Pakistan, troops had been shifted from the Kashmir border over to the Afghan border and they were being attacked themselves by Taliban terrorists, and so the Pakistanis were showing an interest and an energy which up until now they had not given us or given the Afghan people. They are no longer looking at this war as America's war in Afghanistan. They are seeing it as their war that has spilled into Pakistan, and it is causing instability in the region.

But I will say this, that our commander at the time, General McChrystal, said, I am not over here to waste our time and to waste soldiers' lives. I am keenly aware that the clock is ticking and we have to have a resolution on this.

The campaign in Marja had just been concluded. It went very well. The shift to the next campaign in Kandahar was already underway, and people were moving in that direction.

So, Mr. Speaker, I think it is very important for us to let the military make these decisions and not political representatives in Washington. I think, furthermore, bogging this bill down with all kinds of extracurricular amendments further sends a mixed signal to our troops and the international community.

I ask unanimous consent to take from the Speaker's table H.R. 4899, with the Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER pro tempore. According to the Speaker's announced policy, such requests are not entertained that have not been cleared by the leadership on both sides.

Mr. KINGSTON. That is why I was asking for unanimous consent, Mr. Speaker.

The SPEAKER pro tempore. Those requests are not entertained, under a previously announced policy of the Speaker.

Mr. KINGSTON. It is a shame, because when it comes to war, it is too bad that we are going to let parliamentary procedures tie our hands in doing what is right for the soldiers.

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

Mr. LEWIS of California. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. KINGSTON. Mr. Speaker, I just want to make this point about H.R. 4899 and the Senate amendment. It's that it gives a clean bill and a bill that will unfetter the generals so they can do the right thing. They have worked closely with the administration.

As we know, the transition from McChrystal to Petraeus has probably been traumatic or tenuous enough on all of us on a bipartisan basis, and at this time we don't need to add to the military woes in the international efforts in Afghanistan by sending a bill, which, incidentally, is not going to be signed by the President. The President has already said he is going to veto it, and the Senate is not going to pass it anyway, so why are we doing this on the eve of the Fourth of July?

We need to have a clean bill. That is why I think, Mr. Speaker, the best thing for us to do is take H.R. 4899 with the Senate amendment and concur with the Senate resolution.

The SPEAKER pro tempore. The Chair will notify Mr. MCGOVERN that he has 6 minutes remaining, and Mr. LEWIS has 2½ minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I have no further requests for time; so I will close.

Mr. Speaker, I think you know that as a result of your interpreting existing policy relative to the unanimous consent requests on three different occasions in an effort to get the original package here before the body so they could vote up or down on H.R. 4899, I know that I could speak for my own leadership, they certainly would agree to this unanimous consent request. It would appear the leadership on the other side, perhaps of the committee, I can't speak for the Speaker, of course, but apparently the other side does not want us to have that package before the body.

□ 2200

Mr. Speaker, it is critical for us to remind ourselves continually in the weeks and months ahead, the war on terror is very real. America has been challenged at home and continues to be challenged abroad. The men and women that our Commander in Chief have chosen to send to Afghanistan are in need for supplemental funding. To have us essentially water down those proposals by way of the amendments that have been before us is absolutely unbelievable to me. If the public could only know what the people's body is doing tonight to not just our people here at home but our people overseas as well, I believe they'd essentially make a decision that they ought to change the entire Congress.

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

Mr. MCGOVERN. I yield myself the balance of my time.

Mr. Speaker, at this moment we have close to 100,000 U.S. servicemen and -women deployed in Afghanistan. The war has raged for nearly 9 years, and our mission has changed at least that many times. We have lost over 1,000 of our brave soldiers. Thousands more have been wounded. We are spending hundreds of billions of dollars in borrowed money. In 9 years, neither George W. Bush nor Barack Obama nor this Congress has seen fit to pay for the war. That's a burden we are placing on our children and our grandchildren.

All of us, every single one of us, Republicans and Democrats alike, are dedicated to defeating al Qaeda and holding to account those who committed the horrible atrocities on September 11.

What we are proposing today in no way lessens our commitment to that fight, but our current policy in Afghanistan is deeply flawed. We are getting sucked deeper and deeper and deeper into a war with no clear end. It is a war that will continue to claim the lives of our soldiers; it is a war that will continue to bankrupt us, and it is a war that will not enhance our national security.

My friends, we can no longer go along to get along. All of us have a responsibility to make sure that we are doing the right thing. It's not just the President's war. It's our war, too. We are the ones who voted to put our soldiers in harm's way, and we are the ones who keep funding it. My friends on the other side of the aisle who question, Why are we asking questions? Why don't we just rubber-stamp what the Senate did or rubber-stamp what the President sent us? Well, the reason why we shouldn't do that is because that's not our job. We're supposed to deliberate, and we are supposed to ask questions, and we're supposed to figure out whether we're doing the right thing. They are our constituents, our family members who are in harm's way.

We need to let this administration know that we want a way out. We want a plan. That's not a radical idea. We want a plan. We want an exit strategy. For the last 30 years, we said, Never again will we commit our Armed Forces without a clearly defined mission, and that means a mission with a beginning, a middle, a transition period, and an end. Well, that's all we're asking for today, a clearly defined mission. What's the plan?

We are dealing with the worst economy since the Great Depression. Our citizens, our constituents are hurting, yet we're told that we cannot afford to extend unemployment benefits to out-of-work Americans because we cannot afford it. We are told we can't help more families afford a college education or rebuild our roads and our bridges. But when it comes to supporting a corrupt, incompetent Karzai government, we're supposed to be a bottomless pit. Don't ask any questions. Just give them all the money they want. Look the other way. That's not right. That's not our job. I don't have all the answers, but I do know that it makes absolutely no sense to quietly endure the status quo.

Ending a war is not easy. It requires courage and it demands action. What this amendment requests is action, a strong signal to the administration that we want a plan. It also signals the Congress will no longer just sit back and hope for the best.

To those who say that asking the Afghan Government to stand up and take responsibility is somehow a bad idea, I would remind them that when we signaled to Iraq that we had a withdrawal plan, officials there actually began to act like a real government.

Ensuring that the President gives us a plan by next April so we can figure out by July what to do with the money slated for the war is not too much to ask. We require, we deserve, and we should demand the information we need to do our jobs.

Let me just close with this: There is a small sliver of America that is directly impacted by this war in Iraq, and those are the people who are fighting the war and who have family members who are fighting the war. The rest of us are asked to do nothing, absolutely nothing. We are not even asked to pay for it, hundreds of billions of dollars in borrowed money. Well, the least we could do for these brave men and women whom we have put in harm's way is debate this issue to make sure we're getting it right, to make sure we're not sending these people on a mission that commits itself to a war with no end. That is what we're asking for here today, a clearly defined mission. I ask all of you, every one of us here, to reengage in this policy.

This issue has been on the back burner for too long. We're at war. Our constituents are dying. Each and every day we read about more people who are killed in Afghanistan. We have an obligation to do better. This policy is deeply flawed. We need a way out, and I ask all of you today to vote for the McGovern-Obey-Jones amendment.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will clarify that the procedural posture for a unanimous consent request of the type recently broached by the gentleman from Georgia is not dictated by guidelines for clearances; rather, it is subject to managerial prerogative. In short, such a request could be propounded only if the proponent of the pending motion yielded for that purpose.

Mr. STARK. Mr. Speaker, I rise today to oppose more funding for a war in Afghanistan that has cost too much and accomplished too little.

Over 1,000 soldiers have been killed in Afghanistan. The toll of this conflict is not limited to the battlefield. This year, almost as many American troops have committed suicide as have been killed in combat. Our troops and their families are paying an extreme price to wage a war that has no clear objective.

The war has also destabilized Afghanistan. Estimates from international human rights organizations range from 10,000 to 12,000 Afghanis killed as a result of the war. Now, we are preparing to spend $33 billion more in Afghanistan. We should spend this money on infrastructure—like schools and roads—that will open opportunities for all of Afghanistan. That is the best way to achieve peace and stability in the region.

Every dollar we waste on war is one less dollar we can invest in our children here at home. I support the Obey amendment that will add $10 billion in domestic education funds to the bill. These funds, though inadequate, will protect hundreds of thousands of teacher jobs across the country, including 167 in my district.

While I hope for the inclusion of this education funding, I cannot support any more funding for the misguided war in Afghanistan. I urge my colleagues to join me in voting no.

Mr. BISHOP of Georgia. Mr. Speaker, I rise in favor of H.R. 4899, the Supplemental Appropriations for FY 2010.

As a member of the House Appropriations Subcommittee on Defense, I, along with many of my colleagues, have been integrally involved in the oversight of our nation's funding and support of our efforts in Iraq, Afghanistan, as well as other initiatives aimed at supporting our war fighters.

The Senate's bill, which we are considering tonight, provides $58.8 billion in supplemental funds for FY 2010, including $37.1 billion for the war and $5.1 billion for FEMA, as well as $13 billion in mandatory funds to Vietnam Veterans exposed to Agent Orange.

While I do support the President's request for additional funding to support our troops in Afghanistan and Iraq, it is important that we continue to monitor and assess our mission and role in both of these countries, particularly given the array of investments we need to make right here at home.

Since 2001, Congress has provided close to $1 trillion in direct funding for the wars in Iraq and Afghanistan as part of 18 emergency supplemental bills, not including the support we provided for the efforts in our regular annual Appropriations bills. Combined, it's estimated that we've spent between $1.5 trillion to almost to $3 trillion so far on these wars.

So I am very pleased that the amendments made in order by the rule will also provide us an opportunity to provide additional funding to the Senate passed bill for critical domestic programs, including $10 billion for education jobs, $5 billion for Pell grants and $701 million for border security.

Of particular note, I am very pleased that the bill will include funds to settle both the Cobell v. Salazar and Pigford v. Vilsack class action lawsuits and it provides $1 billion for youth jobs.

Finally, the supplemental will also include funding which is vital to an important segment of my constituency, our farmers and agricultural producers. The bill provides the Farm Service Agency (FSA), which is housed within the Department of Agriculture, with an additional $31.5 million to cover the costs associated with direct loans, guaranteed loans, operating loans and administrative expenses, which are so vital to our farmers, particularly in South Georgia.

The bill will require that the loans be made available to family farmers who may not qualify for agricultural credit through other commercial institutions in the tight credit market. While the FY2010 Agriculture Appropriations bill provided enough funding to meet demand at the time it was passed last year, demand for the farm ownership and operating loan programs has been dramatically higher than historical levels due to the lack of availability of conventional credit.

Mr. Speaker, this Supplemental bill strikes, what I believe to be a fair and balanced approach for the emergency needs of our war fighters abroad and the critical domestic issues we face right here at home, and I support the bill.

Mrs. MALONEY. Mr. Speaker, I rise today in opposition to the supplemental war funding for Iraq and Afghanistan. After 9 years of war, the time has come to bring our troops home.

I would like to thank Speaker PELOSI and the Democratic Leadership for bringing this bill to the floor today in a manner that allows clear up or down votes on funding for the war and other domestic priorities.

The challenges in Afghanistan are great. As the violence and attacks on our troops continue to increase, we still do not have a clear path forward or a way to measure progress there.

We cannot afford to sustain an open-ended commitment with no clear definition of success.

Reports of corruption abound in Afghanistan, and without a true partner in the Karzai government, our prospects for making real progress have grown dim.

Our troops have fought with honor and professionalism in the face of great challenges, and at great cost—I am truly humbled by their service and sacrifice. These brave men and women in uniform deserve our full support and commitment to return them home safely to their families and loved ones.

I support the president and our military leadership in bringing this war to a responsible end. President Obama did not start this war, and I was among those who have spoken out in support of allowing for the time necessary for a new strategy in Afghanistan to turn the tide.

But after years of war that has strained our military, their families, and the country, I am unable to continue to support what increasingly looks like an intractable situation in Afghanistan.

That is why I vote against this war funding today.

Despite my opposition to the troubling war funding, the bill does include critical domestic funding that I will support. These include saving teachers' jobs, Pell Grants, emergency food assistance for hungry Americans, and disaster aid to respond to the Gulf oil spill catastrophe.

For example, today we are providing $10 billion for an Education Jobs Fund to provide additional emergency support to local school districts to prevent impending layoffs. Estimates suggest that this fund will help keep 140,000 school employees on the job next year.

Moreover, when we invest in education, we save jobs in other sectors and spur economic recovery. According to the Economic Policy Institute, for every 100,000 education jobs lost, another 30,000 jobs are lost in other sectors due to reduced consumer spending and tax revenues.

The list of important programs this bill funds is both extensive and impressive: Among other priorities, we are providing $304 million for the Gulf Coast oil spill; $50 million for the Emergency Food Assistance Program for food purchases to distribute through local emergency food providers; $13.377 billion for the payment of benefits to Vietnam veterans and their survivors for exposure to Agent Orange, which has been linked with Parkinson's disease, ischemic heart disease, and hairy cell/B cell leukemia; and $2.93 billion for Haiti.

These are extremely important priorities which are fully paid for and which I support.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in opposition to the amendment offered by my colleague, the Gentleman from Wisconsin, Mr. OBEY.

As we all know, the Deepwater Horizon oil spill has resulted in the worst man-made environmental disaster in history.

As a result, tens of thousands of Gulf residents are sidelined. From rig workers to commercial fishermen and shrimpers, these folks are forced to watch their waters, their beaches, and their livelihoods succumb to the oil spill.

My colleagues on the left will tell you that this amendment assists those in the Gulf, providing $142 million for Oil Spill Unemployment Assistance. But this is merely a token. The underlying bill provides $2.93 billion in relief to Haiti, but this amendment only provides Americans whose livelihoods hang in the balance only $142 million. Gulf Coast Americans should be enraged. Almost $3 billion for Haiti and a measly $142 million to Gulf Coast victims.

The Democrat leadership has filled this amendment with questionable provisions diverting education spending, cutting federal charter school programs, and paying back their union pals. And then they add desperately needed Gulf assistance and say "you either vote with us or you vote for big oil." This is a false choice and it is playing politics with all my Gulf residents who are out of work as a result of this tragedy.

I oppose this amendment.

Mr. HOLT. Mr. Speaker, I rise in opposition to the Obama administration's war strategy in Afghanistan and to the war funding contained in this bill. It is evident to me that this strategy is not working.

Just this past weekend, CIA Director Leon Panetta said on national television that, regarding Taliban insurgents, ''We have seen no evidence that they are truly interested in reconciliation where they would surrender their arms, where they would denounce al-Qaeda, where they would really try to become part of that society.'' One day later, General Petreaus—our newly named commander for the war in Afghanistan—told the Congress ''. . . whether or not very senior [Taliban] leaders can meet the very clear conditions that the Afghan government has laid down for reconciliation I think is somewhat in question. So in that regard, I agree with Director Panetta.''

Substitute ''Viet Cong'' for ''Taliban'' and ''South Vietnamese government'' for ''Afghan government'' and you'll understand why all of this sounds painfully familiar. It's because we've seen this before, and we know how it ends.

I do not say these things lightly, as I voted for the authorization for the use of force in 2001 in order to find and bring to justice the al Qaeda leaders who organized the 9/11 attacks against our country. Unfortunately, the previous administration did not put enough troops on the ground to prevent bin Laden's escape, and nearly 9 years later he and his key lieutenants whereabouts remain a mystery to our intelligence community, as Director Panetta acknowledged last weekend. In other words, the original rationale for going to Afghanistan is gone.

We face a nationalist insurgency that we cannot defeat militarily and that will not negotiate a political settlement with the corrupt Afghan government. We have tripled the number of troops on the ground since the beginning of 2009, and the violence has only soared. Every day we remain only increases our national debt and subjects our troops to needless peril. Indeed, every month we squander enough money on this war that could otherwise be used to put an additional 38,000 police on our streets for a full year, or to prevent massive teacher layoffs in every state, particularly New Jersey. The cost of this war is directly imperiling the hometown security of communities across this nation and the economic security of our children and grandchildren.

Mr. Speaker, when President Obama asked us to support his new strategy, I did so reluctantly and with this caveat: I would give the President time to show his approach could work, but that my patience had limits. In the nearly 18 months that President Obama has had the opportunity to demonstrate his approach, we've tripled the number of Americans in Afghanistan, our casualties have skyrocketed, and the insurgency has deepened and spread across the country. My patience, and now support for this strategy, have evaporated. We do more harm than good by staying: more harm to our troops and our economy, and more harm to innocent Afghans who too often are caught in the crossfire. It's time for us to go, and I urge my colleagues to join me in voting to bring our troops home by ending funding for this conflict.

The bill before us makes critical investments in education which are fully paid for by cutting funds from existing programs.

The current economic downturn has hit school districts hard, and many are being forced to cut services. Previously, the American Recovery and Reinvestment Act made several sound investments in public education to keep teachers in the classroom and help school districts avoid painful cuts.

Most, if not all, of this emergency funding has been spent. Further, at this most critical time, Governor Christie made the wrong call in cutting state aid to our local schools.

The $10 billion included for the Education Jobs Fund will help keep teachers in the classroom and make sure that class sizes do not balloon next fall. This much needed funding will help preserve 140,000 teaching jobs nationwide.

This package also contains almost $5 billion, fully offset as well, to ensure college students who receive Pell Grants, 8 million this year, will have the financial support for college they need.

Mr. POMEROY. Mr. Speaker, I rise today in support of H.R. 4899, the Supplemental Appropriations Act.

While I am extremely disappointed that the House is not simply passing the Senate-passed version of this bill and clearing it for the President's signature, I will ultimately support this bill. It is my belief that voting against this bill even in its current form would send a terrible signal to our troops that we do not support their efforts and that is unacceptable to me. And, while I still believe this is the wrong vehicle for it, I am pleased that the domestic spending that is included in this legislation is offset and will not add to our deficit.

We must act as soon as possible to get critical military and Federal Emergency Management Agency funding legislation to the President for his signature. Our troops in Iraq and Afghanistan and families across America who have been affected by disasters cannot afford anymore delays in funding.

Ms. CLARKE. Mr. Speaker, I rise today to express my support for key provisions and amendment to H.R. 4899, the Supplemental Appropriations Act of 2010. The bill provides a myriad of critical emergency funding for disaster relief in Haiti, the oil spill in the Gulf of Mexico, as well as fully paid for investments to meet domestic needs, such as education jobs and Pell Grants. Unfortunately, this bill also includes funding for the war in Afghanistan, the longest war in our nation's history.

While I am grateful to the men and women who serve valiantly in our Armed Forces, both at home and abroad, I strongly oppose any additional funding for the war in Afghanistan. This war has gone on long enough without a clear and sufficient exit strategy. My constituents and I can no longer bear to see more Americans die or remain in harm's way, for this fruitless war. The time is now to bring our troops home, stop the unnecessary spending and stabilize our economy. That is why I support the amendments offered by CBC Chairwoman BARBARA LEE and JAMES MCGOVERN, DAVID OBEY and WALTER JONES.

I commend Chairwoman LEE for working diligently to bring her important amendment for a vote. I agree we must begin to end the war by limiting funds to the safe, timely withdrawal of US troops and military contractors from Afghanistan. The people in my district demand it, I morally oppose it, and time is of the essence.

I also want to commend the Chairman DAVID OBEY and the Members of the Committee on Appropriations for their hard work on the House Amendment to the Senate bill. In particular, I want to thank the Committee for including funding for school districts, like those in New York City, that are poised to receive high concentrations of Haitian child refugees. These children are more likely to settle in already overburdened school districts. Therefore, schools receiving these children will undoubtedly need extra resources to accommodate this new population. In April, I joined my colleagues on a letter to Chairman OBEY, expressing this very concern. I am grateful that this language was adopted.

Additionally the Obey amendment provides major benefits to education for all Americans. It includes $10 billion in aid to local school districts avert massive teacher layoffs and $5 billion to help close the current shortfall in Pell Grants for college students—the absence of which would seriously imperil education funding for fiscal year 2011. This will affect thousands of teachers and students in my district and in the Greater New York area.

I strongly believe that H.R. 4899 is a key tool for Haiti's redevelopment. As the Representative of the second largest Haitian population of first and second generation Haitians Americans, I am greatly pleased that the bill includes $2.93 billion dollars for the U.S. participation in the Haiti disaster relief, $130 million above the President's request. The people of Haiti, its government, USAID and the Department of State cannot move forward in their recovery and reconstruction plans without the pledged financial support from our government.

Mr. Speaker, I support our troops, veterans, and military families, and in honor of them I voted to reunite our service members in Afghanistan with their families here at home. My heart also goes out to the people of Haiti and will continue to support our reconstruction efforts there. Lastly, I am proud that the advocacy efforts of the New York congressional delegation in pushing to save education jobs in New York City have paid off.

Ms. BORDALLO. Mr. Speaker, I rise in strong support of the Senate amendments to H.R. 4899, the Supplemental Appropriations Act for 2010. This legislation is critically important to providing funding to our men and women in uniform who are serving in harm's way.

However, this legislation also provides funding that is important to maintaining our strategic posture in the Pacific. The legislation contains $50 million in transfer authority of Department of Defense operation and maintenance funding to the Guam Port Improvement Enterprise Fund at the Maritime Administration. The $50 million in funding is critical for the Port of Guam, in consultation with the Maritime Administration, to begin necessary infrastructure improvements and modernization.

The Port of Guam, on many occasions, has been identified as a potential chokepoint for the delivery of materials and supplies to support the realignment of military forces to Guam and sustain economic development on the island. Without these improvements the realignment of military forces to Guam would be severely delayed, add additional costs to future military construction and potentially harm our civilian economic development. Moreover, these improvements are needed to facilitate the requirements of being designated a strategic port, in fact America's most forward located strategic port in the Western Pacific.

The funding for the Port of Guam in this bill marks an important and very positive step forward for the military build-up on Guam. I thank the Obama administration for their support and leadership on this matter. After Guam was overlooked for important Recovery Act funding, the administration acted after repeated calls by our office for funding for critical civilian infrastructure projects and requested the transfer authority. I also thank Congressman DAVID OBEY, Chairman of the House Committee on Appropriations; Congressman NORM DICKS, Chairman of the Subcommittee on Defense, and Congressman JOHN OLVER, Chairman of the Subcommittee on Transportation, Housing and Urban Development and Related Agencies, for their support of this provision.

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

Pursuant to House Resolution 1500, the previous question is ordered.

The question of adoption of the motion is divided among the five House amendments.

Pursuant to House Resolution 1500, the first portion of the divided question is adopted.

The second portion of the divided question is, Will the House concur in the Senate amendment with House amendment No. 2 printed in House Report 111–522?

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the second portion of the divided question will be followed by 5-minute votes on the remaining portions of the divided question, if ordered.

The vote was taken by electronic device, and there were—yeas 239, nays 182, answered ''present'' 1, not voting 11, as follows:

[Roll No. 430]

YEAS—239

| | | |
|---|---|---|
| Ackerman | Altmire | Arcuri |
| Adler (NJ) | Andrews | Baca |

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

NAYS—182

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Crenshaw
Culberson
Dahlkemper
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hunter
Inglis
Issa
Jenkins
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Stearns
Sullivan
Tanner
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden
Welch
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

ANSWERED ''PRESENT''—1

Miller, Gary

NOT VOTING—11

Bean
Capito
Conyers
Griffith
Hoekstra
Johnson, Sam
Radanovich
Rodriguez
Wamp
Woolsey
Young (AK)

□ 2234

Mr. BRADY of Texas changed his vote from ''yea'' to ''nay.''

Mr. SPRATT, Ms. CORRINE BROWN of Florida, and Mr. SHULER changed their vote from ''nay'' to ''yea.''

So the second portion of the divided question was adopted.

The result of the vote was announced as above recorded.

Stated for:

Ms. BEAN. Mr. Speaker, on rollcall No. 430, the Obey amendment, had I been present, I would have voted "yes."

The SPEAKER pro tempore. The third portion of the divided question is, Will the House concur in the Senate amendment with House amendment No. 3 printed in House Report 111–522?

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 25, noes 376, answered ''present'' 22, not voting 10, as follows:

[Roll No. 431]

AYES—25

Clarke
Clay
Duncan
Edwards (MD)
Ellison
Filner
Garamendi
Grayson
Grijalva
Gutierrez
Jackson (IL)
Johnson (IL)
Kucinich
Lewis (GA)
Michaud
Nadler (NY)
Napolitano
Paul
Pingree (ME)
Schrader
Serrano
Sires
Stark
Velázquez
Welch

NOES—376

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

Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rehberg
Reichert
Reyes
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Watt
Waxman
Weiner
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Young (FL)

ANSWERED ''PRESENT''—22

Baldwin
Castor (FL)
Chu
Cohen
Hinchey
Hirono
Jackson Lee (TX)
Kagen
Lee (CA)
Lofgren, Zoe
Maloney
McDermott
McGovern
Miller, George
Rangel
Sánchez, Linda T.
Schakowsky
Slaughter
Thompson (CA)
Waters
Watson
Yarmuth

NOT VOTING—10

Capito
Conyers
Griffith
Hoekstra
Johnson, Sam
Radanovich
Rodriguez
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are less than 2 minutes remaining in this vote.

□ 2241

Mr. NADLER of New York changed his vote from ''no'' to ''aye.''

So the third portion of the divided question was not adopted.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The fourth portion of the divided question is, Will the House concur in the Senate amendment with House amendment No. 4 printed in House Report 111–522?

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 100, noes 321, not voting 11, as follows:

[Roll No. 432]

AYES—100

Baldwin
Becerra
Blumenauer
Campbell
Capuano
Chaffetz
Chu
Clarke
Clay
Cleaver
Cohen
Costello
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Doyle
Duncan
Edwards (MD)
Ellison
Farr
Filner
Frank (MA)
Fudge
Garamendi
Grayson
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hinojosa
Hirono
Holt
Honda
Inslee
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Jones
Kagen
Kennedy
Kucinich
Larson (CT)
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Maffei
Maloney
Markey (MA)
Matsui
McCollum
McDermott
McGovern
Michaud
Miller, George
Moore (WI)
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pastor (AZ)
Paul
Payne
Pingree (ME)
Polis (CO)
Quigley
Rangel
Richardson
Rohrabacher
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schrader
Scott (VA)
Serrano
Sires
Slaughter
Speier
Stark
Stupak
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Waters
Watt
Waxman
Weiner
Welch
Yarmuth

NOES—321

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Crenshaw
Critz
Cuellar
Culberson
Dahlkemper
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Dreier
Driehaus
Edwards (TX)
Ehlers
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Fattah
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hodes
Holden
Hoyer
Hunter
Inglis
Israel
Issa
Jenkins
Johnson (GA)
Johnson, E. B.
Jordan (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Ortiz
Owens
Pascrell
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Rahall
Rehberg
Reichert
Reyes
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sarbanes
Scalise
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Stearns
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Young (FL)

NOT VOTING—11

Capito
Conyers
Griffith
Hoekstra
Johnson, Sam
Radanovich
Rodriguez
Wamp
Watson
Woolsey
Young (AK)

□ 2247

So the fourth portion of the divided question was not adopted.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The fifth portion of the divided question is, Will the House concur in the Senate amendment with House amendment No. 5 printed in House Report 111–522?

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 162, noes 260, not voting 11, as follows:

[Roll No. 433]

AYES—162

Baca
Baldwin
Becerra
Berkley
Berry
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Capps
Capuano
Cardoza
Carnahan
Castor (FL)
Chaffetz
Chu
Clarke
Clay
Cleaver
Coble
Cohen
Connolly (VA)
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (IL)
DeFazio

DeGette
Delahunt
DeLauro
Deutch
Doggett
Doyle
Duncan
Edwards (MD)
Ehlers
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Grayson
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Inslee
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kucinich
Larson (CT)
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Luján
Lynch
Maffei
Maloney
Markey (MA)
Matsui
McCollum
McDermott
McGovern
Michaud
Miller (NC)
Miller, George
Moore (WI)
Moran (VA)
Murphy (CT)
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Price (NC)
Quigley
Rangel
Richardson
Rohrabacher
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Scott (VA)
Serrano
Shea-Porter
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Stupak
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wilson (OH)
Yarmuth

NOES—260

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Carney
Carson (IN)
Carter
Cassidy
Castle
Chandler
Childers
Clyburn
Coffman (CO)
Cole
Conaway
Cooper
Costa
Crenshaw
Critz
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Donnelly (IN)
Dreier
Driehaus
Edwards (TX)
Ellsworth
Emerson
Etheridge
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Guthrie
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Holden
Hoyer
Hunter
Inglis
Israel
Issa
Jenkins
Johnson, E. B.
Jordan (OH)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Ortiz
Owens
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Putnam
Rahall
Rehberg
Reichert
Reyes
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ruppersberger
Ryan (WI)
Salazar
Scalise
Schmidt
Schock
Schwartz
Scott (GA)
Sensenbrenner
Sessions
Sestak
Shadegg
Sherman
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Space
Spratt
Stearns
Sullivan
Tanner
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Turner
Upton
Walden
Welch
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Wu
Young (FL)

NOT VOTING—11

Capito
Conyers
Griffith
Gutierrez
Hoekstra
Johnson, Sam
Radanovich
Rodriguez
Wamp
Woolsey
Young (AK)

□ 2254

So the fifth portion of the divided question was not adopted.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 709

Ms. HIRONO. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 709, a bill originally introduced by Representative Abercrombie of Hawaii, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. PERRIELLO). Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

## COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
*Washington, DC, July 1, 2010.*

Hon. NANCY PELOSI,
*Speaker of the House, House of Representatives, Washington, DC.*

DEAR MADAM SPEAKER: On July 1, 2010, the Committee on Transportation and Infrastructure met in open session to consider 15 resolutions to authorize appropriations for the General Services Administration's (GSA) FY 2010 Capital Investment and Leasing Program. The leases authorize $225.9 million for various agencies. The Committee adopted the resolutions by voice vote with a quorum present.

Enclosed are copies of the resolutions adopted by the Committee on Transportation and Infrastructure on July 1, 2010.

Sincerely,

JAMES L. OBERSTAR, M.C.,
*Chairman.*

Enclosures.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

## COMMITTEE RESOLUTION

### LEASE
### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
### WASHINGTON, D.C.
PDC-12-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 605,000 rentable square feet for the National Aeronautics and Space Administration (NASA), currently located in the 2 Independence Square Building at 300 E Street, SW, in Washington, D.C., at a proposed total annual cost of $29,645,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that within two years of the adoption of this resolution, the Administrator shall provide the Committee on Transportation and Infrastructure of the House of Representatives, with a final housing plan approved by the Office of Management and Budget that provides for Federal Government ownership of the NASA headquarters functions in the National Capital Region.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
# WASHINGTON, DC

Prospectus Number: PDC-12-WA10

## Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 605,000 rentable square feet (rsf) for the National Aeronautics and Space Administration (NASA), currently located in the 2 Independence Square Building at 300 E Street, SW in Washington, DC. The current lease expires on July 19, 2012.

## Acquisition Strategy

GSA may satisfy this requirement through a single award solicitation or as part of a multiple award solicitation.

## Description

| | |
|---|---|
| Occupants: | NASA |
| Delineated Area: | Washington, D.C. Central Employment Area |
| Lease Type: | Replacement |
| Justification: | Expiring Lease (7/19/2012) |
| Expansion Space: | None |
| Number of Parking Spaces: | 25 spaces for official Government vehicles |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 605,000 |
| Current Total Annual Cost: | $22,789,643 |
| Proposed Total Annual Cost:[1] | $29,645,000 |
| Maximum Proposed Rental Rate:[2] | $49.00 |

## Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2012 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**
**WASHINGTON, DC**

Prospectus Number: PDC-12-WA10

## Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

## Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 2009

**Housing Plan**
**National Aeronautics and Space Administration**

Washington, DC
PDC-12-WA10

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| 2 Independence Square | 2312 | 2312 | 374,396 | | 117,657 | 492,053 | | | | | | |
| Replacement Lease | - | - | - | | - | - | 1,890 | 1,890 | 374,396 | - | 117,657 | 492,053 |
| Total | 2,312 | 2,312 | 374,396 | | 117,657 | 492,053 | 1,890 | 1,890 | 374,396 | - | 117,657 | 492,053 |

| Utilization Rate | Current | Proposed |
|---|---|---|
| | 126 | 155 |
| | | |

Current UR excludes 82,367 USF of Office for support space
Proposed UR excludes 82,367 USF of office for support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

| Special Space | USF |
|---|---|
| Auditorium | 5,502 |
| Credit Union/Gift Shop/Post Office | 3,447 |
| Fitness Center | 6,067 |
| Health Clinic | 5,215 |
| Library/Archives | 11,296 |
| Printing/Graphics/Copy | 10,045 |
| Server Room | 4,582 |
| Television Studio | 6,848 |
| Daycare Center | 8,844 |
| Building Support | 15,569 |
| SCIF (G-Concourse) | 2,305 |
| Training/Classroom | 37,937 |
| Total | 117,657 |

# U.S. House of Representatives
## Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

## COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF TREASURY
WASHINGTON, D.C.
PDC-16-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a new lease of up to 70,000 rentable square feet for the Department of Treasury, currently located in the Treasury Annex, 501 Madison Place, NW, in Washington, D.C., at a proposed total annual cost of $3,430,000 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF THE TREASURY
# WASHINGTON, DC

Prospectus Number: PDC-16-WA10

## Project Summary

The General Services Administration (GSA) proposes a new lease of up to 70,000 rentable square feet (rsf) for the Department of the Treasury (Treasury), currently located in the Treasury Annex, 501 Madison Place, NW, Washington, DC.

Treasury will vacate the Treasury Annex while it is completely modernized in a single phase. The modernization will address major functional and code deficiencies to align the historic structure with modern federal office use, while preserving significant interior and exterior features. Treasury, which will fund the Annex renovation, will relocate 279 employees to space in Main Treasury. The remaining 300 Treasury employees will require leased swing space during renovations. Only a small U.S. Secret Service office will remain operational in the Treasury Annex building during construction. Occupancy of the new leased swing space is anticipated to occur in fiscal year 2010.

## Acquisition Strategy

GSA may satisfy this requirement through a single award solicitation or as part of a multiple award solicitation.

## Description:

| | |
|---|---|
| Occupants: | Department of the Treasury |
| Delineated Area: | Washington, DC Central Employment Area, North of Massachusetts Avenue, and Southwest Waterfront |
| Lease Type: | New |
| Justification: | Renovation/modernization of the Treasury Annex |
| Expansion Space: | None |
| Number of Parking Spaces: | None |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 10 years (cancellation rights after 5 years) |
| Maximum Rentable Square Feet: | 70,000 |
| Current Total Annual Cost: | $1,328,000 |

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF THE TREASURY**
**WASHINGTON, DC**

Prospectus Number: PDC-16-WA10

| | |
|---|---|
| Proposed Total Annual Cost:[1] | $3,430,000 |
| Maximum Proposed Rental Rate:[2] | $49.00 |

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

**Authorization**

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2010 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF THE TREASURY**
**WASHINGTON, DC**

Prospectus Number: PDC-16-WA10

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

April 2009

# Housing Plan
## Department of the Treasury

Washington, DC
PDC-16-WA10

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| **Tresury Annex** | | | | | | | | | | | | |
| Department of the Treasury | 579 | 579 | 56,832 | 1,122 | 29,065 | **87,019** | - | - | - | - | - | - |
| U.S. Secret Service | 5 | 5 | 1,117 | - | - | **1,117** | 5 | 5 | 1,117 | - | - | 1,117 |
| **Subtotal** | **584** | **584** | **57,949** | **1,122** | **29,065** | **88,136** | **5** | **5** | **1,117** | **-** | **-** | **1,117** |
| | | | | | | | | | | | | |
| **Proposed Lease** | | | | | | | | | | | | |
| Department of the Treasury* | - | - | - | - | - | - | 300 | 300 | 55,834 | 600 | 1,900 | 58,334 |
| **Total** | **584** | **584** | **57,949** | **1,122** | **29,065** | **88,136** | **305** | **305** | **56,951** | **600** | **1,900** | **59,451** |

| | Current | Proposed |
|---|---|---|
| **Utilization** | | |
| Rate | 77 | 145 |

Current UR excludes 12,503 USF of office support space.
Proposed UR excludes 12,283 USF of office support space.

| Special Space | USF |
|---|---|
| Conference | 800 |
| Break room | 250 |
| Mail room | 200 |
| Reception | 450 |
| Copy room | 200 |
| **Total** | **1,900** |

* 279 Treasury employees will be relocated to space in Main Treasury during the Annex renovation.

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

# U.S. House of Representatives
## Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

John L. Mica
Ranking Republican Member

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

James W. Coon II, Republican Chief of Staff

## COMMITTEE RESOLUTION

LEASE
NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
SUBURBAN MARYLAND
PMD-01-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease consolidation of up to 491,000 rentable square feet for the National Institutes of Health, National Institute of Allergy and Infectious Diseases, currently located in multiple buildings in the Rock Springs Office Park in Bethesda, MD, at a proposed total annual cost of $16,694,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS - LEASE
# NATIONAL INSTITUTES OF HEALTH
# NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
# SUBURBAN MARYLAND

Prospectus Number: PMD-01-WA10
Congressional District: 8

## Project Summary

The General Services Administration (GSA) proposes a lease consolidation of up to 491,000 rentable square feet (rsf) for the National Institutes of Health (NIH), National Institute of Allergy and Infectious Diseases (NIAID) currently located in multiple buildings in the Rock Springs Office Park in Bethesda, MD.

NIAID's Rock Springs location includes 159,731 rsf at 6700 Rockledge Boulevard under a lease which expires May 31, 2010. GSA obtained authority in PMD-01-WA09 to extend the lease at 6700 Rockledge Boulevard on a short-term basis to align with lease expirations in neighboring buildings in preparation for a consolidation. NIAID occupies an additional 200,269 rsf at 6610 Rockledge Drive and 10401 Fernwood Road. These locations were acquired by NIH under special leasing authority to meet emergency staff increases following the September 11, 2001 tragedy and subsequent anthrax attacks. At the time, Congress designated NIAID the lead agency to formulate a biodefense strategic research plan to address federally funded research involving highly infectious pathogens which threaten public health world-wide. Subsequent to completion of the biodefense strategic plan, NIAID was designated to lead the federal agenda for implementation and also expand oversight to include biomedical research programs addressing chemical, radioactive and chemical toxin public health threats. NIH acquired both Rockledge Drive and Fernwood Road as a temporary measure until consolidation was possible to address these expanding program needs. NIAID has a mission critical need for a lease consolidation.

NIAID has experienced more than a 30 percent increase in personnel since 2003 and expects continued growth until the anticipated delivery of their consolidated leased location in 2012. Their projected number of personnel is expected to reach 1,925 in 2009 and grow to 2,021 in 2012. NIAID personnel consist of federal staff, contractors, fellowship appointments, guest researchers, summer students, and volunteers.

NIAID's new consolidated location needs to be proximate to the NIH campus in Montgomery County, Maryland; NIH off-campus clusters; I-270, NW Beltway Spur; and the Metro along the Red Line as employees rely on the NIH shuttle service and public transit to make frequent trips to the NIH campus. Additionally, NIAID frequently hosts conferences/training sessions attended by representatives from other government agencies, health organizations/companies, and foreign dignitaries. Locating outside of the specified delineated area, in a location inaccessible by public transit, I-270, the Northwest Beltway Spur and away from other federal agencies, could negatively impact these functions.

GSA PBS

# PROSPECTUS – LEASE
# NATIONAL INSTITUTES OF HEALTH
# NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
# SUBURBAN MARYLAND

Prospectus Number: PMD-01-WA10
Congressional District: 8

## Acquisition Strategy

GSA may satisfy this requirement through a single award solicitation or as part of a multiple award solicitation.

## Description

| | |
|---|---|
| Occupants: | NIAID |
| Delineated Area: | -To the north: Muddy Branch Road to I-270 to I-370<br>- To the east: Crabbs Branch Way to E. Gude Drive to Norbeck Rd. to Viers Mill Rd. to Connecticut Ave<br>- To the south: Western Ave. following the border of Southern Maryland up to the Clara Barton Pkwy.<br>- To the west: Seven Locks Rd. to Wooten Pkwy. to Darnestown Rd. to Great Seneca Hwy. to Muddy Branch Rd. |
| Lease Type: | Consolidation |
| Justification: | Expiring Leases -<br>10410 Fernwood Rd. - 9/30/2011<br>6610 Rockledge Blvd. – 3/31/2012<br>6700 Rockledge Dr. – TBD to align with projected consolidation date in 2012 |
| Expansion Space: | 58,108 usable square feet |
| Number of Parking Spaces: | 7 inside |

GSA PBS

# PROSPECTUS – LEASE
# NATIONAL INSTITUTES OF HEALTH
# NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
# SUBURBAN MARYLAND

Prospectus Number: PMD-01-WA10
Congressional District: 8

| | |
|---|---|
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 491,000 |
| Current Total Annual Cost: | $11,677,100 |
| Proposed Total Annual Cost:[1] | $ 16,694,000 |
| Maximum Proposed Rental Rate:[2] | $ 34.00 per rsf |

## Summary of Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

## Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.

- Approval of this prospectus will constitute authority to provide interim leases, if necessary, prior to the execution of the new lease.

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2012 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**NATIONAL INSTITUTES OF HEALTH**
**NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES**
**SUBURBAN MARYLAND**

Prospectus Number: PMD-01-WA10
Congressional District: 8

**Certification of Need**

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 2009

**Housing Plan**
**National Institutes of Health**
**National Institute of Health and Infectious Disease**

**Suburban MD**
**PMD-01-WA10**

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel* | | *Usable Square Feet (USF)* | | | | *Personnel* | | *Usable Square Feet (USF)* | | | |
| | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** |
| | | | | | | | | | | | | |
| 6700 B Rockledge Drive | 602 | 602 | 126,200 | | 2,000 | 128,200 | | | | | | |
| 6700 A Rockledge Drive | 50 | 50 | 6,000 | | | 6,000 | | | | | | |
| 6610 Rockledge Drive | 722 | 722 | 132,000 | | | 132,000 | | | | | | |
| 10401 Fernwood Drive | 311 | 311 | 42,400 | | 3,000 | 45,400 | | | | | | |
| Visiting Federal Staff | 23 | 23 | | | | 0 | | | | | | |
| Contract staff currently in private lease proposed for inclusion, in support of NIAID | 217 | 217 | 42,200 | | | 42,200 | | | | | | |
| Proposed Lease Consolidation | | | | | | | 2,021 | 2,021 | 387,038 | | 24,870 | 411,908 |
| Total: | **1,925** | **1,925** | **348,800** | - | **5,000** | **353,800** | **2,021** | **2,021** | **387,038** | | **24,870** | **411,908** |

| | Current | Proposed |
|---|---|---|
| | Utilization | |
| Rate | 141 | 149 |

Current UR excludes 14,885 USF of office support space
Proposed UR excludes 15,827 USF of office support space

| Special Space | |
|---|---|
| Data Center | 5,000 |
| Vending Machine | 600 |
| Dining/Conference Center | 12,500 |
| Concession Stand | 900 |
| Lactation Room | 160 |
| COOP Center | 400 |
| Health Center | 150 |
| Fitness Center | 5,000 |
| Lobby/Guards | 120 |
| ATM | 40 |
| **Total:** | **24,870** |

USF means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
SUBURBAN MARYLAND
PMD-02-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 986,000 rentable square feet for the National Oceanic and Atmospheric Administration (NOAA), currently located in Silver Spring Metro Center at 1315 East West Hwy, 1325 East West Hwy, and 1305 East West Hwy, Silver Spring, MD, at a proposed total annual cost of $33,524,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute interim leases for all tenants, if necessary, prior to the execution of the new lease.

*Provided*, that the General Services Administration shall extend current leases as necessary to ensure full competition, including proposals for new lease-construction, for the replacement lease.

*Provided further*, that, in the event that "best value" procedures are employed in the replacement lease procurement, and the source selection plan is structured such that technical factors in aggregate are more important than price, that the Administrator provide a detailed justification for this procurement structure to the Committee on Transportation and Infrastructure of the House of Representatives, prior to the inception of the procurement.

*Provided further*, that to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

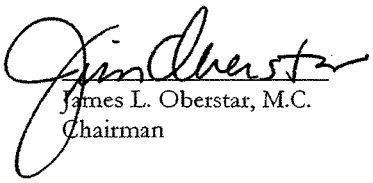
*Provided further*, that within two years of the adoption of this resolution, the Administrator shall provide the Committee on Transportation and Infrastructure of the House of Representatives, with a final housing plan approved by the Office of Management and Budget that provides for Federal Government ownership of the NOAA headquarters functions in the National Capital Region.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on

Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**



James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
# SUBURBAN MARYLAND

Prospectus Number: PMD-02-WA10
Congressional District: 8

## Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 986,000 rentable square feet for National Oceanic and Atmospheric Administration (NOAA) currently located in Silver Spring Metro Center (SSMC) at 1315 East West Hwy, 1325 East West Hwy, and 1305 East West Hwy, Silver Spring, MD.

Silver Spring Metro Center consists of one federally-owned location and three leased locations. NOAA's headquarters campus in Silver Spring has increased by four other leased locations, all within walking distance of the Silver Spring Metro Center buildings.

## Acquisition Strategy

GSA intends to conduct a procurement that addresses the expiring leases as one requirement. Since the leases housing NOAA are not conterminous, short-term extensions will be needed. GSA may satisfy this requirement through a single award solicitation or as part of a multiple award solicitation.

## Description

| | |
|---|---|
| Occupants: | NOAA |
| Delineated Area: | Suburban Maryland, Metro Proximate |
| Lease Type: | Replacement |
| Justification: | Expiring Leases 3/31/2010, 5/5/2013, and 6/26/2013 |
| Expansion Space: | None |
| Number of Parking Spaces: | 13 |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 986,000 |
| Current Total Annual Cost: | $24,366,096 |
| Proposed Total Annual Cost:[1] | $33,524,000 |
| Maximum Proposed Rental Rate:[2] | $34.00 |

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2013 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**
**SUBURBAN MARYLAND**

Prospectus Number: PMD-02-WA10
Congressional District: 8

---

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

**Authorization**

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.

- Approval of this prospectus will constitute authority to provide interim leases, if necessary, prior to the execution of the new lease.

**Certification of Need**

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Paul F. Prouty
Acting Administrator, General Services Administration

March 2009

**Housing Plan**
**NOAA**

**PMD-02-WA10**
**Suburban, MD**

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| | | | | | | | | | | | | |
| 1325 East West Highway | 1,158 | 1,158 | 190,445 | | 56,003 | 246,448 | | | | | | |
| 1315 East West Highway | 1,810 | 1,810 | 298,836 | 1,070 | 117,971 | 417,877 | | | | | | |
| 1305 East West Highway | 785 | 785 | 121,413 | 1,409 | 34,047 | 156,869 | | | | | | |
| Proposed Lease | | - | | | | - | 3,753 | 3,753 | 610,694 | 2,479 | 208,021 | 821,194 |
| Total | 3,753 | 3,753 | 610,694 | 2,479 | 208,021 | 821,194 | 3,753 | 3,753 | 610,694 | 2,479 | 208,021 | 821,194 |

| | Current | Proposed |
|---|---|---|
| Utilization | | |
| Rate | 127 | 127 |

Current UR excludes 134,353 USF of Office for support space
Proposed UR excludes 134,353 USF of office for support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

| Special Space | USF |
|---|---|
| ADP | 41,887 |
| Auditorium | 56,725 |
| Conference | 76,359 |
| Food Service | 16,071 |
| Health Unit | 2,170 |
| Laboratory | 4,489 |
| Fitness Center | 6,538 |
| Child Care | 3,782 |
| **Total** | **208,021** |

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

## COMMITTEE RESOLUTION

### LEASE
### DEPARTMENT OF DEFENSE
### MEDICAL COMMAND HEADQUARTERS
### NORTHERN VIRGINIA
PVA-04-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives,* that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a new lease of up to 751,000 rentable square feet for the Department of Defense Medical Command Headquarters, currently located at multiple leased and government owned locations throughout the Washington Metropolitan region, at a proposed total annual cost of $30,040,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute interim leases for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the Administrator is authorized to apply only the security standards promulgated by the Interagency Security Committee (ISC) to this lease procurement, given that the space will not be housed on a military installation, unless the Administrator determines that to comply only with the ISC criteria would jeopardize compliance with the Base Realignment and Closure requirement that the medical command headquarters be relocated by September 15, 2011.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF DEFENSE
# MEDICAL COMMAND HEADQUARTERS
# NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA10
Congressional Districts: 8,10,11

## Project Summary

The General Services Administration (GSA) proposes a new lease of up to 751,000 rentable square feet (rsf) and four parking spaces to house the components of the Department of Defense (DOD) Medical Command Headquarters in one or more buildings on a single, contiguous site. These components are currently located at multiple leased and government owned locations throughout the Washington Metropolitan region. Compliance with the DOD Uniform Facility Code Anti-Terrorism Standards requires DOD control of the site.

The 2005 Base Realignment and Closure (BRAC) recommendations directed DOD to

> "Realign the Potomac Annex, DC. Realign Bolling Air Force Base, DC. Realign Skyline, leased space in Falls Church, VA. Collocate the Navy Bureau of Medicine, Office of the Surgeon General of the Air Force, the Air Force Medical Operating Activity, and the Air Force Medical Support Activity, Office of the Secretary of Defense (Health Affairs), Tricare Management Activity, Office of the Army Surgeon General and US Army Medical Command to a single, contiguous site that meets the current Department of Defense AntiTerrorism Force Protection standards for new construction at either the National Naval Medical Center, Bethesda, MD, Bolling Air Force Base, DC, or federally owned or leased space in the National Capital Region and consolidate common support activity."

DOD must close and realign all installations in accordance with the BRAC Commission's recommendations, as transmitted to Congress by the President in a September 15, 2005 report. The implementation process must begin within two years of the transmission of the report and be completed within six years of that transmission. Thus, in accordance with BRAC Act of 1990 (P.L. 101-510, as amended), DOD is legally obligated to relocate all functions by September 15, 2011.

The majority of the Medical Command Headquarters components currently occupy leased space in multiple buildings in Northern Virginia, all with differing lease expirations. The current leased locations do not comply with DOD Minimum Anti-Terrorism Standards for Buildings effective for all leases that expire in FY 2009 and beyond. The new leased location must comply with these standards. Most current leases expire before September 15, 2011 and will require short-term extensions. GSA will negotiate for lease terms that provide flexibility to align with the consolidation date and minimize vacancy risk. The components of the Medical Command Headquarters will also relocate from government owned facilities at Bolling Air Force Base and the Potomac Annex as part of this BRAC action. The space at Bolling AFB will be backfilled

**PROSPECTUS – LEASE**
**DEPARTMENT OF DEFENSE**
**MEDICAL COMMAND HEADQUARTERS**
**NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA10
Congressional Districts: 8,10,11

with another DOD occupant as part of the 2005 BRAC realignment and the Potomac Annex will be realigned by the Department of the Navy.

The components of the Medical Command Headquarters will collocate six non-BRAC organizations to the proposed lease site. These organizations are part of the components' headquarters and perform medical headquarters functions in support of the overall mission that are best operated if located together. Most of these entities will relocate from small blocks of government owned space throughout the country. The spaces occupied by four of the six organizations are parts of larger federally owned installations and will be backfilled with other DOD tenants. Two organizations are currently in leased space and will terminate their financial obligations when they relocate to the new facility.

**Justification**

In 2006, DOD conducted an analysis of 17 alternative site options and identified five for further investigation. Three options included new construction at National Naval Medical Center Bethesda, Bolling Air Force Base, and Washington Navy Yard /Anacostia. A fourth option entailed renovation of the National Geospatial Intelligence Agency's (NGA) Sumner complex while the fifth option proposed consideration of leasing an appropriate facility at a site within the National Capital Region.

After review of the three construction sites, DOD concluded none was viable, because each site presented significant challenges associated with site constraints, transportation, and traffic management.

Following an extensive, independent analysis of the NGA Sumner Complex, DOD determined that its renovation was not viable. The analysis showed that approximately 400,000 square feet of the primary buildings could not be effectively renovated to achieve compliance with Anti-Terrorism/Force-Protection standards, which is a specific legal obligation of this BRAC recommendation. Additionally, the Sumner Complex is currently occupied and cannot be renovated until NGA moves to its new facility at Fort Belvoir, currently planned for mid/late 2011. Even if renovations of the Sumner Complex were practicable, DOD could not effect such renovations in time to meet the BRAC deadline.

After concluding that construction of new facilities or renovation of the Sumner Complex was not viable, the decision to lease was made at the highest acquisition levels of the Department. The Infrastructure Steering Group, which serves as the principal oversight body for BRAC implementation, and the Office of General Counsel forwarded their recommendation to the

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF DEFENSE**
**MEDICAL COMMAND HEADQUARTERS**
**NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA10
Congressional Districts: 8,10,11

Deputy Secretary of Defense. In March 2008, the Under Secretary of Defense for Acquisition, Technology, and Logistics directed pursuit of leased space to accommodate the Medical Command Headquarters. However, because ownership is in the long-term best interest of the Government, GSA will seek to include purchase options in any lease agreement entered into under the authority of this prospectus. Exercise of any purchase option will require additional congressional authorization and will be based on the future availability of funds.

**Description**

| | |
|---|---|
| Occupants: | Department of Defense Medical Command Headquarters |
| Delineated Area: | Northern Virginia |
| Lease Type: | Consolidation |
| Justification: | BRAC Recommendations and DOD Anti-Terrorism Standards Compliance |
| Expansion Space: | 94,688 usable square feet |
| Number of Parking Spaces[1]: | 4 (Official Government vehicles) |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 751,000 |
| Current Total Annual Cost: | $7,147,728 (Does not include cost to operate federally owned locations |
| Proposed Total Annual Cost[2]: | $30,040,000 |
| Maximum Proposed Rental Rate[3]: | $40.00 |

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization.

[1] The Department of Defense security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.
[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[3] This estimate is for fiscal year 2012 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF DEFENSE**
**MEDICAL COMMAND HEADQUARTERS**
**NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA10
Congressional Districts: 8,10,11

GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

**Authorization**

Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in one or more buildings on a single, contiguous site that will yield the required rentable area.

Approval of this prospectus will also constitute authority to enter into interim leases prior to occupancy of the space provided under the new lease.

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 20.

Housi.. .an
Department of Defense
Medical Command Headquarters

Northe.. .rginia
PVA-04-WA10

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| *Leased Buildings* | | | | | | | | | | | | |
| *Hoffman Complex | 10 | 10 | 1,010 | | 192 | **1,201** | 7 | 7 | 1,191 | | | |
| *Rosslyn | 90 | 90 | 11,440 | | 2,171 | **13,611** | 84 | 84 | 13,499 | | | |
| Skyline I | 255 | 255 | 32,647 | | 6,195 | **38,842** | 251 | 251 | 38,523 | | | |
| Skyline III | 239 | 239 | 28,251 | | 5,361 | **33,612** | 233 | 233 | 33,336 | | | |
| Skyline IV | 415 | 415 | 52,991 | | 10,056 | **63,047** | 401 | 401 | 62,529 | | | |
| Skyline V | 475 | 475 | 72,864 | | 13,827 | **86,691** | 458 | 458 | 85,979 | | | |
| Skyline VI | 842 | 842 | 95,606 | | 18,143 | **113,749** | 833 | 833 | 112,815 | | | |
| **DoD/VA IT Integration Office | | | | | | | 40 | 40 | 8,557 | | | |
| *Government Owned Buildings* | | | | | | | | | - | | | |
| Bolling AFB | 239 | 239 | 39,352 | | 7,468 | **46,820** | 232 | 232 | 46,436 | | | |
| *Fort Detrick, MD | 12 | 12 | 1,849 | | 351 | **2,200** | 12 | 12 | 2,182 | | | |
| *San Antonio, TX | 69 | 69 | 10,842 | | 2,058 | **12,900** | 66 | 66 | 12,794 | | | |
| *Fort Gordon, GA | 14 | 14 | 2,101 | | 399 | **2,500** | 14 | 14 | 2,479 | | | |
| *Great Lakes, IL | 96 | 96 | 16,390 | | 3,110 | **19,500** | 90 | 90 | 19,340 | | | |
| Potomac Annex | 513 | 513 | 80,939 | | 15,360 | **96,298** | 499 | 499 | 95,507 | | | |
| Total | **3,269** | **3,269** | **446,281** | - | **84,690** | **530,971** | **3,220** | **3,220** | **535,169** | | **90,490** | **625,659** |

| | Current | Proposed |
|---|---|---|
| Utilization Rate | 106 | 130 |

Current UR excludes 98,182 USF of Office for support space

Proposed UR excludes 117,737 USF of office for support space

| Special Space | USF |
|---|---|
| Conf. Room | 26,600 |
| Reception | 1,840 |
| Food Service | 5,000 |
| Break Areas | 2,400 |
| Teaming Areas | 5,000 |
| Records/Storage | 17,700 |
| Server/Lan/Ops | 16,950 |
| Mail Room | 2,000 |
| Copier Room | 500 |
| Medical Library/History | 8,500 |
| SCIF | 1,000 |
| Fitness/Locker | 3,000 |
| **Total** | **90,490** |

***Non-BRAC - conjunctively funded and part of collocation**

****New mission requirement with approved FTE's - not housed at this time**

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

# U.S. House of Representatives
## Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF DEFENSE
SKYLINE PLACE
NORTHERN VIRGINIA
PVA-03-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for short-term lease extensions of up to 402,822 rentable square feet for the Department of Defense currently located at the Skyline Place, 5275 Leesburg Pike, Falls Church, VA, at a proposed total annual cost of $15,307,236 for a lease term of up to two years, a prospectus for which is attached to and included in this resolution.

*Provided*, that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted:** **July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF DEFENSE
# SKYLINE PLACE
# NORTHERN VIRGINIA

Prospectus Number: PVA-03-WA10
Congressional District: 8

## Project Summary

The General Services Administration (GSA) proposes short term lease extensions for up to 402,822 rentable square feet (rsf) for the Department of Defense (DOD) located at the Skyline Place, 5275 Leesburg Pike, Falls Church, VA.

The 2005 Base Realignment and Closure Act (BRAC) requires that DOD tenants in leased space relocate to DOD owned space by September 2011. The current leases expire September 16 and October 3, 2011 and may need to be extended in the event that DOD is unable to move by September 2011. Since this is a short-term requirement, GSA has determined that it is not practical to consider relocating DOD prior to their BRAC relocation date.

## Description

| | |
|---|---|
| Occupants: | DOD |
| Delineated Area: | 5275 Leesburg Pike<br>Falls Church, VA |
| Lease Type: | Extension |
| Justification: | Expiring leases (9/16/11 & 10/03/11) |
| Expansion Space: | None |
| Number of Parking Spaces[1]: | 50 Official Government Vehicles |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 2 years |
| Maximum Rentable Square Feet: | 402,822 rsf |
| Current Total Annual Cost: | $10,265,843 |
| Proposed Total Annual Cost[2]: | $15,307,236 |
| Maximum Proposed Rental Rate[3]: | $ 38.00 per rsf |

[1] The Department of Defense security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[3] This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF DEFENSE**
**SKYLINE PLACE**
**NORTHERN VIRGINIA**

Prospectus Number: PVA-03-WA10
Congressional District: 8

---

**Authorization**

Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.

Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Paul F. Prouty
Acting Administrator, General Services Administration

March 2009

**Housing Plan**
**Department of Defense**
**Skyline Place**

**Northern Virginia**
**PVA-03-WA10**

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| Skyline Place | 2,045 | 2,045 | 194,183 | | 168,900 | 363,083 | 2045 | 2,045 | 194,183 | | 168,900 | 363,083 |
| | | | | | | - | | | - | | | - |
| | | | | | | | | | | | | |
| Total | 2,045 | 2,045 | 194,183 | - | 168,900 | 363,083 | 2,045 | 2,045 | 194,183 | - | 168,900 | 363,083 |

| | Current | Proposed |
|---|---|---|
| Utilization | | |
| Rate | 74 | 74 |

Current UR excludes 59,850 USF of office support space
Proposed UR excludes 59,850 USF of office support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

| Special Space | USF |
|---|---|
| Loading Dock | 6,900 |
| Mail Room | 1,840 |
| ADP | 35,910 |
| Network Operations | 2,741 |
| Conference/Training | 13,373 |
| Fitness Center | 1,380 |
| Nonstandard Mechanical/Electrical Rooms | 53,616 |
| SCIF | 53,140 |
| **Total** | **168,900** |

# U.S. House of Representatives
## Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

## COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF STATE
ARCHITECTS BUILDING
NORTHERN VIRGINIA
PVA-07-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 118,000 rentable square feet for the Department of State currently located in the Architects Building at 1400 Wilson Boulevard in Arlington, VA, at a proposed total annual cost of $4,484,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided*, that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF STATE
# ARCHITECTS BUILDING
# NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA10
Congressional District: 8

## Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 118,000 rentable square feet (rsf) for the Department of State (DOS) currently located in the Architects Building at 1400 Wilson Boulevard in Arlington, VA.

## Acquisition Strategy

In order to maximize flexibility in acquiring space for State Department elements currently housed in the Architects Building and Pomponio Plaza East (Prospectus Number: PVA-06-WA10), GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

## Description

| | |
|---|---|
| Occupants: | Department of State |
| Delineated Area: | Rosslyn, Virginia |
| Lease Type: | Replacement |
| Justification: | Expiring Lease (04/17/10) |
| Expansion Space: | None |
| Number of Parking Spaces[1]: | 251 Inside |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 118,000 |
| Current Total Annual Cost: | $2,747,971 |
| Proposed Total Annual Cost:[2] | $4,484,000 |
| Maximum Proposed Rental Rate[3]: | $38.00 |

[1] DOS security requirements may necessitate control of parking at the location leased. This may be accomplished as a lessor furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s). Any parking included in the Government's leasehold interest may result in a total proposed annual cost in excess of the amounts indicated above.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[3] This estimate is for fiscal year 2010 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF STATE**
**ARCHITECTS BUILDING**
**NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA10
Congressional District: 8

## Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

## Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

## Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

April 2009

**Housing Plan**
**Department of State**
**Architects Building**

**Northern Virginia**
**PVA-07-WA10**

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| 1400 Wilson Blvd | 410 | 410 | 87,779 | 3,928 | 5,892 | 97,599 | 410 | 410 | 87,779 | 3,928 | 5,892 | 97,599 |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| **Total** | **410** | **410** | **87,779** | **3,928** | **5,892** | **97,599** | **410** | **410** | **87,779** | **3,928** | **5,892** | **97,599** |

| | Current | Proposed |
|---|---|---|
| **Utilization** | | |
| Rate | 167 | 167 |

Current UR excludes 19,311 USF of Office for support space
Proposed UR excludes 19,311 USF of office for support space

| Special Space | USF |
|---|---|
| Forensics Lab | 5,092 |
| Conference Room | 800 |
| | |
| **Total** | **5,892** |

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

# U.S. House of Representatives
## Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

## COMMITTEE RESOLUTION

**LEASE**
**DEPARTMENT OF STATE**
**POMPONIO PLAZA EAST**
**NORTHERN VIRGINIA**
PVA-06-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement/expansion lease of up to 243,000 rentable square feet for the Department of State Office of the Coordinator for Reconstruction and Stabilization Division and Bureau of Diplomatic Security currently located in the Pomponio Plaza East building at 1800 North Kent Street, Arlington, VA, at a proposed total annual cost of $9,234,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF STATE
# POMPONIO PLAZA EAST
# NORTHERN VIRGINIA

Prospectus Number: PVA-06-WA10
Congressional District: 8

## Project Summary

The General Services Administration (GSA) proposes a replacement/expansion lease of up to 243,000 rentable square feet of space (rsf) of space for the Department of State's (DOS) Office of the Coordinator for Reconstruction and Stabilization (CRS) Division and Bureau of Diplomatic Security (DS). The CRS Division is currently located in the Pomponio Plaza East building at 1800 North Kent Street, Arlington, VA.

The proposed lease will include up to 74,689 rsf of expansion space, which will allow DOS to house approximately 125 new CRS employees and approximately 250 new DS employees in the Rosslyn, VA area.

## Acquisition Strategy

In order to maximize flexibility in acquiring space for State Department elements currently housed in Pomponio Plaza East and the Architects Building (Prospectus Number: PVA-07-WA10), GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

## Description

| | |
|---|---|
| Occupants: | Department of State |
| Delineated Area: | Rosslyn, VA |
| Lease Type: | Replacement/Expansion |
| Justification: | Expiring Lease (04/30/10) |
| Expansion Space: | 74,689 |

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF STATE
# POMPONIO PLAZA EAST
# NORTHERN VIRGINIA

Prospectus Number: PVA-06-WA10
Congressional District: 8

| | |
|---|---|
| Number of Parking Spaces[1]: | 14 inside |
| Scoring: | Operating Lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 243,000 |
| Current Total Annual Cost: | $4,786,190 |
| Proposed Total Annual Cost[2]: | $9,234,000 |
| Maximum Proposed Rental Rate[3]: | $38.00 |

## Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

## Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

[1] DOS security requirements may necessitate control of parking at the location leased. This may be accomplished as a lessor furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s). Any parking included in the Government's leasehold interest may result in a total proposed annual cost in excess of the amounts indicated above.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[3] This estimate is for fiscal year 2010 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF STATE**
**POMPONIO PLAZA EAST**
**NORTHERN VIRGINIA**

Prospectus Number: PVA-06-WA10
Congressional District: 8

---

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended _____
for Commissioner, Public Buildings Service

Approved _____
Acting Administrator, General Services Administration

May 2009

**Housing Plan**
**Department of State**
**Pomponio Plaza East**

**Northern Virginia**
**PVA-06-WA10**

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| 1800 North Kent Street | 820 | 820 | 151,154 | 6,400 | 9,600 | 167,154 | 1,195 | 1,195 | 195,825 | 8,703 | 13,055 | 217,583 |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| **Total** | **820** | **820** | **151,154** | **6,400** | **9,600** | **167,154** | **1,195** | **1,195** | **195,825** | **8,703** | **13,055** | **217,583** |

| | Current | Proposed |
|---|---|---|
| **Utilization** | | |
| Rate | 144 | 128 |

| Special Space | USF |
|---|---|
| Library | 2,611 |
| Conference Center | 5,222 |
| Server Room | 5,222 |
| **Total** | **13,055** |

Current UR excludes 33,254 USF of Office for support space
Proposed UR excludes 43,082 USF of office for support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
ATLANTA, GEORGIA
PGA-01-AT10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a new lease of up to 165,000 rentable square feet for the Department of Housing and Urban Development currently located at Five Points Plaza, 40 Marietta Street, and the Richard B. Russell Federal Building, 75 Spring Street, in Atlanta, GA, at a proposed total annual cost of $5,445,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted:** **July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS - LEASE
# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
# ATLANTA, GA

Prospectus Number: PGA-01-AT10
Congressional District: 05

## Project Summary

The General Services Administration (GSA) proposes a new lease of up to 165,000 rentable square feet (rsf) with 24 inside secured parking spaces for the Department of Housing and Urban Development (HUD), currently located at Five Points Plaza, 40 Marietta Street, and the Richard B. Russell Federal Building, 75 Spring Street, in Atlanta, GA.

With the Atlanta HUD offices currently split between two locations, absorption of an anticipated staffing increase of 65 positions is problematic. The existing HUD facilities are incapable of providing the increased square footage necessary to support new functions and do not currently meet HUD's requirement for sufficient meeting and training space. In addition, the current leased location suffers from heating and cooling extremes, offers poor configuration, and does not provide a loading dock, service elevator, or ADA-compliant handicapped parking.

The lease at 40 Marietta Street expires on March 19, 2019 with an early termination date of March 20, 2011. The Russell Federal Building will be backfilled with expiring leases, serve as swing space, or will be used to meet further federal tenant space expansion requests.

## Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

GSA PBS

# PROSPECTUS - LEASE
# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
# ATLANTA, GA

Prospectus Number: PGA-01-AT10
Congressional District: 05

## Description

| | |
|---|---|
| Occupants: | HUD |
| Delineated Area: | North: 10th Street; East: Boulevard; South: I-20/Abernathy; West Northside Dr. |
| Lease Type: | New |
| Justification: | Consolidation, Expanded Mission |
| Number of Parking Spaces: | 24 inside parking spaces |
| Expansion Space: | 11,118 rsf |
| Scoring: | Operating Lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 165,000 |
| Current Total Annual Cost: | $2,446,849 |
| Proposed Total Annual Cost[1]: | $5,445,000 |
| Maximum Proposed Rental Rate[2]: | $33.00 per rentable square foot |

## Authorizations

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

[1]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[2]This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS - LEASE**
**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**
**ATLANTA, GA**

Prospectus Number: PGA-01-AT10
Congressional District: 05

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

June 2009

**Department of Housing and Urban Development**
**Housing Plan**

**Atlanta, GA**
**PGA-01-AT10**

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel* | | *Usable Square Feet (USF)* | | | | *Personnel* | | *Usable Square Feet (USF)* | | | |
| | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** |
| **FIVE POINTS PLAZA** | | | | | | | | | | | | |
| 40 Marietta Street | 344 | 344 | 104,816 | 0 | 0 | 104,816 | 0 | 0 | 0 | 0 | 0 | 0 |
| **RICHARD B. RUSSELL** | | | | | | | | | | | | |
| 75 Spring Street | 76 | 76 | 21,373 | 1,133 | 913 | 23,419 | 0 | 0 | 0 | 0 | 0 | 0 |
| **New Lease** | | | | | | | 485 | 485 | 105,488 | 7,219 | 24,065 | 136,772 |
| **Total:** | **420** | **420** | **126,189** | **1,133** | **913** | **128,235** | **485** | **485** | **105,488** | **7,219** | **24,065** | **136,772** |

| | Current | Proposed |
|---|---|---|
| | Utilization | |
| Rate | 234 | 170 |

Current UR excludes 27,762 USF of office support space
Proposed UR excludes 23,207 USF of office support space

| Special Space | |
|---|---|
| Clinic | 233 |
| Conf/Trng/Interview Room | 15,526 |
| Library | 776 |
| ADP | 3,105 |
| Food Service | 311 |
| Mail Rooms | 3,881 |
| Secured Room | 233 |
| **Total:** | **24,065** |

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

# U.S. House of Representatives
## Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
INTERNAL REVENUE SERVICE
BROOKLYN, NY
PNY-03-NY10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 120,000 rentable square feet for the Internal Revenue Service, currently located at 10 MetroTech Center, Brooklyn, NY, at a proposed total annual cost of $6,600,000 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

**PROSPECTUS - LEASE**
**INTERNAL REVENUE SERVICE**
**BROOKLYN, NY**

Prospectus Number: PNY-03-NY10
Congressional District: 10

## Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 120,000 rentable square feet (rsf) of space for the Internal Revenue Service, currently located at 10 MetroTech Center, Brooklyn, NY.

IRS originally occupied 294,084 rsf at this location. As a result of the agency's transition from paper processing to electronic filing, IRS returned space to GSA over the past several years. IRS will be relocated under the authority of this prospectus and the remaining Federal tenants in the building will be relocated through separate, below-prospectus lease procurements.

GSA was able to backfill portions of the space with Federal tenants, but there is still 55,209 rsf of vacant space in the building under the current lease. There are no renewal options in the existing lease and a succeeding lease is not a viable option as the Lessor does not want to re-negotiate the square footage of the original lease.

## Description

| | |
|---|---|
| Occupants: | IRS |
| Delineated Area: | Downtown Brooklyn, NY |
| Lease Type: | Replacement |
| Justification: | Expiring lease (02/11/2012) |
| Number of Parking Spaces: | 43 outside, structured parking spaces |
| Expansion Space: | None |
| Scoring: | Operating Lease |
| Proposed Maximum Leasing Authority: | 10 years |
| Maximum Rentable Square Feet: | 120,000 |
| Current Total Annual Cost: | $10,153,096 |
| Proposed Total Annual Cost[1]: | $6,600,000 |
| Maximum Proposed Rental Rate[2]: | $55.00 per rsf |

[1]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[2]This estimate is for fiscal year 2012 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS - LEASE**
**INTERNAL REVENUE SERVICE**
**BROOKLYN, NY**

Prospectus Number: PNY-03-NY10
Congressional District: 10

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

**Authorizations**

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

June 2009 | Housing Plan IRS | Brooklyn, NY PNY-03-NY10

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| 10 METROTECH CENTER | | | | | | | | | | | | |
| Treasury - IRS National Office | 470 | 470 | 126,855 | 0 | 0 | 126,855 | | | | | | |
| | | | | | | | | | | | | |
| Proposed lease | | | | | | | 397 | 397 | 92,921 | 0 | 6,650 | 99,571 |
| Total: | 470 | 470 | 126,855 | 0 | 0 | 126,855 | 397 | 397 | 92,921 | 0 | 6,650 | 99,571 |

| | Current | Proposed |
|---|---|---|
| | Utilization | |
| Rate | 211 | 183 |

Current UR excludes 27,908 USF of office support
Current UR excludes 20,443 USF of office support

| Special Space | |
|---|---|
| Clinic | 900 |
| Conference | 1,500 |
| ADP | 1,000 |
| File Storage | 2,000 |
| Mail Rooms | 500 |
| Break Rooms | 750 |
| Total: | 6,650 |

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
INTERNAL REVENUE SERVICE
GUAYABO, PR
PPR-01-GU10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized to exercise a renewal option of up to 111,541 rentable square feet for the Internal Revenue Service, currently located in the San Patricio Office Building, 7 Tabonuco Street, Guaynabo, PR, at a proposed total annual cost of $4,433,754 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# INTERNAL REVENUE SERVICE
# GUAYNABO, PR

Prospectus Number: PPR-01-GU10
Congressional District: 01

## Project Summary

The General Services Administration (GSA) is seeking authority to exercise a renewal option of up to five years for the Internal Revenue Service (IRS), currently located in the San Patricio Office Building, 7 Tabonuco Street, Guaynabo, PR. IRS needs additional time to develop their long-term requirements.

## Justification

It is in the Government's best interest to exercise the five-year renewal option to extend IRS's occupancy at the existing location. This location provides special data and security installations that supports IRS' current mission. The renewal rate is below current market rates and is considered fair and reasonable for this market.

## Description

| | |
|---|---|
| Occupants: | Treasury - IRS |
| Delineated Area: | 7 Tabonuco Street<br>Guaynabo, PR |
| Lease Type: | Renewal Option |
| Justification: | Expiring Lease (November 5, 2010) |
| Number of Parking Spaces: | 218 |
| Expansion Space: | None |
| Scoring: | Operating Lease |
| Proposed Maximum Leasing Authority: | 5 years |
| Maximum Rentable Square Feet: | 111,541 |
| Current Total Annual Cost: | $4,329,930 |
| Proposed Total Annual Cost[1]: | $4,433,754 |
| Maximum Proposed Rental Rate[2]: | $40.00 per rentable square foot |

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**INTERNAL REVENUE SERVICE**
**GUAYNABO, PR**

Prospectus Number: PPR-01-GU10
Congressional District: 01

---

**Authorizations**

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

June 2009 | Housing Plan IRS | Guaynabo, PR PPR-01-GU10

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel* | | *Usable Square Feet (USF)* | | | | *Personnel* | | *Usable Square Feet (USF)* | | | |
| | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** |
| **SAN PATRICIO OFFICE BLDG** | | | | | | | | | | | | |
| IRS | 493 | 493 | 79,387 | 2,515 | 8,864 | 90,766 | 493 | 493 | 79,387 | 2,515 | 8,864 | 90,766 |
| | | | | | | | | | | | | |
| **Total:** | **493** | **493** | **79,387** | **2,515** | **8,864** | **90,766** | **493** | **493** | **79,387** | **2,515** | **8,864** | **90,766** |

| | Current | Proposed |
|---|---|---|
| | Utilization | |
| Rate | 126 | 126 |

Current UR excludes 17,465 USF of office support space
Proposed UR excludes 17,465 USF of office support space

| Special Space | |
|---|---|
| Private toilets | 124 |
| Clinic/Health | 591 |
| Conference | 5,828 |
| ADP | 1,736 |
| Hearing Room | 585 |
| **Total:** | **8,864** |

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF HOMELAND SECURITY
OMNIBUS REQUIREMENTS
NATIONAL CAPITAL REGION
PDC-23-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for new leases of up to a total of 1,136,000 rentable square feet for the Department of Homeland Security "Mission Support" elements, currently located in Washington, D.C., at a proposed total annual cost of $55,664,000 in Washington, D.C.; in Crystal City/Pentagon City, VA, at a proposed total annual cost of $43,168,000; or in Southern Prince Georges County, MD, at a proposed total annual cost of $38,624,000; for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for replacement leases of up to a total of 225,000 rentable square feet, for elements of the Customs and Border Protection of the Department of Homeland Security as identified in the prospectus request, currently located in Washington, D.C., until these elements can relocate to the Ronald Reagan Office Building, at a proposed total annual cost of $11,025,000 for a lease term of up to ten years, a prospectus for which is attached to and included in this resolution.

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized to extend current leases of up to a total of 364,000 rentable square feet for the United States Coast Guard of the Department of Homeland Security, currently located at 1900 Half Street, SW, Washington, D.C., for lease durations as necessary until the U.S. Coast Guard relocates to the St. Elizabeths Campus, at a proposed total annual cost of $14,560,000, for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute interim leases for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that the Administrator of General Services shall conduct the lease procurement for the Mission Support elements to enable full and fair consideration of lease construction proposals and proposals to lease existing buildings, and structure the lease procurement in terms of milestones and

deliverable due dates, including site plan approval, design, construction permitting, and construction delivery, in a manner consistent with General Services Administration conventions employed in lease-construct procurements.

*Provided further,* that, to the maximum extent practicable, the Administrator of General Services shall include in the lease contract(s) a purchase option than can be exercised at the conclusion of the firm term of the lease.

*Provided further,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted:** **July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF HOMELAND SECURITY**
**OMNIBUS REQUIREMENTS**
**NATIONAL CAPITAL REGION**

Prospectus Number: PDC-23-WA10
Congressional Districts: DC00/VA08/MD04

## Overall Project Summary

This prospectus contains three distinct parts that address different tactical housing needs of the Department of Homeland Security (DHS) within the overall context of the strategic DHS migration plan. These parts are: 1) Mission Support elements that are dispersed in several different locations; 2) Customs & Border Protection (CBP) interim requirements; and 3) the United States Coast Guard (USCG) requirement for extensions of existing leases. Separate housing plans for each of these three parts are also included with this prospectus.

The General Services Administration (GSA) proposes leasing up to 1,725,000 rentable square feet (rsf) of office and related space in the National Capital Region (NCR) for several components of DHS as outlined below. These DHS components are currently located at several leased and federally owned locations in Washington, DC.

The proposed leasing actions for CBP and USCG are intended to be interim tactical actions required to align lease expirations with the overall DHS strategic migration plan that will consolidate the department's mission execution and mission support functions from more than 40 locations in the NCR to fewer than 10.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF HOMELAND SECURITY**
**OMNIBUS REQUIREMENTS**
**NATIONAL CAPITAL REGION**

Prospectus Number: PDC-23-WA10
Congressional Districts: DC00/VA08/MD04

## Project Summary for Mission Support

The proposed acquisition for Mission Support elements will provide approximately 670,000 rsf for U.S. Citizenship and Immigration Services (CIS), 176,000 rsf for Science and Technology (S&T), and 290,000 rsf for the Undersecretary for Management (USM) for a total of 1,136,000 rsf.

Mission Support elements occupy space in 131 M Street, NE; 20 Massachusetts Avenue, NW; 111 Massachusetts Avenue, NW; 1200 First Street, NE; 1120 Vermont Avenue, NW; 1201-25 New York Avenue, NW; 650 Massachusetts Avenue, NW; Judiciary Square at 633 Third Street, NW; the GSA Regional Office Building at Seventh & D Streets, SW; and the Nebraska Avenue Complex at 3801 Nebraska Avenue, NW.

At the end of FY 2007, DHS headquarters' functions were located in approximately 70 buildings throughout Washington, DC and Northern Virginia. The St. Elizabeths Campus has been master planned to accommodate those DHS components directly involved in mission execution programmatic functions but the remaining DHS mission support elements will have a continuing need to be housed in a combination of federally owned and leased space.

## Acquisition Strategy

In order to maximize flexibility in acquiring space to house mission support elements, GSA plans to issue a single, multiple award solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. Although the delineated area for the procurement includes portions of all three NCR jurisdictions—Washington, DC; Suburban Maryland; and Northern Virginia, each individual DHS element (CIS, USM, S&T) must be housed in one or more geographically proximate buildings in a single political jurisdiction. However, the three DHS elements do not have to be collocated in the same political jurisdiction.

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF HOMELAND SECURITY
# OMNIBUS REQUIREMENTS
# NATIONAL CAPITAL REGION

Prospectus Number: PDC-23-WA10
Congressional Districts: DC00/VA08/MD04

## Description

| | |
|---|---|
| Occupants: | DHS – CIS / S&T / USM |
| Delineated Area[1]: | Washington, DC Central Employment Area/North of Massachusetts Avenue (NoMa)/Waterfront<br>Southern Prince Georges County Maryland (Metro-Proximate South of Route 4)<br>Crystal City/Pentagon City, Virginia (Metro-Proximate) |
| Lease Type: | New |
| Justification: | Expiring Leases (2010 – 2014) |
| Expansion Space: | None |
| Number of Parking Spaces[2]: | 50 official spaces |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 20 years |
| Maximum Rentable Square Feet: | 1,136,000 rsf |
| Current Total Annual Cost: | $35,051,394 |
| Proposed Total Annual Cost for DC[3]: | $55,664,000 |
| Maximum Proposed Rental Rate[4]: | $49.00 per rsf |
| Proposed Total Annual Cost for MD: | $38,624,000 |
| Maximum Proposed Rental Rate: | $34.00 per rsf |
| Proposed Total Annual Cost for VA: | $43,168,000 |
| Maximum Proposed Rental Rate: | $38.00 per rsf |

[1] Subject to proximity requirements discussed under "Acquisition Strategy" on page 2.

[2] DHS security requirements may necessitate control of parking at the location leased. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s). Any parking included in the Government's leasehold interest may result in a total proposed annual cost in excess of the amounts indicated above.

[3] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[4] The estimates for DC, MD, and VA are for fiscal year 2012 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF HOMELAND SECURITY**
**OMNIBUS REQUIREMENTS**
**NATIONAL CAPITAL REGION**

Prospectus Number: PDC-23-WA10
Congressional Districts: DC00/VA08/MD04

**Project Summary for CBP**

GSA proposes to lease up to 225,000 rsf for CBP components that will ultimately be housed in Government-owned space.

Up to 129,000 rentable square feet (rsf) is required for CBP's Office of Finance (OF), which is currently located at 1331 Pennsylvania Avenue, NW, in Washington, DC, under multiple leases with expiration dates over the next several years. A replacement lease will provide continued housing for OF until it can move into the Ronald Reagan Office Building (RROB), backfilling space vacated by CBP headquarters elements going to the St. Elizabeths Campus in 2016.

An additional lease of up to approximately 96,000 rsf is required to accommodate the Office of Trade (OT) and related space currently located at 799 Ninth Street, NW, which is controlled by the US Mint. The Inter-Agency Agreement between CBP and the Mint expires in 2011, and the Mint has indicated that CBP will have to vacate the space it occupies in the building. This will create an interim move for OT until it can also backfill vacant space at the RROB when headquarters elements move to St. Elizabeths.

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF HOMELAND SECURITY
# OMNIBUS REQUIREMENTS
# NATIONAL CAPITAL REGION

Prospectus Number: PDC-23-WA10
Congressional Districts: DC00/VA08/MD04

## Description

| | |
|---|---|
| Occupants: | DHS – CBP |
| Delineated Area: | Washington, DC Central Employment Area/North of Massachusetts Avenue (NoMa)/Waterfront |
| Lease Type: | Replacement |
| Justification: | Expiring Leases / Housing Strategy / August 2009 to September 2012 in National Place plus October 2011 at the US Mint Annex |
| Expansion Space: | none |
| Number of Parking Spaces[5]: | 20 |
| Scoring: | Operating leases |
| Proposed Maximum Leasing Authority: | 10 years |
| Maximum Rentable Square Feet: | 225,000 |
| Current Total Annual Cost: | $5,614,804 |
| Proposed Total Annual Cost for DC[6]: | $11,025,000 |
| Maximum Proposed Rental Rate[7]: | $49.00 |

[5] DHS security requirements may necessitate control of parking at the location leased. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s). Any parking included in the Government's leasehold interest may result in a total proposed annual cost in excess of the amounts indicated above.

[6] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[7] This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF HOMELAND SECURITY**
**OMNIBUS REQUIREMENTS**
**NATIONAL CAPITAL REGION**

Prospectus Number: PDC-23-WA10
Congressional Districts: DC00/VA08/MD04

**Project Summary for USCG**

GSA proposes extending leases for approximately 364,000 rsf for the USCG, currently located at 1900 Half Street, SW, Washington, DC. GSA proposes to extend the current leases to coincide with the occupancy of USCG's new headquarters space at the St. Elizabeths Campus in 2013. The four leases will be extended to a coterminous date that will permit flexibility in moving to St. Elizabeths. Design funding for a consolidated USCG facility at St. Elizabeths was appropriated in fiscal year 2006 through P.L. 109-155. Construction funding has been appropriated in fiscal year 2009 through P.L. 111-8 to commence construction of the new USCG headquarters. Additional funding to complete Phase 1 of the project has been appropriated to GSA through P.L. 111-5 and the site will be ready for occupancy by the USCG in 2013. GSA will either negotiate extensions or termination rights with the current landlord to provide the flexibility needed to move the USCG to St. Elizabeths.

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF HOMELAND SECURITY
# OMNIBUS REQUIREMENTS
# NATIONAL CAPITAL REGION

Prospectus Number: PDC-23-WA10
Congressional Districts: DC00/VA08/MD04

## Description

| | |
|---|---|
| Occupants: | USCG |
| Delineated Area: | 1900 Half Street, SW, Washington, DC |
| Lease Type: | Extension |
| Justification: | Extend expiring leases (2010 - 2013) |
| Expansion Space: | none |
| Parking: [8] | 6 official vehicles - inside |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 5 years |
| Maximum Rentable Square Feet: | 364,000 |
| Current Total Annual Cost: | $10,127,581 |
| Proposed Total Annual Cost: [9] | $14,560,000 |
| Maximum Proposed Rental Rate: [10] | $40.00 per rentable square foot |

[8] DHS security requirements may necessitate control of parking at the location leased. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s). Any parking included in the Government's leasehold interest may result in a total proposed annual cost in excess of the amounts indicated above.

[9] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[10] This estimate is for fiscal year 2010 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF HOMELAND SECURITY**
**OMNIBUS REQUIREMENTS**
**NATIONAL CAPITAL REGION**

Prospectus Number: PDC-23-WA10
Congressional Districts: DC00/VA08/MD04

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

**Authorization**

Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.

Approval of this prospectus will constitute authority to provide interim leases, if necessary, prior to the execution of the new lease.

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on October 16, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

July 2009

**Department of H[illegible]nd Security**
**Omnibus**
**Housing Plan**

Was[illegible]n, DC
PDC-23-WA10

| Components and Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel* | | *Usable Square Feet (USF)* | | | | *Personnel* | | *Usable Square Feet (USF)* | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| **Citizenship and Immigration Services (7004)** | | | | | | | | | | | | |
| One NoMa Station - 131 M St, NE | 264 | 264 | 49,646 | | | 49,646 | | | | | | |
| Judiciary Square - 633 Third St, NW | 250 | 250 | 51,010 | | | 51,010 | | | | | | |
| Pulaski Bldg - 20 Massachusetts Ave, NW | 700 | 700 | 158,559 | | | 158,559 | | | | | | |
| Union Labor Life - 111 Massachusetts Ave, NW | 801 | 801 | 226,130 | | | 226,130 | | | | | | |
| Capitol Plaza I - 1200 First St, NE | 139 | 139 | 29,997 | | | 29,997 | | | | | | |
| Procurement in process | | | 42,462 | | | 42,462 | | | | | | |
| **Subtotal** | **2,154** | **2,154** | **557,804** | | | **557,804** | | | | | | |
| | | | | | | | | | | | | |
| **Science and Technology (7031)** | | | | | | | | | | | | |
| 1120 Vermont Ave, NW | 629 | 629 | 146,542 | | | 146,542 | | | | | | |
| **Subtotal** | **629** | **629** | **146,542** | | | **146,542** | | | | | | |
| | | | | | | | | | | | | |
| **Under Secretary for Management (7010)** | | | | | | | | | | | | |
| Regional Office Bldg - 7th & D Sts, SW | 1,155 | 1,155 | 81,424 | | | 81,424 | | | | | | |
| Nebraska Avenue Complex | 578 | 578 | 37,089 | | | 37,089 | | | | | | |
| 1201-1225 New York Avenue, NW | 248 | 248 | 44,558 | | | 44,558 | | | | | | |
| 650 Massachusetts Ave, NW | 139 | 139 | 39,918 | | | 39,918 | | | | | | |
| One NoMa Station - 131 M Street, NE | 180 | 180 | 25,149 | | | 25,149 | | | | | | |
| 1120 Vermont Ave, NW | 57 | 57 | 13,127 | | | 13,127 | | | | | | |
| **Subtotal** | **2,357** | **2,357** | **241,265** | | | **241,265** | | | | | | |
| | | | | | | | | | | | | |
| **New Lease(s)** | | | | | | | | | | | | |
| *DHS Headquarters - Mission Support Functions* | | | | | | | | | | | | |
| Citizenship and Immigration Services (7004) | | | | | | | 2,154 | 2,154 | 418,353 | 41,835 | 97,616 | 557,804 |
| Science and Technology | | | | | | | 629 | 629 | 109,907 | 10,991 | 25,645 | 146,542 |
| Undersecretary for Management (7010) | | | | | | | 2,357 | 2,357 | 180,949 | 18,095 | 42,221 | 241,265 |
| **GRAND TOTALS:** | **5,140** | **5,140** | **945,611** | | | **945,611** | **5,140** | **5,140** | **709,208** | **70,921** | **165,482** | **945,611** |

| Utilization | Current | Proposed |
|---|---|---|
| Rate | 143 | 108 |

Current UR excludes 202,947 usf of office support
Proposed UR excludes 156,026 usf of office support

| Special Space | USF |
|---|---|
| ADP | 30,515 |
| Auditorium | 2,962 |
| Child Care | 7,844 |
| Clinic / Health Units | 414 |
| Conference | 42,794 |
| Fitness Ctr | 7,844 |
| Food Service | 5,759 |
| Library | 31,408 |
| Loading Dock | 1,638 |
| Mail | 5,064 |
| Print Shop | 827 |
| Hoteling | 1,241 |
| Intel ADP / Ops Ctr | 927 |
| Intel Support | 563 |
| Public Space | 9,995 |
| Open Secret | 9,002 |
| SCIF | 2,879 |
| Audio / Visual | 1,522 |
| Utility Area | 1,870 |
| Pvt Toilets | 414 |
| **Total:** | **165,482** |

July 2005

**Department of Homeland Security**
**Omnibus**
**Housing Plan**

**Washington, DC**
**PDC-23-WA10**

| Components and Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel* | | *Usable Square Feet (USF)* | | | | *Personnel* | | *Usable Square Feet (USF)* | | | |
| | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** |
| **Customs & Border Protection (7051)** | | | | | | | | | | | | |
| National Place - 1331 Pennsylvania Ave, NW | 584 | 584 | 97,369 | 1,929 | 12,290 | 111,588 | | | | | | |
| US Mint at 799 Ninth St, NW | 341 | 341 | 80,000 | | | 80,000 | | | | | | |
| **Subtotal** | **925** | **925** | **177,369** | | | **191,588** | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| **New Lease(s)** | | | | | | | | | | | | |
| *DHS Headquarters - Mission Support Functions* | | | | | | | | | | | | |
| Customs & Border Protection (7051) | | | | | | | 925 | 925 | 143,691 | 14,369 | 33,528 | 191,588 |
| **GRAND TOTALS:** | **925** | **925** | **177,369** | | | **191,588** | **925** | **925** | **143,691** | **14,369** | **33,528** | **191,588** |

| Utilization | | |
|---|---|---|
| | **Current** | **Proposed** |
| **Rate** | 150 | 121 |

Current UR excludes 39,021 usf of office support
Proposed UR excludes 31,612 usf of office support

| Special Space | USF |
|---|---|
| ADP | 6,183 |
| Auditorium | 600 |
| Child Care | 1,589 |
| Clinic / Health Units | 84 |
| Conference | 8,670 |
| Fitness Ctr | 1,589 |
| Food Service | 1,167 |
| Library | 6,364 |
| Loading Dock | 332 |
| Mail | 1,026 |
| Print Shop | 168 |
| Hoteling | 251 |
| Intel ADP / Ops Ctr | 188 |
| Intel Support | 114 |
| Public Space | 2,025 |
| Open Secret | 1,824 |
| SCIF | 583 |
| Audio / Visual | 308 |
| Utility Area | 379 |
| Pvt Toilets | 84 |
| **Total:** | **33,528** |

July 2009

**Department of Homeland Security**
**Omnibus**
**Housing Plan**

Washington, DC
PDC-23-WA10

| Components and Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel* | | *Usable Square Feet (USF)* | | | | *Personnel* | | *Usable Square Feet (USF)* | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| **United States Coast Guard (7002)** | | | | | | | | | | | | |
| Jemal Riverside - 1900 Half Street, SW | 1,540 | 1,540 | 320,201 | | | 320,201 | | | | | | |
| **Subtotal** | **1,540** | **1,540** | **320,201** | | | **320,201** | | | | | | |
| | | | | | | | | | | | | |
| **New Lease(s)** | | | | | | | | | | | | |
| *DHS Headquarters - Mission Support Functions* | | | | | | | | | | | | |
| United States Coast Guard (7002) | | | | | | | 1,540 | 1,540 | 240,151 | 24,015 | 56,035 | 320,201 |
| **GRAND TOTALS:** | **1,540** | **1,540** | **320,201** | | | **320,201** | **1,540** | **1,540** | **240,151** | **24,015** | **56,035** | **320,201** |

| Utilization | Current | Proposed |
|---|---|---|
| Rate | 162 | 122 |

Current UR excludes 70,444 usf of office support
Proposed UR excludes 52,833 usf of office support

| Special Space | USF |
|---|---|
| ADP | 10,333 |
| Auditorium | 1,003 |
| Child Care | 2,656 |
| Clinic / Health Units | 140 |
| Conference | 14,491 |
| Fitness Ctr | 2,656 |
| Food Service | 1,950 |
| Library | 10,635 |
| Loading Dock | 555 |
| Mail | 1,715 |
| Print Shop | 280 |
| Hoteling | 420 |
| Intel ADP / Ops Ctr | 314 |
| Intel Support | 191 |
| Public Space | 3,385 |
| Open Secret | 3,048 |
| SCIF | 975 |
| Audio / Visual | 516 |
| Utility Area | 633 |
| Pvt Toilets | 140 |
| **Total:** | **56,035** |

# U.S. House of Representatives
## Committee on Transportation and Infrastructure
### Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

## COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF EDUCATION
WASHINGTON, D.C.
PDC-11-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 252,000 rentable square feet for the Department of Education, currently located in the Union Center Plaza building at 830 First Street, NE, in Washington, D.C., at a proposed total annual cost of $12,348,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided*, that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted:** **July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS – LEASE
# DEPARTMENT OF EDUCATION
# WASHINGTON, DC

Prospectus Number: PDC-11-WA10

## Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 252,000 rentable square feet (rsf) of space for the Department of Education (DoEd) currently located in the Union Center Plaza building at 830 First Street, NE in Washington, DC.

## Acquisition Strategy

GSA may satisfy this requirement through a single award solicitation or as part of a multiple award solicitation.

## Description

| | |
|---|---|
| Occupants: | DoEd |
| Delineated Area: | Washington, DC Central Employment Area, North of Massachusetts Avenue, and Southwest Waterfront |
| Lease Type: | Replacement |
| Justification: | Expiring Lease (July 31, 2011) |
| Expansion Space: | None |
| Number of Parking Spaces: | 24 spaces |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 252,000 |
| Current Total Annual Cost: | $7,814,193 |
| Proposed Total Annual Cost:[1] | $12,348,000 |
| Maximum Proposed Rental Rate:[2] | $49.00 |

## Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization.

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF EDUCATION**
**WASHINGTON, DC**

Prospectus Number: PDC-11-WA10

GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement

## Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

## Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on October 16, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 2009

# Housing Plan
# Department of Education

Washington, DC
PDC-11-WA10

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Personnel | | Usable Square Feet (USF) | | | | Personnel | | Usable Square Feet (USF) | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| **830 First Street, NE** | 900 | 900 | 185,187 | | 24,182 | 209,369 | | | | | | |
| **Proposed Lease** | - | - | - | | - | - | 900 | 900 | 185,187 | - | 24,182 | 209,369 |
| **Total** | **900** | **900** | **185,187** | | **24,182** | **209,369** | **900** | **900** | **185,187** | - | **24,182** | **209,369** |

| | Current | Proposed |
|---|---|---|
| | Utilization | |
| Rate | 161 | 161 |

| Special | USF |
|---|---|
| Conference | 15,000 |
| LAN closets | 5,000 |
| Training | 4,182 |
| **Total** | **24,182** |

Current UR excludes 40,615 USF of Office for support space
Proposed UR excludes 40,615 USF of office for support space

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

John L. Mica
Ranking Republican Member

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, D.C.
PDC-13-WA10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for replacement leases of up to a total of 468,000 rentable square feet for the Department of Justice (DOJ) Criminal Division and several other smaller components of DOJ Offices, Boards, and Divisions, currently located in three locations in Washington, D.C., at a proposed total annual cost of $22,932,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, in the event that "best value" procedures are employed in the replacement lease procurement, and the source selection plan is structured such that technical factors in aggregate are more important than price, that the Administrator provide a detailed justification for this procurement structure to the Committee on Transportation and Infrastructure of the House of Representatives, prior to the inception of the procurement.

*Provided further,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF JUSTICE**
**WASHINGTON, DC**

Prospectus Number: PDC-13-WA10

## Project Summary

The General Services Administration (GSA) proposes replacement leases in up to three locations for 468,000 rentable square feet of space for the Department of Justice (DOJ) Criminal Division and other smaller components of the DOJ Offices, Boards, and Divisions. The Criminal Division is currently located at 1301 New York Avenue, NW; 1400 New York Avenue, NW; and 1331 F Street, NW, in Washington DC.

The Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure approved prospectuses PDC-06-WA09 and PDC-10-WA09 on September 17 and 24, 2008, respectively, for the DOJ Criminal Division at 1301 New York Avenue and 1400 New York Avenue. These prospectuses propose interim succeeding leases for up to 5 years to remain in place until DOJ finalizes its long-term housing strategy for the Criminal Division. DOJ has subsequently decided to acquire long-term replacement leases for the Criminal Division requirement currently located at 1301 New York Avenue, 1400 New York Avenue and 1331 F Street in FY 2010 through a competitive procurement.

The leases at 1301 New York Avenue and 1400 New York Avenue expired on August 31, 2009. Negotiations are underway to extend these leases using the authority of prospectuses PDC-06-WA09 and PDC-10-WA09, while GSA acquires replacement leases for the Criminal Division's long-term housing requirement. GSA must relocate the Criminal Division from 1400 New York Avenue at the end of the negotiated lease extension period, consistent with the building owner's future development plans for the property. The two leases at 1331 F Street, NW, do not expire until August 21 and September 10, 2011.

## Acquisition Strategy

In order to maximize flexibility in acquiring space to house DOJ Criminal Division elements, GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF JUSTICE**
**WASHINGTON, DC**

Prospectus Number: PDC-13-WA10

## Description

| | |
|---|---|
| Occupant: | DOJ |
| Lease Type: | Washington, DC Central Employment |
| Delineated Area: | Area, North of Massachusetts Avenue, and Southwest Waterfront |
| Justification: | Replacement of expiring leases |
| Expansion Space: | 15,829 RSF |
| Number of Parking Spaces:[1] | 274 Structured |
| Scoring: | Operating lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 468,000 |
| Current Total Annual Cost: | $14,464,248 |
| Proposed Total Annual Cost:[2] | $22,932,000 |
| Maximum Proposed Rental Rate:[3] | $49.00 per rentable square foot |

## Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1] DOJ's security requirements may necessitate control of the parking garages at the leased locations. This may be accomplished as a lessor-furnished service as part of the Government's leasehold interest in the buildings at an additional cost above the rental rate approved in this prospectus.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[3] This estimate is for fiscal year 2012 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS – LEASE**
**DEPARTMENT OF JUSTICE**
**WASHINGTON, DC**

Prospectus Number: PDC-13-WA10

## Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in one or more facilities that will yield the required rentable area.

- Approval of this prospectus will constitute authority to provide interim leases, if necessary, prior to the execution of the new lease.

## Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on October 16, 2009

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

August 2[illegible]

Housin[illegible].n
Department of Justice

Washin[illegible] DC
PDC-13-WA10

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel* | | *Usable Square Feet (USF)* | | | | *Personnel* | | *Usable Square Feet (USF)* | | | |
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| 1301 New York Ave, NW | 511 | 511 | 147,184 | 1,787 | 29,694 | **178,665** | 511 | 511 | 147,184 | 1,787 | 29,694 | **178,665** |
| 1400 New York Ave, NW | 479 | 479 | 121,388 | 1,474 | 24,490 | **147,352** | 479 | 479 | 121,388 | 1,474 | 24,490 | **147,352** |
| 1331 F Street, NW | 176 | 176 | 41,911 | 509 | 8,455 | **50,875** | 204 | 204 | 52,777 | 641 | 10,648 | **64,066** |
| | | - | | | | | | - | | | | - |
| | | - | | | | | | | | | | |
| Total: | **1,166** | **1,166** | **310,483** | **3,770** | **62,639** | **376,892** | **1,194** | **1,194** | **321,349** | **3,902** | **64,832** | **390,083** |

| | Current | Proposed |
|---|---|---|
| | **Utilization** | |
| Rate | 208 | 210 |

Current UR excludes 69,531 USF of office support space
Proposed UR excludes 69,350 USF of office support space

High UR due to a large number of senior graded employeess, private offices for attorneys, and need for file, trial preparation and other legal support areas.

| Special Space | |
|---|---|
| Conference/Training | 25,632 |
| ADP | 7,532 |
| File Rooms | 14,431 |
| Break Rooms | 6,437 |
| Fitness Rooms | 2,340 |
| Toilet/Showers | 3,740 |
| SCIFS | 3,470 |
| Security | 625 |
| Copy Rooms | 625 |
| **Total** | **64,832** |

# U.S. House of Representatives
## Committee on Transportation and Infrastructure
### Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

## COMMITTEE RESOLUTION

**LEASE**
**U.S. DEPARTMENT OF AGRICULTURE**
**U.S. DEPARTMENT OF THE INTERIOR**
**PORTLAND, OR**
POR-01-PO10

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 156,000 rentable square feet for the U.S. Department of Agriculture, the U.S. Department of the Interior, and National Business Center currently located in the Robert Duncan Plaza, 333 SW First Avenue, Portland, OR, at a proposed total annual cost of $6,240,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided,* that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**Adopted:** **July 1, 2010**

James L. Oberstar, M.C.
Chairman

GSA PBS

# PROSPECTUS - LEASE
# U.S. DEPARTMENT OF AGRICULTURE
# U.S. DEPARTMENT OF THE INTERIOR
# PORTLAND, OR

Prospectus Number:POR-01-PO10
Congressional District:01 & 03

## Project Summary

The General Services Administration (GSA) proposes a replacement lease of 156,000 rentable square feet (rsf) of space for the U.S. Department of Agriculture, Forest Service (USDA-FS), Office of General Counsel (USDA-OGC), U.S. Department of the Interior, Bureau of Land Management (DOI-BLM) and National Business Center (DOI-NBC). The USDA-FS, DOI-BLM and DOI-NBC are currently located in the Robert Duncan Plaza, 333 SW First Avenue, Portland, OR. The USDA-OGC is currently located in the Edith Green Wendell Wyatt Federal Building, 1220 SW Third Avenue, Portland, OR. These agencies are collocating under the Service First program that provides the legal authority to carry out shared or joint management activities to achieve mutually beneficial resource management goals.

## Description

| | |
|---|---|
| Occupants: | USDA-FS, USDA-OGC, DOI-BLM, DOI-NBC |
| Delineated Area: | Portland CBD |
| Lease Type: | Replacement |
| Justification: | Expiring lease (September 17, 2011) |
| Number of Parking Spaces: | 52 inside |
| Expansion Space: | 0 rsf |
| Scoring: | Operating Lease |
| Proposed Maximum Leasing Authority: | 15 years |
| Maximum Rentable Square Feet: | 156,000 |
| Current Total Annual Cost: | $4,316,711 |
| Proposed Total Annual Cost[1]: | $6,240,000 |
| Maximum Proposed Rental Rate[2]: | $40.00 per rentable square foot |

## Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2]This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

**PROSPECTUS - LEASE**
**U.S. DEPARTMENT OF AGRICULTURE**
**U.S. DEPARTMENT OF THE INTERIOR**
**PORTLAND, OR**

Prospectus Number:POR-01-PO10
Congressional District:01 & 03

## Authorizations

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

## Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on October 16, 2009

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Paul F. Prouty
Acting Administrator, General Services Administration

March 2009

**U.S. Department of Agriculture**
**U.S. Department of the Interior**
**Housing Plan**

**POR-01-PO10**
**Portland, OR**

| Locations | Current | | | | | | Proposed | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *Personnel* | | *Usable Square Feet (USF)* | | | | *Personnel* | | *Usable Square Feet (USF)* | | | |
| | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** | **Office** | **Total** | **Office** | **Storage** | **Special** | **Total** |
| **ROBERT DUNCAN PLAZA** | | | | | | | | | | | | |
| Interior - Land Management | 389 | 389 | 63,051 | 0 | 0 | **63,051** | 0 | 0 | 0 | 0 | 0 | **0** |
| Interior - National Business Center | 7 | 7 | 2,099 | 0 | 0 | **2,099** | 0 | 0 | 0 | 0 | 0 | **0** |
| USDA - Forest Service | 484 | 484 | 76,066 | 0 | 0 | **76,066** | 0 | 0 | 0 | 0 | 0 | **0** |
| **E.GREEN - W.WYATT FB** | | | | | | | | | | | | |
| USDA - Office of the General Counsel | 15 | 15 | 5,340 | 0 | 0 | **5,340** | 0 | 0 | 0 | 0 | 0 | **0** |
| **TBD-Lease** | | | | | | | | | | | | |
| Interior - Land Management | 0 | 0 | 0 | 0 | 0 | **0** | 357 | 357 | 45,456 | 906 | 18,379 | **64,741** |
| Interior - National Business Center | 0 | 0 | 0 | 0 | 0 | **0** | 10 | 10 | 1,794 | 282 | 0 | **2,076** |
| USDA - Forest Service | 0 | 0 | 0 | 0 | 0 | **0** | 329 | 329 | 42,062 | 1,125 | 16,991 | **60,178** |
| USDA - Office of the General Counsel | 0 | 0 | 0 | 0 | 0 | **0** | 16 | 16 | 3,625 | 0 | 4,404 | **8,029** |
| **Total:** | **895** | **895** | **146,556** | **0** | **0** | **146,556** | **712** | **712** | **92,937** | **2,313** | **39,774** | **135,024** |

| | Current | Proposed |
|---|---|---|
| Utilization | | |
| Rate | 128 | 102 |

Current UR excludes 32,242 USF of office support space
Proposed UR excludes 20,446 USF of office support space

| Special Space | |
|---|---|
| Laboratory | 750 |
| Conference | 19,548 |
| Library | 7,719 |
| ADP | 9,110 |
| Food Service | 2,647 |
| **Total:** | **39,774** |

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

BUILDING PROJECT SURVEY
UNITED STATES DISTRICT COURT
McALLEN, TEXAS

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that, pursuant to Title 40 U.S.C. § 3315(b), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a replacement facility to house the Federal agencies and the United States District Court for the Southern District of Texas, located in McAllen, Texas. The analysis shall include a full and complete evaluation including: (1) the identification and cost of potential sites; (2) the 30-year present value evaluations of all options, including Federal construction, purchase (including lease with an option to purchase or purchase contract), and lease; and (3) an assessment of the space requirements that provides courtroom sharing in accordance with the following requirements: one courtroom for every two magistrate judges; and one courtroom for every two senior district judges, with active district judges being counted as senior district judges if such judges become eligible for senior status within the ten year planning period, and no senior judge being counted beyond age 85. The Administrator shall submit a report to the Committee on Transportation and Infrastructure of the U.S. House of Representatives within 60 days of the adoption of this resolution.

**Adopted: July 1, 2010**

James L. Oberstar, M.C.
Chairman

There was no objection.

## CONGRATULATING PENN STATE LADY NITTANY LIONS WOMEN'S RUGBY TEAM FOR CLINCHING THE NATIONAL TITLE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today as a Penn State alumnus to congratulate the Lady Lions women's rugby team for clinching the national title. Their win this year marks the second consecutive national title and represents the team's first back-to-back titles in the program's history.

The Lady Lions defeated the Stanford Cardinals 24–7, overcoming such hardships as their lack of home field advantage and Stanford's domineering offense. The victory has drawn praise from such people as Graham Spanier, president of Penn State, and Jonathan Griffen, Stanford coach, who described them as ''a national powerhouse'' and ''unbeatable for the next 15 years.''

Deven Owsiany, a humble and skilled athlete and a rising senior at Penn State, was named the game's Most Valuable Player. As a star member of the team, Owsiany consistently lauds the dedication, camaraderie and attentiveness of her teammates. Her defensive efforts, along with the efforts of her teammates, allowed Penn State to hold the Cardinals scoreless until the last 3 minutes of the game.

Victories such as this one attest to the spirit of our youth and their potential to do great things. I extend my heartfelt congratulations and wish them luck in using their tough backline to defend the national title next year.

□ 2300

## PERSONAL EXPLANATION

Mr. WELCH. Mr. Speaker, on rollcall 433, the McGovern-Obey amendment, I mistakenly recorded my vote as a ''no.'' My intention was to record my vote as a ''yes.''

## WATER QUALITY

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

Mr. COSTA. Mr. Speaker, this month, the Department of Interior and the California Department of Water Resources announced an increase in water allocation to farmers in the San Joaquin Valley. Our efforts to press the administration for more water is producing results and is already flowing to the San Joaquin Valley and Southern California.

But our fight for our valley's jobs and economy is far from over. Regulations that restrict the flow of water to our valley must be revised. I am pleased that the administration has announced its intention to revise and integrate the two biological opinions that single out valley agriculture for degrading the delta when we know that this simply is not true. All factors affecting the health of the Sacramento/San Joaquin Delta must be taken into account as we move forward, including predation of invasive species and other water quality factors.

I would like to submit a letter for the RECORD from the Central Valley Regional Water Control Board that confirms the need to address water quality issues. This includes the dumping of pollutants, such as ammonia and toxic urban run-off and the impact of power plants on the ecosystem, among other things. We will win this fight, and common sense will prevail. Recognizing all of the factors impacting the delta will allow more water to flow to the valley and the rest of California.

CONGRESS OF THE UNITED STATES,
*Washington, DC, June 9, 2010.*

CHARLES R. HOPPIN,
*Chair, State Water Resources Control Board, Sacramento, CA.*

KATHERINE HART,
*Chair, Central Valley Regional Water Quality Control Board, Rancho Cordova, CA.*

DEAR CHAIRS HOPPIN AND HART: We are writing to request that the State Water Resources Control Board and the Central Valley Regional Water Quality Control Board take immediate action to address ammonia discharges from wastewater facilities into the Sacramento-San Joaquin Delta (Delta).

As you are aware, we have long held that the single focus of regulatory agencies on water exports is misguided in that it overlooks other key stressors that contribute to the decline of fisheries in the Delta. The effect of this single focus is to punish farmers, farmworkers and communities in the San Joaquin Valley at a tremendous impact to state's economy, and in the end the fish are no better off.

Two recent studies point to Sacramento's wastewater as a significant cause behind the declining fish populations in the Delta. One study, authored by Patricia Glibert of the University of Maryland, concludes that the Delta's environmental problems are more likely tied to wastewater pollution than to water diversions, indicating that increased ammonia in Sacramento wastewater has disrupted algae production in the Delta, which rippled up the food chain to compromise fish species. Another study by Inge Werner, a toxicologist at UC Davis, concluded that threatened Delta smelt may be harmed by exposure to ammonia at levels below federal limits and that longterm exposure could reduce smelt growth and feeding activity, which would ultimately affect their breeding success.

These studies cry out for immediate action by the responsible regulatory agencies. We understand that the Regional Board has renewed Sacramento Regional County Sanitation District's wastewater discharge permit annually without substantive review since it expired in 2005. As the single largest wastewater discharger in the Delta, it is crucial that the Regional Board conducts a full and immediate review of the District's permit and that the Regional Board conditions any renewal upon upgrading the sewage treatment system to a tertiary system. Tertiary systems have been installed throughout San Joaquin Valley communities as a result of regulations imposed by the Regional Board in order to improve water quality. We find it incongruous that the very board that has imposed tertiary treatment requirements on communities in the San Joaquin Valley, including Stockton, Modesto, Turlock and Fresno, has failed to impose similar requirements on the Sacramento District.

These studies confirm that ammonia wastewater discharges are a large part of the problem in the Delta. Reducing ammonia discharges needs to be part of the solution, along with the other key factors that are contributing to the environmental decline in the Delta. We call upon the Regional Board to take immediate action to correct this problem.

Sincerely,

JIM COSTA,
*Member of Congress.*
DENNIS CARDOZA,
*Member of Congress.*

---

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
*Rancho Cordova, CA, June 24, 2010.*

Congressman JIM COSTA,
*U.S. Congress, Washington, DC.*
Congressman DENNIS CARDOZA,
*U.S. Congress, Washington, DC.*

DEAR CONGRESSMEN COSTA AND CARDOZA: Thank you for your letter addressed to State Board Chair Charles Hoppin and Central Valley Water Board Chair Kate Hart, dated June 9, 2010, concerning ammonia discharges into and affecting the Sacramento-San Joaquin Delta. We appreciate your interest in this issue and look forward to working with you—and all interested parties—as we pursue real solutions for the problems facing the Delta. This letter is being sent over my signature instead of Ms. Hart's because your letter specifically addressed the Sacramento Regional Wastewater Treatment Plant NPDES permit which is a pending item before the Central Valley Water Board. Chair Hoppin's response will be sent to you under separate cover.

As you know, the California Water Boards have been aggressively engaged in this topic for several years. The boards have undertaken, sponsored, or participated in several studies to examine the acute and chronic toxicity associated with elevated levels of ammonia/ium to the Delta ecosystem. Some of these studies have focused specifically on toxicity with respect to Federally and State-Listed endangered and threatened species. The studies are designed to determine if elevated ammonia levels may be inhibiting the food web upon which pelagic and salmonid species of the Delta depend. Some of those studies are being concluded, while others are ongoing.

The Central Valley Water Board anticipates conducting a public hearing in December 2010 to consider a permit renewal for the Sacramento Regional Wastewater Treatment Plant. Regional Water Board staff has met frequently with the Sacramento Regional County Sanitation District and many other stakeholders to evaluate the impacts of the discharge. Agencies using downstream waters have been active participants in these meetings. In considering the available information and preparing for the hearing, Regional Water Board staff developed issue papers on human health and aquatic toxicity and circulated them for public review and comment. The issue papers help identify concerns, crystallize issues, and provide information to assist the permitting process and to educate stakeholders.

Our evolving understanding of the myriad stressors affecting the Delta will be a key issue in the Central Valley Water Board's consideration of the Sacramento Regional Wastewater Treatment Plant permit. The Central Valley Water Board will do everything it reasonably can to complete this

process as quickly as possible and in full compliance with the Federal Clean Water Act and California's Porter-Cologne Water Quality Control Act. Both Acts require discharge permits to be protective of human health and the Delta ecosystem.

The Water Boards are committed to the use of sound science to guide regulatory decisions. We are following the National Academy of Sciences review last fall of the federal agencies' ''biological opinions'' related to the Delta smelt and the Chinook salmon, and similar scientific review efforts by Federal and State agencies. The State Water Board recently concluded three days of testimony on flow criteria for the Delta ecosystem. As part of the flow criteria proceeding, the State Water Board heard extensive scientific and expert testimony on flow and other factors, including ammonia that impacts the Delta ecosystem. The scientific information from these proceedings will be used in future proceedings to protect and restore the Delta.

The same commitment to sound science guides the Central Valley Water Board's development of the draft permit for the Sacramento Regional Wastewater Treatment Plant. The recent studies by Doctors Glibert and Werner are part of a large body of research being reviewed for permit development. Central Valley Water Board staff has met with both Dr. Glibert and Dr. Werner to understand the application of their respective studies.

The Central Valley Water Board greatly appreciate and value your concern and interest in this matter, and we look forward to working with you and other federal and state elected officials in trying to resolve the complex water quality challenges facing the Delta today. Many challenges remain ahead, and these challenges can only be overcome by the collective resolve of all parties to work toward a common good and collectively beneficial result. As the Sacramento Bee Editorial Board opined on May 21, 2010, such an effort ''would be far more productive than continuing with the current pattern of finger-pointing and scientific cherry-picking.''

Very truly yours,

PAMELA C. CREEDON,
*Executive Officer*.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## OUR AMERICAN FLAG

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. CRITZ) is recognized for 5 minutes.

Mr. CRITZ. Mr. Speaker, I rise today to recognize this July 4th as the 234th anniversary of our great country and also as the 50th anniversary of the Stars and Stripes that fly above our Capitol and across our Nation today. On July 4, 1960, the red, white, and blue flag rose high above our Nation as an emblem of our national pride and freedom, representing the now 50 States that came together to form a more perfect union.

Old Glory originally came to be by an act of the Second Continental Congress on June 14, 1777. It is marked in the journal of the Continental Congress ''that the flag of the United States be made of 13 stripes, alternate red and white; that the union be 13 stars, white in a blue field, representing a new Constellation.''

From this day forward, the symbol of our great Nation was born. The flag itself was not produced until the late 18th century, characterized by the famous circle of 13 stars representing the 13 original colonies of Delaware, the great Commonwealth of Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, and Rhode Island.

Although not enunciated by any act of Congress, the colors of the flag have come to have a special meaning. In a report written by Secretary of the Continental Congress Charles Thomson, the colors and the seal of the United States are defined as: white, signifying purity and innocence; red, hardiness and valor; and blue, signifying vigilance, perseverance, and justice.

Through the centuries of its existence, the flag has undergone a number of changes. The first went into effect after the signing of the Flag Act of 1794 by President George Washington. This act of Congress changed the number of stars on the flag to 15 to accommodate for Kentucky and Vermont, the newly admitted States into the Union. It also called for 15 stripes to go on the flag, the only official flag not to possess 13 stripes.

The Flag Act of 1818, signed into law by President James Monroe, the last Founding Father to serve as President, set the common standard for today's flag. It pronounced that all official United States flags must have 13 stripes to represent the original 13 colonies and one star to represent each State in the Union.

The final change to our Nation's great emblem of freedom came by an Executive order issued in 1959 by President Dwight D. Eisenhower. It announced the addition of Hawaii into the Union and also prescribed the arrangement of the stars in nine rows staggered horizontally and 11 rows of stars staggered vertically.

More than 1,500 designs for the new flag were submitted to the White House. It was a 50-star flag created for a class project by a young man named Robert Heft that would become adopted by our country. Young Robert, a 17-year-old student from Lancaster, Ohio, originally received a B minus for the project. Our Nation received a new symbol of our freedom.

As stated by law, on July 4 of the following year, the flag was hoisted up and now stands as the great emblem of our Nation. It is with purity in our hearts that every American, especially our valorous servicemembers here at home and abroad, look to the red, white, and blue for vigilance, perseverance, and justice.

As we all celebrate our Nation's birth this Fourth of July, I would like to reflect upon our independence, our values, and what it means to be an American as a fitting tribute to the 50th anniversary of the current flag of the United States of America.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5585

Mr. FLEMING. Mr. Speaker, I ask unanimous consent to have my name removed as cosponsor from the bill H.R. 5585.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## THE WAR THAT'S NOT A WAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, in January 1991, we went to war in the Middle East against Saddam Hussein, Iraq's dictator who was our ally during the Iran-Iraq war. A border dispute between Kuwait and Iraq broke out after our State Department gave a green light to Hussein's invasion.

After Iraq's successful invasion of Kuwait, we reacted with gusto and have been militarily involved in the entire region 6,000 miles from our shores ever since. This has included Iraq, Afghanistan, Pakistan, Yemen, and Somalia. After 20 years of killing and a couple trillion dollars wasted, not only does the fighting continue with no end in sight, but our leaders threaten to spread our bombs of benevolence on Iran.

For most Americans, we are at war, at war against a tactic called terrorism, not a country. This allows our military to go anyplace in the world without limits as to time or place. But how can we be at war? Congress has not declared war, as required by the Constitution, that is true. But our Presidents have, and Congress and the people have not objected. Congress obediently provides all the money requested for the war.

People are dying. Bombs are dropped. Our soldiers are shot at and killed. Our soldiers wear a uniform; our enemies do not. They are not part of any government. They have no planes, no tanks, no ships, no missiles, and no modern technology. What kind of a war is this anyway, if it really is one? If it was a real war, we would have won it by now. Our stated goal since 9/11 has been to destroy al Qaeda.

Was al Qaeda in Iraq? Not under Saddam Hussein. Our leaders lied us into

invading Iraq and deceived us into occupying Afghanistan. There is still really no al Qaeda in Iraq and only 100 or so in Afghanistan, and yet there is no end in sight to the war. Could there have been other reasons for this war that is not a war? A military victory in Afghanistan is illusive. Does anyone really know who we are fighting and why?

Why has the war not ended? Nine years, and it continues to spread. Some claim it is to keep America safe, that our soldiers are fighting and dying for our freedom, defending our Constitution. Are we being lied to in order to keep us in this spreading war, just as we were lied to in the 1960s to keep us in Vietnam?

We own the Iraq Government, as we do Afghanistan. In Afghanistan, we are fighting the Taliban, those dangerous people with guns defending their homeland. Once they were called the Mujahideen, our old allies, along with bin Laden, in the fight to oust the Soviets from Afghanistan in the 1980s. In that effort, our CIA funded radical jihad against that nasty foreign occupier, the Russians. What gratitude. Those same people now resent our benevolent occupation, with a little violence thrown in.

□ 2310

The resistance to our presence grows as our perseverance wanes. Our people are waking up, but our officials refuse to recognize the longer we stay, the greater is the support for those dedicated to the principle that Afghanistan is for Afghans who resent all foreign occupation.

The harder we fight a war that is not a war, the weaker we get and the stronger becomes our enemy. When an enemy without weapons can respect an army of great strength, the most powerful of all history, one should ask, who has the moral high ground?

Military failure in Afghanistan is to be our destiny. Changing generals without changing our policies or our policymakers perpetuates our agony and delays the inevitable.

This is not a war that our generals have been trained for. Nation building, police work, social engineering is never a job for foreign occupiers and never an appropriate job for soldiers trained to win wars.

A military victory is no longer even a stated goal of our military leaders or our politicians, as they know that type of victory is impossible.

The sad story is, this war is against ourselves, our values, our Constitution, our financial well-being and common sense. And at the rate we're going, it's going to end badly.

What we need are honest leaders with character and a new foreign policy.

---

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.)

## THE REMEDIES ACT OF 2010

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, among the many challenges of this Nation is the ongoing oil spillage in the gulf, a region that I come from.

I also happen to come from the city of Houston and represent a number our large energy companies, along with wind and solar and natural gas. We truly need a seamless energy policy, but our consuming responsibility is to stop this oil spillage and to stop it now. And I believe it is important that we do it with an understanding of a long-range strategy to address this crisis.

Right now, as I speak, Hurricane Alex has made its way along the gulf. And during this hurricane season, we don't know how many other hurricanes will come and disrupt the clean-up actions that are going on.

So today I've introduced H.R. 5676, the Right to Equitable Means of Ensuring Damages for Injuries are Efficiently Secured Act of 2010, or the REMEDIES Act. And I rise today to introduce this to address the many issues created by the recent disaster in the Gulf of Mexico.

For over 2 months the blown-out wellhead beneath the wreckage of the Deepwater Horizon platform has spewed tens of thousands of barrels of crude oil into the Gulf of Mexico and the gulf coast communities on a daily basis. The initial explosion killed 11 people, seriously injured 17 others, and destroyed a multi-million dollar platform. But the extent of the damage done is far, far greater. The disaster and its aftermath have wrecked local industries and polluted or outright destroyed precious natural resources, and people are unable to work and to earn the money to pay for food, mortgages and other basic expenses.

And in my visits to the gulf region, these people were unattended to; oystermen, fishermen, shrimpers, restaurants not having any way to access a quick and immediate response.

Oh, yes, you see now a claims system in place. You see that there is now an established $20 billion fund that I am grateful to our President for establishing. But look how long it took because there was no structure in place.

It is obvious that the existing body of law is antiquated and, therefore, inadequate to cope with the current situation. The liability caps under the current law will allow the responsible parties to pay just a mere fraction of the damages they have inflicted on the people of the gulf. Legislation enacted in the early part of the last century does not properly cover all the workers in the contemporary industry, and BP and other oil industry entities need to be able to address this question.

My bill would establish a tiered liability system so that we would provide a structure to provide coverage, yet protect the smaller and independent operators. The REMEDIES Act will also make some needed changes to 1920-era laws such as the Jones Act and the Death on the High Seas Act, to ensure that family members can recover, such as mothers and sisters, brothers and wives, which is not the case at this point. The language suggests that it will be a personal representative.

In addition, my bill would cause the end of lax permitting of the Minerals Management Service and the Department of the Interior and would require that if you had five safety violations, you would immediately put a moratorium and shut-down of the deepwater drilling.

My bill would also increase the oil spill liability trust fund from $1.6 billion to $10 billion. The money would be standing there now.

In addition, the Federal Water Pollution Act would be amended, as I said earlier, permitting, requiring that any permit would require you to establish a vetted recovery plan, so that if your BOP did not work, you had a back up plan that had been vetted and assessed as workable.

In addition, as I mentioned, if you had any violations, as these companies have been known to have, but, in particular, this company, you would immediately be shut down.

When I asked one of the new members of the MMS why BP wasn't shut down with the enormous list of violations that it had, the question was, not to the fault of the person who answered the question, but it was, We just haven't looked at that now.

My amendment, or my legislation, will call for the Secretary of Homeland Security to establish a separate claims process under their jurisdiction. This legislation will ask the President to establish an emergency spill coordination team led by the commandant of the Coast Guard, along with the EPA, and the Secretary of Energy.

My amendment would also establish a research and development fund funded by the industry up to $1 billion to be able to design the most sophisticated technology for recovery, research, and remediation in an oil spill.

And my amendment would require immediate post-traumatic stress disorder counseling for all of the people who we are not even addressing the pain or the mental distress that is being caused.

I ask my colleagues to review H.R. 5676, the REMEDIES Act, so that we can go forward and establish a pathway to solve this problem and not have it happen again.

Mr. Speaker, I rise today to introduce a far reaching, comprehensive piece of legislation to help address some of the many issues created by the recent disaster in the Gulf of Mexico, the ''Right to Equitable Means of Ensuring Damages for Injuries are Efficiently Secured'' Act of 2010.

For over two months, the blown out wellhead beneath the wreckage of the Deepwater

Horizon platform has spewed tens of thousands of barrels of crude oil into the Gulf of Mexico and Gulf Coast communities on a daily basis. The initial explosion killed eleven people, seriously injured seventeen others, and destroyed a multi-million dollar platform, but the extent of the damage done is far, far greater. The disaster and its aftermath have wrecked local industries and polluted or outright destroyed precious natural resources, and people are unable to work and to earn the money to pay for food, mortgages, and other basic expenses.

It is obvious that the existing body of law is antiquated and therefore inadequate to cope with the current situation. The liability caps under current law will allow the responsible parties to pay a mere fraction of the damages they have inflicted on the people of the Gulf, legislation enacted in the early part of the last century does not properly cover all the workers in the contemporary industry, and BP is nickel and diming the people its recklessness has put out of work.

Damage from the oil spill in the Gulf region will almost certainly total in the billions of dollars, but current law caps liability for damages at $75 million. While that seems like a huge number, it is less than 20 percent of the cost of the platform itself. My bill would establish a tiered liability system, so that the oil industry pays all the costs for cleanup and damages caused by the spills it creates, while still allowing independent operators to stay in business. This provision would be retroactive.

The REMEDIES Act will also make some needed changes to two 1920's era laws regarding injuries or death at sea. It will change the Jones Act so that the engineers and others who were killed or injured on the Deepwater Horizon, but who were not technically ''seamen,'' will be covered, and allow actions against anyone whose acts or omissions were a cause of those deaths or injuries.

My bill will also amend the Death on the High Seas Act, so that victims or their survivors will be able to receive compensation for their suffering, or the loss of their loved ones' companionship, rather than just the economic damages allowed under current law. It will also allow for punitive damages in cases involving gross negligence.

Of course, part of the cause of the explosion was the lax permitting processes. In 2008, the Minerals Management Service, MMS, and Department of the Interior changed regulations so that BP was not required to file a detailed blowout plan, and simply accepted BP's assertion that it was ''unlikely that an accidental surface or subsurface oil spill would occur from the proposed activities,'' and allowed the project to go forward. The REMEDIES bill will change that, requiring that operators file detailed spill mitigation and recovery plans, and detail their backup plans as well. Those plans would have to be vetted by impartial experts instead of simply rubberstamped by industry insiders.

Under my bill the MMS will be allowed to suspend permits and cease operations when specific operators' safety records show that they are so focused on production that they risk the safety of their workers as well as the environment. Since 2007, BP had over 872 serious safety violations—a staggering 97 percent of the serious violations in the entire industry—at just two of their refineries.

BP is currently facing a criminal investigation for possible similar violations on the Deepwater Horizon platform, and new information strongly suggests that BP consistently made decisions that increased risk in order to save time or costs. While nobody wants to shut down such an important sector of our economy, it is important to make sure that the penalties for blatant disregard of our safety laws and regulations are strong enough to be taken seriously, rather than just paid as the cost of doing business. Making the continuation of production contingent on good safety records should be something BP and others commit to wholeheartedly. My bill imposes such requirements.

While there is now a $20 billion escrow account for third party claims against BP, administered by an independent third party, that took months to establish. Before that, the process BP had set up for the people of the Gulf Coast communities was a disgrace. BP's claims department engaged in a process in which people who are out of work because of the disaster on the Gulf Coast received some compensation, but by BP's own estimates, roughly twenty thousand of the forty thousand claims that have been filed had not been paid. The $5000 payment that most claimants have received was barely a drop in the bucket against the payments on loans for boats and other necessary equipment, and small business owners had frequently been given the runaround as to what exactly a ''legitimate'' claim was under BP's standards. Under my bill, the Secretary of Homeland Security will have the power to require businesses responsible for claims for oil spills to set up a more streamlined process, with guidelines for the proof necessary, so that legitimate claims are no longer delayed or denied.

In addition to the various provisions already identified, my bill will prevent unnecessary delays in the legal process for claims arising from this disaster. Under current class action law, BP and other defendants are allowed to have lawsuits brought against them by the states and municipalities it has harmed removed to Federal courts. While our federal judicial system is more than competent to handle these claims, it is also overloaded. By having cases filed in state courts removed to Federal court, defendants would be able to greatly and unfairly delay every step of the process, prolonging the damage their recklessness has caused and possibly pushing many to settle for less than they are fully entitled to. The REMEDIES Act will create a carve-out for cases brought by states and their subdivisions on behalf of their citizens, allowing them to remain in state courts and acted on quickly.

There has been overwhelming legislative action surrounding the oil spill by various Committees of this House with jurisdiction over this issue, including the Judiciary Committee of which I am a Member. I am an original co-sponsor of H.R. 5503, ''the Securing Protections for the Injured from Limitations on Liability Act,'' introduced by our distinguished Chairman JOHN CONYERS, and supported by Representative CHARLIE MELANCON. My bill adds a new dimension to the debate and to the evolving legislative process. In this regard, I plan to work closely with Members from both sides of the aisle to forge an effective legal response to address this crisis and to prevent similar disasters in the future, and ask my colleagues to join me in my efforts.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## U.S. EXPORT-IMPORT BANK DECISION KILLS 1,000 NEW JOBS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the thing that people need across this Nation, from shore to shore today, more than anything else is jobs. Yet, the United States Export-Import Bank just recently made a decision that kills 1,000 new jobs. The recent U.S. Export-Import Bank denial of a loan guarantee to help finance the purchase of U.S.-made coal mining machinery by an Indian power company exposes the hypocrisy of the Obama administration and many in the environmental community.

According to its mission statement: ''The Export-Import Bank of the United States, known as Ex-Im Bank, is the official export credit agency of the United States with the mission to assist in financing the export of U.S. goods and services.'' Well, at least that's what it states.

The mined coal in India that the U.S.-manufactured machinery would have produced would be used for a new power plant in one of India's poorest regions.

A subsidiary of Reliance International Limited of India was to use the loan guarantee to buy $600 million worth of Wisconsin Bucyrus International mining machinery, which represents 1,000 U.S. jobs.

In a party-line vote of two Democrats to one Republican, the loan guarantee was turned down, not for economic reasons, but because it was contrary to the new White House policy of not funding ''projects with heavy carbon emissions,'' in this case a coal fired power plant.

One of the Democrat Members who voted against the loan said he was following President Obama's commitment to a clean energy future and voted against the loan because of the ''projected adverse environmental impact.''

□ 2320

If the two Democrats who denied the loan were at all interested in the environmental impact, they would have voted for the loan. Likewise for the President, who should overturn this denial. The decision will not help the environment. In fact, it damages the environment, contributes to poverty, and instead of creating U.S. jobs, as the President promised, destroys at least 1,000 of the United States' jobs.

Forty percent of India's 1.15 billion people have no access to the power grid. That is 1½ times the population of the United States. India is estimated to have one-third of the world's poor.

Without access to electricity, 70 percent of which is provided by coal, the challenge of daily life for 460 million of India's poor will remain as stagnant as their water, and they will have no choice but to continue to burn wood and dung for their energy sources.

As Barun Mitra, president of Liberty University of Delhi, India, stated, quote, ''The human health, economic, and environmental impact of burning these 'renewable fuels' is immense. Young children and women spend hours each day in the drudgery of collecting firewood or squatting in mud laced with animal feces and urine, to collect, dry, and store manure for use in cooking, heat, and light rather than attending school or engaging in more satisfying or productive economic activity. The refrigerators, televisions, computers that environmentalists take for granted are not to be seen here.''

Mitra further notes that the environmentalists conspicuously ignore the real risks that poor people face today, including indoor air pollution caused by burning, quote, ''renewable biomass fuel.'' Quoting the World Health Organization, ''More than half of the world's population rely on dung, wood, crop waste, or coal to meet their most basic energy needs. Cooking and heating with such solid fuels on open fires or stoves without chimneys leads to indoor air pollution.

Exposure is particularly high among women and children, who spend most of their time near the domestic hearth. Every year, indoor air pollution is responsible for the death of 1.6 million people. That's one death every 20 seconds. The use of polluting fuels poses a major burden on the health of poor families in developing countries such as India. The dependence on such fuels is both a cause and a result of poverty, as poor households often do not have the resources to obtain cleaner, more efficient fuels and appliances. Reliance on simple household fuels and appliances can compromise health, and thus hold back economic development, creating a vicious cycle of poverty.

According to the 2004 assessment of the International Energy Agency, the number of people relying on biomass such as wood, dung, agricultural residues for cooking and heating will continue to rise. I might add, especially if the Obama administration anti-coal policy continues.

If the President is serious about cleaning up the world's environment and creating American jobs, he should tell his followers at the U.S. Import-Export Bank to approve the loan guarantee. The irony is that the coal-fired generation plant will be built no matter the Obama policy, but U.S.-manufactured mining machinery won't be used thanks to the President and his followers at the congressionally-funded U.S.-job killing Import-Export Bank.

---

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

---

## SECURING AMERICA: PRESIDENT OBAMA AND NUCLEAR WEAPONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, the recent vote in the United Nations Security Council to impose a new round of tougher economic sanctions on Iran was a significant national security success for the United States, and part of President Obama's broader push to reduce the threat of nuclear terrorism or accidental nuclear exchange.

For years there has been a broad consensus that a terrorist attack with a nuclear weapon is the gravest threat facing our country. During the 2004 Presidential debates, both Senator JOHN KERRY and President Bush pointed to such an attack as the ultimate nightmare scenario. Unfortunately, the prior administration failed to make nonproliferation a priority and blocked any progress at the 2005 Nuclear Nonproliferation Treaty Review Conference, putting the international nonproliferation regime at risk.

President Obama came into office pledging to make nuclear nonproliferation a priority, and he has delivered on multiple fronts: First, by increasing American and international pressure on Iran; and second, by working with Russia and others to reduce both countries' stockpiles of nuclear weapons and material.

The Iran resolution, one of the most important to emerge from the Security Council in years, is a triumph for American diplomacy. When the President took office last January, the United States was diplomatically isolated, and unwilling to engage in the hard work of diplomacy that would pressure Iran to engage seriously with the international community. But that has now changed.

The U.N. resolution increases the pressure on Iran to abandon its quest for nuclear weapons by expanding the list of organizations and individuals subject to financial restrictions and travel bans. And significantly, it also prevents and prohibits most conventional arms sales to Iran, a major step considering that veto-wielding Russia and China have been Iran's major arms suppliers for years.

While Iran has remained outwardly defiant in the wake of the June 9 resolution, the U.N. resolution was quickly followed by a fresh round of European Union sanctions, and by our passage of the Comprehensive Iran Sanctions Accountability and Divestment Act, which was signed into law today by President Obama. These new sanctions have had an immediate effect. Just days after Congress passed the legislation, France's Total, the last major Western energy company dealing with Iran, announced that it would stop providing refined petroleum to Tehran, while South Korea's GS Engineering and Construction canceled a $1.2 billion gas project in Iran.

The stakes are clear. If Tehran's nuclear weapons program were to bear fruit, elements of the Iranian regime could divert a weapon or materials to a terrorist group under its control, perhaps Hamas or Hezbollah. An Iranian bomb could also trigger a nuclear arms race in the world's most volatile region. This cannot be allowed to happen. And President Obama and this Congress are determined that it shall not happen.

The last 2 years have also seen a revitalization of our efforts to assert American leadership in nuclear nonproliferation. President Obama was the leader in the Senate on nuclear terrorism and nonproliferation issues. I had the pleasure of working with him then to strengthen the International Atomic Energy Agency's inspection program. Now as President, we are again working together, and the President recently signed legislation that I authored to develop our nuclear forensic capability.

The President has also proposed budgets that significantly increase investment in nonproliferation efforts and technologies. He understands we can't face this threat alone. There are 50 tons of unsecured nuclear material around the world. And to succeed in bringing it under lock and key, we must convince many Nations that this is a security risk for all.

Last September, the President led an extraordinary meeting of the Security Council to bring nuclear security the worldwide attention it needs. And this April he hosted the largest summit meeting that America has ever seen to convince world leaders that this is not only an important problem, but an urgent one. The summit produced a worldwide consensus to secure nuclear materials around the world within 4 years, a groundbreaking plan that the administration and Congress are now implementing.

On April 8, President Obama signed a treaty with Russia to cut nuclear weapons by 30 percent. This too is a crucial step forward. By working with Russians to reduce their arsenals and ours, we remove unthinkably dangerous weapons from high alert, and demonstrate that building nuclear weapons is not a sign of a world power; getting rid of them is.

There is much work yet to be done. But President Obama and the leadership in Congress have clearly returned the issue of nonproliferation to the center of the policy debate, where it belongs.

---

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 5 minutes.

(Mr. FORTENBERRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## THE PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. JOHNSON) is recognized for one-half of the time remaining before midnight, approximately 17 minutes, as the designee of the majority leader.

Mr. JOHNSON of Georgia. Mr. Speaker, ladies and gentlemen out there in TV land, I could not go to sleep tonight until I got off my heart what has been on it, particularly over the last few days. What's on my heart is such pain and empathy for the people of this country who want to work but can't find a job, people who have worked all of their lives only to be caught victimized by the financial meltdown that took place in October of 2008.

□ 2330

The biggest downturn since the Great Depression. Eight million jobs lost. Those are real jobs affecting real people, affecting their children, affecting their parents and grandparents; people who had been accustomed to being a part of the middle class and now they find themselves out of a job, out of work for an extended period of time.

And, by the way, I must tell you that this portion of today's proceedings is a Special Order of the Progressive Caucus.

And so these 8 million jobs were caused—or the loss of these 8 million jobs were caused by the shenanigans on Wall Street. There was an endless, or what must have seemed like an endless party for the Wall Street crowd. Stocks, bonds, dividends. They couldn't be happy just with those profits. They had to come up with other ways of making money. They came up with these hedge funds that enabled someone to sit at a computer without producing anything and make money just by buying and selling various security instruments.

And those secured instruments or instruments of securities—or securities—were largely the product of these 8 million people who lost these jobs. Largely, those securities were generated on the backs of the middle class people who had used their money, used their earnings, used their savings to buy a home, and they bought a home. Oftentimes, they were steered into what we call a predatory loan, which is nothing more than a high-cost loan, a loan with exorbitant costs. And these loans were primarily directed to minority communities. And once those targeted communities had been saturated with those predatory high-cost loans, then that industry turned its attention to another vast market untapped. It was middle class America, all over America.

And all of these high-cost loans were packaged together and sold as securities on Wall Street. These loans featured such attributes as no money down or low downpayments. Sometimes no documents required or a no-doc loan. They had adjustable rates, adjustable mortgage rates. They had other features like clauses that prevented you from refinancing without suffering a penalty. These high-cost loans, once the requisite amount of time had gone by, then the loans would be adjusted upwards. And when that adjustment was made, the people found out that they were unable to meet those new monthly payments. And so, therefore, they would simply refinance, pay another yield spread premium, stripping the equity from their property and giving it to the mortgage broker in return for placing them in another predatory loan.

And everything was going fine, these high-priced loans packaged as securities being sold on Wall Street, or being sold by Wall Street to entities and people throughout the world. And it was all based on the rising home values that everyone just assumed would continue to go up.

But at some point, people started defaulting on those high-cost predatory loans all across this Nation. And when that happened, the people who had purchased the securities that were backed by those now unperforming loans realized that they had worthless paper in their hands, and so it became a run on the bank.

Now, keep in mind, these people and entities that had bought or purchased these securities had also purchased insurance from AIG to make sure that, if the security ended up becoming useless, then AIG, like an insurer should, would pay them for that loss. And so AIG was put in a perilous situation.

And so what happened there, then it became a bailout situation. Are you going to let AIG fail along with all of these other investment banks which were steeped heavily with these toxic securities?

So, along came the Bush plan to restabilize the economy through the Wall Street, the notorious Wall Street bailout, $700 billion. And you would think that the banks would have used that money to lend to smaller banks, the Wall Street banks would have used that money to lend money to the smaller banks, and those smaller banks then could use that money to lend to small businesses and to large businesses as well; and in that way, we would have had more job creation to try to put a dent in this 8 million jobs lost. But no, they did not do that.

What did those Wall Street banks do? They didn't loan money to small businesses to expand and hire new workers. And, in fact, in 2009, total lending by U.S. banks fell 7.4 percent, the steepest drop since 1942. Now, keep in mind, they just got $700 billion in October of 2008. 2009, total lending fell 7.4 percent, the steepest drop since 1942. And the 22 firms that received the most bailout money cut small business loans by $12 billion in 2009.

□ 2340

Meanwhile, the top 38 largest financial firms gave out $145 billion in taxpayer money, in record pay, to their employees—this was in 2009—and an 18 percent increase in pay for their employees over 2008. In the first 3 months of 2010, four of the leading financial firms, including Goldman Sachs, reported profits of $14 billion.

It is time for that money, ladies and gentlemen, to be returned to Main Street. What Wall Street has done is taken that money that should have been invested in Main Street to create jobs for the American people. Instead, they took that bailout money, and they gave record pay to their employees—$145 billion in the year 2009. Nobody is crying about that. Everybody is crying about the deficit. Nobody is talking about job creation.

Are you a job creator, or are you a deficit reducer? What is most important? What would be most important to you? If you are sitting on your couch, listening to what I have to say, and if you have heard all of the stories about how deficit and spending has to be cut and if you know the government is driving us into the ground with deficit spending and then if you're sitting there without a job, what is more important to you—deficit reduction or job creation?

I submit to you that, if you are not a job creator, then you are barking up the wrong tree as far as what can be done to ease the deficit and to eliminate it eventually. You won't do it unless you have jobs. You won't do it unless you have an economy based on jobs, based on middle class people, based on people going to work every day, spending their money purchasing cars, purchasing homes, purchasing

consumer goods. That's how the economy starts thriving again. It's not trickle down, the old Ronald Reagan trickle-down theory, which later was called ''voodoo economics'' and which has been in force all the way up through this Wall Street meltdown. That trickle-down economics is what actually caused this right here.

So we have got to build our economy from the ground up, not from the top down. This $700 billion should have gone to help create more jobs from the ashes of that failed economic policy instead ended up going—where?—right into the pockets of the folks on Wall Street.

So I am here tonight, ladies and gentlemen, to talk about job creation. I am here to try to ease your mind a little bit about the deficit, because what is really important is for Americans to go back to work.

## REVISIONS TO THE 302(a) ALLOCATIONS FOR THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEARS 2010 AND 2011 AND REVISED BUDGET AGGREGATES FOR 2010.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under section 422(a) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, as revised by H. Res. 1493, providing for budget enforcement for fiscal year 2011, I hereby submit revised 302(a) allocations for the Committee on Appropriations for fiscal years 2010 and 2011 and revised budget aggregates for 2010. Section (a)(1)(A) of H. Res. 1493 provides for adjustments to discretionary spending limits for certain program integrity initiatives when these initiatives are included in an appropriations bill. Chairman OBEY's amendment to the Senate amendment to H.R. 4899 (Making supplemental appropriations for fiscal year 2010) includes an appropriation for such initiatives in accordance with S. Con. Res. 13. Corresponding tables are attached.

These adjustments are filed for the purposes of sections 311 and 302 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act, this adjusted allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

| | Fiscal year 2010 | Fiscal years 2010–2014 |
|---|---|---|
| Current Aggregates: [1] [2] | | |
| Budget Authority | 2,891,779 | n.a. |
| Outlays | 3,004,377 | n.a. |
| Revenues | 1,651,218 | 10,588,269 |
| Change for Supplemental Appropriations (H.R. 4899): | | |
| Budget Authority | 538 | n.a. |
| Outlays | 35 | n.a. |
| Revenues | 0 | 0 |
| Further Revised Aggregates: | | |
| Budget Authority | 2,892,317 | n.a. |
| Outlays | 3,004,412 | n.a. |
| Revenues | 1,651,218 | 10,588,269 |

n.a. = Not applicable because FY10 budget resolution, following precedent, did not provide an allocation for Appropriations beyond 2010.

[1] Current aggregates do not include the disaster allowance assumed in the budget resolution. The budgetary impact of items with emergency designations is excluded from current level (section 423(b)).

[2] Aggregates incorporate final scoring for Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Act.

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(a) ALLOCATIONS

[In millions of dollars]

| | BA | OT |
|---|---|---|
| Allocation for 2010: | | |
| Current allocation under S. Con. Res. 13 | 1,220,892 | 1,377,279 |
| Change for program integrity (as provided in H. Res. 1493 Section a(1)(A)) included in Supplemental Appropriations (H.R. 4899) | 538 | 35 |
| Revised allocation | 1,221,430 | 1,377,314 |
| Allocation for 2011: | | |
| Allocation included in H. Res. 1493 [1] | 1,121,000 | 1,314,000 |
| Change for program integrity (as provided in H. Res. 1493 Section a(1)(A)) included in Supplemental Appropriations (H.R. 4899) | 0 | 469 |
| Revised allocation | 1,121,000 | 1,314,469 |

[1] Includes emergency funding incorporated in CBO's March baseline.

## THE SUPREME COURT DECISION RESPECTING PRAYER IN THE PUBLIC SCHOOLS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for the remaining time before midnight, approximately 17 minutes, as the designee of the minority leader.

WALL STREET MELTDOWN

Mr. GOHMERT. Thank you, Mr. Speaker.

I do appreciate my friend from Georgia's comments. He is right. That bailout of Wall Street was a disastrous mistake. I heard from my colleagues on both sides of the aisle who voted for it and from leaders on both sides of the aisle who pushed for that.

The good news is, if you're a big fan of Goldman Sachs, they've made more profit than they've ever made in their history since the new administration took over. They had their best year ever last year. It's tragic that the American people have not done as well as the people who ran their own car off in a ditch and then had their neighbors involuntarily pull it out for them, and now they've used that car to run over the rest of America. It's rather tragic and that continues.

I hope my friends have pointed out the injustice that's going on on Wall Street since they donate 4–1 to Democrats over Republicans. They did in the last election and have traditionally. Hopefully, our friends across the aisle will call upon their big donors on Wall Street, which is 4–1 Democrats over Republicans, despite what Americans think. They can check the facts. Hopefully, they'll get with their big donors, and will help them realize that they need to quit taking from America and that we need to get a level playing field.

SENATOR BYRD AND THE SUPREME COURT DECISION

I rise, Mr. Speaker, tonight, not to get into partisan politics, because this is the last 15 minutes before we adjourn for the 4th of July.

What an incredible day the 4th of July 1776 was. That document was referred to by the late Senator Robert Byrd in his speech that he gave on June 27, 1962, on the occasion of the Supreme Court's losing their collective mind in saying that the Constitution would not have been created were it not for the plea in the form of a motion by Benjamin Franklin that it would begin having prayer every day that Congress is in session, which was seconded by Mr. Sherman and unanimously adopted. If it were not for prayer, there would be no Constitution. The Supreme Court turned around in 1962 and said, You know what? We shouldn't have prayer in schools.

So, in response to that, Senator Robert Byrd, who passed away this week, gave this incredible speech. I gave part of it last night, and I want to pick up, basically, where I left off.

Senator Byrd, on June 27, 1962, says, Additional proof that American national life is God-centered comes from this Library of Congress inscription: ''The light shineth in the darkness, and the darkness comprehendeth not.'' John 1:5.

On the east hall of the second floor of the Library of Congress, an anonymous inscription assures all Americans that they do not work alone—''for a web begun God sends thread.''

One of the most hallowed documents in the Nation's Capital is the Declaration of Independence—parenthetically I add, which will be honored this weekend. Back to Robert Byrd's speech.

He says,—to which I have already alluded. It contains the basic philosophy of our government, according to which God is the source of our rights. The original document can be seen by Americans visiting in Washington from throughout the 50 States of the Union. One of the most impressive and beautiful sights in the Capital City is the Washington Monument rising above the city. When it was being built, citizens and organizations were permitted to donate blocks of stone containing inscriptions and appropriate quotations. Starting from the top of the monument, one may read three biblical quotations on the 24th landing.

One, donated by the Methodist Church of New York, reads: ''The memory of the just is blessed.'' Proverbs 10:7.

The Sunday School children of the Methodist Church of Philadelphia contributed a stone bearing the inscription: ''Train up a child in the way he should go, and when he is old, he will not depart from it.'' Proverbs 22:6.

□ 2350

The third stone bears these words of Christ: ''Suffer the little children to come unto me, and forbid them not, for of such is the kingdom of heaven.'' Luke 18:6.

Twice in the monument appear the words ''Holiness to the Lord.'' Exodus 28:36.

One of the stones was given by the Grand Lodge of the Free Masons of Pennsylvania. The donor of the second stone is anonymous.

Among many similar expressions throughout the Monument, we find this one from the City of Richmond, Virginia, on the 18th landing. ''Tuum nos sumus monumentum. We are thy Monument.''

The city of Boston placed a stone slab on the 15th landing on which appear the words: ''Sicut patribus sit Deus nobis. As God was to our fathers, may He be unto us.''

Baltimore's contribution at the 12th level reads: ''May heaven to this Union continue its beneficence.''

The Indiana Lodge of Odd Fellows contributed a stone on the sixth landing which reads: ''In God We trust.''

The United Sons of America provided a stone bearing the inscription: ''God and Nature's land.''

Near the Washington Monument is the Lincoln Memorial, the Nation's tribute to its martyred Civil War President. This massive shrine pays homage to the greatness of a simple heroic man whose very life was offered on the altar of liberty. The gentleness, power, and determination of Lincoln comes to us clearly through the features chiseled in granite by the sculptor. We can almost hear Lincoln speak the words which are cut into the wall by his side: ''That this Nation under God, shall have a new birth of freedom, and a government of the people, by the people, and for the people shall not perish from the Earth.''

In his second inaugural address, the great President made use of the words ''God,'' ''Bible,'' ''prayer,'' ''providence,'' ''Almighty,'' and ''divine attributes.''

Then his address continues: ''As was said 3,000 years ago so it must still be said, ''The judgments of the Lord are true and righteous altogether.'' Lincoln goes on, ''With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the brunt of the battle, and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.''

On the walls of the Jefferson Memorial which stands at the south end of the Tidal Basin are inscribed Jefferson's words: ''I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man.''

On a panel near the statue we find in Jefferson's words a forceful and explicit warning that to remove God from this country will destroy it. Here he, Jefferson, says: ''God who gave us life gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God? Indeed I tremble for my country when I reflect that God is just, that his justice cannot sleep forever. Commerce between master and slave is despotism. Nothing is more certainly written in the book of fate than that these people are to be free. Establish the law for educating the common people. This it is the business of the State to effect and on a general plan.''

Jefferson foresaw that time would change conditions in this country, but he believed in the unchanging truth which would persist through any age. He held that the dignity of man came not from man itself, but from God. His memorial in our Nation's Capital is a constant reminder that respect for men is based upon his close affinity with God.

Let me remind, these are the words from the speech given by Robert Byrd, Senator, in 1962. I continue with Robert Byrd's words.

Let us reflect for a moment on the fact that Washington, Jefferson, Lincoln, the giants of America, had this in common: They all paid repeated public tribute to this Nation's dependence upon God.

Benjamin Franklin at the Constitutional Convention of 1787 stood to his feet one day, the oldest man in that illustrious gathering, and addressed the chair in which sat General George Washington. Franklin said: ''Sir, I have lived a long time, and the longer I live, the more convincing proofs I see of this truth: God still governs in the affairs of men, and if a sparrow cannot fall to the ground without his notice, is it possible that an empire can rise without his aid? We have been assured, sir, in the sacred writings that except the Lord build a house, they labor in vain that build it.''

Franklin went on to move that a member of the clergy be invited to participate in the meetings from day-to-day that they might invoke the wisdom and guidance of The Father of Lights; ''Else,'' he said, ''we shall succeed no better than did the builders of Babel.''

Here was a real man; here was a statesman; here was an inventor; here was a philosopher; a man who had served his country; a wise man who had faith in a higher power; who had courage to express that faith.

Our country's truly great men, Lincoln, Jefferson, Franklin, Wilson, Robert E. Lee, and I need not name others, these gigantic pillars of strength in the structure of American history were men who believed in a Higher Power, and they had the courage to express that belief in their words, their writings and their deeds.

Senator Byrd went on.

In the U.S. Supreme Court, the highest court in the land, can be seen ample evidence that our courts are conducted according to belief in the Almighty. Thus we find in the Supreme Court tribunal such phrases as ''divine inspiration,'' ''truth,'' ''safeguard of the rights of the people,'' ''defense of human rights,'' and ''liberty and peace.''

Just outside of Washington, we find the Pentagon, the world's largest office building and the center of American armed services. Flanking the main entrance are two signs which read: ''Worship daily according to your faith.''

Catholic, Protestant, and Jewish religious services are held at the Pentagon, and members of the three faiths are urged to attend.

The militarily leaders, too, recognized the necessity for strong spiritual training. General of the Army Omar Bradley said: ''This country has many men of science, too few men of God. It has grasped the mystery of the atom, but rejected the Sermon on the Mount.''

As a lifetime soldier who has seen countless thousands of young Americans in uniform, he further observed: ''This shocking apathy to the conditions of their schools and the sterility of the curriculum is responsible even today for the political immaturity, the economic ignorance, the philosophical indifference, and the spiritual insolvency of so many young men.''

In Washington stands the statue of Francis Asbury, a Methodist bishop and pioneer, who died in 1816. The statue, erected with the permission of Congress in 1924, carries the inscription: ''His continuous journeying through cities, villages, and settlements from 1771 to 1816 greatly promoted patriotism, education, and religion in the American Republic.''

Other monuments to religion include those of James Cardinal Gibbons, given by the Knights of Columbus, and a statue of Saint Joan of Arc donated to the Capital by a French women's society.

The nuns who in Civil War days attended the wounded and dying on battlefields are commemorated in Washington's statues with the inscription: ''They comforted the dying, nursed the wounded, carried hope to the imprisoned, gave in His name a drink of water to the thirsty.''

Before leaving Washington, the visitor may make a final stop at the National Cemetery, in Arlington, Virginia. Here are peaceful ranks of crosses and stars of David, reminding us that our government has given its fallen men back to the God who gave them life.

The Tomb of the Unknown Soldier stands for all those fallen in battle who could not be identified, members of all sects, faiths, and religions. And here, once more, we find the acknowledgment of God's divine power in the eloquent words: ''Here lies in honored glory, an American soldier, known but to God.''

These are the words I have been reading from the speech given in 1962 by Senator Robert Byrd, the late Senator, as a great testament to the faith in God that encompassed and inhabited this city for so very long.

Our President says we are not a Christian Nation. I will not debate that with him. But I know our history, I know where we came from, and the things of this city, the things of this building and history of this great Nation point tribute to the fact that is

where we came from. And may God help us if we fail to recognize that is where we came from, and it is God to whom all blessings and thanksgiving should flow.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CAPITO (at the request of Mr. BOEHNER) for today after 2 p.m. on account of attending the State Funeral of Senator Robert C. Byrd.

## 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. CRITZ) to revise and extend their remarks and include extraneous material:)

Mr. CRITZ, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON LEE of Texas, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:)

Mr. THOMPSON of Pennsylvania, for 5 minutes, today.

Mr. FORTENBERRY, for 5 minutes, today.

## ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which are thereupon signed by the Speaker:

H.R. 5569. An act to extend the National Flood Insurance Program until September 30, 2010.

H.R. 5611. An act 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.

H.R. 5623. An act to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

## SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 3104—To permanently authorize Radio Free Asia, and for other purposes.

## ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, pursuant to House Concurrent Resolution 293, 111th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until Tuesday, July 13, 2010, at 2 p.m.

## JOINT ESTIMATE OF BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111–139, after consultation with Senator CONRAD, and on behalf of both of us, Mr. SPRATT hereby submits, prior to the vote on House amendments to the Senate amendment to the bill H.R. 4899, making supplemental appropriations for fiscal year 2010, the following attached cost estimates for printing in the CONGRESSIONAL RECORD:

1. An estimate, labeled Estimate 1, of the costs of the Senate amendment to H.R. 4899, as amended by Amendment #1 printed in House Report 111–522 and as further amended by any of Amendments #3, #4, or #5. If the Senate amendment to H.R. 4899, as amended by Amendment #1 and any of Amendments #3, #4, or #5, passes, then the estimate for purposes of Public Law 111–139 shall be the estimate labeled Estimate 1.

2. An estimate, labeled Estimate 2, of the costs of the Senate amendment to H.R. 4899 as amended by Amendments #1 and #2 printed in House Report 111–522 and as further amended by any or none of Amendments #3, #4, or #5. If the Senate amendment to H.R. 4899 as amended by both Amendments #1 and #2 and any or none of Amendments #3, #4, or #5, passes, then the estimate for purposes of Public Law 111–139 shall be the estimate labeled Estimate 2.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 4899, THE SUPPLEMENTAL APPROPRIATIONS ACT, 2010—HOUSE AMENDMENTS TO THE SENATE AMENDMENT TO H.R. 4899

| | By fiscal year, in millions of dollars— | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2010–2015 | 2010–2020 |
| NET INCREASE OR DECREASE (−) IN THE DEFICIT | | | | | | | | | | | | | |
| Estimate 1—Engrossed Senate Amendment and Amendment #1 (Title V) [1 2] | 0 | −523 | −525 | −522 | −550 | −3,796 | −2,563 | −732 | −876 | −992 | −1,082 | −5,917 | −7,034 |
| Amendment #2 (Title IV) [1 2] | −22 | −31 | −357 | −354 | −349 | −348 | −372 | −526 | −641 | −781 | −828 | −1,461 | ***−4,609*** |
| Estimate 2 [2] | −22 | −554 | −882 | −876 | −899 | −4,144 | −2,191 | −1,258 | −1,517 | −1,773 | −1,910 | −7,378 | −11,643 |

Sources: Congressional Budget Office and Joint Committee on Taxation.

Note: Provisions in Title IV and Title V would have statutory pay-as-you-go effects. For Title IV those provisions include: unemployment benefits for those affected by the Deepwater Horizon oil spill, rescission of funds to expand the Strategic Petroleum Reserve, restrictions on certain settlement agreements between drug companies, and a change to the computation of the average manufacturer price used by Medicaid for certain types of drugs. For Title V those provisions include: changes to certain surface transportation programs and certain changes in the Internal Revenue Code.

1. As posted on the Web site of the House Committee on Rules on July 1, 2010.

2. Sections 4201(b) and 5201(b) would direct the Office of Management and Budget not to include any net savings resulting from the changes in direct spending or revenues contained in the Act on the scorecards required to be maintained by OMB under the Statutory Pay-As-You-Go Act of 2010.

## BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 5618, the Restoration of Emergency Unemployment Compensation Act of 2010, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 5618, THE RESTORATION OF EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2010, AS AMENDED

| | By fiscal year, in millions of dollars— | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2010–2015 | 2010–2020 |
| NET INCREASE IN THE DEFICIT | | | | | | | | | | | | | |
| Total Changes | 8,545 | 24,684 | 218 | 214 | 148 | 76 | 56 | 2 | 0 | 0 | 0 | 33,885 | 33,943 |
| Less: | | | | | | | | | | | | | |
| Designated as Emergency Requirements [2] | 8,545 | 24,684 | 218 | 214 | 148 | 76 | 56 | 2 | 0 | 0 | 0 | 33,885 | 33,943 |
| Statutory Pay-As-You-Go Impact | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Memorandum:** Components of the Emergency Designations | | | | | | | | | | | | | |
| Change in Outlays | 8,545 | 24,495 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 33,040 | 33,040 |
| Changes in Revenues | 0 | −189 | −218 | −214 | −148 | −76 | −56 | −2 | 0 | 0 | 0 | −845 | −903 |

Source: Congressional Budget Office.

Note: Components may not sum to totals because of rounding.

[a] Section 5 of the bill would designate Sections 2 and 3 as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8217. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule — Account Class (RIN: 3038-AC94) received June 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8218. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — User Fees for 2010 Crop Cotton Classification Services to Growers [AMS-CN-10-0001; CN-10-001] (RIN: 0581-AC99) received June 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8219. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Relaxation of Handling Requirements [Doc. No.: AMS-FV-09-0085; FV10-925-1 FIR] received June 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8220. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Changes to Reporting and Assessment Due Dates [Doc. No.: AMS-FV-10-0020; FV10-956-1 FR] received June 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8221. A letter from the Secretary, Department of Defense, transmitting a letter providing notification that the Department intends to expand the role of women in the Marine Corps, pursuant to 10 U.S.C. 652; to the Committee on Armed Services.

8222. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Franklin L. Hagenbeck United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

8223. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Thomas J. Kilcline, Jr. United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

8224. A letter from the Chairman, Federal Reserve System, transmitting the twentieth annual report on the Profitability of Credit Card Operations of Depository Institutions, pursuant to 15 U.S.C. 1637 note. Public Law 100-583, section 8 (102 Stat. 2969); to the Committee on Financial Services.

8225. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program — Disability Rehabilitation Research Project (DRRP) — Reducing Obesity and Obesity-Related Secondary Health Conditions Among Adolescents and Young Adults With Disabilities From Diverse Race and Ethnic Backgrounds Catalog of Federal Domestic Assistance (CFDA) Number: 84.133A-7 received June 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8226. A letter from the Assistant Deputy Secretary, Department of Education, transmitting the Department's final rule — Full Service Community Schools Catalog of Federal Domestic Assistance (CFDA) Number: 84.215J received June 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8227. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's annual financial report for fiscal year 2009, pursuant to Public Law 108-130; to the Committee on Energy and Commerce.

8228. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the ''Status of the State Small Business Compliance Assistance Programs (SBCP) for the Reporting Period, January 2007 to December 2008''; to the Committee on Energy and Commerce.

8229. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

8230. A letter from the Director, Office of Management and Budget, transmitting the Department's report on United States contributions to the United Nations and United Nations affiliated agencies and related bodies for fiscal year 2009, pursuant to Public Law 109-364, section 1225; to the Committee on Foreign Affairs.

8231. A letter from the Secretary, Department of Health and Human Services, transmitting the semiannual report on the activities of the Office of Inspector General for the period ending March 31, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

8232. A letter from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting formal response to the GAO report entitled ''Information Security: Agencies Need to Implement Federal Desktop Core Configuration Requirements''; to the Committee on Oversight and Government Reform.

8233. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Seattle, transmitting the 2009 management report and statements on the system of internal controls of the Federal Home Loan Bank of Seattle, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

8234. A letter from the Inspector General, Federal Trade Commission, transmitting notification that the Commission will soon begin the audit of financial statements for the fiscal year 2010; to the Committee on Oversight and Government Reform.

8235. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-018, Payrolls and Basic Records [FAC 2005-42; FAR Case 2009-018; Item XI; Docket 2010-0082, Sequence 1] (RIN: 9000-AL53) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8236. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-026, Compensation for Personal Services [FAC 2005-42; FAR Case 2009-026; Item X; Docket 2010-0088, Sequence 1] received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8237. A letter from the Director, Peace Corps, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2009 through March 31, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

8238. A letter from the Regulatory Affairs, Department of the Interior, transmitting the Department's final rule — Visitor Services [LLWO25000-L12200000.PM000-241A.00] (RIN: 1004-AD96) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8239. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico and South Atlantic; Revisions To Allowable Bycatch Reduction Devices [Docket No.: 100121040-0177-01] (RIN: 0648-AY58) received June 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8240. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2009 annual report on the activities and operations of the Public Integrity Section, pursuant to 28 U.S.C. 529; to the Committee on the Judiciary.

8241. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Auxiliary Power Unit Models GTCP36-150(R) and GTCP36-150(RR) [Docket No.: FAA-2009-0803; Directorate Identifier 2009-NE-34-AD; Amendment 39-16330; AD 2010-12-09] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8242. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135ER, -135KE, -135KL, and -135LR Airplanes; and EMBRAER Model EMB-145, -145ER, -145MR, -145LR, -145XR, 145MP, and -145EP Airplanes [Docket No.: FAA-2010-0170; Directorate Identifier 2009-NM-127-AD; Amendment 39-16328; AD 2010-12-07] (RIN: 2120-AA64) received June 12, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8243. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-45 and CF6-50 Series Turbofan Engines [Docket No.: FAA-2010-0068; Directorate Identifier 2010-NE-05-AD; Amendment 39-16331; AD 2010-12-10] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8244. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. MAKILA 1A and 1A1 Turboshaft Engines [Docket No.: FAA-2009-0982; Directorate Identifier 2009-NE-19-AD; Amendment 39-16323; AD 2010-12-02] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8245. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-C10 (Regional Jet Series 700, 701, & 702) Airplanes, Model CL-600-2D15 (Regional Jet Series 705) Airplanes, and Model CL-600-2D24 (Regional Jet Series 900) Airplanes [Docket No.: FAA-2009-1033; Directorate Identifier 2009-NM-104-AD; Amendment 39-16326; AD 2010-12-05] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8246. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Arriel 2B1 Turboshaft Engines [Docket No.: FAA-2007-27009; Directorate Identifier 2007-NE-02-AD; Amendment 39-16322; AD 2007-19-09R1] (RIN: 2120-AA64) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8247. A letter from the Senior 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.: 30728; Amdt. No. 3377] received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8248. A letter from the Senior 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.: 30726; Amdt. No. 3375] received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8249. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Restricted Area R-2504; Camp Roberts, CA [Docket No.: FAA-2010-0557; Airspace Docket No. 10-AWP-6] (RIN: 2120-AA66) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8250. A letter from the Senior 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.: 30726; Amdt. No. 3375] received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8251. A letter from the Senior 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.: 30725; Amdt. 3374] received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8252. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Victorville, CA [Docket No.: FAA-2009-1140; Airspace Docket No. 09-AWP-13] received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8253. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Jet Routes J-32, J-38, and J-538; Minnesota [Docket No.: FAA-2009-1080; Airspace Docket No. 09-AGL-13](RIN: 2120-AA66) received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8254. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Galena, AK [Docket No.: FAA-2010-0299; Airspace Docket No. 10-AAL-9] received June 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8255. A letter from the Administrator, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's report entitled, ''Buckle Up America Campaign: The National Initiative for Increasing Seat Belt Use, Eleventh Report To Congress and Ninth Report to the President'' for calendar year 2007; to the Committee on Transportation and Infrastructure.

8256. A letter from the Assistant Secretary of the Army, Civil Works, Department of the Army, transmitting notification of the final technical report for Louisiana Coastal Protection and Restoration (LACPR), pursuant to Public Law 109-103 Public Law 109-148; (H. Doc. No. 111-129); to the Committee on Transportation and Infrastructure and ordered to be printed.

8257. A letter from the Director, Office of Personnel Management, transmitting legislative proposal ''to amend chapter 89 of title 5, United States Code, to clarify Federal court jurisdiction over Federal Employees Health Benefits program, and for other purposes''; jointly to the Committees on Oversight and Government Reform and the Judiciary.

## 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. MCGOVERN: Committee on Rules. House Resolution 1500. Resolution providing for consideration of the Senate amendments to the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–522). Referred to the House Calendar.

Ms. ZOE LOFGREN of California: Committee on Standards of Official Conduct. In the matter of Representative Laura Richardson (Rept. 111–523). Referred to the House Calendar.

Mr. WAXMAN. Committee on Energy and Commerce. H.R. 5320. A bill to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; to reduce lead in drinking water; to strengthen the endocrine disruptor screening program; and for other purposes; with an amendment (Rept. 111–524). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHADEGG (for himself and Mr. DJOU):

H.R. 5658. A bill to amend the Immigration and Nationality Act to increase competitiveness in the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. PINGREE of Maine:

H.R. 5659. A bill to amend the Internal Revenue Code of 1986 to provide for the payment of recovery rebates on the basis of tax returns for 2007 notwithstanding the limitation on timing of payments where necessary to correct a manifest injustice; to the Committee on Ways and Means.

By Mr. DELAHUNT (for himself, Mr. CONYERS, Mr. CAPUANO, Ms. HERSETH SANDLIN, and Mr. WELCH):

H.R. 5660. A bill to promote simplification and fairness in the administration and collection of sales and use taxes, and for other purposes; to the Committee on the Judiciary.

By Mr. POLIS:

H.R. 5661. A bill to amend the Outer Continental Shelf Lands Act to require the making of royalty and other payments for oil that is removed under an offshore oil and gas lease under that Act and discharged into waters of the United States or ocean waters, and for other purposes; to the Committee on Natural Resources.

By Ms. LORETTA SANCHEZ of California:

H.R. 5662. A bill to amend title 18, United States Code, with respect to the offense of stalking; to the Committee on the Judiciary.

By Mr. GEORGE MILLER of California (for himself, Ms. WOOLSEY, Mr. RAHALL, Mr. COURTNEY, Mr. MOLLOHAN, Ms. HIRONO, Mr. SESTAK, Mr. ANDREWS, Mr. HARE, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. BISHOP of New York, Ms. SUTTON, Ms. CLARKE, Mr. SHULER, Mr. PIERLUISI, Mr. KILDEE, and Mr. HOLT):

H.R. 5663. A bill to improve compliance with mine and occupational safety and health laws, empower workers to raise safety concerns, prevent future mine and other workplace tragedies, establish rights of families of victims of workplace accidents, and for other purposes; to the Committee on Education and Labor.

By Mr. ELLSWORTH (for himself and Mr. DOYLE):

H.R. 5664. A bill to amend title I of the Patient Protection and Affordable Care Act to permit certain individuals losing their COBRA continuation coverage to have access to the high-risk health insurance pool program established under such title; to the Committee on Energy and Commerce.

By Mr. FRANKS of Arizona (for himself, Mr. CAMPBELL, Mr. LUCAS, Mr. GOHMERT, Mr. SHADEGG, Mr. GINGREY of Georgia, Mr. PITTS, Mrs. SCHMIDT, Mr. FLEMING, Mr. LATTA, Mr. SMITH of Texas, Mr. TIAHRT, Mrs. BACHMANN, Mr. DANIEL E. LUNGREN of California, Mr. BRADY of Texas, Mr. AKIN, Mr. LAMBORN, Mr. POSEY, Mr. KING of Iowa, Mr. BOREN, Mr. BISHOP of Utah, Mr. SCHOCK, Mr. FLAKE, Mrs. LUMMIS, Mrs. MCMORRIS RODGERS, Mr. CONAWAY, Mr. CALVERT, Mr. HERGER, Mr. HASTINGS of Washington, Mr. CHAFFETZ, and Mr. SIMPSON):

H.R. 5665. A bill to prohibit the withdrawal of certain public lands and National Forest System lands in Arizona from location and entry under the Mining Law of 1872, and for other purposes; to the Committee on Natural Resources.

By Mr. GRAYSON:

H.R. 5666. A bill to amend the Outer Continental Shelf Lands Act to require the drilling of emergency relief wells, and for other purposes; to the Committee on Natural Resources.

By Mr. BOREN (for himself, Mr. BROUN of Georgia, Mr. ROSS, Ms. HERSETH SANDLIN, Mr. ALTMIRE, Mr. MILLER of Florida, and Mr. BOOZMAN):

H.R. 5667. A bill to provide for the conduct of a study on the effectiveness of firearms microstamping technology and an evaluation of its effectiveness as a law enforcement tool; to the Committee on the Judiciary.

By Mr. JONES:

H.R. 5668. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to require the use of sums received as fines, penalties, and forfeitures of property for violations of that Act or other marine resource laws to be used to reduce the Federal deficit and debt; to the Committee on Natural Resources.

By Mr. LATHAM:

H.R. 5669. A bill to direct the Secretary of Agriculture to convey certain Federally owned land located in Story County, Iowa; to the Committee on Agriculture.

By Mr. ADLER of New Jersey:

H.R. 5670. A bill to require the Administrator of the Environmental Protection Agency to make grants for the improvement of storm water retention basins in the watersheds of estuaries in the National Estuary Program; to the Committee on Transportation and Infrastructure.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Ms. CORRINE BROWN of Florida, Ms. DELAURO, Mr. ELLISON, Mr. GORDON of Tennessee, Mr. GRIJALVA, Mr. HARE, Mr. HONDA, Mr. HINCHEY, Ms. MCCOLLUM, Ms. RICHARDSON, Mr. HOLT, and Ms. SHEA-PORTER):

H.R. 5671. A bill to amend the Elementary and Secondary Education Act of 1965 to create a demonstration project to fund additional secondary school counselors in troubled title I schools to reduce the dropout rate; to the Committee on Education and Labor.

By Mr. BROUN of Georgia (for himself, Mr. BOREN, Mr. ALTMIRE, Mr. BOOZMAN, Mr. CHILDERS, Mr. MILLER of Florida, Mr. REHBERG, Mr. ROSS, and Mr. SCALISE):

H.R. 5672. A bill to protect the use of traditional hunting and fishing equipment on Federal lands and to prevent unnecessary and unwarranted restrictions on the implements and equipment used by hunting and fishing communities; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. BROUN of Georgia (for himself, Mr. BOREN, Mr. ALTMIRE, Mr. BOOZMAN, Mr. CHILDERS, Mr. MILLER of Florida, Mr. REHBERG, Mr. ROSS, and Mr. SCALISE):

H.R. 5673. A bill to require that hunting activities be a land use in all management plans for Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to the extent that such use is not clearly incompatible with the purposes for which the Federal land is managed, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. COSTA:

H.R. 5674. A bill to amend the Clean Air Act to require reductions in mercury emissions from electric utility steam generating units, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FRANKS of Arizona:

H.R. 5675. A bill to improve border security and to increase prosecutions and penalties for illegal entry into the United States, to prevent and combat the smuggling of weapons of mass destruction into the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, Natural Resources, and Agriculture, 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. JACKSON LEE of Texas:

H.R. 5676. A bill to provide equitable means for ensuring that damages for injuries are efficiently secured, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, the Judiciary, Energy and Commerce, and Science and Technology, 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. YOUNG of Florida:

H.R. 5677. A bill to amend the Outer Continental Shelf Lands Act and the Federal Water Pollution Control Act to modernize and enhance the Federal Government's response to oil spills, to improve oversight and regulation of offshore drilling, and for other purposes; to the Committee on Transportation and Infrastructure, 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. CARNAHAN (for himself, Ms. BERKLEY, Mr. BOREN, Mr. DAVIS of Tennessee, Mr. FOSTER, Ms. HIRONO, Mr. MICHAUD, Mr. MOORE of Kansas, Mr. RADANOVICH, and Mr. ROTHMAN of New Jersey):

H.R. 5678. A bill to amend the Public Health Service Act to provide grants for treatment of methamphetamine abuse, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHOCK (for himself, Mr. MICA, and Mr. ISSA):

H.R. 5679. A bill to prevent funding from the American Recovery and Reinvestment Act of 2009 from being used for physical signage indicating that a project is funded by such Act, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition 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 Mr. BOOZMAN:

H.R. 5680. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service; to the Committee on Financial Services.

By Mr. BRADY of Pennsylvania:

H.R. 5681. A bill to improve certain administrative operations of the Library of Congress, and for other purposes; to the Committee on House Administration.

By Mr. BRADY of Pennsylvania:

H.R. 5682. A bill to improve the operation of certain facilities and programs of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. BRADY of Pennsylvania:

H.R. 5683. A bill to improve certain administrative operations of the Office of the Architect of the Capitol, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAO:

H.R. 5684. A bill to direct the Secretary of Homeland Security to commission an independent review of the threat of a terrorist attack posed to offshore energy infrastructure in the Gulf of Mexico, the vulnerabilities of such infrastructure to such attacks, and the consequences of such attacks, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Ms. KILPATRICK of Michigan, Ms. WATSON, Mr. SCOTT of Virginia, Ms. LEE of California, Ms. MOORE of Wisconsin, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. JACKSON LEE of Texas, Ms. FUDGE, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 5685. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the establishment of supermarkets in certain underserved areas; to the Committee on Ways and Means.

By Mr. CONNOLLY of Virginia:

H.R. 5686. A bill to amend the Oil Pollution Act of 1990 to extend liability to corporations, partnerships, and other persons having ownership interests in responsible parties, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CUELLAR:

H.R. 5687. A bill to extend changes to requirements for admission of nonimmigrant nurses in health professional shortage areas made by the Nursing Relief for Disadvantaged Areas Act of 1999; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself, Mr. JACKSON of Illinois, and Mr. RUSH):

H.R. 5688. A bill to amend title 18, United States Code, to provide a criminal penalty for torture committed by law enforcement officers and others acting under color of law; to the Committee on the Judiciary.

By Ms. GIFFORDS (for herself and Mr. POLIS):

H.R. 5689. A bill to amend the Truth in Lending Act to provide an interest rate cap and other requirements for creditors making covered loans, and for other purposes; to the Committee on Financial Services.

By Mr. GINGREY of Georgia (for himself, Mr. FLEMING, Mr. SMITH of Texas, Mr. KLINE of Minnesota, Mr. HALL of Texas, Mr. BILBRAY, Mr. MARCHANT, Mr. BISHOP of Utah, Mr. FRANKS of Arizona, Mr. ROONEY, Mr. SHADEGG, Mr. LEE of New York, Mrs. MCMORRIS RODGERS, Mrs. BLACKBURN, Mr. ROE of Tennessee, Mr. KINGSTON, Mr. COLE, Mr. CASSIDY, Mr. PITTS, Mr. WESTMORELAND, Mr. LATTA, Mr. BONNER, Mr. LINDER, Mr. BOUSTANY, Mr. GRIFFITH, Mr. TIM MURPHY of Pennsylvania, Mr. BARTLETT, and Mr. DENT):

H.R. 5690. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEKSTRA:

H.R. 5691. A bill to amend the Internal Revenue Code of 1986 to provide a credit for investment in new or expanding small businesses; to the Committee on Ways and Means.

By Mr. INSLEE (for himself, Mr. BARTLETT, Mr. EHLERS, Mr. GRIJALVA, and Mr. HIGGINS):

H.R. 5692. A bill to amend the Public Utility Regulatory Policies Act of 1978 to promote energy independence and self-sufficiency by providing for the use of net metering by certain small electric energy generation systems, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE of California (for herself, Ms. SCHAKOWSKY, Ms. NORTON, Mr. SERRANO, Mr. FILNER, Mr. STARK, Ms. WOOLSEY, Mr. ELLISON, and Mr. GRIJALVA):

H.R. 5693. A bill to provide additional protections for recipients of the earned income tax credit and the child tax credit; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, 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. ZOE LOFGREN of California (for herself, Mr. NEAL of Massachusetts, Mr. GOODLATTE, Mr. GEORGE MILLER of California, Mr. MCCAUL, Mr. GORDON of Tennessee, Mr. BECERRA, Mr. THOMPSON of California, Mr. BLUMENAUER, and Ms. ESHOO):

H.R. 5694. A bill to combat trade barriers that threaten the maintenance of a single, open, global Internet, that mandate unique technology standards as a condition of market access and related measures, and to promote the free flow of information; to the Committee on Ways and Means, and in addition to the Committees on Foreign Affairs, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY:

H.R. 5695. A bill to amend the Internal Revenue Code of 1986 to allow retail businesses a credit against income tax for a portion of the cost of recycling plastic carry-out bags and certain other types of plastic; to the Committee on Ways and Means.

By Mr. MARKEY of Massachusetts (for himself, Mrs. CAPPS, Mr. POLIS, Mr. INSLEE, and Ms. DEGETTE):

H.R. 5696. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide electric consumers the right to access certain electric energy information; to the Committee on Energy and Commerce.

By Mr. MARKEY of Massachusetts (for himself, Mr. FRANK of Massachusetts, Mr. OLVER, Mr. HODES, Ms. SHEA-PORTER, Mr. DELAHUNT, Mr. CAPUANO, Mr. LYNCH, Mr. MCGOVERN, Ms. PINGREE of Maine, and Ms. DELAURO):

H.R. 5697. A bill to amend the Outer Continental Shelf Lands Act to prohibit leasing in the North Atlantic Planning Area; to the Committee on Natural Resources.

By Mr. MELANCON:

H.R. 5698. A bill to amend Oil Pollution Act of 1990 and the Outer Continental Shelf Lands Act to protect employees from retaliation for notifying government officials of violations of those Acts, and for other purposes; to the Committee on Transportation and Infrastructure, 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. MILLER of Florida (for himself, Mr. BONNER, and Mr. BOYD):

H.R. 5699. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits for certain areas affected by the discharge of oil by reason of the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, and for other purposes; to the Committee on Ways and Means.

By Mr. MORAN of Kansas:

H.R. 5700. A bill to protect the rights under the Second Amendment to the Constitution of the United States of members of the Armed Forces and civilian employees of the Department of Defense by prohibiting the Department of Defense from requiring the registration of privately owned firearms, ammunition, or other weapons not stored in facilities owned or operated by the Department of Defense, and by prohibiting the Department of Defense from infringing on the right of individuals to lawfully acquire, possess, own, carry, or otherwise use privately owned firearms, ammunition, or other weapons on property not owned or operated by the Department of Defense; to the Committee on Armed Services.

By Mr. NADLER of New York (for himself and Mr. RANGEL):

H.R. 5701. A bill to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 5702. A bill to amend the District of Columbia Home Rule Act to reduce the waiting period for holding special elections to fill vacancies in the membership of the Council of the District of Columbia; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H.R. 5703. A bill to permit the advertising and sale of lottery tickets within certain areas of the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. PLATTS (for himself, Mr. SKELTON, Mr. MCKEON, Mr. SNYDER, and Mr. WITTMAN):

H.R. 5704. A bill to amend title 10, United States Code, to allow faculty members at Department of Defense service academies and schools of professional military education to secure copyrights for certain scholarly works that they produce as part of their official duties in order to submit such works for publication, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure, and Armed Services, 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. RYAN of Ohio (for himself and Ms. SUTTON):

H.R. 5705. A bill to amend the Internal Revenue Code of 1986 to increase the credit amount for 2- and 3-wheeled electric highway vehicles, and for other purposes; to the Committee on Ways and Means.

By Mr. SALAZAR (for himself, Mr. PERLMUTTER, Ms. DEGETTE, Mr. POLIS of Colorado, Ms. MARKEY of Colorado, Mr. COFFMAN of Colorado, and Mr. LAMBORN):

H.R. 5706. A bill to designate the facility of the Government Printing Office located at 31451 East United Avenue in Pueblo, Colorado, as the ''Frank Evans Government Printing Office Building''; to the Committee on Transportation and Infrastructure.

By Mr. SPACE:

H.R. 5707. A bill to protect consumers from certain aggressive sales tactics on the Internet; to the Committee on Energy and Commerce.

By Mr. TOWNS:

H.R. 5708. A bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants to the National Urban League for an Urban Jobs Program, and for other purposes; to the Committee on Education and Labor.

By Ms. TSONGAS:

H.R. 5709. A bill to amend the Outer Continental Shelf Lands Act to require, as a condition and term of any exploration plan or development and production plan submitted under that Act, that the applicant for the plan must submit an oil spill containment and clean-up plan capable of handling a worst-case scenario oil spill, and for other purposes; to the Committee on Natural Resources.

By Mr. WHITFIELD (for himself, Mr. PALLONE, Mr. SHIMKUS, Mr. STUPAK, Mr. ROGERS of Michigan, Mr. GENE GREEN of Texas, Mrs. BLACKBURN, Mrs. CHRISTENSEN, Mr. RADANOVICH, Mrs. MALONEY, Mr. BISHOP of Georgia, Mr. WILSON of Ohio, Mr. GINGREY of Georgia, Mr. GORDON of Tennessee, Mr. KAGEN, Mr. PITTS, and Mr. GONZALEZ):

H.R. 5710. A bill to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself, Ms. WASSERMAN SCHULTZ, Mrs. MALONEY, Mr. KLEIN of Florida, Mr. SHERMAN, Mr. SMITH of New Jersey, Mr. INGLIS, Mr. MARIO DIAZ-BALART of Florida, Mr. MCMAHON, Mr. PENCE, Mr. BURTON of Indiana, Mr. ENGEL, Mr. ACKERMAN, Mr. ROYCE, Mr. POE of Texas, Mr. DEUTCH, Mr. LAMBORN, Mr. MCGOVERN, Ms. BERKLEY, Mr. WILSON of South Carolina, Mr. MANZULLO, Mr. MACK, Mr. MEEK of Florida, Mr. SIRES, Mr. TOWNS, Mr. MCCOTTER, Mr. BILIRAKIS, and Mr. ROHRABACHER):

H. Con. Res. 295. Concurrent resolution condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, on July 18, 1994, and for other purposes; to the Committee on Foreign Affairs.

By Mr. POE of Texas (for himself, Ms. BORDALLO, Mr. MARSHALL, Mr. SABLAN, Mr. SCHOCK, Mr. BARTLETT, Mr. COSTA, Mr. PERRIELLO, Mr. THORNBERRY, Mr. HUNTER, Mr. CONAWAY, Mr. WILSON of South Carolina, Mr. ROGERS of Alabama, Mr. JONES, Mr. BUYER, Mr. TURNER, Mr. LAMBORN, Mr. TIAHRT, Ms. SHEA-PORTER, and Mr. ISSA):

H. Con. Res. 296. Concurrent resolution recognizing the 65th anniversary of the end of World War II; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, 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. SENSENBRENNER (for himself, Mr. LAMBORN, Mr. REHBERG, Mr. PETRI, and Mr. RYAN of Wisconsin):

H. Res. 1498. A resolution supporting efforts to retain the ban on the National Highway Traffic Safety Administration's (NHTSA) ability to lobby State legislators using Federal tax dollars and urging the NHTSA to focus on crash prevention and rider education and training; to the Committee on Transportation and Infrastructure.

By Ms. WASSERMAN SCHULTZ:

H. Res. 1499. A resolution honoring the achievements of Dr. Robert M. Campbell, Jr., to provide children with lifesaving medical

care; to the Committee on Energy and Commerce.

By Mr. BUYER (for himself and Mr. WALZ):

H. Res. 1501. A resolution honoring the Patriot Guard Riders for their steadfast dedication in support of those who have sacrificed their lives for our country; to the Committee on Armed Services.

By Mr. AKIN:

H. Res. 1502. A resolution amending the Rules of the House of Representatives respecting the treatment of earmarks in conferences between the House and the Senate; to the Committee on Rules.

By Ms. CASTOR of Florida (for herself, Mr. COURTNEY, Mrs. LOWEY, Ms. SPEIER, Mr. LOBIONDO, Mr. HASTINGS of Florida, Mr. FARR, Mr. CONNOLLY of Virginia, Mr. YOUNG of Florida, Ms. WASSERMAN SCHULTZ, Mr. BOYD, Mr. POSEY, and Mrs. CAPPS):

H. Res. 1503. A resolution expressing support for the goals and ideals of National Estuaries Day, and for other purposes; to the Committee on Natural Resources.

By Mr. HOYER (for himself, Mr. SENSENBRENNER, Mr. LANGEVIN, Mr. UPTON, Mr. KENNEDY, Mrs. MCMORRIS RODGERS, Mr. CONYERS, Mr. SMITH of Texas, Mr. NADLER of New York, Mr. GEORGE MILLER of California, Mr. WAXMAN, Mr. OBERSTAR, Mr. TOWNS, and Mr. COBLE):

H. Res. 1504. A resolution recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990; to the Committee on Education and Labor, and in addition to the Committees on Transportation and Infrastructure, the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mr. FILNER, Mr. DJOU, Mr. ISSA, Mr. BARTLETT, Mr. CONAWAY, and Mr. BILBRAY):

H. Res. 1505. A resolution expressing the sense of the House of Representatives that the Secretary of the Navy should name the next appropriate naval ship in honor of World War II Medal of Honor recipient John William Finn; to the Committee on Armed Services.

By Mrs. LOWEY:

H. Res. 1506. A resolution encouraging State and local governments to establish plastic bag recycling programs; to the Committee on Energy and Commerce.

By Mr. ROE of Tennessee (for himself, Mr. BUCHANAN, Mr. GINGREY of Georgia, Mr. CASTLE, Mr. ROGERS of Michigan, Mr. REICHERT, Mr. CASSIDY, Mr. WILSON of South Carolina, Mr. MCKEON, Mrs. BLACKBURN, Mr. COOPER, and Mr. BROUN of Georgia):

H. Res. 1507. A resolution expressing support for designation of July as ''National Choroideremia Awareness Month''; to the Committee on Oversight and Government Reform.

By Mr. WHITFIELD (for himself, Mr. GUTHRIE, Mr. DAVIS of Kentucky, Mr. ROGERS of Kentucky, Mr. CHANDLER, and Mr. YARMUTH):

H. Res. 1508. A resolution celebrating the 200th Anniversary of John James Audubon in Henderson, Kentucky; to the Committee on Natural Resources.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 208: Mr. KISSELL, Mr. KLEIN of Florida, Ms. LORETTA SANCHEZ of California, Mr. CHILDERS, and Mr. CHANDLER.
H.R. 305: Mr. DEUTCH.
H.R. 333: Ms. TSONGAS and Ms. KILROY.
H.R. 345: Mr. EHLERS.
H.R. 532: Mr. POSEY.
H.R. 649: Mr. HOEKSTRA.
H.R. 745: Ms. SCHWARTZ.
H.R. 795: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 878: Mr. MICA.
H.R. 886: Mr. HIMES and Mr. ISRAEL.
H.R. 901: Mr. CLAY.
H.R. 1021: Mr. TIAHRT.
H.R. 1093: Ms. RICHARDSON.
H.R. 1103: Mr. MAFFEI.
H.R. 1132: Mr. SESTAK.
H.R. 1189: Mr. SCHRADER.
H.R. 1205: Mr. MILLER of North Carolina.
H.R. 1228: Mr. MCKEON.
H.R. 1250: Mr. DJOU.
H.R. 1255: Mr. AKIN.
H.R. 1351: Ms. MATSUI and Mr. MCNERNEY.
H.R. 1362: Mr. TIAHRT.
H.R. 1618: Mr. HOEKSTRA.
H.R. 1620: Mr. TIAHRT.
H.R. 1717: Mr. GOODLATTE.
H.R. 1806: Mr. LYNCH.
H.R. 1829: Mr. BOREN.
H.R. 1835: Mr. HIGGINS.
H.R. 2000: Mr. KIND, Mr. BISHOP of Georgia, Mr. SNYDER, Ms. CORRINE BROWN of Florida, Mr. MAFFEI, and Mr. COHEN.
H.R. 2109: Mr. STARK and Ms. SCHWARTZ.
H.R. 2149: Mr. PRICE of North Carolina.
H.R. 2176: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2273: Mr. LYNCH.
H.R. 2296: Mr. FORTENBERRY, Mr. SALAZAR, and Mr. DJOU.
H.R. 2305: Mr. MICA.
H.R. 2324: Mr. CONYERS and Ms. WASSERMAN SCHULTZ.
H.R. 2450: Mr. CRITZ.
H.R. 2625: Mr. DEUTCH, Mr. FRANK of Massachusetts, and Mr. SHERMAN.
H.R. 2746: Ms. TSONGAS and Mr. MARIO DIAZ-BALART of Florida.
H.R. 2849: Mr. NEAL of Massachusetts.
H.R. 2866: Mr. SCHRADER.
H.R. 2962: Ms. MCCOLLUM.
H.R. 3043: Ms. SCHWARTZ and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3101: Mr. CLAY.
H.R. 3251: Mr. LAMBORN, Mr. BARRETT of South Carolina, Mr. KINGSTON, Mr. BONNER, and Mr. CANTOR.
H.R. 3271: Mr. GEORGE MILLER of California.
H.R. 3286: Mr. SALAZAR, Mr. WOLF, Mr. CONNOLLY of Virginia, Mr. DOYLE, and Mr. POLIS.
H.R. 3301: Mr. SCHOCK and Mr. MILLER of North Carolina.
H.R. 3359: Mr. BARROW.
H.R. 3401: Ms. NORTON.
H.R. 3408: Mr. LARSON of Connecticut, Mr. MORAN of Virginia, Mr. HOLDEN, and Ms. SLAUGHTER.
H.R. 3586: Mr. PLATTS.
H.R. 3712: Mr. KLINE of Minnesota and Mr. CARNAHAN.
H.R. 3716: Mr. WITTMAN, Mr. ROGERS of Michigan, and Ms. VELÁZQUEZ.
H.R. 3729: Mr. ORTIZ, Mr. SCHOCK, Mr. GRIJALVA, and Mr. BUCHANAN.
H.R. 3731: Mr. WATT.
H.R. 3734: Ms. BERKLEY and Mr. MOORE of Kansas.
H.R. 3764: Mr. DAVIS of Alabama.
H.R. 4070: Mr. TIAHRT.
H.R. 4197: Mr. LAMBORN and Mr. WOLF.
H.R. 4202: Ms. RICHARDSON, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. FARR.
H.R. 4223: Ms. CHU.
H.R. 4229: Mr. MILLER of North Carolina.
H.R. 4296: Mr. OWENS.
H.R. 4322: Mr. VAN HOLLEN.
H.R. 4350: Mr. WEINER.
H.R. 4427: Mr. SMITH of Texas and Mr. MORAN of Kansas.
H.R. 4447: Mr. JONES.
H.R. 4477: Ms. KOSMAS.
H.R. 4616: Mr. OBERSTAR.
H.R. 4650: Ms. HIRONO.
H.R. 4671: Mr. WILSON of Ohio and Ms. MATSUI.
H.R. 4684: Mr. YOUNG of Florida.
H.R. 4692: Mr. NADLER of New York.
H.R. 4693: Mr. PETERSON, Ms. SHEA-PORTER, Mr. KLEIN of Florida, Ms. CORRINE BROWN of Florida, Ms. RICHARDSON, and Mr. LOEBSACK.
H.R. 4733: Ms. NORTON.
H.R. 4753: Mr. ROGERS of Kentucky.
H.R. 4764: Mr. MORAN of Kansas, Ms. RICHARDSON, and Ms. SHEA-PORTER.
H.R. 4771: Mr. SESTAK, Mr. CLYBURN, Ms. CLARKE, Mr. BISHOP of Georgia, Mr. CARSON of Indiana, Mr. CLAY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. FATTAH, Ms. FUDGE, Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK of Michigan, Ms. WATSON, Mr. WATT, Ms. EDWARDS of Maryland, Mr. BUTTERFIELD, Mr. SIRES, Ms. LEE of California, Mr. BRADY of Pennsylvania, and Mr. CARNAHAN.
H.R. 4787: Mrs. BLACKBURN.
H.R. 4788: Mr. ACKERMAN, Mr. LOBIONDO, and Ms. KILROY.
H.R. 4800: Mr. RANGEL.
H.R. 4850: Mr. NYE.
H.R. 4866: Mr. WILSON of South Carolina, Mr. PITTS, Mr. GINGREY of Georgia, Mr. BISHOP of Utah, Mr. LAMBORN, Mr. CULBERSON, Mr. DANIEL E. LUNGREN of California, and Mr. BILBRAY.
H.R. 4879: Ms. ZOE LOFGREN of California, Mr. ACKERMAN, Mr. DELAHUNT, Ms. TSONGAS, Mr. WU, Mr. GUTIERREZ, Ms. CLARKE, Mr. GARAMENDI, and Ms. CORRINE BROWN of Florida.
H.R. 4910: Mr. MICA.
H.R. 4925: Mr. HASTINGS of Florida.
H.R. 4947: Mr. KISSELL and Ms. CORRINE BROWN of Florida.
H.R. 4951: Mr. TIAHRT.
H.R. 4952: Mr. MCKEON.
H.R. 4954: Mr. WALDEN and Mr. GALLEGLY.
H.R. 4972: Mr. MICA, Mr. MANZULLO, Mr. UPTON, and Mr. REHBERG.
H.R. 4985: Mr. LANCE, Mr. CANTOR, Mr. MCHENRY, Mr. BROWN of South Carolina, Mr. HUNTER, Mr. WHITFIELD, and Mr. DREIER.
H.R. 4986: Mr. BLUNT and Ms. RICHARDSON.
H.R. 4993: Mr. KISSELL.
H.R. 4995: Mr. CASSIDY.
H.R. 5012: Mr. FILNER and Mr. SCOTT of Virginia.
H.R. 5015: Mr. LARSON of Connecticut and Mr. GARAMENDI.
H.R. 5033: Ms. WATSON, Ms. EDWARDS of Maryland, Mr. BERMAN, Mrs. MALONEY, Ms. LINDA T. SÁNCHEZ of California, and Mr. POLIS.
H.R. 5040: Mr. ROTHMAN of New Jersey, Mr. VAN HOLLEN, Mr. MAFFEI, Mr. UPTON, Mrs. DAHLKEMPER, Ms. SHEA-PORTER, and Mr. GRAVES of Missouri.
H.R. 5054: Mr. TIAHRT.
H.R. 5058: Mr. BUCHANAN.
H.R. 5078: Mr. MCDERMOTT.
H.R. 5091: Mr. BRADY of Pennsylvania and Mr. MCGOVERN.
H.R. 5111: Mr. KING of New York.
H.R. 5117: Mr. CUMMINGS, Mr. LARSEN of Washington, Mr. BLUMENAUER, Mr. LUJÁN, Ms. HIRONO, Mr. MCMAHON, Mr. KILDEE, Mr. CAPUANO, and Mr. WAXMAN.
H.R. 5120: Mr. LARSEN of Washington.
H.R. 5121: Mr. PAYNE and Ms. LORETTA SANCHEZ of California.
H.R. 5142: Mr. PERLMUTTER.
H.R. 5162: Mrs. EMERSON, Mr. YOUNG of Florida, Mr. LAMBORN, Mr. GARY G. MILLER of California, and Mr. COBLE.

H.R. 5177: Mr. TIAHRT.
H.R. 5207: Mr. HARE.
H.R. 5211: Ms. SHEA-PORTER.
H.R. 5214: Mr. MCNERNEY and Mr. ARCURI.
H.R. 5268: Mr. TIERNEY and Mr. PRICE of North Carolina.
H.R. 5283: Mr. GERLACH.
H.R. 5304: Mr. BRADY of Pennsylvania.
H.R. 5324: Mr. KILDEE.
H.R. 5340: Mr. JONES.
H.R. 5358: Mr. YOUNG of Florida.
H.R. 5359: Mr. GUTIERREZ.
H.R. 5369: Mr. WILSON of Ohio.
H.R. 5374: Mr. MCCAUL.
H.R. 5384: Mr. NADLER of New York, Mr. PETERS, Mr. HILL, and Mr. CONNOLLY of Virginia.
H.R. 5409: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. CONNOLLY of Virginia.
H.R. 5424: Mr. REHBERG and Mr. LATHAM.
H.R. 5426: Mr. TIAHRT.
H.R. 5470: Mr. WHITFIELD and Mrs. MYRICK.
H.R. 5471: Mr. LUJÁN, Mr. LANGEVIN, Mr. MCMAHON, Mr. COURTNEY, Mr. MCGOVERN, Ms. RICHARDSON, Ms. HIRONO, Mr. HINCHEY, Mr. HONDA, Mr. CAPUANO, Mr. BOUCHER, and Mr. MOORE of Kansas.
H.R. 5476: Mr. DRIEHAUS.
H.R. 5478: Mr. LATOURETTE.
H.R. 5479: Mr. CRITZ.
H.R. 5492: Ms. WATSON.
H.R. 5504: Mr. TOWNS, Mr. HONDA, and Ms. NORTON.
H.R. 5510: Mr. RYAN of Ohio.
H.R. 5523: Mr. POSEY.
H.R. 5529: Mr. WITTMAN.
H.R. 5536: Mr. DUNCAN, Mr. BURTON of Indiana, Mr. SENSENBRENNER, Mr. POSEY, Mr. MARCHANT, Mr. BISHOP of Utah, Mr. PENCE, Mr. BARTLETT, Mr. GRAVES of Georgia, Mr. ISSA, Mr. POE of Texas, Mr. WILSON of South Carolina, Mr. PITTS, Mr. BARTON of Texas, Mr. SAM JOHNSON of Texas, Mrs. BLACKBURN, Mr. GINGREY of Georgia, Mr. CAMPBELL, Mr. GOHMERT, Mr. CULBERSON, Mr. KING of Iowa, Mr. SHADEGG, Mr. LAMBORN, Mr. SCHOCK, Mr. FRANKS of Arizona, Mr. DANIEL E. LUNGREN of California, Mr. OLSON, Mr. LATTA, Mr. BARRETT of South Carolina, and Mr. CONAWAY.
H.R. 5555: Mr. BUYER.
H.R. 5560: Mr. ISRAEL.
H.R. 5566: Ms. MATSUI.
H.R. 5572: Mr. ROONEY, Mr. STUPAK, Mrs. BONO MACK, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PUTNAM, Mr. POSEY, Mr. YOUNG of Florida, Ms. ROS-LEHTINEN, and Mr. STEARNS.
H.R. 5575: Ms. LORETTA SANCHEZ of California.
H.R. 5580: Mr. TIAHRT and Mr. CALVERT.
H.R. 5582: Mr. COBLE, Mr. LATTA, Mr. BARRETT of South Carolina, and Mr. JOHNSON of Illinois.
H.R. 5585: Mr. BONNER.
H.R. 5597: Mr. MCGOVERN.
H.R. 5601: Ms. ROS-LEHTINEN.
H.R. 5602: Ms. ROS-LEHTINEN.
H.R. 5605: Mr. CARNEY, Mr. DOYLE, and Mr. HOLDEN.
H.R. 5606: Mr. CARNEY, Mr. DOYLE, and Mr. HOLDEN.
H.R. 5612: Mr. INSLEE.
H.R. 5614: Mr. CALVERT.
H.R. 5631: Mr. PAYNE.
H.R. 5637: Mr. WILSON of Ohio.
H.R. 5643: Ms. MATSUI.
H.R. 5645: Mr. LAMBORN and Mr. TIAHRT.
H.R. 5647: Mr. SCHOCK, Mr. BURTON of Indiana, Mr. PITTS, Mr. STEARNS, Mr. CALVERT, Mr. COLE, Mrs. MILLER of Michigan, Mr. WILSON of South Carolina, Mr. GERLACH, Mr. TIBERI, Mr. ROGERS of Michigan, Mrs. BIGGERT, Mr. SIMPSON, Mr. BONNER, Mr. LATTA, Mrs. LUMMIS, Mr. DENT, Mr. WALDEN, and Mr. MCCOTTER.
H.J. Res. 83: Mr. FRANK of Massachusetts, Mr. SCHIFF, Mr. BURTON of Indiana, Mr. CAO, Mr. ROHRABACHER, Mr. WELCH, Mr. KIRK, Ms. MCCOLLUM, Mr. OLVER, and Ms. BORDALLO.
H. Con. Res. 259: Ms. DELAURO.
H. Con. Res. 266: DELAHUNT.
H. Con. Res. 275: Mr. QUIGLEY and Mr. ETHERIDGE.
H. Con. Res. 281: Mr. LINDER, Mr. SMITH of Texas, Mr. HALL of Texas, Mr. BARRETT of South Carolina, Mr. MORAN of Kansas, Mr. SULLIVAN, and Mr. POE of Texas.
H. Con. Res. 291: Mr. DELAHUNT, Mr. HASTINGS of Florida, Ms. BORDALLO, and Mr. GENE GREEN of Texas.
H. Res. 111: Ms. KILPATRICK of Michigan.
H. Res. 173: Mr. BUCHANAN and Mr. GRIJALVA.
H. Res. 203: Mr. TIAHRT.
H. Res. 263: Mr. TIAHRT.
H. Res. 709: Ms. RICHARDSON.
H. Res. 763: Mr. BARRETT of South Carolina.
H. Res. 771: Mr. TONKO.
H. Res. 929: Mr. BARTLETT.
H. Res. 1058: Mr. BISHOP of Georgia, Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. BARROW, Mr. GEORGE Miller of California, Mr. KLEIN of Florida, Mr. CUMMINGS, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CORRINE BROWN of Florida, Mr. HARE, Mr. COURTNEY, Ms. SUTTON, Ms. MCCOLLUM, Ms. LEE of California, Ms. CASTOR of Florida, Mr. MOORE of Kansas, Mr. KIND, Mr. BUTTERFIELD, Ms. CLARKE, Mr. ELLISON, Mr. AL GREEN of Texas, and Ms. WATERS.
H. Res. 1077: Mr. COURTNEY, Ms. KILROY, Ms. KAPTUR, Ms. MATSUI, Ms. MOORE of Wisconsin, Ms. RICHARDSON, Mr. SCHAUER, and Ms. SHEA-PORTER.
H. Res. 1129: Mr. SCALISE.
H. Res. 1199: Mr. TIAHRT.
H. Res. 1207: Mr. HUNTER.
H. Res. 1226: Mr. MATHESON and Mr. BROUN of Georgia.
H. Res. 1234: Mr. HIGGINS, Ms. SLAUGHTER, Mr. LEE of New York, Mr. TONKO, Mr. MEEKS of New York, Mr. SERRANO, and Mr. KING of New York.
H. Res. 1251: Ms. BORDALLO.
H. Res. 1264: Mr. MCCOTTER.
H. Res. 1277: Mr. TIAHRT.
H. Res. 1317: Mr. TIAHRT.
H. Res. 1318: Mr. HIGGINS, Ms. SLAUGHTER, Mr. TONKO, Mr. MEEKS of New York, Mr. SERRANO, and Mr. KING of New York.
H. Res. 1326: Mr. CAMPBELL and Mr. PAYNE.
H. Res. 1343: Mr. GINGREY of Georgia.
H. Res. 1355: Mr. FALEOMAVAEGA, Mr. SHERMAN, Mr. HINCHEY, Mr. PAYNE, and Ms. BALDWIN.
H. Res. 1384: Mr. YOUNG of Florida.
H. Res. 1401: Mr. LEE of New York, Mrs. DAHLKEMPER, Mr. YOUNG of Florida, Mrs. CAPITO, Mr. DUNCAN, and Mr. POSEY.
H. Res. 1430: Mr. SERRANO, Mr. SIRES, Mr. HINOJOSA, Mr. PASTOR of Arizona, Mr. SESTAK, Ms. FUDGE, and Mr. GRIJALVA.
H. Res. 1444: Ms. DEGETTE, Mrs. CAPPS, Mr. STUPAK, Mr. DOYLE, Mr. GONZALEZ, and Mr. OBEY.
H. Res. 1472: Mr. ACKERMAN.
H. Res. 1473: Mr. SALAZAR.
H. Res. 1476: Mrs. DAVIS of California, Mr. HALL of New York, Ms. ROYBAL-ALLARD, Mr. GEORGE MILLER of California, Ms. BERKLEY, Mr. CROWLEY, Mr. BERMAN, and Mr. GARAMENDI.
H. Res. 1479: Ms. MCCOLLUM, Mr. LAMBORN, Mr. MCCLINTOCK, Mr. MAFFEI, and Mr. JONES.
H. Res. 1480: Ms. RICHARDSON, Mr. BILBRAY, Mr. LEWIS of California, Mr. GALLEGLY, Mr. CAMPBELL, Mr. GARY G. MILLER of California, Mr. HERGER, Mr. ROYCE, Ms. ZOE LOFGREN of California, Mr. COSTA, Ms. WATERS, Ms. HARMAN, Mr. SCHIFF, Mr. GARAMENDI, Ms. ROYBAL-ALLARD, Mr. BERMAN, Mrs. CAPPS, Ms. SPEIER, Ms. HIRONO, Ms. CHU, Ms. MATSUI, Mr. STARK, Mr. WAXMAN, Mr. MCNERNEY, Ms. LINDA T. SÁNCHEZ of California, and Mrs. NAPOLITANO.
H. Res. 1483: Mr. ROSKAM, Mr. BOSWELL, Mr. KLEIN of Florida, Mr. TOWNS, Mr. MEEKS of New York, Mr. WOLF, Mr. POSEY, Mr. GOHMERT, Mr. MARKEY of Massachusetts, Mr. THOMPSON of California, Mr. TIAHRT, Mr. ROGERS of Kentucky, and Ms. TSONGAS.
H. Res. 1485: Mr. CONAWAY, Mr. SPRATT, Ms. FUDGE, Mr. LEWIS of California, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CRITZ, Mr. BLUNT, and Mr. WOLF.
H. Res. 1486: Ms. NORTON, Mr. BACA, Ms. RICHARDSON, Mr. SIRES, Mr. FALEOMAVAEGA, and Mr. LYNCH.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2555: Mr. SHULER.
H.R. 5585: Mr. FLEMING.

## DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 5 by Mrs. BLACKBURN on H.R. 391: Jeff Flake and Tom Graves.

Petition 11 by Mr. KING of Iowa on H.R. 4972: J. Gresham Barrett, John Linder, Bill Posey, Lynn Jenkins, Mike Coffman, Roscoe G. Bartlett, Virginia Foxx, John Campbell, Mike Rogers (AL), Randy Neugebauer, Charles K. Djou, Pete Sessions, F. James Sensenbrenner, Jr., Howard Coble, Candice S. Miller, Steve Scalise, Robert B. Aderholt, Phil Gingrey, Kevin Brady, Pete Olson, C.W. Bill Young, Tom McClintock, Joe Wilson, Mac Thornberry, John R. Carter, John Shimkus, Mary Fallin, Gus M. Bilirakis, John Fleming, Jeff Flake, W. Todd Akin, Peter Hoekstra, Donald A. Manzullo, Eric Cantor, Scott Garrett, John A. Boehner, Henry E. Brown, Jr., Kay Granger, Parker Griffith, Ted Poe, Cathy McMorris Rodgers, Rodney Alexander, Fred Upton, Jean Schmidt, John Sullivan, Peter J. Roskam, Blaine Luetkemeyer, Michael C. Burgess, Ken Calvert, Lee Terry, Patrick T. McHenry, Mary Bono Mack, Spencer Bachus, Jeff Miller, John B. Shadegg, Gregg Harper, John Abney Culberson, Dana Rohrabacher, David P. Roe, J. Randy Forbes, Bill Cassidy, Brett Guthrie, Denny Rehberg, Sue Wilkins Myrick, Tom Latham, Michael K. Simpson, John Kline, Ron Paul, Thomas J. Rooney, Daniel E. Lungren, Darrell E. Issa, Harold Rogers, John J. Duncan, Jr., Todd Russell Platts, Duncan Hunter, Sam Graves, Bob Inglis, Edward R. Royce, and Ralph M. Hall.

# EXTENSIONS OF REMARKS

## HONORING THE PUBLIC SERVICE OF G. IRENE SNYDER

**HON. JIM GERLACH**
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. GERLACH. Madam Speaker, I rise today to honor a dedicated public servant who is retiring after a 40-year career as a rural carrier with the Glenmoore Post Office in Chester County, Pennsylvania.

G. Irene Snyder started her career as a part-time carrier, serving residents in the Ludwig's Corner and Nantmeal Township areas. In a testament to her tireless work ethic, Irene held jobs as a bus driver and attendant at Ludwig's Gas Station in addition to her part-time mail delivery duties.

She started delivering mail full-time in 1981 and earned a reputation among her co-workers as loyal, dedicated and committed to the U.S. Postal Service and the residents on her route. Irene was always willing to lend a helping hand at work and at her church, Nantmeal Methodist, where she served as an organist, and still found time for farming on her property in Honey Brook.

Colleagues and friends will celebrate Irene's four decades of service and wish her well in retirement during a reception on July 1, 2010.

Madam Speaker, I ask that my colleagues join me today in praising the outstanding service of G. Irene Snyder and all public servants who go beyond what is expected to serve their communities.

## JULY 4, 2010 NATURALIZATION CEREMONY IN HAMMOND

**HON. PETER J. VISCLOSKY**
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure and sincerity that I take this time to congratulate the individuals who will take their oath of citizenship on July 4, 2010. In true patriotic fashion, on the day of our great Nation's celebration of independence, a naturalization ceremony will take place, welcoming new citizens of the United States of America. This memorable occasion, coordinated by the Hammond Public Library and presided over by Magistrate Judge Andrew Rodovich, will be held at Harrison Park in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the globe to the United States in search of better lives for their families. The upcoming oath ceremony will be a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On July 4, 2010, the following people, representing many nations throughout the world, will take their oath of citizenship in Hammond, Indiana: David Buabeng Agyen, Gordana Obradovic, Adesola Titilayo Ikene, Iryna Anatolitvna Hillegonds, Snezana Cude, Olufunmilayo Oluranti Adebayo, Kim Anh Tong, Kenneth Llanos Fabugais, Reshma Begum, Lubna Sairesh Hussain, Ummaima Sadaf Hussain, Hilda Marumbo Love, Gilberto Garcilazo Ambriz, Hossein Ali Safavi Naeini, Lorraine Emilia Von Tobel, Jose L. Guerrero, Ashok Sundaram, Lily Shajil, Amjad M.A. Ahmed, Delia Lord, Sonal Sanjay Shah, Alfredo Gerardo Discepolo, Corazon Samonte Jurado, Eric Udave Zaragoza, Dan Chen, Muriel Magalhaes Pessoa, Saber Zedan Khawaled, Justine Elizabeth Smith, Harvind Singh Azrot, Dragan Gjikoski, Gopikrishna Ratakonda, Surinder Singh, Manjeet Geeta, Maria Cristina Sangueza, Rey Ancajas Sararana, Maynard Villavecencio Utayde, Eunice Jocabed Bojorquez, Olubunmi Emmanuel Adebayo, Amjad M. Amer, Rogelio Jose Munoz, Isabel De La Rosa Rangel, Juventino Flores, Jose Gutierrez Olivares, Vinh Quang Le, Eleazar Talili Tan, Nikunj Natvarlal Patel, Joel Erie Lingua, Mohannad Khaleel Alkaki, Dhirenkumar Jaswantlal Shah, and Ambrosia Ewican McLaughlin.

Though each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country ". . . of the people, by the people, and for the people." They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Bill of Rights, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Madam Speaker, I ask you and my other distinguished colleagues to join me in congratulating these individuals, who will become citizens of the United States of America on July 4, 2010, the day of our Nation's independence. They, too, will be American citizens, and they, too, will be guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

## DAREN WOODWARD

**HON. SAM GRAVES**
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Daren Woodward. Daren is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1137, and earning the most prestigious award of Eagle Scout.

Daren has been very active with his troop, participating in many scout activities. Over the many years Daren has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Daren has contributed to his community through his Eagle Scout project. Daren collected materials and renovated a fence for the City of North Kansas City, Missouri.

Madam Speaker, I proudly ask you to join me in commending Daren Woodward for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## RECOGNIZING THE CONTRIBUTIONS OF MICHAEL QUEAR TO THE HOUSE COMMITTEE ON SCIENCE AND TECHNOLOGY

**HON. BART GORDON**
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. GORDON of Tennessee. Madam Speaker, I rise today to recognize the service of a valued staff member of the Committee on Science and Technology, Michael Quear. Mike has served on Capitol Hill for over 20 years, most recently as the Staff Director for the Technology and Innovation Subcommittee.

Mike Quear grew up in Indiana on a farm where his work for 4H and his demanding piano teacher taught him the importance of principled, disciplined hard work. Every day Mike came to work for the Committee for the last 20 years, he brought that attitude to the job with him. It is hard to match either his stamina or the quality of his work.

In 1990, Mike came to the Science Committee from a fellowship with the State Department. Educated in Chemical Engineering, Mike brought with him real-world experience from working in industry as well as exposure to the thinking of the State Department about how to use science and technology to build stronger diplomatic ties among nations. He worked directly for then-Chairman George E. Brown, Jr. Brown was a passionate advocate for using scientific cooperation to bridge differences between nations. Mike supported his efforts, acting as his advisor for international scientific cooperation matters. At Brown's direction, Mike played a key role in negotiating the establishment of the U.S.-Mexico Foundation for Science.

Beginning in 1995, Mike took the lead as the key Democratic staffer on technology issues and for reauthorization of programs at the National Institute of Technology and Standards. For the last 15 years, virtually every authorization or reauthorization of programs at NIST was the direct product of

Mike's work. Mike is well known to colleagues in the Senate and the House, among authorizers and appropriators, both on and off the Hill for his detailed knowledge of NIST, its programs and its problems. His work on NIST programs could be a perfect case study for any young Committee staffer trying to understand how to work with an agency.

Mike played a key role in crafting many pieces of legislation relating to standards, technology development, and competitiveness. I want to mention just two specifically. I am particularly indebted to Mike because he drafted the first bill I had signed into law as Chairman of the Committee on Science and Technology: the Methamphetamine Remediation Research Act of 2007. Secondly, Mike Quear was at the heart of the America COMPETES Act—taking the lead on all the technology provisions in that landmark legislation.

Mike has been a model staffer: creative, smart, hard-working, and loyal. While the Committee will miss his dedicated services, I am confident that he will retire to his farm in Pennsylvania and apply those same gifts to his passions of raising horses, driving buggies, and gardening. I want to thank him for his selfless professionalism and congratulate him on his hard earned retirement. We will miss you and cannot replace you.

## CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

SPEECH OF

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. ETHERIDGE. Mr. Speaker, I rise in support of the conference report on H.R. 4173, the Dodd-Frank Act of 2010.

We have already seen what happens to Main Street when Wall Street abuses run rampant. Over the past decade, Wall Street's protectors looked the other way while Wall Street fat cats gambled with our future and ran our economy into the ditch, and the North Carolina families I hear from every day paid the price. We have seen what that means for Main Street: 8 million jobs lost, $17 trillion in hard-earned family savings—savings for retirement, college, or home buying—all wiped out overnight. Today we have the opportunity to say, ''enough.'' We have had enough of the abuses, enough of risky speculation, enough of taxpayer-funded bailouts. It is time to put in place common sense rules of the road to protect Main Street and American taxpayers. This bill does just that. H.R. 4173 delivers a comprehensive set of financial regulations that increase accountability and oversight for Wall Street and America's financial sector.

H.R. 4173 addresses the ''too big to fail'' syndrome, and ends taxpayer funded bailouts. This bill makes sure the taxpayer is not responsible for bailing out such firms, by establishing a process for dismantling failing financial institutions like AIG or Lehman Brothers. With this reform, these large Wall Street firms will be in charge of paying the cost for the risks they create instead of taxpayers paying the tab. In addition, a Financial Stability Council will be created to identify and regulate financial institutions that are so large or interconnected that they pose a system risk to the economy as a whole. While I hope that the dissolution measures are never necessary, it just makes sense to have an orderly way to wind down failing institutions as an insurance policy. This process will punish the corporate executives who are to blame for a failed bank, rather than the American taxpayer.

For years, I have called for an end to the wild west of speculation in derivatives markets. I am pleased that this bill includes my proposal to strengthen derivatives market oversight. For the first time ever, over-the-counter derivatives market for transactions between dealers and major swap participants will be required to be reported. This transparency means that regulators can monitor this trillion dollar market, and make sure that companies like AIG only make trades when they have enough capital to back them up. Unregulated speculation may well be responsible for wide swings and increases in the price of energy for consumers and feed for farms. This provision will help prevent entities from driving up the cost of commodities and products and manufacturing risk in the larger economy.

H.R. 4173 also takes a major step forward in consumer protection by creating the Consumer Financial Protection Agency (CFPA). This agency would make sure brokers tell folks what they are buying, clearly and honestly. It would be devoted to stopping unfair practices and preventing abusive financial products from entering the marketplace. The CFPA would impose effective consumer protections for subprime mortgages, overdraft fees, credit card practices, and other financial products, not just at banks but wherever these products are purchased.

This bill includes other critical provisions for oversight and streamlining of the financial system. It creates a Federal Insurance Office, reforms the credit ratings agencies that failed to assess the value of the many financial products in our economy, and cleans up abusive practices in the mortgage lending industry that contributed to the collapse of the housing market. This regulation is long overdue and will benefit all Americans and businesses that depend on our financial institutions.

We need to take action to put the interests of average Americans ahead of corporate special interests. Today we have an opportunity to clean up the mess on Wall Street, hold wrongdoers accountable for their actions and stand up for taxpayers. I call on my colleagues to put Main Street before Wall Street, and to join me in support of the Wall Street Reform and Consumer Protection Act.

## CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

SPEECH OF

### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 4173, ''the Restoring American Financial Stability Act of 2010'', also known as ''the Dodd-Frank Act.'' This historic bill will go a long way to address a variety of defects and shortcomings currently seen in our financial services system. It is a major step towards meaningful ''measured'' government regulation to protect the interests of consumers, investors and everyday working Americans. After years of consumer mistreatment, fraud, and abuse, this bill represents the first principled effort to bring financial fairness to all Americans and to ensure that financial transactions be both honest and transparent.

One of the strongest provisions designed to protect the consumer in this legislation is the formation of an independent Consumer Financial Protection Bureau, CFPB, empowered to write rules for most consumer financial transactions. Existing consumer-protection authority is currently scattered and largely ignored by existing financial regulators. This Act will consolidate these authorities in the CFPB, and give the bureau teeth in exerting its power to enforce these protections. With this newly defined power, the creation of the CFPB will usher in a new era of oversight. I urge Congress to stand tall and create a society where unfair practices are stopped before they become pervasive, where the average consumer is protected from fraud and abuse, and where big bank bailouts are prevented before they come at the expense of taxpayers.

Another major provision in this bill is the establishment of broad statutory protections against abusive mortgages. These provisions include; requiring lenders to evaluate borrowers' ability to repay loans before and after teaser rates have expired; banning prepayment penalties that lock borrowers into high-cost loans; prohibiting incentives to steer borrowers into higher-cost loans that they don't even qualify for; limiting total fees for most loans; and banning mandatory arbitration clauses for mortgages.

In addition to these key provisions, this bill will also create a $1 billion emergency loan fund to help families at risk of losing their homes due to unemployment or illness. Because unemployment—9.7 percent is partly a direct result of the reckless lending and collapse of the housing and financial markets, this fund is especially important in reversing these negative economic effects and providing assistance to those who have been hurt by unfair practices. A recent Center for Responsible Lending, CRL, report found that, unfortunately, the foreclosure crisis is far from over. Foreclosures are likely to continue to climb and losses will continue to increase, further burdening our economy and financial services system, unless the government decides to intervene by passing this Act.

The bill also addresses bank interchange fees, the fees charged on debit card transactions. Under the bill, such fees would be reduced. While the banks and credit unions opposed any reduction in fees as embraced by the Durbin amendment, the arguments advanced by the retailers won the day. While I support credit unions, which are the backbone of many communities and have traditionally served the special needs of teachers, public service employees and the average government worker, about the use of the fees to cover many bad transactions related to their debit card business, the fees generated by the debit card transactions represent a major profit making activity for the banking industry. These fees are generally passed onto the consumer in the form of higher retail prices. Interchange

fees also tend to fall disproportionately on minority and low-income consumers by making them pay higher prices.

Another issue the bill addresses is the underrepresentation of minorities and women in the financial services industry. The bill requires each of the federal financial services regulatory entities to establish Offices of Minority and Women Inclusion. These Offices will facilitate the participation of minority and women-owned business in nontraditional types of financial activities, something long overdue. In addition, the bill requires expanded efforts to recruit and to retain minority and women financial services professionals, traditionally excluded from the upper ranks of management in most of the federal financial services regulatory entities.

The bill preserves the role of community banks, recognized for their positive lending habits to small business and other major community stakeholders. These banks can always be counted on to lend for nontraditional purposes, while maintaining flexible lending standards based on risk assessment as it relates to a person's background and ties to the community. Many of these banks continued to lend during the liquidity crises, making it possible for small businesses to make payroll and for people to continue to pay their mortgages. Community banks remain pillars of strong communities and neighborhoods throughout this Nation, and this bill acknowledges their important role in the economy.

Further, the bill brings much needed sanity to the derivatives markets by requiring more rigorous standards related to over-the counter derivatives; provides new rules related to transparency and accountability and our nation's credit agencies; institutes new mechanisms to avoid bank bailouts of financial firms that threaten the economy; and reforms the Federal Reserve by requiring greater oversight and transparency in its transactions.

Mr. Speaker, this Act is of extreme importance to the consumer, the investor, to the average American, and to the Nation's economy as a whole. It is time to end the Wall Street "joy ride" and give the American people the protections and information they need to be better informed consumers and investors in this highly technologically driven economy. The way the average consumer, borrower, and home-owner have been targeted by many of our Nation's financial institutions and lenders makes this legislation all the more important. These practices must end. H.R. 4172 will stop many of them. For these reasons, I urge my Colleagues to make the changes in our laws to protect the American people and to help strengthen the U.S. financial system.

## IN HONOR OF AN AMERICAN HERO

### HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. FOXX. Madam Speaker, I rise today in honor of a great American hero, Ssgt Jeremy Austin of Statesville, North Carolina. Jeremy is a Marine who lost both his legs in an IED explosion in Afghanistan on April 11, 2009. Like many of our men who have given so much for our country, Jeremy is a work of art. His courage, his faith, and his strength of character are golden examples to us all. He and his wife Chrissy are a credit to our Nation and to the United States Marine Corps. Jeremy and the many fathers and mothers like him who were injured in the line of duty have set an example for our Nation's sons and daughters that will help carry them through life, and make our country a much better place. I ask that this poem, penned in honor of Jeremy and his family by Albert Carey Caswell, be placed in the RECORD.

''I WANT''

(In Honor of an American Hero, SSgt Jeremy Austin, the United States Marines 2nd Force Recon CO)

I want to be!
Just, like my Father . . . my Daddy . . .
A United States Marine!
One of the greatest things, this country has ever seen!
I want, to grow up to be strong and tall!
With hearts of courage full, ready to answer our Nation's call!
To go where Angels, so fear to tread!
Who with tears in eyes, for my beloved brothers who have bled . . .
Someone, who stands for something!
For Honor, Faith, Courage, and Grace!
Who brings tears, to even our Lord's face. . .
To Teach people! To Reach People!
To All Hearts, To So Beseech People!
All in what, his fine life has said!
Who all in his lifetime, has never followed . . . but led!
Who Could give up his two fine legs . . . Who will not moan, will not beg!
And come back home, And rebuild with his courage all over again!
If only, I could be half the Man!
But, now I Know . . . I know I Can!
Because, inside of me . . . beats, his my fine Father's heart!
For part of him, is now of me . . . The best part!
For I am of his blood, and I have his heart!
For I am so blessed, because my Father is one of America's best!
Superman and Batman, are not real!
But, my Daddy . . . He's an American Hero, The Real Deal!
And my Mommy is, for all she's been through!
Yes, I want! I Want To Be!
Just like Father, Just My Daddy!
A Freedom Fighter, A United States Marine

## ON THE OCCASION OF THE 75TH BIRTHDAY OF HIS HOLINESS THE DALAI LAMA

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. SCHAKOWSKY. Madam Speaker, I rise today to honor His Holiness the 14th Dalai Lama. Next week, on July 6, His Holiness will celebrate his 75th birthday, an occasion that will be marked by Tibetans and Tibet supporters across the world.

The Dalai Lama was born as Lhamo Dhondup on July 6, 1935, to a farming family in village in northeastern Tibet. At the age of 2, he was recognized as the reincarnation of the 13th Dalai Lama, the manifestation of the Bodhisattva of Compassion. He was later taken to Lhasa to be enthroned as the spiritual and temporal leader of the Tibetan people.

Throughout his life, His Holiness has championed nonviolence and peaceful means for resolving conflicts around the world. He has advocated compassion, respect for human dignity, tolerance, and understanding between the world's great faiths, and dialogues between religious leaders and scientists. For these lifelong commitments, he has been awarded the Nobel Peace Prize, the Congressional Gold Medal, and many other honors.

Fifty one-years ago, the Dalai Lama was forced into exile. From that moment he has worked tirelessly to achieve a solution for Tibet and to relieve the ongoing suffering of his people. The Dalai Lama has been courageous and patient in pursuing his "Middle Way Approach" of a peacefully negotiated resolution to the Tibet issue with China. Tibetans in Tibet continue to risk their lives in calling for the return of the Dalai Lama to his homeland.

The U.S. Congress has been resolute in its support for the Dalai Lama and his pursuit of freedom, democracy and human rights for Tibetans and others around the world. I had the great personal pleasure of meeting His Holiness during his visit to the United States Capitol in October 2009. I look forward to Congress giving him another warm welcome on his next visit to Washington.

Madam Speaker, I urge my colleagues to join me in recognizing the 75th birthday of the Dalai Lama and offering our continued appreciation of his life's work of promoting compassion, peace and human rights for all.

## GARRETT HULL

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Garrett Hull. Garrett is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Civil Air Patrol and earning the most prestigious General Billy Mitchell Award.

Garrett has been very active with his patrol, participating in many activities. Over the many years Garrett has been involved with the patrol, he has not only earned numerous decorations, but also the respect of his family, peers, and community. Most notably, Garrett has earned the rank of First Sergeant and attended the Specialized Undergraduate Pilot Training Familiarization Course at Columbus Air Force Base in Mississippi. Garrett has also contributed to his community by commanding his unit's color guard.

Madam Speaker, I proudly ask you to join me in commending Garrett Hull for his accomplishments with the Civil Air Patrol and for his efforts put forth in achieving the highest distinction of the Mitchell Award.

## IN HONOR OF RICHARD GARZA

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. FARR. Madam Speaker, I rise today to honor a public servant who has spent the past 36 years serving our troops and veterans. Richard Garza, Director of Monterey County

Military and Veterans Affairs Office, has assisted countless constituents with the Departments of Defense and Veterans Affairs. Today, Richard begins his retirement, but he will always continue to be an advocate for the men and women who've worn our nation's uniform.

Richard Garza was born in Brooklyn, New York in 1948. In 1961, he moved to the San Francisco Bay Area and has been a California resident since. From 1968 to 1970, Richard was drafted and served in the United States Army. After his period of service, he continued his education. He received a Bachelor's of Arts in Interdisciplinary Social Science from California State University, San Francisco and a Master's of Public Administration from California State University, Hayward.

Richard began his public service career in 1974 as a Benefits Counselor and Program Administrator with the United States Department of Veterans Affairs. In 1980, he continued serving veterans as the Veterans Service Officer of Sonoma County. Since 2003, Richard has been with the Military and Veterans Affairs Office of Monterey County. As Director of the county office, he has assisted veterans with the Department of Veterans Affairs, and welcomed home returning troops from Iraq and Afghanistan. Moreover, Richard is the first individual in the State of California to become a Certified Veterans Advocate through the National Association of County Veterans Service Officers.

Madam Speaker, Richard Garza has dedicated his life to taking care of our veterans and troops. I know I speak for the whole House when I both commend him for his dedication to public service and congratulate him on the occasion of his retirement.

## CONGRATULATING 17 AFRICAN NATIONS ON 50TH ANNIVERSARY OF INDEPENDENCE

SPEECH OF

### HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. ELLISON. Mr. Speaker, I would like to extend my best wishes to the people of Somalia living throughout the world on the 50th anniversary of Somali Independence.

It is my pleasure and honor to represent a large and vibrant Somali-American community in Minnesota. I want to offer my congratulations on this special day as they continue to work to advance the cause of peace.

I am grateful for the contributions of Somali-Americans to Minnesota's rich tradition of diversity. The Somali-American community continues to enrich our state through its lively culture, optimism, and wisdom.

Sadly, Somalis in their homeland have endured a tremendous amount of strife and suffering. On this anniversary we must continue to focus on diplomatic efforts to create a lasting peace for the people of Somalia. I continue to have faith that renewed diplomatic efforts will lead to good governance, respect for human rights, and democracy for the people of Somalia.

## RECOGNIZING CAPTAIN ROBERT R. O'BRIEN, JR., ON THE OCCASION OF HIS RETIREMENT AS COMMANDER OF THE UNITED STATES COAST GUARD NEW YORK SECTOR

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mrs. MALONEY. Madam Speaker, I rise to acknowledge the achievements of Captain Robert R. O'Brien, Jr., on the occasion of his retirement as Commander of the United States Coast Guard's New York Sector. He has served our Nation, and its greatest city, with distinction, and all Americans owe him a debt of gratitude.

Captain O'Brien assumed command of the United States Coast Guard (USCG) Sector New York on June 15, 2006 after completing his previous assignment as the Commander of the USCG's Marine Safety Office in Hampton Roads, Virginia. I know that my distinguished colleagues join me in extending our appreciation and gratitude to Captain O'Brien, who throughout his career has courageously and selflessly dedicated himself to protecting, defending and serving his fellow Americans.

Captain Robert O'Brien's remarkable career in the United States Coast Guard has spanned more than four decades. Enlisting in the Coast Guard in 1970 after leaving the Roman Catholic Seminary, he first served aboard the United States Coast Guard Cutter (USCGC) Laurel in North Carolina. In 1976, he was assigned as Officer-in-Charge of the USCGC Blackberry, also stationed in North Carolina. Upon his promotion in 1979 to Chief Boatswain's Mate, he was transferred to the largest Aids to Navigation Team in the Atlantic Area as Officer-in-Charge.

In 1983, Robert O'Brien was promoted to Lieutenant, and for the next 20 years served with distinction in assignments that found him in areas ranging from Galveston, Texas to Detroit, Michigan, and numerous places in between. Upon his promotion to Captain in 2003, he assumed command of the Marine Safety Office in Hampton Roads, Virginia. After serving in that capacity for three years, he then became Commander of the New York Sector, where he has been stationed since.

Throughout his long and distinguished career in the United States Coast Guard, Captain Robert O'Brien has earned a number of awards and honors. He has received the Meritorious Service Medal, the Coast Guard Commendation Medal, the Coast Guard Achievement Medal and the Coast Guard Commandant's Letter of Commendation Ribbon, among many others.

Captain Robert O'Brien was born in Savannah, Georgia and raised in Ridgeland, South Carolina. He and his wife, Martha, have three children: Reid, Jennifer and Caroline, all of whom must be tremendously proud of their father's accomplishments and honorable service to this Nation.

Madam Speaker, in recognition of his lifetime of service to this country, I request that my colleagues join me in paying tribute to Captain Robert R. O'Brien, Jr., a distinguished member of our armed services and a patriotic American who has devoted his professional life in service to our country. Captain O'Brien's selfless and enduring dedication to our Nation provides a worthy example for all of us.

## HONORING REV. MARK DUANE HAIL

### HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to honor Rev. Mark Duane Hail, who has lived a dedicated life of service to his community, the ministry, and to our Nation. Reverend Hail is a man of many remarkable gifts and talents, and has been devoted to employing those gifts to benefit his fellow man.

In June 2010, Reverend Hail retired from the ministry after 27 years. He was ordained a minister in the Southern Baptist Church in 1983 and has served as pastor of several churches in Pulaski County, Kentucky. Mark was also an ordained deacon, teaching Sunday School and serving on church committees. Reverend Hail was also a veteran of the Korean War—serving in the United States Navy from 1955 through 1959. He was awarded the China Service Medal and Good Conduct Medal. He later served as the Chaplain of the American Legion Post 38 in Somerset.

Before entering the ministry, he taught in the Somerset Independent City School system for 30 years. After retiring from teaching in 1988, he remained active in the schools and in the community, joining the Retired Teachers Association, where he served as president in 1989, as well as serving two terms on the Somerset Independent Schools Board of Education. In 1990, he was elected as vice chairman of the Board of the Somerset Independent School System. In addition to his career as an educator and minister, Mark was also a farmer in the Dabney community for 12 years, worked as a real estate agent with Gosser Real Estate for 20 years, and was a member of the board of directors of the Somerset Pulaski County Development Foundation.

As an elected official in Somerset, Reverend Hail was very active in politics throughout his life. Mark was elected to three terms as the chairman of the Republican Party of Pulaski County. He served as county campaign chair for numerous Republican officials, including President George H.W. Bush, and Senators MITCH MCCONNELL and JIM BUNNING. He was a member of the Republican Lincoln Club and served as a Republican precinct officer for over 20 years. He was a Kentucky Colonel and active in many civic organizations.

These accomplishments only scratch the surface of Reverend Hail's accomplishments and contributions to his community. His work serves as a pattern for all of us who desire to serve our Nation. The Bible in First Timothy instructs us that "the elders that rule well be counted worthy of double honor." Madam Speaker, Reverend Hail has proven he is worthy of at least that much and more.

## HONORING THE 50TH ANNIVERSARY OF DAN'S PAPERS

### HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. BISHOP of New York. Madam Speaker, I rise today to honor the publication Dan's Papers, celebrating its 50th anniversary as a purveyor of culture and a staple of community life on Eastern Long Island.

Dan's Papers was first published on July 1, 1960, by Dan Rattiner, who was at the time a junior at the University of Rochester. Dan's impetus for creating Dan's Papers stemmed from a desire to create a fun, light-hearted, and welcoming publication for tourists visiting Suffolk County, New York.

Gathering a devoted following, Dan's Papers was instrumental during a 1967 protest to prevent the U.S. Coast Guard from allowing the historic Montauk Point Lighthouse to fall victim to the eroding cliffs on which it is perched. Through the efforts organized by Dan's Papers, not only was the lighthouse saved, but the community was united in a common cause.

Dan worked individually for the first six summers of Dan's Papers, writing, editing, and crafting his newspaper to entertain residents and tourists alike. As populations grew and the demographics of the South Fork began to shift, so too did the scope of Dan's Papers, providing articles, editorials, and updates on the visitors and inhabitants of the East End.

Madam Speaker, Dan's Papers has played an important role in helping to promote the iconic culture of Long Island's South Fork and has personified the American spirit of creativity and community for five decades. I am proud to congratulate Dan's Papers on its 50th anniversary and join eastern Long Island in wishing the publication success in the future.

## RECOGNIZING THE CONTRIBUTIONS OF JUDGE DAVID TOBIN

### HON. CHARLES A. WILSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. WILSON of Ohio. Madam Speaker, today I rise to recognize the judicial and civic contributions of Judge David Tobin. This month, Columbiana County is losing a great public servant. Judge Tobin devoted twenty-five years of his life to serving on Columbiana County Court of Common Pleas, the second longest tenure of any judge on the Court. His time spent on the bench and prior decade of service as a Columbiana County Prosecuting Attorney greatly benefited the citizens of Columbiana County.

During his service, he had the honor of serving on the Ohio State Bar Association's Board of Character and Fitness as a Commissioner. He also worked hard to bring the Supreme Court of Ohio to the Columbiana County Courthouse to host a court session. These are just a few of the examples that illustrate the professional respect for Judge Tobin exhibited from Lisbon to Columbus.

He was also greatly respected throughout the community. From community service through the Calcutta Rotary, to his work with the Calcutta Community Park Committee, to his various coaching positions, Judge Tobin exhibited a strong commitment to his community.

The people of Columbiana County have been blessed by the long service of Judge Tobin, and upon his retirement this July, he will be sorely missed. I ask my colleagues today to join with me in honoring Judge Tobin, a respected judge and public servant who has been and will always be dedicated to the people of Columbiana County.

## UKRAINIAN GOVERNMENT SHOULD MAINTAIN FREEDOM OF MEDIA

### HON. ALAN B. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. MOLLOHAN. Madam Speaker, I rise today to draw your attention to a troubling situation occurring in Ukraine. Less than 100 days ago, President Victor Yanukovich assumed leadership of the Ukrainian government. During this short period of time, there have been alarming reports that many of the democratic achievements of the 2004 Orange Revolution are being rolled back—including the freedoms of speech and media.

Some of the reported actions occurring include the Ukrainian Security Service's, SBU, agents approaching university deans to warn them against their students' participation in pro-opposition rallies, as well as instances of the new government intimidating journalists. Furthermore, two TV channels with a history of independent coverage—Channel 5 and TVi—are under threat of imminent closure due to reported pressure from executive bodies, including SBU.

These troubling instances of pressure against Ukraine's beleaguered opposition and independent media outlets are arguably part of a disturbing, coordinated effort by the executive to squelch a healthy political debate and assure an uncritical coverage of the government's policies. In fact, these reports are so widespread that the United States Ambassador to Ukraine, John Tefft, even recently expressed his concerns about the increasingly difficult climate for Ukraine's independent media and stressed that ''it is essential to protect and even expand the media freedoms that emerged'' after the country's 2004 Orange Revolution.

I understand that Secretary of State Hillary Clinton will visit Kiev, Ukraine on July 2, as part of her five-day, five-nation tour of Eastern Europe. I would encourage Secretary Clinton to raise these issues with President Yanukovich and reiterate the importance of not returning to Ukraine's old system of government pressure on journalists and media companies.

I am including a copy of an article titled, ''Ukraine channels cry foul as frequencies pulled'' that appeared in the June 8 issue of The Financial Times, Europe. As such, I urge my colleagues to follow and engage in this vitally important issue.

[From the Financial Times, June 8, 2010]

UKRAINE CHANNELS CRY FOUL AS FREQUENCIES PULLED

(By Roman Olearchyk in Kiev)

Two Ukrainian television channels cried foul on Tuesday after a high court pulled crucial broadcasting frequencies away from them, sparking media freedom activists to reiterate concerns of an organized attempt to block objective news coverage.

The development follows weeks of growing complaints by journalists about the resurgence of censorship and heightens fears that a Kremlin-styled crackdown on media freedoms could be in the works five months into the presidency of the Moscow-friendly Viktor Yanukovich.

Management and journalists from channels 5 and TVi pledged to appeal against the controversial ruling and hope to remain on the air in the near term. But during a press conference held after Tuesday's regional administrative court ruling, they openly expressed fears that media freedoms and democratic gains made by Ukraine since 2004 could be at risk under Mr. Yanukovich. He is accused by oppositionists of setting up an authoritarian regime.

''We lived through 2004,'' said Channel 5 director Ivan Adamchuk, recalling attempts by authorities to muzzle the channel ahead of the pro-democracy Orange Revolution, which overturned a fraud-marred presidential vote for Mr. Yanukovich. ''We could not imagine that those times would return, but they have,'' he added.

Oleh Rybachuk, a former presidential administration chief turned civic activist, said ''censorship is re-emerging, and the opposition is not getting so much coverage. There are similarities to what [Vladimir] Putin did when he came to power. We are seeing Putin-style attempts to monopolise power.''

With Mr. Yanukovich's coalition having swiftly consolidated control over the nation's legislative, executive and judicial branches of power, the channels could face an uphill battle if he opposes their survival.

Mr. Yanukovich's administration on Tuesday repeated denials of cracking down on free press. But media watchdogs warned that if stripped of the frequencies, the two channels—seen by media watchdogs as rare sources of reports critical of Mr. Yanukovich's coalition—would be blacked out from much of the country.

Such a scenario would preserve the strong grip over Ukraine's television airwaves held by Mr. Yanukovich's billionaire business backers.

One of them is Valery Khoroshkovsky, currently head of Kyiv's SBU spy agency and owner of UA Inter Media Group, the nation's largest television holding. The latter filed the court appeal asking for the frequencies to be pulled on grounds that they were wrongfully issued in January.

Both 5 and TVi have repeatedly accused Mr. Khoroshkovsky of abusing his power and influence to preserve his monopoly control over Ukraine's media airwaves and limit objective news reporting.

Mr. Khoroshkovsky denies wrongdoing and insists his wife manages his media empire as he dedicates his time to public service.

But on Tuesday, Mykola Knyazytsky, director of TVi, which was set up by exiled Russian businessmen, blamed Mr. Khoroshkovsky for the crack down on the two channels and described his simultaneous role as a presidential backer, intelligence chief and media mogul as a ''huge and blatant conflict of interest.''

## RECOGNIZING THE COCKRUM FAMILY AS THE CRAWFORD COUNTY FARM FAMILY OF THE YEAR

### HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. BOOZMAN. Madam Speaker, I rise today to honor the Cockrum family of Crawford County Arkansas. The Cockrum's have devoted their lives to the service of Crawford County and the State of Arkansas through the service and hard labors of cattle farming. It is because of their devotion and hard labors that they were named Crawford County's 2010 Farm Family of the Year.

For 63 years, the Arkansas Farm Family of the Year Program has honored farm families all across the State for their outstanding work both on their farms and in their communities. Recognition from the program is a reflection of the contribution to agriculture at the community and State level and its implications for improved farm practices and management.

The Cockrum's have worked diligently to contribute to the protection of the environment and the conservation of soil, water, and energy. Mr. Cockrum's journey began at the age of seventeen when he rented 32 acres of land and purchased his first twelve cows. Today, through hard work and determination, the Cockrum's now own more than 300 acres of land and two businesses.

I congratulate Randy, his wife Anjie, and their children Shelby, Tyler, and Siera for their outstanding achievements in agriculture and ask my fellow colleagues to join me in honoring them for this accomplishment. I wish them continued success in their future endeavors and look forward to the contributions they will offer in the future of Arkansas agriculture.

## RECOGNIZING OF ARTHUR WOLF FOR DECADES OF DISTINGUISHED PUBLIC AND COMMUNITY SERVICE

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mrs. MALONEY. Madam Speaker, I rise to honor Mr. Arthur Wolf, a great New Yorker and a great American who has devoted himself to serving others. Arthur provided top-notch public service to the citizens of the Empire State for decades as an official at the Social Security Administration and then at the New York City Department for the Aging. He has provided invaluable and expert advice to me on issues related to aging, and in particular, Social Security and Medicare, for the last seventeen years. Last month, he hosted a celebration of his upcoming 80th birthday (he will actually turn 80 on September 25) at a gathering at Aleo restaurant in Manhattan.

Here in Congress, we are elected by the people to make laws, but the job of implementing, applying and enforcing them falls to others. Throughout his professional life, Arthur Wolf has, in his own mild-mannered way, helped citizens overcome the barriers that sometimes exist between often byzantine bureaucracies and the people whom government is supposed to serve.

A proud son of the Bronx, Arthur Wolf has been a consummate New Yorker throughout his life. He did venture far from home to begin his undergraduate education at the University of Georgia, where he witnessed first-hand the mean-spirited racial segregation that then permeated the region, an experience that helped inspire him to try to make a difference for the better. After two years, Arthur returned to his hometown to finish his undergraduate education at New York University, an outstanding institution of which he is a proud, loyal, generous, and highly revered alumnus. After earning his bachelors degree, Arthur became a welfare investigator. In areas like the South Bronx, Arthur Wolf ensured that often underprivileged New Yorkers got a fair shake from the government when it came to accessing benefits to which they were legitimately entitled. He was also a diligent steward of taxpayer dollars who made certain that the public till was not bilked by those who fraudulently tried to qualify for welfare benefits.

As a Social Security Administration official, Arthur helped countless senior citizens cut through red tape that stood between them and the benefits to which they were entitled. Many of these citizens would be penniless if it weren't for the dedicated work of this extraordinary man. In one memorable instance, Arthur helped an elderly widow tap into Social Security benefits to which she was unknowingly entitled, providing her with a sum in the six figures that constituted an enormous boost to her quality of life. He carries that same commitment to serving others everywhere he goes. A longtime resident of Peter Cooper Village, a bastion of middle class housing on Manhattan's East Side, Arthur often helps seniors in the neighborhood by offering uncompensated counsel on how to traverse the Social Security bureaucracy. His work ethic is only matched by his remarkable selflessness. A former Scout Master, he helped introduce inner-city kids to the great outdoors. For many years, he also volunteered his time hosting a radio show on Fordham University's radio station, WFUV, answering callers' Social Security inquiries.

An active member of many community, civic and fraternal organizations, Arthur Wolf is a Full Mason and upstanding member of the Grand Lodge of Accepted Masons of the State of New York, which he has served as Secretary for many years. He remains a longtime member of the Executive Board of the Samuel J. Tilden Democratic Club.

Madam Speaker, for his extraordinary contributions to others and to the civic life of our nation's greatest city, I ask that my distinguished colleagues rise and join me in honoring Mr. Arthur Wolf.

## COMING HOME: TRANSITION FROM MILITARY SERVICE TO CIVILIAN LIFE

### HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. CORRINE BROWN of Florida. Madam Speaker, I rise on this 4th of July Independence Day Weekend to congratulate and thank Congressmen SANFORD D. BISHOP, Jr. and CHARLES B. RANGEL for joining me last year in convening a powerful national dialogue at the 21st Anniversary of the Congressional Black Caucus Veterans Braintrust during the Congressional Black Caucus Foundation's 39th Annual Legislative Conference (ALC) held in Washington, DC. Our September 25, 2009 forum titled: Coming Home: Transitioning from Military Service to Civilian Life, brought together members of the Obama administration, federal agencies, distinguished scholars and professionals, and two of today's highest ranking black military officers to discuss the important challenges and obstacles facing thousands of returning soldiers and veterans who struggle to negotiate family life, jobs, education and health care after honorable discharge from the U.S. military.

As is our tradition, the morning session began with Dr. Zachery Tims, Jr., Senior Pastor, New Destiny Christian Center (NDCC) giving the invocation to bless the occasion, and inspiring international singer Brenda Jackson singing our national anthem, and a stirring rendition of 'Lift Every Voice and Sing,' the Negro National Anthem by Paul Lawrence Dunbar before a standing-room-only crowd of 400 people.

Rep. CHARLES B. RANGEL provided the framework for the forum using his own experience as a Korean War soldier who had experienced the difficulty of transitioning to the real world after a tour of combat. He opened the morning saying, ''I went from being a respected and decorated Army staff sergeant to being viewed as nothing more than a high school drop-out.'' He was able to navigate his way using the GI Bill from underemployed in the garment district of New York City to obtaining his undergraduate and law degrees. But not everyone is as fortunate.

''Although we have a very effective Department of Veterans Affairs, thousands of today's veterans are falling through the cracks. Most of those who flounder are simply not aware of the assistance available from the VA and other service organizations,'' RANGEL said. ''Our vision was that any veteran who walked into this session lost or disillusioned about the future—after hearing our speakers—would walk out feeling that the VA was there for him or her.''

Our keynote speaker was Secretary Eric K. Shinseki, of the Department of Veterans Affairs, the first Asian American Four Star General in American military history, a real 'Soldier's Soldier.' He was joined by two other distinguished military officers, Rear Admiral Michelle Howard, the first female graduate of the U.S. Naval Academy to command a U.S. naval vessel, and Four Star General William ''Kip'' Ward.

Adm. Howard made history as the commander of the USS *Rushmore* that led the successful rescue effort of Captain Richard Phillips and his crew of the *Mearsk Alabama* captured by Somali pirates during April 2009. Gen. Ward is a Morgan State University graduate and the highest ranking African American in the U.S. military. He spoke eloquently about his military career. He serves as the first-ever commander of the newly formed U.S. AFRICOM, one of six geographical commands within the Department of Defense, tasked with training African soldiers and delivering aid and resources to the continent's residents. Also in attendance were retired Generals Julius Becton, George Price, and Robert Cocroft.

Other federal agency representatives and distinguished scholars included Assistant Secretary Ray Jefferson of the Department of Labor's Veterans Employment and Training Services (VETS), Deputy Assistant Secretary Mark Johnston of the Department of Housing and Urban Development (HUD), Corporate Liaison Officer Chuck Southern, Center for Veterans Enterprise, Department of Veterans Affairs, Chairman James Bombard, Veterans Advisory Committee on Education, Department of Veterans Affairs, and Drs. Shirley Marks, Chief, Mental Health Service, West Texas VA Health Care System, and Kristen Lester, Clinical Psychologist and VA Researcher, Women's Health Sciences Division, National Center for PTSD.

Thus, the forum sought to present the latest up-to-date and vital information to take home to veterans, their families and communities, particularly communities of color across the Nation. Secretary Shinseki's remarks focused on three specific areas: access to services and benefits, the VA disability backlog, and homelessness. He also described the VA footprint and new community health care delivery services such as telehealth, as well as a list of issues confronting the VA: homelessness (approximately 50 percent African American), depression, suicide, joblessness, substance abuse, PTSD, and TBI stigma. Secretary Shinseki, as well as others also graciously acknowledged FY 2010 funding levels as a congressionally enhanced budget, but more importantly, a special 'debt of honor.' He continued, ''we intend to end homelessness among veterans as opposed to witnessing their downward spiral into hopelessness through education, jobs, mental health and housing as an investment in America's future.'' Coupled with announcing new VA initiatives such as increasing SBA to 15 percent, $500 million going toward homeless veterans programs, along with 20,000 HUD VASH vouchers for housing support—the Obama administration and he will transform the VA into a 21st century organization. Lastly, he promised that 40 years after Vietnam, and 20 years after the first Gulf war, he will seek satisfactory answers to two nagging issues: (1) Agent Orange and its host of illnesses, and (2) Gulf War illness.

The afternoon session consisted of the Veterans Stakeholders Roundtable Discussion, Part II. The roundtable was moderated by Mr. Leonard Dunston, MSW, President Emeritus of the National Association of Black Social Workers (NABSW) and featured the following subject matter experts as discussants: Dr. William Lawson, MD, Ph.D., Chairman, Department of Psychiatry & Behavioral Health, Howard University, Dr. Jay Chunn, Director, National Center for Health Behavioral Change, Urban Medical Institute, Morgan State University; Dr. Cedric Bright, MD, VA Staff Physician, Dr. Reginald Wilson, Ph.D., Tuskegee Airman & Senior Scholar Emeritus, American Council on Education (ACE), Dr. Jerome Brandon, Ph.D., Professor of Exercise Physiology, Department of Kinesiology & Health, Georgia State University, Dr. Vincent Patton, lll, Ed.D., Director of Community Outreach for Military.com, Dr. Donna Holland Barnes, Ph.D., Suicidologist, Howard University, Dr. Kristen Lester, Ph.D., Clinical Psychologist, Women's Health Sciences Division of the National Center for PTSD & member, American Psychological Association and commentary by Dr. Tom Berger, Ph.D., Senior Advisor at Vietnam Veterans of America (VVA), Peter Dougherty, Director of VA Homeless Programs, Fredette West, former Chief of Staff for the Hon. Louis Stokes (D–OH), Retired, and Dr. James Woodard, Ed.D., JD, former Senior Staff Member for the late Hon. Joseph Moakley (D–MA), and original Braintrust member.

The mission of the roundtable discussion was to complement the morning session with greater details and re-analyses related to veterans transitional difficulties involving behavioral health, PTSD, TBI, suicide, depression and other mental illnesses with both a professional service provider and an interdisciplinary perspective—emphasizing that no one comes home from war unchanged, and unfortunately many emotionally and psychologically wounded troops fall through the cracks.

For example, veterans make up only 13 percent of the population, but account for 20 percent of the suicides. Dr. Barnes indicated veterans with PTSD are more than 3X as likely to die by suicide as their civilian counterpart. White college educated veterans living in rural areas are at the highest risk. Yet, African Americans may be the second highest especially those between the age 18–44. This concurring with Dr. Mark's earlier presentation, that veterans in the general US population are at an increased risk of suicide, with a projected rise in the incidence of functional impairment and psychiatric morbidity among veterans of the conflicts in Afghanistan and Iraq. Consequently, more clinical and community interventions that are directed towards veterans in both VA and non-VA healthcare facilities are needed. Dr. Chunn spoke about physical assault and attempted murder rates being more than 3X higher among Iraq and Afghanistan returnees, alluding to a direct correlation between homicide and suicide echoed by a number of mental health professionals. Even more so, that the VA is seeing only 40 percent of the behavioral health problems as opposed to the 60 percent in the general population. Dr. Berger pointed out that of the eight VA recommendations concerning suicide, there are no action plans, despite the National Vietnam Veterans Readjustment Study (NVVRS) and the RAND Study of 2008. Correspondingly, risk factors such as multiple deployments, military sexual trauma, TBI linked to PTSD all appear to be disconnected. This is compounded by the fact that close to 50 percent of the National Guard troops come from rural areas of the country, strongly suggesting that the VA and military health systems are not working, because there is no connectivity!

VA researcher Dr. Lester responded that the VA is not a perfect system by any means. Additionally, that there are not a lot of studies comparing ethnic minorities and white PTSD treatment; other research problems stemming from too small sample sizes, and the need for more research targeting issues of relevance to OEF/OIF women service members. Furthermore, she indicated that women's exposure to combat results in increased dual risk, decreased social support, increased parental stress, unsupportive homecoming reception and barriers to health care. Therefore the need for evidence-based treatment and training is essential. Dr. Brandon added a systems reevaluation perspective, more specifically aimed at VA moving from a sick care system to a health care system which includes more individual responsibility and healthy thinking, or healthy lifestyle choices. He also refocused us on the triangulation of expectations such as knowledge, practices and programs, and outcomes. Lastly, with respect to practices, he questioned effectiveness. Moreover, Dr. Lawson, reiterated, the VA is not culturally competent so mental disorders and traumatic brain injury are not recognized by professionals, nor appreciated as stigmatizing for veterans. Furthermore, the complexities of mental health issues are such that veterans are simply non-responsive to treatment, because they do not get state of the art treatment. With respect to trauma, he said, we know about self-medication and incarceration (the majority of which are non-violent drug abusers) and the revolving door cycle. For depression, he recommended, early screening, culturally relevant education and referral. Like other African Americans, he said, veterans have less access to services, poor recognition of mental disorder, and lack access to state-of-the-art care. Although better than civilians still there exist disparities in services and care!

In terms of the new GI Bill Dr. Wilson stated, today 30 percent of the modern military is black, versus high rates of unemployment plaguing black communities across the nation. Consequently, blacks are more inclined to reenlist, more are married, and have a couple of kids, thus ruling out college! Further, since the new GI Bill has only been in effect for a few months there are no statistics available. However, a recent higher education review reveals: 57 percent of higher education institutions have some kind of program, or service for veterans; 46 percent of private colleges have no program, or service; 22 percent provide special enrollment, and 75 percent provide credit for military occupational training. Yet, focus groups reveal that there is little provision for veterans with families and children, and online education is not recognized.

Also raised was the issue of the impact of non-veterans on veterans in the clinical setting, such as whether or not the peer to peer approach is best (i.e. comfort levels). However, no data currently exist to answer this question. VA staff physician Dr. Bright, a non-veteran talked about the importance of listening and stressed the need for Blacks to participate in clinical research and be informed, while encouraging community-based participatory research to tailor products to local needs, and stressed health equity. Tincie Lynch, a member of the new VA Community Advocates Program based in South Carolina, Alabama and Georgia commented on serving as a life coach to get veterans to the next level, and the start of a new Georgia Veterans Treatment Court. Still others insisted that domestic violence is related to PTSD, but suggested we are not looking at emergency room (ER) data. At the Howard University Hospital PTSD Symposium presenters pointed out that domestic violence is not necessarily included in the national dialogue about returning soldiers, or veterans, families and PTSD. Also widespread usage of new technology such as websites, cell phones, twitter, facebook, etc. by family members raised the issue of how do we capitalize on the worldwide phenomenon known as social networking to better serve veterans. Equally important, Dr. Lawson emphasized 'electronic medical records must be able to talk to one another.' There also seemed to be consensus about quality time with VA physicians and that 15 minute interactions are problematic. Consequently, unanimous agreement was voiced for 'changing reimbursement for primary care providers.' Other

comments consistently reinforced 'we have a broken system,' and 'can't just anyone engage no veteran!'

Furthermore, Ms. West, Mr. Dougherty and Dr. Woodard's commentaries provided a well-rounded critique of veterans' substantive issues, along with accurate assessment and reasonable recommendations through the prism of their own policy experience. West's critique highlighted that the military tradition runs in the family; also, families have PTSD. Thus, we need to look at a minority health bill now, and health care reform must include military, veterans and family coverage. Dougherty's commentary indicated 20 percent of people who called the VA suicide prevention hotline are homeless. He also emphasized that coordination of services and benefits are crucial, along with building relationships and new partnerships with others. Moreover, the VA is moving to a proactive stance in terms of criminal justice and justice outreach, court diversion, the GI Bill, expedited VA claims and planning, as well as plan redesign. Dr. Woodard's commentary, on the other hand, posed a more difficult set of questions: 'what is the nexus of sick care to health care transition, individual responsibility (vs. governmental obligation) and VA access and treatment issues?'

All told, the outcomes of the Congressional Black Caucus Veterans Braintrust 'Coming Home' forum (including the Howard University PTSD Symposium) can be measured in terms of: (1) three summary reports (a) Resulting Trauma: Identifying the Signs, Symptoms & Impact of Post Traumatic Stress Disorder in African Americans; (b) Coming Home: Transitioning from Military Service to Civilian Life & Veterans Stakeholders Roundtable Discussion, Part II; and (c) Affirming Life: Suicide Prevention & Intervention in Communities of Color; (2) potential enhancements for Representative CHARLES RANGEL's legislation (H.R. 1963) and recommendations for CBC Chairwoman BARBARA LEE's (D–CA), Task Force on Veterans; (3) an outline of questions for future GAO research in the following three critical areas: (a) veterans' homelessness, (b) women veterans, particularly those single parents with children, and (c) mental health, especially PTSD, TBI, depression, suicide, and mental illness stigma; (4) the successful launching of a new round of issues education outreach workshops based on content and information from September 25th's Veterans Braintrust (2010 New Abstracts: Meeting the Needs of African American Homeless Veterans; U.S. Military Personnel: Women & Veterans of African Descent; & The Veterans Braintrust as a Strategic Intervention); (5) uncovered or identified at least four clearly relevant, but essentially unanswered questions with implications for veterans policy in the future: (a) why are Iraq and Afghanistan combat returnees not using the system, or VA services?, (b) why are African American veterans disproportionately represented among the homeless?, (c) why are only one-third of the entire veterans population enrolled in the VA?, and (d) what is the most effective method for advocating the VA system's needed 21st century transformation, especially, with respect to cultural competence and cultural diversity, or racial, ethnic, and gender differences based on veteran's health equity? Last, but not least, several recommendations for legislative consideration or action in the future.

The evening's gala reception, ''Saluting Veterans & Their Support Organizations'' and ''African Americans in Transportation,'' featuring special musical guest Chuck Brown, the 'Godfather of Go-Go', was sponsored by the Association of American Railroads and the A. Philip Randolph Institute and recognized me for my work as Chairwoman of the Subcommittee on Railroads, Pipelines and Hazardous Materials. The U.S. Army's Freedom Team Salute awardees included Lt. Col. William Calbert, USA, Ret., William Dabney, Herculano Dias, Sgt. Maj. Yolanda Glover, USA, Ret., Col Kathaleen Harris, USA, Ret., Stanley Murphy, Capt., USA, Vietnam, MSgt. Edwards Posey, USA, Ret., Dovey Johnson Roundtree, USA, WWII, Horace Taylor, USA, WWII, and Dr. James Woodard, Ed.D., JD, Capt., USA, Vietnam. Emile Milne, Legislative Director for the Hon. CHARLES RANGEL (D–NY) was presented the Citizens Beneficiary Award by the Mike Handy Foundation & Fund for his unique contribution to our Nation's veterans, along with 2009 Veterans Braintrust awardees, including: Dr. E. Curtis Alexander, Leroy Archible, Lt. Gen. Julius Becton, Jr., USA, Ret., Aseneth (Mays) Blackwell, Maj. Gen. Joseph Carter, Dr. Darlene Collins, Roy Foster, C.R. Gibbs, Brig. Gen. Stayce Harris, Wanda Ruth Lee, BGen. Allyson Solomon, Barbara Ward, Maj. Gen. (Ret.) Enoch Williams, Joe Wilson, Jr., Eddie Beard Veterans Home, 9th Ordinance Training Battalion Alumni Association, The Units K-West & B-East (US) Reunion Booster Club, The Friends of Charlton Gardens, Sister Soldiers Project, African American Veterans Project of Lancaster County, Dayton African American Legacy Institute, The Legacy Museum of African American History—Much in Demand Exhibit, Tangipahoa African American Heritage Museum & Black Veterans Archives.

Furthermore, in trying to capture the mood of the moment during the festive 2009 awards ceremony honoring veterans, their families, and friends the word that best describes the long, rich legacy of African American military contributions is ''Service'', not money. They admirably and nobly performed service to God and country despite the challenges of race and discrimination. And, no less important, their ''Service'' to family and friends constituted the essential building block of community.

Finally, as a member of the Veterans Braintrust leadership I want to extend my heartfelt thanks to speakers, panelists, authors, and attendees, but particularly Dr. Frank Smith, Jr., Dr. William Lawson, Dr. Donna Holland Barnes, Guileine Kraft, Jason Young, Jean Davis, Constance Burns, Dr. Clarence Willie, Edna Wells Handy, Dr. Diane Elmore, Lucretia McClenney, Ralph Cooper, Robert Blackwell, Ervin Russell and T. Michael Sullivan, as well as congressional staff members Roshan Hodge, Lee Footer, Emile Milne, Robin Peguero, Kristen Rice-Jones, Holly Biglow, and Jonathan Halpern for what can only be described as, the best ever Veterans Braintrust.'

I want to once again thank the presenters at the forums and awardees for their long, rich legacy of service, both in the military abroad and in the fight for equal rights at home.

## CONGRATULATING SOUTH AFRICA ON FIRST TWO CONVICTIONS FOR HUMAN TRAFFICKING

SPEECH OF

### HON. HENRY C. "HANK" JOHNSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in order to express my support for House Resolution 1412, congratulating the Government of South Africa upon its first two successful convictions for human trafficking. I would like to thank Representative SMITH for his efforts on this resolution and his dedication to eradicating human trafficking throughout the world.

This summer people all over the world are watching South Africa. The country is hosting the 2010 Fédération Internationale de Football Association (FIFA) World Cup. South Africa is estimated to attract nearly 2.7 million local spectators and anywhere between 350,000 and 500,000 visitors from around the world. South Africa has made huge efforts within the last several months to ensure that their country is safe, secure, clean, and comfortable for tourists and visitors. A large part of that effort to prepare for this event has been a notable reduction in, and increased prosecution of, human trafficking. This resolution congratulates South Africa on its efforts and the recent successful convictions for human trafficking.

The Department of State reports that, ''South Africa is a source, transit, and destination country for trafficked men, women, and children . . . . Children are largely trafficked within the country . . . to urban centers like Johannesburg, Cape Town, Durban, and Bloemfontein—girls trafficked for the purposes of commercial sexual exploitation and domestic servitude; boys trafficked for forced street vending, food service, begging, crime, and agriculture . . .'' I am very pleased that the South African government, in conjunction with other nongovernmental agencies including the Tshwane Counter-Trafficking Coalition for 2010 and Cape Town Tourism has invested resources and energy into preventing human trafficking during the 2010 FIFA World Cup and I hope that these efforts will continue.

I want to congratulate the South African Government for its enormous stride in addressing human trafficking. I also want to urge the government to move quickly to adopt the Prevention and Combating of Trafficking in Persons Bill in order to facilitate future prosecutions, as well as prioritize anti-trafficking law enforcement during the 2010 FIFA World Cup through expanded law enforcement presence, raids, and other measures in areas where trafficking for labor and sexual exploitation are likely to occur. I truly believe that we can eradicate human trafficking and make this world a safer place for all people, and urge my colleagues to support this important resolution.

## IN RECOGNITION OF NATIONAL HIV TESTING DAY & IN GRATITUDE OF DENNY MOE'S SUPERSTAR BARBERSHOP SECOND ANNUAL CUTTING FOR A CURE 48 HOUR MARATHON

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. RANGEL. Madam Speaker, today I rise in recognition of an outstanding act of community service by the organization and non-profit, Cutting For A Cure, and its founder, Dennis Mitchell. I am proud of the work being done by extraordinary people in the fight to bring awareness and combat very serious health issues, like HIV/AIDS, which has disproportionately affected Blacks, women and other minority members of the Harlem community and the city at large. At the forefront of that movement is Denny Moe's Barbershop and Cutting for a Cure, a community based organization founded to increase the awareness of preventive health care and the importance of early detection and screening.

In hosting the 2nd Annual Cutting for a Cure event, a 48 hour hair-cutting, medical screening and entertainment marathon which commenced on June 25 and ended on June 27, in partnership with National HIV Testing Day to gain exposure for its cause, the organization employed the help of volunteer barbers, entertainers, doctors, nurses and medical technicians to cause a tangible effect in Harlem by raising the awareness of early screening as a means of preventive health maintenance.

With a mobile medical van and team of medical personnel on location, the organization offered screening for diseases ranging from diabetes, high blood pressure and hypertension, high cholesterol, breast, prostate and colon cancer, asthma, kidney disease, and of course, hepatitis and HIV/AIDS in its effort to provide people with the means of early detection. Doctors have repeatedly offered evidence that early diagnosis of certain diseases such as cancers of the colon and the prostate give those who are diagnosed early ability to aggressively combat their illness in the hope of eliminating it and continuing their lives free of disease.

I would like to formally commend Cutting for a Cure for its work in raising health awareness and promoting early diagnosis of the health issues which unevenly affect minorities in our urban centers. The aim of the organization is to offer free health screening clinics with the support of local and corporate business sponsorship, area hospitals and health care professionals to provide local residents an opportunity to get tested right in their own neighborhoods and on their commercial streets and blocks. With help from sponsors such as the National Black Leadership Commission on AIDS, St. Luke's Roosevelt, Harlem Hospital Center, Central Harlem Health Revival, Harlem United, Barbershop Quartet, Apple Bank, The New York Times, Crunch Gyms and many others, Cutting for a Cure is effectively addressing an epidemic of preventable disease and death right here in Harlem, throughout my Congressional District and the greater New York City at large.

Founder, Mr. Dennis Mitchell, affectionately known as Denny Moe, is the Harlem barbershop owner of Denny Moe's Superstar Barbershop and the catalyst for the creation of Cutting for a Cure. Denny Moe was diagnosed earlier this year with Type II diabetes and has used his detection and influence in the community as a business owner to take action with the end goal of bettering lives. Inspired by the health concerns and issues he heard from his many customers who sat in the chairs of his barber shop and friends and family members who became affected by disease and various cancers, he noticed a pattern of certain diseases affecting his customers more than others and the tragedy of people dying due to being diagnosed too far along into their illnesses.

Denny realized that something must be done to stem the tide of African Americans who were losing their lives unnecessarily prematurely due to lack of awareness and inadequate health care. That realization was the seed for the birth of Cutting for a Cure and the work began to offer the community help in the form of education and medical evaluation. Emphasizing the importance of periodic checkups and healthy living in order to prevent disease is the means used by Denny Moe's Superstar Barbershop to help the people of Harlem and the community around him in his effort to highlight the disparity in the quality of health care offered in urban communities across the nation.

Madam Speaker, the efforts of this organization to effect positive change in the lives of other New Yorkers is invaluable and I am honored to commend its work. The organization's motto of ''One ounce of prevention is worth more than a pound of cure'' is an ideal which it promotes heavily while educating the community that disease prevention is the best method of living a healthy life. The citizens of New York City can only benefit from individuals and organizations such as Mr. Dennis ''Denny Moe'' Mitchell and Cutting for a Cure as they enrich the lives of others as they continue to help our community.

## CONGRATULATING 17 AFRICAN NATIONS ON 50TH ANNIVERSARY OF INDEPENDENCE

SPEECH OF

### HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Ms. CLARKE. Mr. Speaker, I rise in strong support of H. Res 1405, a resolution celebrating 50 Years of African independence. I thank Mr. RUSH for sponsoring this important resolution and for his work as a champion for Africa here in Congress. Mr. RUSH's leadership, along with that of Representatives DONALD PAYNE and ED ROYCE, in shaping policies that help foster economic vitality and good governance on the continent is truly commendable.

I was a lead cosponsor of this resolution because it recognizes the importance of good governance and democratic principles, which have flourished in many African countries over the past decade. Indeed, more than two-thirds of sub-Saharan African countries have held democratic elections since 2000. Moreover, several nations, from Senegal to Tanzania, and from Ghana to Zambia have seen successful power changes over the past decade. The United States Department of State has expressed its commitment to supporting African efforts to fortify government accountability and overall good governance, which is crucial to the continent's future growth and global influence.

The resolution commends the socio-economic and political progress being made by African countries, while acknowledging the associated challenges that many still face. According to a June 2010 McKinsey Global Institute report entitled ''Lions on the Move: The Progress and Potential of African Economies,'' over the past decade ''Africa's economic pulse has quickened, infusing the continent with new commercial vibrancy.'' Africa's combined consumer spending in 2008 was $860 billion, and America is committed to partnering with African nations to foster economic development, entrepreneurship and trade in the continent.

Kofi Annan, Chair of the Africa Progress Panel (APP) recently noted that ''Africa's future is in its own hands, but that success in managing its own affairs depends on supportive global policies and agreements.'' H. Res. 1405 comes at a time when the world is taking notice of Africa's great progress in recent years and it reaffirms the United States' commitment to growth and prosperity in Africa.

This resolution is a celebration of the hope that resonates in the hearts and minds of the many Africans, African Americans, policymakers, and NGOs that are committed to Africa's progress and prosperity. I urge my colleagues to vote in favor of this important resolution.

## RECOGNIZING OF THE STICKBALL HALL OF FAME ON THE OCCASION OF THE INDUCTION OF ITS 2010 HONOREES

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mrs. MALONEY. Madam Speaker, I rise to recognize the Stickball Hall of Fame, an institution that promotes and preserves the great athletic tradition of stickball that has been a mainstay of urban life in America and has helped countless youths learn about the precepts of fair play, teamwork, and the pursuit of excellence. The Stickball Hall of Fame has recognized and commemorated a sport which truly represents the spirit and innovation that exemplifies New York, our nation's greatest city.

Adapted from and closely linked to our great national pastime of baseball, stickball helped transform the urban landscape of 20th century America. Since the 1920s, the game of stickball has been an important team sport in cities across the country, where it served to strengthen personal relationships between families and friends, and forged strong bonds within the communities in which it was played.

In 1968 in New York City, a group known as the 111th Street Old Timers was formed. It organized an annual festival centered around the game of stickball. In 1999 the group began to focus its efforts on reaching out to the kids and seniors within the community. The group raised money to send youths to summer camp, established a scholarship fund, and distributed toys to children in hospitals. Today we

honor this organization for its meaningful contributions to the citizens of New York City.

In 2000, the 111th Street Old Timers founded the Stickball Hall of Fame in order to recognize the pastime which made these charitable works possible. The Hall of Fame is dedicated to preserving the game of stickball as well as commemorating great players and community activists for whom stickball was a beloved pastime. Annually, four to six members recognized for skills both in the game of stickball and for their community service are inducted into the Stickball Hall of Fame. Additionally, this year, the organization will pay tribute to a great player and citizen, Charlie Rivera, founder of the Puerto Rican Stickball League, who passed away in May 2010.

The current president of the Stickball Hall of Fame, Carlos Diaz, exemplifies the spirit of selfless service. He has long been devoted to community activism, serving on the advisory boards of many important institutions, including those of Con Edison and New York Telephone, the East Harlem Baseball Federation, and the George Conroy Educational Fund. He served as chairman of the East Harlem Council for Community Improvement, and founded a group called the Explorer's Program in which junior high school students were exposed to careers in healthcare. Last month, his years of tireless and effective community service were recognized and honored by the Community Advisory Board of Metropolitan Hospital.

Madam Speaker, in recognition of the tremendous contributions made to the civic life of our nation by the game of stickball by its most skilled players, I request that my distinguished colleagues join me in paying tribute to the Stickball Hall of Fame, which has helped preserve a great American tradition and is an inspiration to us all.

## JOSE ANTONIO ''ANTHONY'' ROCHE, JR. OF NOLANVILLE, TEXAS

### HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. CARTER. Madam Speaker, I would like to recognize and honor the life of Jose Antonio ''Anthony'' Roche, Jr. who was born in Chicago, IL, on November 11, 1976. In 1995, at the age of 17, Anthony joined the U.S. Army. As a Specialist (SPC) he served as a fuel and electrical systems repairer. He performed direct support and general support maintenance on fuel and electrical systems of wheel and track vehicles, brake system components, and on internal combustion engines associated with power generation equipment or material handling equipment. Anthony received the National Defense Service Medal/ ARMY service ribbon.

After leaving the service, he was gainfully employed and hardworking his entire life. He worked for Cuttler Hammer of Puerto Rico. His most recent job was with Palau/Raytheon. On April 29, 2010, he returned home after serving one year in Q West, Iraq. He was working with many aircraft in distress and he assisted pilots as he grew in his knowledge of aircraft and skills.

Anthony had a passion for fast cars and motorcycles. On May 1, 2010, he was found dead at his residence garage.

Jose is survived by his beloved father Jose, his mother Victoria, his sister Vickie, his brothers Jose, Edgardo and Alexander and his two English Bull Terrier dogs, Rocco and Maximo, better known as his ''kids.''

I offer my prayers and sympathy to the Roche family for the loss of Anthony and appreciate his service to the United States Army.

## CONGRATULATING SPIRIT AEROSYSTEMS ON THE OCCASION OF THE GRAND OPENING OF THEIR NEW MANUFACTURING FACILITY

### HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. BUTTERFIELD. Madam Speaker, I rise today to congratulate Spirit AeroSystems on the grand opening of their new facility that will build major components for the Airbus A350 aircraft.

Spirit AeroSystems recently completed construction of a 500,000 square foot manufacturing facility in Kinston, North Carolina at the Global Transpark. Spirit AeroSystems will employ over 1,000 individuals who will be responsible for building the main fuselage and portions of the wings for Airbus' Xtra-Wide-Body A350 passenger aircraft.

Based in Wichita, Kansas, Spirit AeroSystems could have built a manufacturing facility anywhere in the world. But they chose eastern North Carolina, and I am grateful for their decision.

Madam Speaker, I represent the fourth poorest Congressional district in the country. The daily struggle to make ends meet for many of my constituents is an unfortunate reality. More than anything, eastern North Carolina needs good-paying jobs. And I hope that other companies who are looking to expand will see the great success and mutually beneficial relationship Spirit AeroSystems and Lenoir County have fostered. Eastern North Carolina's ready workforce and strategic location provide a competitive advantage for any organization.

North Carolina has a strong history of aviation. In 1903, the Wright Brothers took to flight in, Kitty Hawk, North Carolina—about 150 miles from where the Spirit AeroSystems facility is located today. As we all know, the Wright Brothers are credited with inventing and building the world's first successful airplane, and I am confident that Spirit AeroSystems will be credited with revolutionizing the aviation industry in eastern North Carolina.

Madam Speaker, I ask my colleagues to join me in congratulating Spirit AeroSystems on the grand opening of their new manufacturing facility. I thank Spirit AeroSystems for the trust and confidence they have in the State of North Carolina, the Eastern Region, and most importantly the local, homegrown people that will proudly serve Spirit AeroSystems and their customers.

## INDIAN PUEBLO CULTURAL CENTER CLARIFICATION ACT

SPEECH OF

### HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 2010*

Ms. RICHARDSON. Mr. Speaker, as a proud member of the Native American Caucus, I rise today in strong support of H.R. 4445, the Indian Pueblo Cultural Center Clarification Act.

First, I would like to acknowledge Speaker PELOSI and Majority Leader HOYER for their leadership in bringing this important bill to the floor. My colleague Congresswoman HEINRICH, the author of this legislation, has worked hard to ensure that the Indian Pueblo Cultural Center is considered a part of tribal lands.

The Indian Pueblo Cultural Center is a vital part of Pueblo history in New Mexico. Its mission is to preserve and perpetuate Pueblo culture and to advance understanding by presenting the accomplishments and evolving history of the Pueblo people of New Mexico. While the Pueblo people are located primarily in New Mexico, at one time the Pueblo's homeland reached into the states of Colorado and Arizona. Pueblo people rooted in this region of the southwest are descendants of an indigenous Native American culture that has established itself over many centuries.

H.R. 4445, the Indian Pueblo Cultural Center Clarification Act, would strike a provision in current law which prohibits the Indian Pueblo Cultural Center in New Mexico from being considered ''Indian Country.'' When this provision is removed, it will give the Cultural Center the same tax-exempt status as other tribal trust lands and would prohibit the New Mexico Taxation and Revenue Department from levying taxes on Pueblo members who engage in business at the center. In addition, the legislation will prohibit any gaming from being conducted on the transferred property.

In conclusion, Mr. Speaker, I support H.R. 4445 because it makes an important correction to current law so that the Indian Pueblo Cultural Center can now be considered tax-exempt. This vital piece of New Mexican and Pueblo Indian Culture deserves our full support.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 4445. I yield the remainder of my time.

## CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

SPEECH OF

### HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. TIAHRT. Mr. Speaker, on June 30, 2009, the Obama Administration released details of its proposal to establish a Consumer Financial Protection Agency. It proposed an independent agency housed within the executive branch to regulate the provision of financial products and services to consumers. Now, one year later, this proposal has morphed into

a 2,300 page bill that further extends the federal government's grasp on more aspects of our economy.

I voted against this bill on December 11, 2009 but despite my opposition, H.R. 4173 passed the House of Representatives on a straight party line vote—with not one Republican voting in favor of the legislation. On June 30, H.R. 4173 came back from the House-Senate Conference Committee, which ironed out the differences between the two bills. Again, I opposed this legislation. Despite my opposition, the bill ultimately passed by a margin of 237–192. The legislation now awaits further action in the Senate.

This is the wrong bill at the wrong time that punishes the wrong people. In the midst of continuing economic turmoil, this bill increases the size of government, expands its reach in the market place, jeopardizes the safety and soundness of many of America's financial companies and non-financial companies, and significantly increases the cost of credit for all consumers at a time when consumers can least afford it. This legislation overreaches and will affect companies and community banks that had nothing to do with the financial crisis.

These reforms will continue to perpetuate the bailout mentality that has plagued our nation and eliminate access to credit for many small businesses and families at a time when they need it most.

The conference report will abolish the Office of Thrift Supervision (OTS). The transfer of its powers and duties will have to be done within one year after the conference report's enactment. The conference report will transfer to the FDIC the authority to regulate all state savings associations. The OCC, which would be a bureau within the Treasury Department, would regulate all federal savings associations. The conference report also preserves the thrift charter.

The conference report also requires the Federal Reserve to ensure the fees charged to merchants by credit card companies for credit or debit card transactions are reasonable and proportional to the cost of the processing those transactions. The consequences of government artificially imposing its heavy hand into private transaction will further slow our economy. We can't even get a federal budget passed, so what justification does the government have to determine transaction fees.

As one of my colleagues pointed out, economists don't often see eye to eye, but they seem to agree that if one side of the market has its costs artificially lowered, the other side of the market will see increased costs. This means that, in this battle between retailers and banks, debit card holders and account holders will likely foot the bill.

Creating more regulatory burdens and a new government agency full of unelected bureaucrats to pick the winners and losers in the private-sector is not the answer. This will only serve to crush more jobs and paralyze our economic growth even more. Kansans have had it with the only solution the administration continues to offer: more government.

I am in strong opposition to H.R. 4173. I worry about its impact on our economic freedom and will work to repeal these harmful policies.

## SUPPORTING DESIGNATION OF NATIONAL ESIGN DAY

SPEECH OF

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Ms. ESHOO. Mr. Speaker, today marks the 10th anniversary of the enactment of the Electronic Signatures in Global and National Commerce Act. I rise in support of designating today as "National ESIGN Day" and commend Mr. MCDERMOTT for bringing this resolution to the Floor.

Ten years ago the thought of filing your taxes electronically, renewing your drivers license, and filling out a mortgage application on your computer was one that many feared. There was uncertainty about the security of the transaction and how to verify who was on each end of the keyboard. We recognized then that we needed rules of the road that would guide us into the information society. We needed to create trust in this emerging technology called the "internet" if it was going to grow into what we hoped would be at least a new and efficient way to do business electronically in both the public and private sector.

We stood at a crossroads ten years ago. We needed to eliminate obsolete barriers to electronic commerce such as undue pen and paper requirements and other practices that slowed down innovation. In March of 1999 I introduced the H.R. 1320, the Millennium Digital Commerce Act because I recognized that the growth of electronic commerce and electronic government transactions represented a powerful force for economic growth, consumer choice, improved civic participation, and wealth creation.

Less than a year later, in January of 2000, the Electronic Signatures in Global and National Commerce Act was signed into law.

As the information and innovation society is now fully integrated into almost every aspect of our lives, we stand here today to look back over the last ten years. Electronic commerce is now the driving force of our global economy. The level of confidence in the internet and the innovative tools it has created continues to grow. As we stood at that intersection ten years ago, we took our country and our consumers in the right direction.

I urge all of my colleagues to support H. Con. Res. 290 designating June 30th as "National ESIGN Day."

## CONGRATULATING RICHARD L. HARRIS ON JOINING THE NAFCU BOARD

### HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. SCHIFF. Madam Speaker, I rise today to congratulate Richard Harris on his recent election to the Board of Directors at the National Association of Federal Credit Unions, NAFCU.

Mr. Harris has shown tremendous leadership at Caltech Federal Credit Union, where he currently serves as president and CEO, as well as treasurer of the Caltech Credit Union Board of Directors. Undoubtedly, NAFCU will benefit greatly from Mr. Harris's vast experience in credit union management which dates back to 1981.

Over the years Mr. Harris has been an active member of the NAFCU family and is a welcomed addition to the board at a time when Congress has taken up legislation that would significantly reform the financial services sector and the way credit unions do business.

It is because of the good work and leadership of Richard and others like him that the credit union community enjoys the success it has today. Such service is the hallmark of credit unions and I wish Mr. Harris the best of luck in his new role as a member of the NAFCU Board of Directors. I look forward to working with him in this capacity and I ask my colleagues to join me today in congratulating Richard on this achievement.

## IN MEMORY OF THE REV. DR. FRANK WITMAN

### HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. GALLEGLY. Madam Speaker, I rise in memory of the Rev. Dr. Frank Witman, a close, personal friend of my wife, Janice, and me, who passed away on Tuesday.

Frank Witman had a calmness about him that belied his inner strength. He arrived in Simi Valley, California, in the summer of 1969 to assume the post of senior pastor of the United Methodist Church of Simi Valley. It is not an understatement to say that the city was blessed by his presence.

Frank was the sixth of seven consecutive generations of United Methodist pastors on his father's side and the third of four consecutive generations on his mother's side. After serving as a pastor in Rialto and Pomona, he anchored his roots in Simi Valley and branched out into every aspect of community life.

In 1978, Frank founded the chaplain program for the Simi Valley Police Department and for more than 30 years served as the department's senior chaplain. He provided comfort, counseling, prayers and support during most of the city's traumatic and tragic events, including the untimely death of Officer Michael Clark. His support of the city and its police officers earned him the department's Volunteer of the Year Award in 1997, the department's Lifetime Service Award in 2007, and recognition from the Simi Valley City Council in 2008.

When not at his church or the Police Department, Frank could frequently be found at Simi Valley Hospital, where he was a charter member of the Simi Valley Hospital Board Strategic Planning Committee, visiting church members and others in need. Following his retirement from the church in 1997, he remained active as a volunteer chaplain for the hospital, filling in for the staff chaplains as needed. Earlier this year, the hospital named its chapel the Witman Chapel in honor of his years of service.

In 1990, I had the honor of nominating Frank to offer a prayer to open a session of the House of Representatives as guest Chaplain, which he did on May 2, 1990.

Frank also co-authored a book on world hunger and two books on church administration. He served as an adjunct faculty member

at the Claremont School of Theology from 1992–2000, teaching church administration with his coauthors in four states.

Frank was recognized numerous times for his unselfish devotion, including the Paul Harris Award, one of the highest honors Rotary International bestows upon an individual, and the Simi Valley Chamber of Commerce Strathearn Lifetime Achievement Award.

He is survived by his wife of 57 years, Elsie; sons, Mark and Paul; their wives, Luene and Barbara; and grandchildren, Lauren and Peter, as well as his two older brothers, Harold and Henry.

Madam Speaker, I know my colleagues will join Janice and me in offering our condolences to Elsie and the Witman family, and in remembering a remarkable man whose life of service will live on in all those whose lives he touched.

## HONORING MR. MATTHEW LEONARD SIMMONS, JR.

### HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. MEEK of Florida. Madam Speaker, today I rise to pay tribute to the life and legacy of the late Mr. Matthew Leonard Simmons, Jr., a constituent in the congressional district I represent. It is with both profound sadness, but also an enduring sense of gratitude that I recognize him for the tremendous inspiration he provided to the South Florida community.

Mr. Simmons was born on January 31, 1956 in Miami, Florida to Mrs. Blanche Simmons and the late Mr. Matthew L. Simmons, Sr. He was a product of the Miami-Dade Public School System and graduated from Miami Jackson Senior High School.

Soon thereafter, Mr. Simmons faithfully and patriotically served his country by joining the United States Army's 82nd Airborne Division. He attained the rank of sergeant before being honorably discharged in 1979.

Mr. Simmons was blessed with a loving family who took pleasure in every aspect of his life and his interests. I offer my heartfelt condolences to the Simmons family.

Madam Speaker, I ask you and all the members of this esteemed legislative body to join me in recognizing the extraordinary life and accomplishments of Mr. Matthew Leonard Simmons, Jr. He will be missed by all who knew him, and I appreciate this opportunity to pay tribute to him before the United States House of Representatives. While he will indeed be missed, his legacy, as well as the outstanding contributions he made to South Florida and our nation as a United States Army veteran will live on.

## CONGRATULATING THE PARK RIDGE FINE ARTS SOCIETY ON 50 YEARS OF SUMMER CONCERTS

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. SCHAKOWSKY. Madam Speaker, I rise today to honor the Park Ridge Find Arts Society as they celebrate 50 years of providing free summer concerts for the community. The purpose of the Park Ridge Fine Arts Society is to provide a musical showcase and the means for enjoyment of serious music through free community concerts, and to engage in such activities and programs that will foster all of the fine arts. The concerts draw crowds of 1,500 to 3,500 people, with a season total of more than 30,000 concertgoers.

These concerts are a wonderful way not only to bring beautiful, professional music to the community, but also to bring neighbors together and build a sense of community. Summer in Park Ridge is enriched by these wonderful weekly concerts in Hodges Park.

Frank York established the Park Ridge Fine Arts Symphony Orchestra and the Park Ridge Fine Arts Society 50 years ago and remained at the helm of the organization, driven by his vision of excellence, until 2005. Throughout the organization's history, it has maintained the highest artistic standards. The Park Ridge Fine Arts Symphony Orchestra is produced and coordinated by the Park Ridge Fine Arts Society to perform the summer concerts. It is a fully professional orchestra, made up of superb musicians from throughout the Chicago area, devoted to bringing the excitement and beauty of great classical music to the northwest suburbs.

I want to recognize the great work of the people who make sure that the concerts are of the highest quality and are available to the community each summer: Barbara Schubert, musical director and conductor; Emily Toy Kosaka, president; Daniel Aranda, vice president; Dennis Van Mieghem, treasurer; Dawn Himley-Grandi, secretary; and the board of directors: Ken Boyce, Pam Boyce, Kevin P. Costello, Doug Crawford, Mike Grandi, Mary Jersey, Russ Jersey, Jim Lange, Paul Lundberg, Debbie Maggio, Mike Maggio, Jack Owens, Christel Owens, and Nancy Tordai.

The orchestra and its concert series in Park Ridge is truly one of the great jewels of the northwest suburbs.

## CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

SPEECH OF

### HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Ms. SPEIER. Mr. Speaker, our mission from the American people was simple: pass Wall Street Reform that puts consumers first, holds Wall Street and Big Banks accountable, and ends the era of taxpayer-funded bailouts and ''too-big-to-fail'' institutions. By passing this legislation, we have fulfilled that mission.

We ensure that taxpayers are never again on the hook for Wall Street's risky decisions. We enable regulators to shut down ''too big to fail'' banks before they take down the system. We impose tough new rules on the riskiest financial practices that were at the root cause of the crisis. We place a fiduciary duty on brokers to act in the best interests of their clients. We create a new Consumer Financial Protection Bureau, and end the reliance on credit rating agencies that gave triple-A ratings to risky mortgage-backed securities that they didn't understand or investigate.

To those who ask: will the Wall Street Reform we passed last night prevent another financial meltdown in the future–I answer with a firm and resounding yes.

## HONORING CAPTAIN E. LORENZO DiCASAGRANDE

### HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor the life of Captain E. Lorenzo DiCasagrande, a shipping executive who helped transform Baltimore into a nationally recognized container port and thus contributed to the economic vitality of Maryland communities.

Captain DiCasagrande, who passed away May 21, 2010, was vice president of the Mediterranean Shipping Company for more than 20 years and was an early advocate of the Port of Baltimore. Within one year of joining the company, he had established weekly service for the line from East Coast ports, including Baltimore's South Locust Point Marine Terminal, which had previously been served by one ship once every two weeks. The company brought 8,000 containers each year to the South Locust Point shipping berth.

Captain DiCasagrande then paved the way for the success of the Seagirt Marine Terminal in 1990 by being the first container line to commit to the then-new terminal. Today, the company is committed to 150,000 containers a year and is still growing, with five ship calls every week to the Seagirt terminal. In fact, the Mediterranean Shipping Company is Baltimore's top container customer.

Earlier this year, Captain DiCasagrande celebrated with Maryland port officials as they broke ground on a new 50-foot berth for the Port, a long-time vision for him. The project will support 5,700 jobs and, when completed, accommodate larger ships and attract more cargo to Baltimore. It will help Baltimore maintain its current customers and attract new ones that will come aboard the larger ships of the future.

A native of Italy, Captain DiCasagrande adopted Baltimore as his second home, fiercely defending the city in business negotiations. He worked hard to win customers and built a strong relationship with the port community, elected officials and his employees. His friends and business associates alike described him as a great leader, well-respected and well-liked. He was also a dedicated husband, father and grandfather.

Madam Speaker, I ask that you join me today to honor the life of Captain Lorenzo E. DiCasagrande. His dedication as a tireless advocate for the Port of Baltimore is deserving of the utmost gratitude. He deserves credit for helping bring more cargo to Baltimore's piers and creating thousands of jobs for Maryland families.

## CONGRATULATING BOYD HUNEYCUTT

### HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mrs. MYRICK. Madam Speaker, I rise today to congratulate one of the most hard-working and inspirational people I've ever had the honor of knowing.

Last month at the U.S. Powerlifting Championships, Boyd Huneycutt, after an 18-year break from competing, set the national and world record in his weight class.

But what makes his story unique is that Boyd was born prematurely with numerous birth defects, and given 72 hours to live. 50 years later, Boyd is still touching lives and inspiring those around him.

You see, Boyd only has two fingers on one hand. And one on the other. He has metal braces on his legs. In his lifetime, he's had 72 orthopedic surgeries. The obstacles he's faced in his life are many, and may have stopped others.

But Boyd lives by the motto ''Never Compromise, Always Improvise''. And improvise he did.

He set his first North Carolina state record in 1989. He won his first state championship in 1990. In 1992, he won gold in his weight class while representing the United States on the U.S. national team.

And to top it off, he's undefeated. In more than two decades of competing, nobody has ever beaten him, and I doubt that anyone ever will.

It's because of his work ethic, determination, and refusal to take ''no'' for an answer that Boyd Huneycutt has become a world class athlete and world champion. I'm honored to know him, and look forward to many more national and world records to come.

## CELEBRATING 100 YEARS OF SUCCESS FOR WESTERN SUGAR AND THE SCOTTSBLUFF SUGAR INDUSTRY

### HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. SMITH of Nebraska. Madam Speaker, I rise today in recognition of the success of the sugar beet industry in the Panhandle region of Nebraska for its relationship with Western Sugar and its various owners over the past 100 years.

Opened in 1909, the sugar beet factory operated by the Great Western Sugar Company—along with the development of improved irrigation canals—soon made the raising of sugar beets a major agricultural industry in Scotts Bluff County and the surrounding areas.

With the aid of the sugar factory, Scottsbluff was rapidly becoming the principal trading center of the valley. As people in surrounding farms and villages acquired automobiles, Scottsbluff was invariably their destination.

A century later—through tough economic times and even a tragic explosion in 1995—this stalwart factory has proven to be the bedrock it was in 1909. The company boasts 260 full time employees (a number which grows substantially during harvest) and a $10.6 million annual payroll.

It is not a stretch to say without Western Sugar, there would be no sugar beet industry in the Scottsbluff-Gering area. Nearly one-third of the acreage in our region is designated for sugar beets—almost all of which are processed through the sugar factory.

Last week we celebrated 100 years of Western Sugar's successful processing factory. This success is directly attributable to the commitment and dedication of its employees, local businesses, sugar beet growers and their families.

## HONORING MR. WILLIAM L. TAYLOR

### HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. CLAY. Madam Speaker, I rise today to honor William Taylor, a Washington area lawyer who played a critical role in civil rights issues across the country. Taylor was instrumental in the passage of the 1965 Voting Rights Act, and dedicated over 40 years of his life to ensuring every American, regardless of race or creed, enjoy the freedom that is the promise of this great country.

William Taylor was born in Brooklyn, New York, on October 4, 1931, to two Jewish immigrants. Though Taylor was subject to racial slurs and discrimination throughout his childhood, he chose to devote his life to guarantee equal rights for all. Taylor understood that the power of the voting booth was vital to liberty, and one's color, religion, social status, and should never restrict access to freedom.

Upon his 1954 graduation from Yale Law School, Taylor joined the NAACP Legal Defense and Educational Fund, serving under the great Thurgood Marshall. During his tenure, Taylor aided desegregation enforcement efforts, ensuring school districts abide by the landmark Brown v. Board of Education decision.

Taylor was then appointed to the U.S. Commission on Civil Rights, composing civil rights recommendations that were the basis for the 1964 Civil Rights Act and the 1965 Voting Rights Act. I had the pleasure of working with Bill for a number of years as a member of the Missouri State Senate. During this time, I was witness to his brilliance and perseverance, while we crafted an amicable legislative solution that settled the long-running St. Louis Public School Desegregation issue. This feat concluded in the largest voluntary metropolitan school desegregation plan in the country.

Madam Speaker, I am honored to pay tribute to Mr. Taylor, a man whose visionary leadership helped usher in a new era of justice. I urge my colleagues to join me in honoring Mr. William Taylor.

## RECOGNIZING THE ACHIEVEMENTS OF AEROJET'S REDMOND, WASHINGTON EMPLOYEES

### HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. INSLEE. Madam Speaker, I rise today to recognize the employees of Aerojet-General Corporation's Redmond, Washington operations facility. Aerojet-Redmond has recently been selected by the United Space Alliance to receive the Space Flight Awareness Supplier Award for Aerojet's sustained superior performance as a key supplier on NASA's Space Shuttle- program over the—course of nearly-30 years. This most significant achievement will be commemorated with a presentation from United Space Alliance and celebration ceremony held at Aerojet's facility in Redmond, Washington on Thursday, July 8, 2010.

Aerojet is a world-recognized aerospace and defense leader principally serving the space and missile propulsion, defense and armaments markets. The Space Flight Awareness Supplier Award is a very prestigious award bestowed upon United Space Alliance supplier companies—from among over 2,000 active suppliers located throughout the United States—who have performed extraordinary work that added to safety, mission success, schedule compliance, and enhanced flight capability. Aerojet's Redmond Operations will be only the twenty-first company to receive this highly selective award.

Aerojet-Redmond is the world leader in the in-space propulsion market and as such is the manufacturer of the 38 primary and 6 vernier Reaction Control Thrusters used on every Space Shuttle mission. The Shuttle's Reaction Control System is used to position the Space Shuttle during flight operations such as payload insertions and International Space Station docking.

On the occasion of this most significant milestone, my colleagues and I are proud to join together and lend our voices to congratulate and honor the more than 425 Aerojet workers in Redmond, Washington on a job well-done.

## SALUTING SERGEANT EDWARD WAGNER

### HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, as Independence Day approaches I would like to take a moment to recognize all the men and women who have ever fought to defend the unalienable rights of life, liberty and the pursuit of happiness espoused by the Founding Fathers. Since the time when the Declaration of Independence was read in town squares across the 13 colonies in 1776 to today, more than 230 years later, our liberties and freedoms have been protected by the members of the Armed Forces. Specifically, I want to recognize Sgt. Edward C. Wagner, a Korean War veteran and lifelong constituent of mine from Greensburg, Pennsylvania who is turning 80 years old on July 6, 2010.

In June of 1952, Ed went through basic training at Camp Breckenridge, Kentucky and was assigned to the 101st Airborne Infantry, ''R'' Company in the U.S. Army. Later that year he was deployed to Camp Drake in Japan. By Christmas, Ed was serving with the 35th Infantry Division—Tropic Lighting—Cacti Unit, in North Korea. In 1953 Ed earned the rank of Sergeant and continued to faithfully serve in North Korea until his return to the United States one year later.

Back home in Greensburg, Ed went to work for Bettis Atomic Power Lab as a Material Evaluation Laboratory Fuel Handler until retiring in 1992 as a quality insurance weld inspector. Not only a devoted soldier and worker, Sgt. Wagner has been a dedicated husband, father, grandfather, and great-grandfather to his wife Luella of 59 years, his three children, seven grandchildren, and one great-grandchild. When not spending time with his family, Ed serves as a member of the Free and Accepted Mason Philanthropy Lodge. He also has a passion for restoring old antique cars, driving both a 1937 Plymouth and a 1939 Chevy Master Deluxe.

Sgt. Edward C. Wagner is one of many who fought to preserve American values while in uniform and continue to ''bear true faith and allegiance'' to the Constitution. It was once said, ''This nation will remain the land of the free only so long as it is the home of the brave.'' We owe each and every veteran a sincere 'Thank You' for their service and I would like to especially thank Sgt. Wagner and wish him a very happy and healthy birthday.

## HONORING MR. LLOYD STUFFT

### HON. MARK S. CRITZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. CRITZ. Madam Speaker, as we prepare to celebrate the birth of our nation, I rise today to honor Mr. Lloyd Stufft of New Kensington, Pennsylvania. Mr. Stufft is a tireless volunteer and patriot who has made it his personal mission to honor deceased veterans buried in the Alle-Kiski region of the 12th Congressional District.

Growing up in rural Somerset County, Mr. Stufft joined the Army and served during World War II. He was deeply affected by what he saw. While stationed in France, he spent time burying veterans and maintaining their graves. After joining the American Legion, he continued to care for the graves of deceased veterans, and for the last 40 years, has volunteered as the graves-registration officer for the Robert L. Davies Post No. 868 of Lower Burrell, Pennsylvania. In this role he tends the graves of all the servicemen and women who served in the United States military. He ensures that each grave has an American flag and a marker denoting a veteran's military branch as well as service in any wars.

For the 50th anniversary of World War II, Mr. Stufft put together a color lithograph display of European cemeteries that contain the graves of American service members. In addition, he put together photo books of these cemeteries, including the French cemeteries where he helped to bury veterans and maintain their graves. This work has helped many people find out where their loved ones are buried.

To honor his service, the Pennsylvania American Legion presented Mr. Stufft with the Blue Cap Award for Legionnaire of the Year.

In addition to serving his fellow veterans, Mr. Stufft also cares for his loving wife of 62 years, Mrs. Jeneane Stufft.

Madam Speaker, I wish to conclude my remarks by thanking Mr. Lloyd Stufft for everything he has done to honor our deceased veterans. He is a man who lives by the ideals of the 4th of July every day, and has truly made a difference.

## HONORING JIMMY WAYNE

### HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mrs. BLACKBURN. Madam Speaker, I want to recognize the leadership and contributions of Jimmy Wayne to the State of Tennessee and the United States of America for his remarkable efforts to combat homelessness.

Jimmy Wayne began his ''Meet Me Halfway'' journey on January 1, 2010. He is in the midst of a 1,660-mile walk from Nashville, TN, to Phoenix, AZ, to raise awareness about the plight of the homeless youth in our country.

Being raised in a foster child system, Jimmy knows far too well the challenges and heartaches that go with being homeless. He grew up in multiple foster homes and periodically found himself homeless as a teen.

Luckily at age 16 he met Bea and Russell Costner who took him in and gave him a fresh start and a new lease on life. They gave him a place to stay but only if he agreed to ''meet them halfway,'' by following the rules of their house.

I wish to honor Jimmy for using his ''Meet Me Halfway'' campaign to not only raise awareness but to raise funds for organizations that benefit homeless youth including Nashville's Monroe Harding and Phoenix HomeBase Youth Services. Through these groups, essential services are continuously provided to the homeless, allowing so many who fought the same circumstances as Jimmy did growing up a chance for a more productive, healthy and self-sufficient life.

Madam Speaker, all people should educate themselves about the impact of homelessness on teens and children in their communities. It is my hope that individuals will help address the problem of homelessness in our country by volunteering and donating their time and/or money to the foster child and foster parent programs in their local community.

Thank you, Jimmy Wayne, for your work, and I look forward to congratulating you once you finish this campaign.

## ON THE 100TH ANNIVERSARY OF THE FOUNDING OF THE VILLAGE OF COCHRANE, WISCONSIN

### HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. KIND. Madam Speaker, it is with great honor that I rise in recognition of the Village of Cochrane in Western Wisconsin. Cochrane is celebrating the 100th anniversary of its founding on Saturday, July 3rd.

Located just east of the mighty Mississippi river, Cochrane is surrounded by natural beauty. Located in Buffalo County, it is one of the few areas in the Midwest untouched by the glaciers in the last ice age. Numerous hills and bluffs rise majestically above its many lakes and streams. This beauty is enjoyed by sportsmen from across Wisconsin, many of whom come to fish for trout in the nearby rivers and streams.

While Cochrane citizens once played a role in Wisconsin's timber industry in the mills of the nearby City of Buffalo, it has always been and always will be an agricultural center. Farming is the number one source of income in Buffalo County, and Cochrane is no exception. Cochrane's Lacrosse Milling Company plays a vital role in processing the natural grains produced across the Midwest. I am very proud of the citizens of Cochrane, who help to continue Wisconsin's agricultural tradition.

The Village of Cochrane exemplifies the enduring work ethic present in Western Wisconsin. Though not great in size, together communities such as Cochran make up an important piece of the social fabric of our society. I hope you will join me in applauding the citizens of Cochrane for all that they have contributed to their State and our Country over the past 100 years. I also hope that they will continue to grow and prosper in the months and years ahead.

## IN HONOR OF BERTHA MANECIO

### HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. ADLER of New Jersey. Madam Speaker, I rise today to honor Bertha ''Bert'' Manecio, a resident of Lumberton, New Jersey and dedicated volunteer at the Memorial Hospital Thrift Shop in Mount Holly, New Jersey.

Bert began her volunteer services at the Thrift Shop in 1970. Before her ''retirement'' in May 2010 she had volunteered for forty years and donated over 10,700 hours of her time. Bert helped maintain the shop by tagging and pricing donated garments and helping at the register. She has always given her total support and welcomed any changes with enthusiasm and excitement. She has been a valuable asset to the program and her selfless efforts must be recognized.

Madam Speaker, I ask that you please join me in congratulating Bert for her outstanding and dedicated community service.

## OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,203,473,753,968.10.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $2,565,048,007,674.3 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

## MERCER ISLAND'S 50TH ANNIVERSARY

### HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. REICHERT. Madam Speaker, as the representative to this House for the 8th District of Washington, I want to congratulate and recognize a city within the 8th District that is celebrating a milestone anniversary today.

Mercer Island, with a population of 22,890, was incorporated on July 5, 1960. It is an island in Lake Washington, situated a few minutes east of Seattle. The City is breathtaking in many areas, with wonderful parks, open spaces, beautiful neighborhoods, and successful schools. My District Office is located on Mercer Island and the merchants and residents of the community could not be more accommodating or welcoming of my staff and the various guests who visit the office. Mercer Island is a gem of the 8th District.

Every August, Mercer Island has a front row seat to the extraordinary display put on by the Blue Angels and the boats on Lake Washington during the Seafair celebration; honestly, experiencing Seafair from Mercer Island is an experience that will not be forgotten. Additionally, Mercer Island's large multipurpose community center is an exceptionally valuable community asset and its parks provide the natural beauty and open space that is a hallmark of the Pacific Northwest.

Many fine business, civic and community leaders call Mercer Island home. Many fine students attend school on the island and receive first-class educational opportunities. Mercer Island is one-of-a-kind and I'm pleased to recognize its 50th anniversary of existence. To Mayor Jim Pearman, members of the City Council, and residents of Mercer Island, I say congratulations.

## PERSONAL EXPLANATION

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. OBERSTAR. Madam Speaker, I missed two votes last week in order to attend an important community celebration in International Falls and to see the devastating impact of a tornado that struck Wadena. As a result, I was unable to record my vote on important legislation to ensure continued Medicare reimbursement for physicians and on comprehensive sanctions against Iran. Had I present, I would voted ''aye'' on both measures (rollcall votes 393 and 394). I also missed seven votes on Tuesday in order to attend the funeral of Judge Gerald Heaney of Duluth. Had I been present, I would have voted ''aye'' on Rollcall votes 395, 398, 399, 400 and 401; I would have voted ''nay'' on Rollcall vote 397, and I would have voted ''present'' on Rollcall vote 396.

## IN LOVING MEMORY OF SISTER MARY CELINE GRAHAM: ''A WOMAN OF COMPASSION AND FAITH''

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. RANGEL. Madam Speaker, it is with great sadness that I rise today to memorialize a beloved member of our community, Sister Mary Celine Graham, who's mass will be celebrated tomorrow at Saint Aloysius Roman Catholic Church in her beloved Harlem. Her tragic and senseless death came as a result of a horrific accident and has left behind a deeply felt void within the Handmaids of Mary of the Most Pure Heart family and the greater Harlem community. The Handmaids of Mary have a special place in my heart going back to my youth, and the loss of Sister Mary Celine is especially profound.

Sister Mary Celine was born in Jacksonville, Florida and raised in Detroit. At the age of 22, she joined the Franciscan Handmaids of the Most Pure Heart of Mary in Harlem, which is one of only three historically black orders of Roman Catholic nuns in the United States. She continued to share her love and services with her community for the next 61 years.

Her death at the age of 83 leaves behind a great legacy of tireless service and devotion to those who needed her. Sister Mary Celine is remembered as a woman of true compassion who believed in education for the young. She dedicated her life to being a teacher, director, and surrogate grandmother to the children of St. Benedict's Day Nursery on 124th Street at Marcus Garvey Park.

As the New York Times reported last week, Sister Mary Celine left an indelible mark on the children she cared for and educated. She was a gently firm yet caring teacher who recognized the potential in each individual and worked to bring that potential to fruition. Sister Mary Celine was not only an educator but was also a loving mother figure to the children. These children not only learned the basics of reading and numbers but also learned what it was to love, and what it was to serve others.

The undivided attention and care she poured out to the children and the community will be forever etched in the hearts of all those that encountered her. She was a true kindred spirit that emanated a sense of peace and order.

Madam Speaker, although her life was taken from us too abruptly, rather than mourn this tragedy, I hope that my colleagues will join me in remembering and celebrating the tremendous and loving spirit of Sister Mary Celine Graham—one of God's special angels who served Harlem at the Franciscan Handmaids of the Most Pure Heart of Mary.

## HONORING THE SERVICE OF BRADLEY W. BEAL

### HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. BERKLEY. Madam Speaker, I rise today to honor the service of Mr. Brad Beal, president and CEO of Nevada Federal Credit Union, and outgoing chairman of the Board for the National Association of Federal Credit Unions (NAFCU).

Mr. Beal's dedicated service at Nevada Federal Credit Union made him an outstanding candidate for chairman of the NAFCU Board, and his fellow board members bestowed on him this great distinction in the summer of 2008. From the outset of his chairmanship, Mr. Beal proved to be an invaluable asset to the NAFCU family. His more than 30 years of financial services experience served him well while sitting on several NAFCU committees, testifying before Congress on relevant legislation, and keeping a close eye on issues and legislation surrounding the entire credit union community.

Mr. Beal, a tireless advocate for federal credit unions across the country, faced the challenges and opportunities he was presented with during this time with great professionalism and vigor.

Mr. Beal's selfless commitment as chairman of the National Association of Federal Credit Unions has not gone unnoticed. As he ends his term as chairman, I am sure his colleagues on the NAFCU Board will miss his leadership. I ask my colleagues to join me today in honoring Brad Beal as his chairmanship comes to an end this July.

## A TRIBUTE TO HON. RONALD B. MERRIWEATHER

### HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor the life of my friend Ronald Merriweather. Dedicated to the law, Judge Merriweather worked to better his city and improve the lives of those living in Philadelphia. I know that my colleagues will join me in expressing our condolences to his family as well as thanking them for letting him brighten all of our lives.

Judge Merriweather was born May 27, 1938 and raised in Philadelphia. A product of the Philadelphia Public School System, he graduated from West Philadelphia High School in 1956. After high school Judge Merriweather attended Morgan State University, graduating with a degree in Chemistry and a 2nd Lt. Commission in the U.S. Army. From 1960 to 1962 he served in the U.S. Army, being promoted to the rank of 1st Lieutenant.

After serving in the Army, Judge Merriweather was employed as a United States Treasury Agent with the Federal Bureau of Narcotics. He served in this position for 5 years, earning the U.S. Secretary of Treasury Award for Outstanding Service. After, Judge Merriweather received his J.D. from UCLA Law School and became a member of the Pennsylvania Bar Association in 1973.

Judge Merriweather practiced law in Philadelphia for over ten years, before being elected to the Philadelphia Municipal Court in 1984. He worked on this court for 26 years, retiring in January 2010. During his tenure on the Municipal Court, Judge Merriweather garnered special recognition and numerous awards. He became a Senior Judge in 2009 and was honored with a Special Recognition Award from the Guardian Civic League.

Judge Ronald Merriweather's life showcases his commitment, service, and dedication to bettering his community. Madam Speaker, I ask that you and my other distinguished colleagues join me in celebrating the life of Judge Merriweather, and offer his family our deepest sympathies at the loss of this great man.

## PERSONAL EXPLANATION

### HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. PUTNAM. Madam Speaker, on Tuesday, June 29, 2010, I was not present for seven recorded votes. Had I been present, I would have voted the following way: roll No. 395—''nay'', roll No. 396—''yea'', roll No. 397—''nay'', roll No. 398—''nay'', roll No. 399—''yea'', roll No. 400—''yea'', and roll No. 401—''yea.''

## IN HONOR AND REMEMBERANCE OF PATRICIA A. DORR

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Patricia A. Dorr, devoted wife, mother, grandmother, sister and friend. Mrs. Dorr was also a community activist who served for many years as a Councilwoman representing the City of Berea.

Mrs. Dorr created a warm and inviting home for her family, friends and neighbors. She was an active participant in the lives and special events of her family. Her unwavering devotion to her family was reflected in the close relationships she shared with her children and grandchildren. Mrs. Dorr's strong sense of faith was a source of strength throughout her life. She was a devoted and loved member of St. Mary's Catholic Church in Berea, Ohio.

Patricia was known for her kindness, energy and dedication to community. Following her dedicated service as Berea City Councilwoman, Mrs. Dorr remained active and participated in numerous community events and fundraisers. Her dedication to making a difference in the lives of others remained constant throughout her life.

Madam Speaker and colleagues, please join me in honor and memory of Mrs. Patricia A. Dorr, whose energetic spirit and joy for living will endure within the hearts and memories of those who loved and knew her best. I extend my deepest condolences to her children, James, Cynthia, Robert, Brian, Mary, and Brigitte; to her twelve grandchildren and special grandson; and to her extended family members and many friends.

## THE RETIREMENT OF MS. LESLIE JUDITH GOLDBERG, R.N.

### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. LEWIS of Georgia. Madam Speaker, I rise to pay tribute to Ms. Leslie Judith Goldberg, R.N. to thank her for her 20 years of service to the Members and staff of the U.S. House of Representatives.

Almost every staffer in the House complex, particularly those who work in the Cannon House Office Building, knows Nurse Leslie. Always smiling, extremely knowledgeable, and thorough, she has a legendary ability to help staff find the best possible health care services for their needs. For years, she has collected feedback on the quality of health practitioners and shared both praise and concerns with prospective patients. As a result, she was well-known in doctors' offices throughout the region; they were always asking, ''Ahhh, you were referred by Nurse Goldberg? Who is this Nurse Leslie?''

Born in Providence, Rhode Island, Leslie joined her mother and sister in this vital profession after graduating from the Jewish Hospital of Brooklyn. She went on to work at the New York University Hospital in neurosurgery and the Regional Institute for Children and Adolescents.

In 1990, Nurse Goldberg joined the Office of the Attending Physician and dedicated the end of her great career to serving and caring for the Members and staff of this institution. She is a part of our family. We mourned with her when her loving husband, Alan Goldberg, passed away far too early in life, and we celebrated when she returned to us—her adoptive, extended family.

We all know how much she adores her three sons, Michael, Aaron, and David and daughter-in-law, Lisa. And her grandson, Ari, is the light of her life. While we will Miss her laughter, her smile, her caring, skillful techniques, and infinite knowledge, I applaud her for taking the time to fulfill her personal dreams—travel, volunteer, and most importantly take care of Ari and the grandchildren to come.

Nurse Goldberg, we will miss you terribly; you leave enormous shoes to fill. Thank you for your 20 years of service and keeping us safe, healthy, informed, and always smiling.

## HONORING RON GETTELFINGER FOR HIS LEADERSHIP OF THE UAW

### HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. CAPUANO. Madam Speaker, I rise today to honor Ron Gettelfinger and his masterful 8-year tenure as president of the United Auto Workers. Confronted with the leanest membership in the Union's history and the bankruptcy of two of Detroit's three automakers, the UAW required an effective leader who could balance the interests of members and the needs of their employers.

In Ron Gettelfinger, the UAW certainly had a wise and steadfast leader who could come to terms with this troubling dynamic and act accordingly.

He understood that saving the imperiled union would require a little sacrifice, and also he convinced his union to give up some of the jobs and benefits it had accumulated over the years for a better future. Mr. Gettelfinger thus played a crucial role in saving one of the United States' biggest industries during one of the nation's darkest economic hours.

Today he continues to be an outspoken defender of fair labor laws and better workers' rights, and I hope that he is as successful in his future endeavors as he was these past few years.

## 75TH BIRTHDAY OF SLINGER FRANCISCO

### HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. CLARKE. Madam Speaker, I rise today to commemorate the 75th birthday of Slinger Francisco, better known as The Mighty Sparrow or The Birdie. With a career spanning over 50 years and counting, entertaining audiences from the Caribbean to Asia and all points in between, The Birdie is widely recognized as the ''King of the Calypso World.''

The Mighty Sparrow was born to poor, working-class parents in Gran Roi, Grenada and migrated to his adopted homeland of Trinidad when he was one year old. As a child, he attended New Town Boys School and sang in St. Patrick's Catholic Church, where his talent was quickly recognized as he became head choirboy. His influences included Nat King Cole, Frankie Laine, Sarah Vaughn, Billy Eckstein, Frank Sinatra and Ella Fitzgerald, as well as calypso pioneers Lord Melody, Lord Kitchener, Lord Christo, Lord Invader and the Mighty Spoiler.

The Birdie had found success early with his hit ''Jean and Dinah'' at the age of 20. Not satisfied with early success, he followed up with a rapid succession of hits including ''Carnival Boycott'', ''P.A.Y.E.'', ''Russian Satellite'', ''Theresa'', ''Good Citizen'', ''Salt Fish'' and ''Penny Commission'' just to name a few. His songs covered a broad range of socially conscious topics including education, tyranny in Africa, animal cruelty and the welfare of his home of Trinidad and Tobago.

The Mighty Sparrow's accomplishments include multiple Trinidad and Tobago Road March Competition titles, multiple Calypso Monarch titles, an honorary doctorate from the University of the West Indies, and his contributions to music and society led then-mayor Ed Koch to proclaim March 18th, 1986 ''The Mighty Sparrow Day.''

I hope all of my colleagues will join me in celebrating the birthday and extraordinary body of work that The Mighty Sparrow has contributed during his career as a lyricist, composer, singer, comedian and entertainer.

## INTRODUCING A RESOLUTION THAT HONORS THE PATRIOT GUARD RIDERS

### HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. BUYER. Madam Speaker, I come before you today to offer a resolution that honors a group of fine Americans, the Patriot Guard Riders. Established in November of 2005, the Patriot Guard Riders were created to counter protesters of the wars in Iraq and Afghanistan who sought to disrupt the funerals of our heroes who died serving our country. Today, the

Patriot Guard Riders are over 190,000 members strong and they dedicate themselves to a mission of preventing interruptions at funerals honoring those servicemen and women who have made the ultimate sacrifice protecting our nation.

To date, the Patriot Guard Riders have participated in over 17,000 missions honoring our heroes around the country. They have also distinguished themselves in countless other ways, to include the establishment of the Fallen Warrior Scholarship Fund for U.S. military family members, visiting veteran's hospitals, and giving financial assistance to the families of our fallen heroes.

Madam Speaker, as we approach this Independence Day, it is appropriate to recognize these great Americans who have dedicated themselves to protecting the solemnity of the final farewells of those who died while serving to preserve the liberties that we exercise here in this House today. It is the actions of patriots like these, those who readily stand to support our fallen heroes, that help make this nation great.

## MR. ARTHUR J. MYERS

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. SKELTON. Madam Speaker, I would like to pay tribute to Mr. Arthur J. Myers. He served his country for almost 50 years, providing deployable combat support for warfighters and community services for those left behind. I have been privileged to work with him for a number of years on issues of concern to military members and their families.

Mr. Myers enlisted in the Air Force and served 20 years in key morale, welfare, and recreation, MWR, and financial positions. His civilian career took him from club manager to director of MWR for several major commands. He was hand-picked to become the first deputy director for the new Air Force MWR organization, and was later promoted to the Director of Air Force Services.

His leadership and vision shaped one of the most progressive and expansive quality of life programs in the military, with significant positive impact on Airmen and their families.

He deployed Airmen to provide foodservice, lodging, fitness, and other programs for contingency operations, personally visiting even the most remote sites and forward bases.

His ''Fit to Fight'' program resulted in a 30 percent increase in fitness center usage, a 2-point improvement in fitness scores, and an aggressive program to upgrade fitness facilities.

He expanded quality affordable child care by over 4,000 spaces and established a new subsidy for those unable to get into base childcare facilities, saving parents money and keeping family emergencies from disrupting the mission.

He operated the port mortuary at Dover Air Force Base for members of all Services killed in action, others who die overseas, and occasionally victims of Stateside mass casualties. His plan for media access to the Dover Mortuary was approved by the President, reversing a long-standing ban on media coverage for the arrival of remains of fallen military members.

He pioneered the Survivor Assistance Program to assist families of deceased members, and later expanded the program to care for Airmen wounded in action.

He energized industry leaders, trade groups and professional associations to sponsor new programs and services, scholarships, promotional activities, training and certification program for managers and staff, and outreach programs.

He testified at numerous Congressional hearings, and met often with the First Lady and senior Administration leaders on programs to enhance quality of life for service members and their families.

Mr. Myers was consistently recognized with numerous military and civilian awards, including three Presidential Rank Awards and the Department of Defense Distinguished Civilian Service Award. He received the Leadership Award from the International Military Community Executives Association, a Lifetime Achievement Award from the American Logistics Association, and a National Service to Youth Award from the Boys & Girls Clubs of America, which also inducted him into their Alumni Hall of Fame. However, his highest honor came when the top senior enlisted leaders in the Air Force made him an honorary Chief Master Sergeant.

Over the years, Mr. Myers built a highly-effective team to maintain our Nation's number one weapons system: the Airmen. His efforts tied directly to Air Force success in combat arenas and on the home front. As he retires now for the second time, I want to thank him on behalf of the citizens of this country. He leaves a lasting legacy of support for generations of Airmen and their families, and I know he will continue to be a strong advocate for them.

## IN HONOR AND RECOGNITION OF THE ANNUAL FREEDOM CELEBRATION OF THE WESTSIDE VET CENTER OF PARMA, OHIO

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of the staff and volunteers of the Westside Vet Center of Parma, Ohio. Their dedication to providing quality health care services to the men and women who have sacrificed for our nation deserves the deepest gratitude.

The lives of many veterans and their families have been improved by the outreach efforts of the Westside Vet Center. The Center provides vital resources, including services and assistance focused on their emotional, psychological, medical, financial, and employment needs.

The quality support provided by the Westside Vet Center is the least that can be done for the veterans in our community—our brothers, sisters, sons and daughters, mothers, fathers, grandmothers and grandfathers—thousands of whom have suffered great personal loss resulting from their service.

Madam Speaker and colleagues, please join me in honor and tribute of the staff and volunteers of the Westside Vet Center as they celebrate the Westside Vet Center's Annual Freedom Celebration. Their service and sacrifice will always be remembered and honored.

## IN CELEBRATION OF THE 400TH ANNIVERSARY OF THE CITY OF HAMPTON

### HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. WITTMAN. Madam Speaker, I am privileged to rise today to honor the 400th Anniversary of the City of Hampton, Virginia.

I am pleased to recognize and honor the City of Hampton as it celebrates its 400th Anniversary on July 9, 2010. The City of Hampton is America's first and oldest continuous English-speaking settlement. It is one of seven major cities that comprise the Hampton Roads areas, and is located on the southeastern end of the Virginia Peninsula and borders the Chesapeake Bay.

On April 30, 1607, Captain John Smith landed at Strawberry Banks. Three years later, on July 9, 1610, English Colonists established a small town at the entrance of the James River and the Chesapeake Bay. Well-situated, the area became one of the leading ports in America and the entrance to the Commonwealth of Virginia with many settlers passed by its shores before moving into the interior.

Early settlers also saw the strategic defensive importance of the area, establishing Old Point Comfort where the Elizabeth, Nansemond and James rivers empty into the Chesapeake Bay. In 1830, construction of Fort Monroe began. Named in honor of President James Monroe, the fort is the oldest active duty fort in the nation.

By the 1600s, the South King Street waterfront was the center of a prosperous settlement and hub for the seafood industry. Wharves and maritime merchants extended along the waterfront, and crab skiffs, oyster canoes and buy boats lined the river and creeks giving rise to the nickname 'Crabtown.' The crabs caught became world famous, wining prizes at the Berlin, London and Paris World Fair's. This gave rise to shipyards, shipfitters, carpenters, blacksmiths and coopers to support the maritime industry.

The City of Hampton continues to play a central role in the Hampton Roads area attracting a wide array of businesses, research facilities, residential areas, historic sites and waterfront beaches. It is home to Langley Air Force Base, NASA Langley Research Center, the Virginia Air & Space Museum and historic Hampton University. The City of Hampton invites visitors from around the world to explore Hampton in 2010.

Madam Speaker, the City of Hampton is rich in history, resources and natural beauty. I am proud to recognize the City of Hampton on this significant occasion, and I ask my colleagues to join me in honoring the 400th anniversary of the City of Hampton.

## CONGRATULATING THE PARTICIPANTS OF THE HOUSE FELLOWS PROGRAM

### HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. LARSON of Connecticut. Madam Speaker, I rise today to congratulate the participants of the House Fellows Program. The House Fellows Program, run by the Office of the House Historian, is a unique opportunity for a select group of secondary education American history and government teachers to experience firsthand the inner-workings of Congress. These educators have demonstrated excellence in the classroom, are dedicated to educating our Nation's youth and are truly deserving of our recognition.

One of the goals of the House Fellows Program is to develop curriculum on the history and practice of the House for use in schools. During the program, fellows prepare a brief lesson plan on a Congressional topic of their choosing, which is then shared with the other fellows. These plans will become part of a larger teaching resource database on the House. During the school year following their participation in the House Fellows Program, each Fellow is responsible for presenting his or her experience and lesson plans to at least one in-service institute for teachers of history and government.

The House Fellows Program began in 2006, and since then 75 teachers from across the country have participated in this innovative program.

An additional 45 teachers will be taking part in this summer's program. With plans to select a teacher from every Congressional district over the next several years, the House Fellows Program will impact thousands of high school teachers and their students and will energize thousands of students to become informed and active citizens.

As a former U.S. history teacher, I believe strongly in the importance of civic education. We must continue our efforts to get our youth involved in the political process in districts across the country. Educating teachers about the ''People's House'' is one of the best ways to do that. I congratulate the following educators who are participating in the 1st session of this summer's 2010 House Fellows Program:

Ms. Katherine Brantley (Ruppersberger, MD–02), Mr. Brian Rock (Pallone, NJ–06), Ms. Elizabeth Murphy (Payne, NJ–10), Ms. Esme Scott (Price, NC–04), Mr. Charles Zappa (Serrano, NY–16), Mr. Nate Cole (Serrano, NY–16), Mr. John Burns (Pastor, AZ–04), Mr. Darios Felix (Rohrabacher, CA–46), Mr. Roy Greenland (Goodlatte, VA–06), Mr. Duane Baker (Hoekstra, MI–02), Ms. Laura Howard (Kingston, GA–01), Mr. Daniel Hayden (King, NY–03), Mr. Randy 'Scotty' Hicks (Duncan, TN–02), Ms. Mary Helen Story (Duncan, TN–02) and Mr. Timothy Rodman (Bartlett, MD–06)

Madam Speaker, I urge all of my colleagues to join me in thanking the Office of the Historian for sponsoring this program. Thanks to Dr. Robert Remini and Dr. Fred Beuttler for their outstanding leadership, and Dr. Thomas Rushford, Mr. Anthony Wallis and Mr. Benjamin Hayes for providing the crucial staff support.

Thank you also to the Office of the Historian interns: Ms. Jacqueline Burns, Mr. Michael Karlik, Ms. Madeleine Rosenberg and Ms. Debbie Kobrin.

## BENJAMIN R. DECOSTA, GENERAL MANAGER, CITY OF ATLANTA DEPARTMENT OF AVIATION

### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. LEWIS of Georgia. Madam Speaker, I rise today to recognize a great public servant of Metro Atlanta and the international aviation community.

For 12 years, Mr. Benjamin R. DeCosta has led the City of Atlanta's Aviation Department and successfully managed Hartsfield-Jackson Atlanta International Airport—the world's busiest passenger airport. Located in my congressional district, this outstanding internationally-recognized transportation center employs more than 56,000 people and generates more than 400,000 jobs and $23.5 billion in Metro Atlanta's economy. Recently, Mr. DeCosta announced that he will be leaving Hartsfield-Jackson Atlanta International Airport.

I am proud to have known and worked with Mr. DeCosta for over a decade. Whenever I call Ben and his staff about national aviation policy issues and the impact on Hartsfield-Jackson—I could always expect an honest, thorough, and researched answer. Ben successfully led the effort to open a 5th runway, the Maynard H. Jackson, Jr. International terminal, a consolidated rental car center, and upgrades to the central passenger terminal complex. He also managed to award almost 40 percent of contracts that were part of this $6 billion capital improvement initiative to women- and minority-owned businesses.

Consumed with improving customer service and setting higher standards for passengers, Ben has led the airport's team in making the entire experience smoother for those traveling, to, from, and through Hartsfield-Jackson. For example, we worked together to improve the security screening processes at the airport. Now the passenger wait times average less than 10 minutes; the lines may be long, but they move. He also brought numerous retailers to the airport; on both sides of the security check points, you can find great food and shopping for whatever your needs may be while you wait.

It has not been easy; many would have walked away a long time ago. Somehow, Ben rose to the challenge. The aviation community took notice of his successes. Last year, the National Forum of Black Public Administrators (NFBPA) recognized him as the recipient of the 2009 prestigious National Leadership Award. In 2007, Airport Revenue Magazine voted him Best Director. Under his leadership, Hartsfield-Jackson was recognized as the World's Most Efficient Airport for three consecutive years, the world's top airport with Wi-Fi connectivity, and the Executive Traveler's Best Large U.S. airport.

Ben came to Atlanta from New York where he worked for the Port Authority of New York and New Jersey and served as the general manager of Newark International Airport. He earned a physics undergraduate degree from Queens College and a Juris Doctor degree from New York Law School, and continued his studies as part of a senior executive program for local and state governments at the John F. Kennedy School of Government at Harvard University.

I would like to thank Mr. DeCosta for his service, dedication and success to Hartsfield-Jackson Atlanta International Airport and the Metro Atlanta community. I wish him and his family continued success and happiness in the next chapter of his great career.

## THE TATEUCHI FOUNDATION

### HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. REICHERT. Madam Speaker, in 2006, the fundraising campaign for Performing Arts Center Eastside (PACE) began in earnest and a new performing arts center is set to open in 2013 in my District—Washington's 8th. The PACE campaign just received a $25 million gift from the Tateuchi Foundation, and a renewed life has been breathed into a campaign for cultural vibrancy, economic vitality, and artistic expression.

Madam Speaker, the generosity of the Tateuchi Foundation to the PACE campaign is nothing short of phenomenal. For its incredible gift, the Foundation received the naming rights of the performing arts center. Therefore, it will now be known as the Tateuchi Center, and I'm extremely pleased to see the campaign receive such a significant boost.

The spirit of giving and philanthropy is alive and well, Madam Speaker. This extraordinary gift has reminded our community that belief in unique and worthwhile entertainment and art is essential to a vibrant community. The realization of a state-of-the-art performing arts center in the 8th District will provide jobs and enhance the quality of life and cultural infrastructure of the entire Puget Sound region. According to recent studies, the Tateuchi Center will have a $470 million impact on King County over the next decade and will generate $70 million in new tax revenues for federal, state, county and city governments. Beyond that, Madam Speaker, a unique, exciting venue like the Tateuchi Center will help businesses in the Puget Sound region—such as Microsoft—continue to recruit top talent and excel in a highly desirable area.

The campaign to bring a one-of-a-kind performing arts center to the 8th District is driven by the desire to transform lives and enrich the community by presenting artistic, cultural, educational, and entertainment experiences of the highest quality for everyone. The momentous gift of the Tateuchi Foundation is helping make that desire a reality. The overall fundraising goal will be reached, and that's a testament to civic pride, business leadership, and the public good. Madam Speaker, I thank the leaders of the campaign to bring the arts to the 8th District. And of course, I join my constituents in thanking the Tateuchi Foundation for its generosity. The continued dedication to this cause is remarkable and worthwhile.

Madam Speaker, even in this difficult economic time, the Tateuchi Center campaign demonstrates that the desire for artistic expression is as limitless as the expression itself

and is sending a clear message: the inclusion of arts in a community will make that community a better place to work, live, and create.

## HONORING MRS. JUDITH BERNICE SEEMAN DEL ROSSI AND MR. FRANCIS JOSEPH DEL ROSSI

### HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. ADLER of New Jersey. Madam Speaker, I rise today to honor Mrs. Judith Bernice Seeman Del Rossi and Mr. Francis Joseph Del Rossi on the occasion of their 50th wedding anniversary.

Judith and Joseph were married at St. John's Catholic Church in Collingswood, New Jersey, on June 11, 1960. Together, they raised three children: Angeline Rita, Mary Frances, and Francis Joseph. As longtime residents of Pennsauken, New Jersey, Frank taught at Pennsauken High School for 37 years, where he also coached the school's basketball team. Judy served in many Parent Teacher Association leadership roles while her children were young. She recently retired from her job at the Claridge Casino after more than 20 years of service.

Today, Judy and Frank are residing in Marlton, New Jersey. Their 50 years of marriage is a true testament to the loyalty and love they demonstrate in all aspects of their lives.

Madam Speaker, I ask my colleagues in the House of Representatives to join me on congratulating Judith and Joseph Del Rossi upon the occasion of their 50th anniversary. For their commitment and generosity to family, friends, and each other, they are to be commended.

## HONORING MRS. EGLANTINE MELITA GORDON

### HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. MEEK of Florida. Madam Speaker, I rise to pay tribute to the late Mrs. Eglantine Melita Gordon. It is with both profound sadness but also an enduring sense of gratitude that I recognize her for the tremendous inspiration she provided to both her church and community.

Affectionately known as ''Mama G,'' Mrs. Gordon was born in Riverside, Hanover, Jamaica on November 26, 1916 to the late Jabez Buchanan and Florence Johnson. She attended Riverside All-Age School, Rusea's Comprehensive High School and Bethlehem Teachers College.

Upon graduation, Mrs. Gordon began her professional career as a teacher at Riverside, Wesley, Elletson, and New Providence primary schools in Jamaica and William Gordon Elementary School in the Bahamas. She was also a private tutor.

She was a member of the Meadowbrook United Church in Jamaica and served as an elder, member of the Women's Guild, and participated in the Social Services Outreach Program.

In Miami, Florida, Mrs. Gordon was a member of Bay Shore Lutheran Church. She served as a greeter and member of the Lutheran Women Missionary League. She was the recipient of the Good Samaritan Award of Bay Shore Lutheran Church, which was awarded by the Lutheran Services of Florida.

Mrs. Gordon was married to the late Rupert Carlton Gordon. They had three daughters: Yvonne Elaine Hill, Patricia Evadne Ferdinand and Rose-Marie Gordon-Wallace. She was blessed with a loving family who took pleasure in every aspect of her life and her interests. I offer my heartfelt condolences to her three daughters; sons-in-law, Tyrone Hill, Donald Ferdinand, Frederick Myers, and Roy Anthony Wallace; her grandchildren, great-grandchildren, sisters, cousins, nieces, nephews, and friends.

Madam Speaker, I ask you and all the members of this esteemed legislative body to join me in recognizing the extraordinary life and accomplishments of Mrs. Eglantine Melita Gordon. I am honored to pay tribute to Mrs. Gordon for her invaluable service and tireless dedication to both her church and local community. She will be missed by all who knew her, and I appreciate this opportunity to pay tribute to her before the United States House of Representatives.

## FIREARMS EXCISE TAX IMPROVEMENT ACT OF 2010

SPEECH OF

### HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 2010*

Mr. TIAHRT. Mr. Speaker, this legislation is long overdue. For years, there have been inconsistencies in the manner in which manufacturers pay their taxes. Under current law, firearm and ammunition manufacturers pay excise taxes into the fund on a bi-weekly basis. All other manufacturers pay on a quarterly basis. This legislation will change this inconsistency and bring a little commonsense into our crazy tax system.

I am pleased to be a cosponsor of H.R. 510, to amend the Internal Revenue Code to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly. The frequency of tax payments for the firearm and ammunition manufacturers is a burden on the industry. In fact, some manufacturers are forced to secure short-term loans to pay their taxes, thus incurring additional expenses and adding to administrative overhead. The end result is that money is diverted away from core business areas to finance tax payments.

Through this legislation, firearm and ammunition manufacturers will now be able to reinvest more funds into researching and developing new products, purchasing new manufacturing machinery, and increasing marketing and outreach to the hunting and sport shooting community. The federal government will get their taxes, on a quarterly basis as it does from every other manufacturer, so no revenue will be lost.

I urge my colleagues to support the Firearms Excise Tax Improvement Act.

## RECOGNIZING THE SALTER FAMILY AS THE 2010 SANTA ROSA COUNTY OUTSTANDING FARM FAMILY OF THE YEAR

### HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. MILLER of Florida. Madam Speaker, it is my distinct privilege to recognize the Salter family for being named the 2010 Santa Rosa County Outstanding Farm Family of the Year. The hard work and dedication of this family helps not only feed many in the community, but also so many throughout the country. For that reason, Madam Speaker, I am honored to recognize their accomplishments.

John, Stacy and their daughter Kailee are fourth generation farmers. The Salter family has been a vital part of the Chumuckla community since the late 1800s. While many things have changed in the field of agricultural science since the 1800s, the Salter family has remained steadfast in their honored tradition of working hard and providing quality goods to market.

In addition to having a determined work ethic that is deeply rooted in the Salter family, they have also begun to sow the seeds of voluntarism in the Northwest Florida community. Mr. John Salter has served as the Chairman of the Blackwater Soil and Conservation District for the past 12 years and is currently Chairman of the Santa Rosa County Farm Service Agency County Committee. Furthermore, Mr. Salter serves as a council member of the Three Rivers Resource Conservation and Development Council. He is also a member of Florida Farm Bureau, Florida Peanut Producers Association and the Southeast Peanut Farmers' Association.

Madam Speaker, our great nation was built by farmers and their families. The Salters serve as an example to all our nation's family farmers. On behalf of the entire United States Congress I applaud their efforts and congratulate them on being named the Santa Rosa County Outstanding Farm Family of the Year. My wife Vicki and I thank them for their work and wish them continued success in the future.

## IN MEMORY OF MR. ROBIN WHITLEY HOOD

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. ETHERIDGE. Madam Speaker, I rise today to honor the life of Mr. Robin Whitley Hood, who passed away on Sunday, June 27, in Raleigh, NC. Best known for the smile he brought to other's faces and his lifelong community involvement, Whitley will surely be missed.

Robin Whitley Hood was born on January 1, 1932, in Johnston County to parents John Robert and Cleo Wood Hood. He attended Campbell College and graduated from Wake Forest University, where he was a member of Lambda Chi Alpha Fraternity. After graduation, Whitley established Robin Hood Enterprises Inc., which still flourishes today. His companies include Whitley Hood Insurance Agency,

Robin Hood Truck Stop and Restaurant, and Robin Hood Oil Company.

In addition to his entrepreneurial endeavors, Mr. Hood served as mayor of the town of Benson from 1971–1979. He was instrumental in the development and growth of Benson, where he was a strong advocate for the community. He played a key role in developing a water line to Benson from the Neuse River and argued strongly for 1–40's current route near Benson over a counterproposal that would have taken it further north. He was named Benson's Citizen of the Year in 1973.

Whitley remained an active member of the community long after his public service. He was a member of the Benson Lions Club, a past patron of Eastern Star, a member of the Benson Stock Club, a member of the Benson GBO, an active member of Benson Baptist Church and a past deacon. He was also a prominent Mason and Shriner.

My best memories of Whitley involve his work as director of the Sudan Clowns for almost 50 years. Whitley loved to bring joy to people's faces and to spread laughs and good cheer to those he met. Many of the Dunn community are familiar with ''Happy'' the clown and the clown cards he would leave behind; I know that I will never forget the happiness he brought to those around him and I am sure his bright light will not soon be forgotten by others in our community.

Madam Speaker, I urge my colleagues to join me today in honoring the life of Mr. Robin Whitley Hood, a beacon of his community and a true exemplar of civic involvement. May he even in passing bring a smile to his loved ones' faces for the wonderful legacy he has left behind.

## EXCERPTS FROM TESTIMONY GIVEN BY LORNE CRANER

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. WOLF. Madam Speaker, I submit excerpts from the testimony of Lorne Craner, president of the International Republican Institute, IRI, speaking before the House Committee on Foreign Affairs on June 10.

Mr. Craner spoke with great clarity about a number of important issues regarding the promotion of human rights and democracy in the context of U.S. foreign policy.

He opened with reflections on President Reagan's conviction that freedom is a birthright—one that ought to be enjoyed by all peoples. Mr. Craner testified:

''President Reagan said 'We must be staunch in our conviction that freedom is not the sole prerogative of a lucky few, but the inalienable and universal right of all human beings. So states the United Nations Universal Declaration of Human Rights . . .'

''But Reagan went beyond simply noting the importance of freedom in the speech. He laid out a strategy to achieve it, stating that 'If the rest of this century is to witness the gradual growth of freedom and democratic ideals, we must take actions to assist the campaign for democracy. While we must be cautious about forcing the pace of change, we must not hesitate to declare our ultimate objectives and to take concrete actions to move towards them.'

''Further, he enunciated a method to help achieve the strategy, saying 'the objective I propose is quite simple . . . to foster the infrastructure of democracy, the system of a free press, unions, political parties, universities, which allows a people to choose their own way to develop their own culture, to reconcile their differences through peaceful means.'

''Reagan counseled patience, noting that 'the task I've set forth will long outlive our generation.' He would be characteristically modest about his role, but within eight years, the number of 'free countries' in Freedom House's survey had risen to 76, compared to 51 at the time of his inaugural, 'partly free countries' had risen to 65 from 51, and 'not free' countries had declined from 60 to 42. Most dramatically, the Soviet bloc had disintegrated. While many West Europeans now claim it was engagement—exemplified by 'Ostpolitik'—that ended the Cold War, those who lived under Soviet domination instead give much credit to Pope John Paul II, Margaret Thatcher and Ronald Reagan . . .''

Later in his testimony Mr. Craner remarked on the critical role that Congress plays in pressing the State Department to elevate these issues of human rights and religious freedom . . . issues which often are downplayed in the name of bilateral relations. Craner noted:

''Indeed, for more than 30 years, beyond the inception of NED, Congress has truly been at the forefront on issues of human rights. For example, the State Department Bureau I headed, for Democracy, Human Rights and Labor, was also founded by an act of Congress. On many occasions the Congress has actually led on human rights and democracy policy. The annual State Department Country Reports on Human Rights were established over the objections of the then-administration. I referred earlier to Congressional action on human rights early in the Reagan administration. In the 1990s and this decade, a number of the entities within the State Department intended to advance human rights—the Office of International Religious Freedom, the Office to Monitor and Combat Trafficking in Persons, and the Special Envoy to Monitor and Combat Anti-Semitism—were also established over administration opposition. The recent Advance Democracy Act was opposed by the then-administration. Legislative action regarding human rights in various countries, from China to El Salvador to South Africa, has been taken by Congress despite the administration's wishes. It is especially important to note that passage of such legislation was undertaken by Congresses with Democratic or Republican majorities during both Democratic and Republican administrations.''

Lastly, he spoke compellingly of the need for ''Strong, consistent, leadership on democracy and human rights from the top of the administration . . .'' He gave several reasons:

''First, much attention is paid to the administration's funding levels for democracy programming. This is substantively important, given what democratic foreign leaders point to as the results of America's democracy programming over the past quarter century, from Chile to the Philippines to Poland, Mongolia, Serbia, Georgia, Moldova, and many others. Here in Washington, it is also seen as a symbolic measure of U.S. support for democracy in countries in remaining repressive countries such as Cuba, Belarus, Iran, and Burma. In instances such as these, Congress can exert its influence by earmarking funds certain countries. The implementation of such earmarks can be greatly influenced by the second reason for strong presidential/administration support: the message sent within the bureaucracy.

''Too often it is easy for the career bureaucracy to minimize democracy and human rights because these elements complicate other bilateral issues, such as economic or trade or security relationships. Skilled diplomats know that it is possible to achieve both. But clear statements by the President and Secretary of State on democracy and human rights contribute to the degree to which efforts will be made by U.S. Country Teams to implement programs and seek to garner international support for those seeking to better their conditions under authoritarian regimes. Under President Clinton and Secretary Albright and President Bush and Secretaries Powell and Rice, for example, U.S. diplomats understood that human rights and democracy were strong emphases of U.S. foreign policy.

''Third, and perhaps most important, the degree of administration support for democracy and human rights is watched closely by autocratic and totalitarian foreign leaders. They are trying to discern how to manage relations with the world's most powerful country. When American leaders diminish our emphasis and consistency on democracy and human rights, foreign leaders understand that they don't have to do as much on those issues to maintain good relations with Washington.''

Mr. Craner closed by noting that the Obama administration has gotten off to a weak start on these issues, and that this has not gone unnoticed by those to whom U.S. policy in this regard matters most . . . ''democrats and dissidents.''

Craner remarked, ''Commenting on President Obama's delayed meeting with the Dalai Lama, former Czech President Vaclav Havel said of Beijing 'they respect it when someone is standing his ground, when someone is not afraid of them. When someone soils his pants prematurely, then they do not respect you more for it.'

''Cyberdissident Ahed Al-Hendi stated that previously, in Syria 'when a single dissident was arrested . . . at the very least the White House would condemn it. Under the Obama administration, nothing.'

''Malaysia's Anwar Ibrahim said 'Our concern is that the Obama administration is perceived to be softening on human rights . . . once you give a perception that you are softening on human rights, then you are strengthening the hands of autocrats to punish dissidents throughout the world.'

''According to Egypt's Saad Eddin Ibrahim, 'George W. Bush is missed by activists in Cairo and elsewhere who—despite possible misgivings about his policies in Iraq and Afghanistan—benefited from his firm stance on democratic progress. During the time he kept up pressure on dictators, there were openings for a democratic opposition to flourish. The current Obama policy seems weak and inconsistent by contrast.' ''

I share Mr. Craner's concerns and echo his charge to Congress to stand in the gap even in the face of an administration that is struggling to find its voice on matters which ought to be central in American foreign policy.

## RECOGNIZING THE CENTER FOR INFORMATION DOMINANCE, CORRY STATION

### HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. MILLER of Florida. Madam Speaker, it is with great pleasure I rise to recognize the Center for Information Dominance (CID) Corry Station for their countless hours of service to the community of Northwest Florida. CID Corry Station has gone above and beyond the call of duty, further serving their country through their community involvement.

Encompassing all branches of the Armed Forces, the service members of CID Corry Station have set a shining example for Americans everywhere through their unwavering and unselfish dedication. Members of every rank have contributed toward an astronomical number of hours being recorded in the period spanning July of 2009 to June of 2010. In this period, the members of CID Corry Station have contributed a total of 9,481 volunteers recording 87,801 community volunteer hours. These volunteers have touched the lives of 107,807 citizens of Northwest Florida, all of which are eternally grateful for the selflessness of these service members.

The service members of CID Corry Station have assisted the efforts of many volunteer organizations in Northwest Florida. CID Corry Station has volunteered alongside organizations such as Manna Food Pantry, Pensacola Boys Base, Meals on Wheels, Saturday Scholars, Boy Scouts, Girl Scouts, Youth Sports, Junior Achievements, and the Big Brothers/Big Sisters Program, just to name a few of the enumerable ways in which these service members have bettered their community.

Madam Speaker, on behalf of the United States Congress, I would like to recognize the service members of Center for Information Dominance Corry Station for their service to their country and the community of Northwest Florida. May they continue in their efforts to provide a brilliant example for others to follow.

## IN HONOR OF THE UNIFEM–U.S. NATIONAL COMMITTEE 2010 NATIONAL CONFERENCE

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mrs. MALONEY. Madam Speaker, I rise to pay special tribute to UNIFEM, the United Nations Development Fund for Women, and to the United States National Committee for UNIFEM. This month, the UNIFEM–U.S. National Committee (USNC), in partnership with the National Council for Research on Women, is holding its 2010 Annual National Conference in New York City. The theme of this year's conference, ''Strategic Imperatives for Ending Violence Against Women,'' is timely and important, and I salute UNIFEM–USNC for convening prominent leaders and activists to address these critical issues. The Conference is being held at Hunter College of the City University of New York on Manhattan's Upper East Side and is being co-hosted by the College's Women & Gender Studies Program and historic Roosevelt House.

The 2010 Conference is helping to increase awareness of the nexus between violence against women and its harmful effect on key indicators, be they economic, educational, or relating to public health. Convening prominent leaders and activists from the worlds of business, academia, philanthropy, advocacy, nonprofit organizing, and public policy, the Conference will advance UNIFEM's critical mission and develop and promote strategies to combat gender-based violence.

UNIFEM's vital mission is to advance women's rights and achieve gender equality around the world. UNIFEM begins with the fundamental premise that all women have a right to live a life free from discrimination and violence. By supporting national as well as local programs, UNIFEM has helped pave the way toward a more just society, free of gender discrimination and the oppression of women. UNIFEM supports the advancement of existing international commitments for gender equality on a national level. It has helped advance some of our loftiest ideals, values of human and civil rights embraced by the vast majority of U.N. member nations, as embodied by important initiatives such as the Convention on the Elimination of Discrimination Against Women.

UNIFEM is active all across the globe, from sub-Saharan Africa to the islands of the Caribbean. Its staff works with countries to formulate and implement laws and programs to promote gender equality in all aspects of civil society, working to secure fair and fairly compensated employment opportunities for women, to end the scourge of violence against women, and to help secure their inheritance and property rights. In Sudan, UNIFEM has partnered with the United Nations Mission in Darfur to promote awareness of, and to try to stem, the surge in violence against women. Its staff works closely with tribal leaders and refugee camps to teach women how to protect themselves from sexual assault and violence, achieving a noticeable positive impact on the area.

UNIFEM also strives in collaboration with governments to achieve greater gender equality and increase awareness of the basic human rights of women. In collaboration with various NGOs, UNIFEM has successfully pushed for increased female representation in the legislatures of numerous governments in the Middle East and Asia.

Madam Speaker, I ask that my distinguished colleagues join in recognizing the remarkable contributions toward improving the quality of women's lives around the world made by UNIFEM, the United Nations Development Fund for Women, and the UNIFEM United States National Committee, on the occasion of its 2010 Annual National Conference. For thirty-four years UNIFEM has worked closely with governments and organizations across the globe to make the ideals that we hold a reality, and all citizens of the world owe a debt of gratitude to UNIFEM and to UNIFEM–USNC.

## HONORING THE LIFE OF NETTIE B. ROGERS

### HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. COHEN. Madam Speaker, I rise today to honor the life of Nettie Brown Rogers, a woman of keen faith and conviction who selflessly served the spiritual community of Memphis, Tennessee for over fifty years. Born in Memphis to Arthur and Bertha Brown on October 25, 1922, Nettie Rogers was a committed wife to Floyd Rogers, a caring mother of seven children and a community leader among the city's Baptist Churches.

Deeply devoted to her Christian faith, Mrs. Rogers was a pioneering woman who accepted her calling to religion ''no matter what men might say.'' In 1958, she and 22 other community members co-founded Grace Missionary Baptist Church in Memphis. A committed member of Grace M.B. Church, Mrs. Rogers also served for ten years as an associate minister at New Salem Missionary Baptist Church where she was said to have done everything but preach.

In 1968, Mrs. Rogers founded the Memphis Inter-Denominational Fellowship, Inc., a nonprofit that supports spiritual growth, Christian and public education and initiatives to reduce crime, juvenile delinquency and illiteracy. Under Mrs. Rogers's leadership, the Memphis Inter-Denominational Fellowship pursued creative initiatives, such as the ''Back to Church School Crusade,'' which established National Church School Day on the first Sunday in June. Through Operation Bread Basket, Mrs. Rogers provided food for over 30 years to individuals, churches, nursing homes and other community agencies. Endowed with faith, wisdom, and an unselfish love, Mrs. Rogers's life was characterized by such acts of unwavering commitment to Christian and community service.

Mrs. Rogers's home in South Memphis was adorned with awards and letters from churches, schools and organizations documenting the achievements of her distinguished life. In 2009, she was posthumously awarded the Ruby R. Wharton Outstanding Woman award in the area of Youth and Delinquency by Mayor AC. Wharton. That same year she was inducted into the Memphis African American Museum's Hall of Pulpits, the only woman among 12 male preachers. In 2007 and 2008, I issued Congressional proclamations commending her outstanding work in the community supporting youth engagement. In 2006 and 2008, the State of Tennessee House of Representatives passed Joint Resolutions honoring Mrs. Rogers for her strength in character and commitment to selfless good works. In 2002, the City of Memphis renamed the street she lived on to Fountain Court in her honor. Mrs. Rogers also received awards and recognition from the April 4th Foundation, Grace M.B. Church, the National Association of Negro Business and Professional Women's Club and LeMoyne-Owen College, among other well-deserved distinctions.

Nettie Rogers passed away at her home in South Memphis on February 12, 2009 at the age of 86. She is survived by four daughters, two sons, 14 grandchildren, six great-grandchildren, and the legacy of her faith and public

service. In the words of her daughter, Dr. Inetta F. Rogers who serves as the President of Memphis Inter-Denominational Fellowship, "I saw her as a role model in the community and I'm preaching in pulpits where she couldn't." Memphis has been blessed to have benefited from the good deeds of this exceptional mother, wife, friend, spiritual advisor and ministry leader. Hers was a life well lived.

## IN RECOGNITION OF THE 2010 GRADUATES OF THE PRINCE WILLIAM COUNTY PUBLIC SAFETY ACADEMY

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to congratulate the most recent graduates of the Prince William County Public Safety Academy. As they join the ranks of the Prince William County Department of Fire and Rescue, these men and women are entering a proud profession with a rich history.

Securing a position as a first responder begins with a competitive application process. Recruits must then complete a rigorous and comprehensive 23-week training program before graduating as a Prince William County Department of Fire and Rescue Technician I.

A Technician I is trained in emergency medical services, fire prevention and countless other public safety measures. The certifications required to reach the status of a Technician I cannot be accomplished without complete dedication and hard work. The graduates have completed the requisite coursework for certification in CPR, Infection Control, CISM, EMT–B, Firefighter I, Firefighter II, EVOC 2, EVOC 3, Flashover Simulation, RIT, Mayday, Hazmat Awareness/Operations, Swift Water Rescue Awareness, LPG with Simulation, Rural Water Supply, BLS Protocols, Rope Rescue Awareness, Vehicle Rescue Awareness and Child Passenger Safety Seat Installation. Each graduate has completed more than 600 hours of training and education.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the Prince William Department of Fire and Rescue Recruit Class 2010–1:

Benjamin Draxler, Shannon Frick, Nels Jorgenson, Hanif Majeed, Nathaniel Matthews, Timothy Moore, Ariel Morales, Ethan Newham, Chris Payne, Jajuan Reed, Adam Renner, Raymond Sanez, Nicholas Soper and Alexander Thomson.

There are many reasons that firefighters and first responders are known as America's Heroes. These brave men and women regularly put the lives and well being of those they serve ahead of their own. I am confident that this newest group of graduates will serve the citizens of Prince William County with distinction and honor.

Madam Speaker, I ask that my colleagues join me in congratulating the newest members of Prince William County Department of Fire and Rescue. I have just two other words I would like to say to them: Stay Safe.

## HONORING ERNIE PLANTZ

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. COURTNEY. Madam Speaker, I rise today to honor a great American for a lifetime of service to his country and community. Ernie Plantz of Gales Ferry is a World War II veteran with an incredible story and an enduring passion for public service. On several occasions, I have had the pleasure of seeing firsthand the hard work that Ernie puts in on behalf of Connecticut's veterans.

Ernie is a retired Lieutenant in the United States Navy. He survived the sinking of a submarine, the USS *Perch*, and was taken as a Prisoner of War by Japanese forces during World War II. He remained as a Prisoner of War for more than 3 years, living through unthinkable physical and emotion pain.

Today he is a proud member of the Groton Submarine Veterans and has spent much time teaching the children of eastern Connecticut about the history of World War II and sharing his story. It is not unusual to see Ernie at the forefront of any event helping or honoring Connecticut veterans. He is the recipient of a Purple Heart and a Bronze Star. He is also an active member of the Lions Club, and was named a Melvin Jones Fellow by Lions International. This is the highest award for humanitarian service bestowed by the organization.

While Ernie is a survivor in the purest sense, what truly prevails when you meet him is his love of helping others and giving back. For someone that has seen the darkest sides of war, I am inspired by the amount of time and energy that he puts in to help his fellow veterans and citizens on a daily basis. I ask my colleagues to join me in honoring Ernie and thank him for his service to our Nation.

## HONORING SERGEANT BRANDON SILK

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. MICHAUD. Madam Speaker, I rise today to honor the memory of Army Sergeant Brandon Silk of Orono, Maine, who was killed while serving his country in Afghanistan.

Brandon was well-loved by everyone in his family and community. He is remembered for his personality, self-determination and self-confidence. On June 21st, Sergeant Silk died from injuries he suffered in a hard landing on his second Afghanistan tour. At 25 years old, Sergeant Silk's youth punctuates an already painful loss.

Brandon Silk, a fan of hunting, music, motorcycles and the Red Sox, graduated from Orono High School in 2003, where he excelled in football and track. After graduating, Brandon enlisted in the U.S. Army, volunteering to serve and protect his country. He was a Black Hawk crew chief and a member of the 101st Airborne Division at Fort Campbell, Kentucky. He was on his fourth tour of duty having served in Korea, Iraq and two tours in Afghanistan.

In Maine, our communities are known for coming together during a crisis, and I know that everyone in the state stands together to support the Silk family. Brandon is mourned by all as a true American hero and a defender of the freedom we all hold dear.

Madam Speaker, please join me in honoring the memory of Sergeant Brandon Silk for his patriotism and devotion to his community and his country.

## IN HONOR OF THE 90TH ANNIVERSARY OF MOUNT PILGRIM BAPTIST CHURCH, ALBANY, GEORGIA

### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor Mount Pilgrim Baptist Church in Albany, Georgia which has served as a tower of strength for the people of the Second Congressional District. The church was founded on July 11, 1920 in a small wooden house located at 627 Society Avenue under the noble leadership of the late Reverend Grant Edgar Hall.

The church was christened by Mr. Jubie Johnson, who was also one of the first members of the church. During its inception, worship services were held on the first and third Sundays of each month. The church's first pastor, Reverend Edgar Hall, retired in 1956 due to ill health and old age. He was succeeded by Reverend R.J. Polk. Since then, the church has been blessed by several pastors who have served the people of Albany as evangelists, prophets, teachers, counselors, and friends. Reverend Polk was followed by dynamic leaders like Reverend P.E. Davenport, Reverend J.L. Jones, Reverend J.E. Brown, Reverend C.W. Heath, Reverend R.E. Ousley, Reverend Jimmy Sneed, Reverend Carl K. Rolle, Reverend Veron D. Lloyd, Reverend Clayton D. Smith and Reverend Dr. James B. Rodgers.

In the last 90 years, the church has seen exponential growth. The church's original edifice was expanded under the guidance of Reverend Ousley. The adjacent land and Annex South were developed with Reverend Rolle's valuable assistance and Annex East was purchased and refurbished under Reverend Smith's guidance. With the effective leadership from the church's pastors and tremendous public support, the church has continued to expand. Under the Reverend Walter L. Ingram, Jr., the church relocated to its larger permanent residence on 1501 Newton Road.

Mount Pilgrim Baptist Church has served as a pillar of strength for the Albany community. Through its numerous outreach ministries, it has strived to serve the people of the great state of Georgia and the city of Albany. By reaching out to those in need and comforting those who are suffering, the church has become a source of spiritual support for the people of the community.

On the occasion of its 90th Anniversary, it gives me great honor to recognize Mount Pilgrim Baptist Church for all its efforts. I thank the church and its congregation for all their years of service. I wish and hope that they continue to spread the word of God and continue serving the community in Albany. To God Be The Glory!

## CONGRATULATING PASTOR CHARLES A. LUNDY ON HIS 20TH ANNIVERSARY AT EBENEZER BAPTIST CHURCH IN WOODBRIDGE, VA

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize the 20th Pastoral Anniversary of Pastor Charles Arthur Lundy of Ebenezer Baptist Church in Woodbridge, Va.

Pastor Lundy has a long and distinguished career in the service of the Lord. He was baptized at the age of 13 at the Wayland Baptist Church in Baltimore, Md., under Reverend W. W. Payne. In February of 1981, Pastor Lundy was ordained a deacon, and just three years later, he was licensed by the Star Bethlehem Missionary Baptist Church in Triangle, Va., under the Reverend Dr. Frederick S. Jones. Pastor Lundy was ordained a Gospel Minister in August of 1987 and served as the director of Christian Education for Star Bethlehem.

He was called to be the pastor of Ebenezer Baptist Church on June 23, 1990. On his first Sunday at the pulpit he delivered the sermon, ''Stay in the Ship,'' and established his pastoral focus of ''putting the family back together.'' During his 20 years of leadership, Pastor Lundy has grown the Ebenezer Church family. In June 2000, the church's Family Life Center was dedicated to accommodate an expanding ministry. Pastor Lundy has grown his flock by developing a message that offers spiritual guidance and comfort. He graduated Magna Cum Laude from Washington Bible College and earned his Masters of Divinity from Samuel DeWitt Proctor School of Theology at Virginia Union University. His ministry is constantly evolving to accommodate the needs of his congregation and make Ebenezer a welcoming place to worship.

Pastor Lundy has never been one to shy away from service. He spent 26 years in the United States Marine Corps before he retired with the rank of Major as an Engineer Officer. He is the past-Parliamentarian for the Northern Virginia Baptist Association. He is the past-Chairman of the Nominating Committee and a former member of their Commission on Evangelism. He is a former Assistant Secretary for the Northern Virginia Minister's Conference, and he is a former member of the United Way for the National Capital Area. In 2009, Pastor Lundy was elected as President of the Samuel DeWitt Proctor School of Theology Alumni Association. In each of these positions, Pastor Lundy has inspired others with his leadership and energy.

Pastor Lundy is married to the former Jacquelyn Hinton McWhite, and they are the proud parents of five daughters, two sons, and the grandparents of nine grandsons, and two granddaughters.

Madam Speaker, I ask my colleagues to join me in congratulating Pastor Charles Arthur Lundy on his 20 years of service to Ebenezer Baptist Church. He is a pillar of the community with countless individuals depending on his counsel and support. He bears this burden with the peace of mind of man who knows his purpose is justified and his mission is pure.

## RECOGNIZING THE GENOA, OHIO AMERICAN LEGION

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. KAPTUR. Madam Speaker, I rise to recognize the 90th anniversary of the American Legion in Genoa, Ohio. The members and friends of the post and its auxiliary commemorated the milestone during the annual Genoa Homecoming Festival Parade along with hundreds of others celebrating this major community event.

The Genoa American Legion has been an anchor in its community since the early days of the last century. Through the decades it has provided a sanctuary and camaraderie to veterans returning from service as its members have worked to move the community and our nation forward. Its civic efforts include public works, while the post has also provided individual assistance in numerous ways to many.

Following in the tradition of the American Legion since its national founding, members of the Genoa Post have been among the ''keepers of the flame'' honoring the sacrifice of the victims of combat while teaching the next generations of their place in history. The American Legion ensures we ''will never forget'' and focuses attention on the needs of our nation's veterans and their service for freedom's cause.

The Genoa American Legion Auxiliary kept ''the home fires burning'' making significant contributions to the community and nation on our own soil. When veterans return from service, the Auxiliary is there to support and pay special attention to the families' needs. The Legion and its Auxiliary are hand-in-hand in a strong partnership in service to country. Together, these members will continue to meet the needs of veterans and the community of Genoa on their journey toward their centennial. Godspeed.

## IN MEMORIAL OF VETERAN JAMES DANIEL ''J.D.'' LANCASTER

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. ETHERIDGE. Madam Speaker, I rise today to honor the life of veteran James Daniel ''J.D.'' Lancaster, who passed away at the age of 90 on Friday, June 25, 2010. In his passing, I lost a friend, and North Carolina lost one of its most outstanding citizens; a man whose bravery and valor won't soon be forgotten.

J.D. Lancaster, son of the late Reverend W.H. and Lena Lancaster, grew up in Selma, NC and always kept the church close to his heart. His father, a Baptist preacher, introduced him to the church as a young boy and he continued his devout commitment to the Baptist church throughout his life.

J.D. was a veteran of United States Navy and served in World War II. Before his passing, J.D. was one of only 21 living survivors of the attack on the USS Arizona on December 7, 1941 and the only living survivor from our great state of North Carolina. During the attack, J.D. was blown off the deck of the ship, but he swam through the oil-filled waters to eventually rescue ten of his fellow shipmates.

This would not be the only time J.D. survived a sinking ship in WWII. He survived another attack aboard LTS 342, while transporting troops from Guadalcanal to the island of Munda. Later in the war, J.D. managed to escape death a third time aboard a transport plane that crashed. His untiring dedication to his country and his outstanding bravery are apparent. He is a shining example of the devotion and allegiance that members of our armed forces show our nation every day. He was the recipient of numerous awards for his military service, including the Purple Heart.

J.D. Lancaster was active in his community, boasting membership at the VFW, American Legion, Loyal Order of the Moose, and Lanwood Chapel FWB Church. Those who knew J.D. well know he always had a smile on his face and a positive word to share. He will be remembered for his unwavering devotion to his family, his church and his country.

He is survived by his wife Dorothy Lancaster; daughters Carol Lancaster of Goldsboro, Beth Sitts, and her husband Justin of Pine Level, and Danielle Lancaster of Selma; son Jay Lancaster of Selma; and granddaughters, Jenna and Katelyn.

Madam Speaker, I urge my colleagues to join me today in recognizing one of our nation's true military heroes, J.D. Lancaster. He was a respected veteran, a dedicated family man, and a great North Carolinian. I am pleased to rise to honor him and his family today.

## PERSONAL EXPLANATION

### HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. BISHOP of Utah. Madam Speaker, on rollcall No. 412, had I been present, I would have voted ''yes.''

## INTRODUCTION OF THE STAND BY YOUR OIL POLLUTION ACT

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. CONNOLLY of Virginia. Madam Speaker, in 1989 the Exxon Valdez oil tanker ran aground in Prince William Sound, spilling 10.9 million gallons of oil that eventually coated 1,100 miles of Alaskan coastline. Following this disaster, Congress passed the Oil Pollution Act in 1990 to require that oil companies pay the full cleanup costs of oil spills. However, this legislation has a couple of loopholes that need to be closed. If an oil company subsidiary is responsible for the spill, that subsidiary can declare bankruptcy and sell its assets, even to its parent company, without passing on cleanup cost liabilities. The SPILL Act, which the House will vote on this week, will close this loophole so that liability follows subsidiary assets. Whether or not the SPILL Act becomes law, there will be another loophole in the Oil Pollution Act: If a subsidiary is

responsible for an oil spill, it can declare bankruptcy and not sell its assets, in which case the parent company would not inherit cleanup liabilities.

This is a realistic scenario, given the high cost of oil spills. Even a well capitalized company worth several billion dollars could be responsible for an oil spill that costs tens of billions of dollars to clean up. The Exxon Valdez spill cost over $2 billion just to clean up 10.9 million gallons of oil. As of late June, the Deepwater Horizon spill had already cost BP $2.65 billion with total cleanup cost estimates as high as $100 billion. Moreover, if Congress increases the cap on private liability under the Oil Pollution Act, oil companies could be responsible for much greater costs. The fishing industry in the Gulf is worth $5.5 billion annually. Just losing 50% of western Florida's tourism would cost the state $10 billion. If Congress eliminates the private liability cap under OPA then an oil company responsible for a spill could be responsible for tens of billions of dollars to reimburse property owners and workers for lost property and wages. Given the extraordinarily high cleanup and private liability costs of oil spills, we must close the loophole that allows parent companies to escape liability by letting subsidiaries go bankrupt.

I have introduced legislation, the Stand by your Oil Pollution (STOP) Act, to prevent oil companies from shedding liabilities of subsidiaries. This legislation is necessary to ensure that BP doesn't escape its cleanup responsibilities in the Gulf and to prevent oil companies from setting up subsidiaries to avoid liability for spills in the future.

## HONORING TAIWAN FOR ASSISTANCE IN THE GULF OF MEXICO OIL RESPONSE

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. BONNER. Madam Speaker, I rise today to commend the Taiwanese government for their efforts in assisting the ongoing response to the Gulf of Mexico oil spill.

More than 70 days have passed since the Deepwater Horizon platform sank on April 20, 2010. During this time, the United States has received assistance from seventeen countries and four international bodies in the form of equipment, expertise and general assistance.

Particularly worthy of mention is Taiwan's offer of 600 feet of fire boom to the Gulf.

When the government of the Republic of China received the request for boom from the International Spill Control Organization and British Petroleum, officials in Taiwan cut all the red tape and immediately airlifted the boom to the Gulf for use.

Efforts like these, when the United States is truly in a time of need, should not go unnoticed, and Taiwan's latest offer is another genuine example of Taiwan being a responsible member of the international community.

I believe Taiwan has a vital role to play in this and many other areas.

We thank Taiwan for its offer of assistance. Taiwan is a true friend of the United States.

## A TRIBUTE TO SECOND LIEUTENANT McMAHON

### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. GRANGER. Madam Speaker, I rise today to honor the service of Second Lieutenant John E. McMahon of the U.S. Army Air Corps, and his distinguished service in World War II as a Radar Navigator flying the B–24 Liberator.

Volunteering for service on November 2, 1942, Second Lieutenant McMahon underwent training in the United States. He was then assigned to the 528th Squadron of the 380th Bombardment Group (Heavy) and reported for duty in the Western Pacific. Second Lieutenant McMahon flew 27 missions from airstrips on New Guinea, Luzon, Mindoro, the Philippines, and Okinawa. His campaigns included the Western Pacific, Southern Philippines, Luzon, Air Offensive Japan, and the China Offensive Campaign. His decorations and campaign awards include the Air Medal, Asiatic-Pacific Campaign Medal (with silver star), and the Philippines Liberation Medal (with one bronze star). Through his bravery and selfless service in direct combat actions, he helped take the fight to the enemy and bring the war to a decisive and victorious close.

After his service in World War II, he chose to settle in Fort Worth, Texas. He graduated from Texas Christian University and married the former Willie Mae Wittie, his wife of 60 years.

This Nation should always remember how much we owe the Greatest Generation. The service and sacrifice of John McMahon and his brothers in arms is a manifestation of all that makes this country great. We are honored to have such men walk among us, and must always remember those who gave the ultimate sacrifice and are no longer with us.

I wish to extend my greatest appreciation to Second Lieutenant John E. McMahon for his gallant service to our Nation in World War II.

## SEMINOLE COMMUNITY LIBRARY CELEBRATES ITS 50TH ANNIVERSARY

### HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. YOUNG of Florida. Madam Speaker, the Seminole Community Library is one of the greatest educational resources of the City of Seminole, Florida I have the privilege to represent. Later this month, the library, its staff and its thousands of patrons will celebrate its golden 50th anniversary.

Founded by a dedicated group of volunteers in 1960, the library has outgrown its facilities on a number of occasions before locating at its present site on the campus of The St. Petersburg College. Now named the Dennis L. Jones Seminole Community Library at St. Petersburg College, after my good friend and Florida State Senator, the partnership between the library, the city and the college makes this one of the most unique facilities of its kind in our entire area.

Madam Speaker, one thing has transcended the history of this great library, from its early days in the "cottage" to its present operations in a state-of-the-art educational facility, and that is service to people of all ages.

It is a real honor for me to have the library as a valuable neighbor to my Seminole Congressional District Office and to visit with folks there as they come and go. Please join me in congratulating those early leaders who had a vision that has grown into this great library and to thank all those who provide support to the current facility. This includes the City of Seminole, The St. Petersburg College, the library's professional staff and dedicated volunteers, the Friends of the Library organization, the Library Advisory Board and the Library Youth Advisory Board.

As the library embarks upon its next 50 years of service to our community, it remains focused on its goal to remember the past, serve the present and plan for the future.

## CELEBRATING THE LIFE OF SISTER ANN BRAWLEY, RSM

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Ms. KAPTUR. Madam Speaker. I rise today to recall the generous, self-giving life of Sister Ann Brawley, of the Mercy Order of Roman Catholic sisters in Lima who in 2010 has passed from this life into the next. Sr. Ann spent 77 of the 94 years of her life on Earth serving in Christ Jesus' name. She put into practice His words to live by—to "remain in my love." Her joy was complete, as was the joy she conveyed to others.

Sr. Ann's imprimatur on our community is large. Starting as a bookkeeper for Mercy and St. Charles Hospitals in Toledo, she befriended all people who worked and visited the hospitals in which she worked. Of deep and committed social conscience, she was key in the establishment of the Toledo Catholic Diocese's Central Development Office. She offered accounting services to several area schools, the Migrant Information Office, Aurora Shelter for Women, and Bittersweet Farms community for adults with autism. She was invited to help in the development of Lima, Ohio's Kibby Corners Neighborhood Project.

In addition to Sr. Ann's accounting skill, she had a gift and a passion for the course of the Nation and politics. I came to know her when she offered her counsel, prayers and talents to me during my first campaign in 1982. Her humor, wit, and acumen were sharp and appreciated by all whose lives she touched. Not all business, Sr. Ann also had a passion for sports.

Sr. Ann had a compassionate heart and open arms, and the source of her hope was the unconditional love of Jesus. As Sister Joan Nemann, RSM noted in her eulogy, "More than ten years ago when she asked me to give the homily at her funeral she emphasized these words repeatedly, remain in my love. This was such good news for her—and for us. Today, in her room I found a piece of birch bark that Ann had kept for a number of years. I recall that some years ago I came to the Pines to make a retreat. At that time the birch trees were shedding their bark. I found

a lovely piece and wrote on it, 'As the Father has loved me, so I have loved you. Remain in my love.' I gave it to Ann, and she kept it all these years since.'' Sister Joan's story illustrates to those of us privileged to know her: to her core, the essence of Love. May Sister be granted eternal rest for her life of abiding good deeds.

## REMEMBERING ENSIGN ROBERT W. LANGWELL

### HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. PENCE. Madam Speaker, nearly sixty years ago, Ensign Robert W. Langwell gave his life in service to our great Nation. Shortly after hostilities began in the Korean War, Ensign Langwell was lost at sea when his Navy minesweeper was sunk off the coast of South Korea. On behalf of a grateful Nation, I wish to thank members of the Korean government and U.S. military who were instrumental in recovering the body of Ensign Langwell. After decades of fruitless searching, he will finally receive the burial he deserves when he is laid to rest with full military honors in Arlington National Cemetery on July 12, 2010.

Ensign Langwell was a native of my hometown—Columbus, Indiana—who served in both World War II and the Korean War. He later moved to Indianapolis where he graduated from high school, and then served two years in the Navy during World War II, including time at Pearl Harbor. Upon his return, Ensign Langwell attended Indiana University where he graduated with a degree in marketing. He was later called to serve in the Korean War before passing away in October 1950 at the age of 26.

I offer my sincere condolences to David Parker, first cousin; Jerry Redford, Phyllis Johnson, and Brenda Showalter, all second cousins; Mary Parker, aunt; Jim Parker, first cousin; Nancy Cook, first cousin; John Parker, first cousin; and Karen Sprauer, second cousin. While Ensign Langwell's young life was tragically cut short, his valiant sacrifice is not forgotten.

## CONFERENCE REPORT OF H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

SPEECH OF

### HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. HOLT. Mr. Speaker, I rise in support of tile Wall Street Reform and Consumer Protection Act.

I frequently talk with central New Jersey residents who are frustrated with the reckless way Wall Street and big banks gamed the system with exotic financial schemes, while families and small businesses paid the price.

Wall Street reform will protect consumers from deceptive business practices and hidden fees through the creation of a Consumer Financial Protection Bureau. Reform also will protect homebuyers from some of the worst predatory lending practices that contributed to the financial meltdown of 2008.

Reform finally will restore accountability to Wall Street. Banks no longer will be able to gamble with depositors' savings for their profits. Unregulated derivatives—called ''financial weapons of mass destruction'' by Warren Buffett—will now be traded in the open. Stockholders will vote on executive pay. And hedge fund managers will have to come out from the shadows and register with the Securities and Exchange Commission.

Reform will prevent taxpayer-funded bailouts of financial giants, establishing an orderly process for liquidating failing companies that will be paid for by their investors and creditors—not taxpayers.

While no bill is perfect, this is the strongest reform since the Great Depression. It will put the cops back on the beat on Wall Street and will help give Americans confidence that the system works for individuals, families and small businesses—not big banks.

## COMMENDING RESTORATION AND PRESERVATION OF ''FAME''

### HON. JOHN B. SHADEGG

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. SHADEGG. Madam Speaker, I rise today to commend the restoration and preservation of the 40-foot gaff rigged schooner, *Fame*, a piece of nautical history, and one of America's maritime treasures.

*Fame* is a 1910 Schooner rigged daysailer that was designed by B.B. Crowninshield, a naval architect from Boston, Massachusetts, and built by Rice Bros. Co., East Boothbay, Maine. In designing *Fame*, he wanted to create ''the largest and fastest boat he could handle and take care of alone.'' *Fame* is also noted to be the sister vessel to *Fortune*, a 50 foot schooner built in 1925, also designed by B.B. Crowninshield.

*Fame*'s second owner was Theodore (Ted) M. Dunlap, who in partnership with Fred W. Weston, purchased her in 1926. Dunlap, known as ''The Commodore,'' taught many young people to sail aboard *Fame* in the waters of Lake Michigan. Three Lake Michigan clubs have named trophies after *Fame*, and she is well known along its shores.

At one point in her history, *Fame* had been in dire need of repair, and was auctioned off to Ray Kazlas and Gint Karaitus, who began her rehabilitation. In the 1990s, her next owners continued fixing the aged schooner. Unfortunately, in 1995, on a passage from Chicago, Illinois, to Racine, Wisconsin, *Fame* sank when she took on water from large waves and her pumps failed. Luckily, she was quickly raised.

Thanks to the steadfast vision and immense generosity of her most recent owner, Dennis Conner, the famous racing skipper and four time winner of the America's Cup and seven time yachtsman of the year, *Fame* has once again made a comeback. Mr. Conner previously restored the 80-year-old Q boat, *Cotton Blossom II*.

According to some classic yacht enthusiasts, *Fame* has once again been restored to her original beauty. *Fame* will celebrate her 100th Birthday at the San Diego Yacht Club, in San Diego, California, on Sunday, July 11, 2010.

Madam Speaker, I ask that you and my colleagues in the House of Representatives join me in recognizing *Fame*, in her centenary year. It's with *Fame*'s restoration and preservation that she will be again admired by yachting enthusiasts and maritime historians now and in the future.

## SECURE ALL FACILITIES TO EFFECTIVELY GUARD THE UNITED STATES AGAINST AND RESPOND TO DANGEROUS SPILLS ACT

### HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 1, 2010*

Mr. YOUNG of Florida. Madam Speaker, seventy-one days have passed, and the oil spill response and containment effort in the Gulf still lacks clear direction. As we've seen by the failure of the blowout preventer in the BP disaster, an uncontrolled discharge of oil is truly a worst-case scenario that oil companies and the Federal Government should be required to have an established plan for. I rise today to introduce the Secure All Facilities to Effectively Guard the United States Against and Respond to Dangerous Spills Act of 2010, or the SAFEGUARDS Act, legislation to prevent and respond to future disastrous oil spills by addressing some of the systematic breakdowns which led to the BP Deepwater Horizon catastrophe.

We are currently witnessing the disastrous effects an uncontrolled discharge of oil has on the fragile environment of the Gulf of Mexico. While the National Environmental Policy Act (NEPA) has established specific safeguards for take into account the effects that drilling has on our environment, BP was permitted categorical exclusions from these requirements. No oil company should be exempt from addressing the environmental impact that their drilling activities impose. The SAFEGUARDS Act will ensure that NEPA requirements are not ignored again by, first, prohibiting categorical exclusions from NEPA, and, second, extending the time period regulatory agencies have to review oil explorations proposals. Regulatory agencies currently have only a 30-day period to review extensive and intricate drilling proposals, however this bill will give regulatory agencies up to 150 days to ensure exploration plans are properly reviewed.

Not only was BP granted exemptions from environmental standards, they were also allowed to move forward without a prepared response plan for the failure of the blowout preventer. The SAFEGUARDS Act addresses problem by requiring all oil spill response plans to account for a true worst possible scenario, including the uncontrolled discharge of oil resulting from the failure of a blowout preventer or other containment devices.

The oil disaster in the Gulf has also brought much attention to the leadership and organization of the response and containment efforts currently in place. While the Coast Guard is ultimately responsible for leading the government's response to an oil spill in America's coastal waters, they are not required to approve oil spill response plans submitted by oil

rigs. Instead, each rig is only required to submit their spill response plans to the Minerals Management Service, an agency with many well-documented issues with administering rig safety standards. Oversight by the Coast Guard is necessary to ensure a fully coordinated response effort. If the Coast Guard has to clean up the spills, they should review the clean up plans ahead of time. The SAFEGUARDS Act will make this a requirement for all current and future oil rigs, as well as establish the Commandant of the Coast Guard as the National Incident Commander to oversee the Federal Government's response to large oil spills in coastal waters.

Finally, the SAFEGUARDS Act will address some of the inadequacies in federal response efforts highlighted by the current spill. The framework of the National Contingency Plan, which is the Federal Government response plan for all oil spills, has not been updated since 1994. Oil spills in our coastal waters are unique disasters that deserve their own response plan. The SAFEGUARDS Act will require the response plan to be updated at least every five years. Further, this bill will require the EPA to begin monitoring water quality within forty-eight hours after an oil spill is discovered. It is important for the public to have accurate information about how our water, our wildlife and our beaches are being affected as quickly as possible.

The Federal Government's reaction to the Gulf disaster over the last few weeks has been insufficient, to say the least. BP's response has not been much better. The Clean Water Act requires the President and the Federal Government to lead the cleanup efforts, and we owe it to the American people and the entire Gulf coast to do better. The SAFEGUARDS Act presents common sense solutions to help prevent a disaster of this magnitude from ever happening again, and improves the federal response in the event it ever does. Madam Speaker, I ask my colleagues to support this measure to modernize and improve the governments prevention and response efforts to oil spills.

## EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE ROBERT C. BYRD, A SENATOR FROM THE STATE OF WEST VIRGINIA

SPEECH OF

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 2010*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with the utmost respect and admiration for the late Senator ROBERT CARLYLE BYRD that I recognize his passing. Senator BYRD was known as a man of the people. He dedicated his life's work to the American citizens and his beloved constituency in the Mountain State of West Virginia.

Born November 20, 1917 in North Wilkesboro, North Carolina, the young BYRD moved with family to West Virginia where he grew up and would later meet his soon to be wife, Erma Ora James. Their marriage spanned more than six decades until her death in 2006. Initially, he was unable to afford college, but eventually attended Beckley College, Concord College, Morris Harvey College, and Marshall College, all in West Virginia. Senator BYRD's public service career began after he won a seat in the West Virginia House of Delegates in 1946. Six years later, he was elected to the United States House of Representatives. It was during this time he began night classes at American University's Washington College of Law in 1953. With a tenacious spirit and made up mind, he would earn his law degree some ten years later in 1963.

Along the course of his professional and academic career, BYRD was elected to the United States Senate and would serve 51 years making him the longest serving senator in history. His time in office was well-spent and fruitful where he would serve in a myriad of leadership roles. Most notably: President Pro Tempore of the United States Senate; Democratic Caucus Senate Majority leader; Senate Minority leader; and Chairman of the Senate Committee on Appropriations.

Senator BYRD, like many of us, lived a full life filled with high peaks and valleys low. I too, had some reservations about meeting this one-time member of the Klu Klux Klan who for 14 hours filibustered the Civil Rights Act of 1964. But, when our paths crossed, I soon learned of the great character of man he truly was. He believed whole-heartedly in the United States Constitution and a clear demonstration was the pocket version he always carried in his coat pocket. Another love he had was for taking afternoon walks on the West Front side of the Capitol. It was during that time of day where I knew I could find him whenever I needed to seek the voice of wisdom.

Mr. Speaker, I will miss those afternoon strolls with the Historian of the Senate. Senator BYRD loved the American people, loved his state and loved our great nation. Although he no longer is with us on the terrestrial, his legacy will live deeply within the halls of Congress and in the hearts of humanity.

## EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE ROBERT C. BYRD, A SENATOR FROM THE STATE OF WEST VIRGINIA

SPEECH OF

### HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 2010*

Mr. HOLT. Mr. Speaker, I rise to recognize and honor the memory of United States Senator ROBERT C. BYRD of West Virginia.

Born in West Virginia, I have known Senator BYRD my whole life. Senator BYRD faithfully served West Virginia in Congress for more than 57 years. Throughout his career in the House and the Senate, he improved the lives and welfare of the people of West Virginia for whom he cared so much. He worked endlessly to fight for democratic principles, defend the Constitution, and ensure that the American Dream was in reach for all families.

Senator BYRD grew up in the southern coalfields of West Virginia, first working as a gas station attendant briefly and then in a local food market. He started his political career in the West Virginia House of Delegates, serving from 1947 to 1950, followed by two years in the West Virginia Senate. After being elected to the U.S. House of Representatives in 1952, he enrolled in night law school classes despite not having a bachelor's degree. In 1958, West Virginia elected him to the U.S. Senate where he became its longest-serving member.

Senator BYRD was an energetic defender of the U.S. Senate as an institution, persistently seeking to preserve its dignity and traditions. He literally wrote the book on the Senate—a four-volume history of the institution that is a treasure. To read his books and to read his speeches is to see Senator BYRD as a self-taught great orator and historian, someone who could readily quote from Shakespeare, Greek tragedies, and the King James Bible.

I always will remember him for his extraordinary devotion and service to the people of West Virginia. He paid exceptional attention to his constituents and their individual concerns. Staff members told me that at night they would receive calls at home from the Senator, quizzing them on people who had signed his guestbook that day and asking how he could help them. He would recognize people in a crowd and ask them if his constituent service to them years before took care of their problem.

My thoughts and condolences go out to his daughters, his family, and all of his friends and neighbors in West Virginia. Senator BYRD dedicated every day of his service in the U.S. Congress to strengthening the institution and the country that he loved so deeply.

He will be greatly missed. May he rest in peace with his beloved wife Erma.

# *Daily Digest*

**Highlight**

**See Résumé of Congressional Activity.**

# Senate

## *Chamber Action*

The Senate was not in session today. It will next meet at 2:00 p.m. on Monday, July 12, 2010.

## *Committee Meeting*

**NOMINATION**

*Committee on the Judiciary:* Committee continued hearings to examine the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States, after receiving testimony from Lilly Ledbetter, Jacksonville, Alabama; Jack Gross, Des Moines, Iowa; Jennifer Gibbins, Prince William Soundkeeper, Cordova, Alaska; Captain Flagg Youngblood, USA (Ret.), Captain Pete Hegseth, Army National Guard Vets for Freedom, Gregory Garre, former Solicitor General of the United States, Latham and Watkins, Robert Alt, Heritage Foundation, Ed Whelan, Ethics and Public Policy Center, Marcia Greenberger, National Women's Law Center, and Tony Perkins, Family Research Council, all of Washington, D.C.; Colonel Thomas N. Moe, USAF (Ret.), Lancaster, Ohio; Jack Goldsmith, Robert C. Clark, and Ronald Sullivan, all of Harvard Law School, Cambridge, Massachusetts; Captain Kurt White, Harvard Law Armed Forces Association, Somerville, Massachusetts; Ronald Rotunda, Chapman University School of Law, Orange, California; Stephen Presser, Northwestern University School of Law, Chicago, Illinois; Kim J. Askew, Dallas, Texas, and William J. Kayatta, Jr., Portland, Maine, both of the American Bar Association Standing Committee on the Federal Judiciary; Massachusetts Court of Appeals Associate Justice Fernande Duffly, Boston, Massachusetts, on behalf of the National Association of Women Judges; Charmaine Yoest, Americans United for Life, Arlington, Virginia; Peter Kirsanow, Benesch Law Firm, Cleveland, Ohio; David Kopel, Independence Institute, Golden, Colorado; and William J. Olson, William J. Olson, P.C., Vienna, Virginia.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 53 public bills, H.R. 5658–5710 and 12 resolutions, H. Con. Res. 295–296; and H. Res. 1498–1499, 1501–1508 were introduced. **Pages H5500–03**

**Additional Cosponsors:** **Pages H5503–04**

**Reports Filed:** Report were filed today as follows:

H. Res. 1500, providing for consideration of the Senate amendments to the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010 (H. Rept. 111–522);

In the matter of Representative Laura Richardson (H. Rept. 111–523); and

H.R. 5320, to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; to reduce lead in drinking water; to strengthen the endocrine disruptor screening program; and for other purposes, with an amendment (H. Rept. 111–524). **Page H5500**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Jackson (IL) to act as Speaker pro tempore for today. **Page H5305**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Bradford Braley, First Presbyterian Church, Cedar Falls, Iowa. **Page H5305**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, June 29th:

***Honoring the veterans of Helicopter Attack Light Squadron Three:*** H. Res. 1228, amended, to honor the veterans of Helicopter Attack Light Squadron Three and their families, by a ⅔ yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 415; **Page H5309**

***Salmon Lake Land Selection Resolution Act:*** H.R. 2340, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, by a ⅔ recorded vote of 410 ayes with none voting "no", Roll No. 416; and **Pages H5309–10**

***Recognizing the important role pollinators play in supporting the ecosystem and supporting the goals and ideals of National Pollinator Week:*** H. Res. 1460, to recognize the important role pollinators play in supporting the ecosystem and supporting the goals and ideals of National Pollinator Week, by a ⅔ recorded vote of 412 ayes with none voting "no" and 1 voting "present", Roll No. 417. **Page H5311**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, June 30th:

***Expressing the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means:*** H. Res. 1321, amended, to express the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means, by a ⅔ recorded vote of 411 ayes to 4 noes, Roll No. 419; **Pages H5319–20**

Agreed to amend the title so as to read: "Affirming the support of the United States for a strong and vital alliance with Thailand.". **Page H5320**

***Congratulating the people of the 17 African nations that in 2010 are marking the 50th year of their national independence:*** H. Res. 1405, amended, to congratulate the people of the 17 African nations that in 2010 are marking the 50th year of their national independence, by a ⅔ recorded vote of 410 ayes with none voting "no", Roll No. 420; **Page H5320**

***Congratulating the Government of South Africa upon its first two successful convictions for human trafficking:*** H. Res. 1412, amended, to congratulate the Government of South Africa upon its first two successful convictions for human trafficking, by a ⅔ yea-and-nay vote of 414 yeas to 1 nay, Roll No. 421; **Page H5327**

***Expressing support for designation of June 30 as "National ESIGN Day":*** H. Con. Res. 290, to express support for designation of June 30 as "National ESIGN Day", by a ⅔ recorded vote of 397 ayes to 15 noes, Roll No. 426; and **Page H5342**

***Expressing support for the people of Guatemala, Honduras, and El Salvador as they persevere through the aftermath of Tropical Storm Agatha:*** H. Res. 1462, amended, to express support for the people of Guatemala, Honduras, and El Salvador as they persevere through the aftermath of Tropical Storm Agatha which swept across Central America causing deadly floods and mudslides, by a ⅔ recorded vote of 403 ayes to 1 noe, Roll No. 429. **Page H5358**

**Restoration of Emergency Unemployment Compensation Act of 2010:** The House passed H.R. 5618, to continue Federal unemployment programs, by a recorded vote of 270 ayes to 153 noes, Roll No. 423. **Pages H5321–30**

Agreed to table the appeal of the ruling of the chair on a point of order sustained against the Camp motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 220 ayes to 196 noes, Roll No. 422. **Pages H5328–29**

Pursuant to the rule, the amendment printed in H. Rept. 111–519 shall be considered as adopted. **Page H5321**

H. Res. 1495, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 231 yeas to 189 nays, Roll No. 418, after the previous question was ordered without objection. **Pages H5311–19**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Securing Protections for the Injured from Limitations on Liability Act:*** H.R. 5503, amended, to revise laws regarding liability in certain civil actions arising from maritime incidents and **Pages H5330–36**

*Amending the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism or include other foreign nationals from making contributions and other campaign-related disbursements in elections for public office:* H.R. 5609, amended, to amend the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism or include other foreign nationals from making contributions and other campaign-related disbursements in elections for public office, by a 2/3 yea-and-nay vote of 408 yeas to 4 nays, Roll No. 425. **Pages H5336–40, H5341–42**

Agreed to amend the title so as to read: "To amend the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism from making contributions and other campaign-related disbursements in elections for public office.". **Page H5342**

**Call of the House:** The Speaker called the House to order and ascertained the presence of a quorum (416 present, Roll No. 424). **Pages H5340–41**

**Call of the House:** The Speaker called the House to order and ascertained the presence of a quorum (419 present, Roll No. 427). **Page H5356**

**Supplemental Appropriations Act, 2010:** Representative Obey moved to concur in the Senate amendment to the text of H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, with each of the five amendments printed in H. Rept. 111–522. The first portion, consisting of amendment No. 1 printed in H. Rept. 111–522, was considered as adopted pursuant to H. Res. 1500. The Chair then put the question on adoption of each of portions two through five. **Pages H5358–71**

On concurring in the Senate amendment to the text with the second portion of the divided question, consisting of amendment No. 2 printed in H. Rept. 111–522, agreed to by a yea-and-nay vote of 239 yeas to 182 nays with 1 voting "present", Roll No. 430. **Pages H5371–83, H5404–05**

On concurring in the Senate amendment to the text with the third portion of the divided question, consisting of amendment No. 3 printed in H. Rept. 111–522, rejected by a recorded vote of 25 ayes to 376 noes with 22 voting "present", Roll No. 431. **Pages H5383–H5406**

On concurring in the Senate amendment to the text with the fourth portion of the divided question, consisting of amendment No. 4 printed in H. Rept. 111–522, rejected by a recorded vote of 100 ayes to 321 noes, Roll No. 432. **Pages H5406–07**

On concurring in the Senate amendment to the text with the fifth portion of the divided question, consisting of amendment No. 5 printed in H. Rept. 111–522, rejected by a recorded vote of 162 ayes to 260 noes, Roll No. 433. **Page H5406**

H. Res. 1500, the rule providing for consideration of the Senate amendment, was agreed to by a yea-and-nay vote of 215 yeas to 210 nays, Roll No. 428, after the previous question was ordered without objection. **Pages H5342–43, H5356–58**

Pursuant to the rule, H. Res. 1493 is adopted. **Page H5357**

**Committee on Transportation and Infrastructure—Communication:** Read a letter from Chairman Oberstar wherein he transmitted copies of 15 resolutions for the General Services Administration's FY 2010 Capital Investment and Leasing Program adopted by the Committee on Transportation and Infrastructure on July 1, 2010. **Pages H5407–90**

**Quorum Calls—Votes:** Six yea-and-nay votes and 11 recorded votes developed during the proceedings of today and appear on pages H5309, H5310, H5311, H5318–19, H5319–20, 5320, H5327, H5328–29, H5329–30, H5341–42, H5342, H5357, H5358, H5404–05, H5405–06, H5406 and H5406–07. Two quorum calls (Roll No. 424 and Roll No. 427) developed during the proceedings of today and appear on pages H5340–41 and H5356.

**Adjournment:** The House met at 10 a.m. and at 11:59 p.m., pursuant to the provisions of H. Con. Res. 293, the House stands adjourned until 2 p.m. on Tuesday, July 13, 2010.

# *Committee Meetings*

## MANAGING CONSERVATION PROGRAMS

*Committee on Agriculture:* Subcommittee on Conservation, Credit, Energy, and Research held a hearing to review the administration and delivery of conservation programs. Testimony was heard from the following officials of the Department of Agriculture: Dave White, Chief, Natural Resources Conservation Service; and Jonathan W. Coppess, Administrator, Farm Service Agencies; and public witnesses.

## LEGISLATIVE BRANCH APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Legislative Branch approved for full Committee the FY Legislative Branch Appropriations bill.

## TRANSPORTATION, HUD, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies approved for full Committee action the Transportation, and Housing and Urban Development, and Related Agencies Appropriations bill.

## PERSPECTIVES ON THE U.S. ECONOMY

*Committee on the Budget:* Held a hearing on Perspectives on the U.S. Economy. Testimony was heard from public witnesses.

## IMPROVING CHILD NUTRITION

*Committee on Education and Labor:* Held a hearing on H.R. 5504, Improving Nutrition for America's Children Act. Testimony was heard from Thomas J. Vilsack, Secretary of Agriculture; and public witnesses.

## DIABETES PROGRAMS AND CHALLENGES

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled "The Battle Against Diabetes: Progress Made; Challenges Unmet." Testimony was heard from the following officials of the Department of Health and Human Services: Judith Fradkin, M.D., Director, Division of Diabetes, Endocrinology, and Metabolic Diseases, National Institute of Diabetes and Digestive and Kidney Diseases, NIH; and Ann Albright, Director, Division of Diabetes Translation, Centers for Disease Control and Prevention; and public witnesses.

## FEDERAL CLOUD COMPUTING TRANSITION

*Committee on Oversight and Government Reform:* and the Subcommittee on Government Management, Organization, and Procurement held a joint oversight hearing entitled "Cloud Computing: Benefits and Risks of Moving Federal IT into the Cloud." Testimony was heard from Vivek Kundra, Federal Chief Information Officer, Administrator, E-Government and Information Technology, OMB; David McClure, Associate Administrator, Office of Citizen Services and Innovative Technologies, GSA; Cita Furlani, Director, Information Technology Laboratory, National Institute of Standards and Technology, Department of Commerce; Gregory Wilshusen, Director, Information Security Issues, GAO; and public witnesses.

## NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION ACT

*Committee on Oversight and Government Reform:* Subcommittee on Information Policy, Census, and National Archives approved for full Committee action H.R. 5616, National Historical Publications and Records Commission Act of 2010.

## HOUSE AMENDMENTS TO THE SENATE AMENDMENTS TO H.R. 4899, THE SUPPLEMENTAL APPROPRIATIONS ACT, 2010

*Committee on Rules:* Granted, by a non-record vote, a rule providing for consideration of the Senate amendments to H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendments thereto. The rule makes in order a motion by the chairman of the Committee on Appropriations to concur in the Senate amendment to the text with each of the five House amendments printed in the Rules Committee report. The rule waives all points of order against consideration of the motion except those arising under clause 10 of rule XXI and provides that the Senate amendments and the motion shall be considered as read. The rule provides that the motion shall be debatable for one hour and 30 minutes as follows: 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; then 30 minutes equally divided and controlled by Representative Lee of California or her designee and an opponent; and then 30 minutes equally divided and controlled by Representative McGovern of Massachusetts or his designee and an opponent. The rule provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question except that the question of adoption of the motion shall be divided among the five House amendments, with the first portion of the divided question considered as adopted. The rule provides that if the remaining portions of the divided question fail of adoption, then the House shall be considered to have rejected the motion and to have made no disposition of the Senate amendment to the text. The rule provides that upon adoption of the motion specified in the first section of the rule the Clerk shall engross the action of the House under that section as a single amendment; and a motion that the House concur in the Senate amendment to the title shall be considered as adopted. The rule allows the chair of the Committee on Appropriations to insert in the Congressional Record not later than July 3, 2010, such material as he may deem explanatory of the Senate amendments and the motion specified in the first section of the rule. The rule provides that House Rule 1493 is hereby adopted. The rule amends the time periods in clause 10 of rule XXI to align with the Statutory Pay-As-You-Go Act of

2010. Testimony was heard from Chairman Obey, Representatives Kilpatrick of Michigan, Lee of California, Moore of Wisconsin, Ellison, Lewis of California, Bishop of Utah, and Thompson of Pennsylvania.

## SMART GRID ARCHITECTURE AND STANDARDS

*Committee on Science and Technology:* Subcommittee on Technology and Innovation held a hearing on Smart Grid Architecture and Standards: Assessing Coordination and Progress. Testimony was heard from George Arnold, National Coordinator, Smart Grid, National Institute of Standards and Technology, Department of Commerce; Mason Emnett, Associate Director, Office of Energy Policy and Innovation, Federal Energy Regulatory Commission, Department of Energy; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on Transportation and Infrastructure:* Ordered reported the following measures: H.R. 5629, as amended, Oil Spill Accountability and Environmental Protection Act of 2010; H.R. 5604, Surface Transportation Savings Act of 2010; H.R. 5226, Appalachian Veterans Outreach Improvement Act; H.R. 5266, National Commission on Children and Disasters Reauthorization Act of 2010; H.R. 5301, To extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Pollution Control Act for certain discharges that are incidental to normal operations of vessels; H.R. 5545, To deauthorize a portion of the project for navigation, Potomac River, Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers; H. Con. Res. 258, Congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut; H. Res. 1366, as amended, Recognizing and honoring the freight rail industry; H. Res. 1401, as amended, Expressing gratitude for the contributions that the air traffic controllers of the United States make to keep the traveling public safe and the airspace of the United States running efficiently; and H. Res. 1463, Supporting the goals and ideals of Railroad Retirement Day.

The Committee also approved the following: General Services Administration Capital Investment and Leasing Program resolutions, and a General Services Administration Public Building Project Survey resolution.

## VETERANS MEASURES

*Committee on Veterans' Affairs:* Subcommittee on Disability Assistance and Memorial Affairs held a hearing on the following: H.R. 3407, Severely Injured Veterans Benefit Improvement Act of 2009; H.R. 3787, To amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs; H.R. 4541, Veterans Pensions Protection Act of 2010; H.R. 5064, Fair Access to Veterans Benefits Act of 2010; and draft legislation. Testimony was heard from Representatives Walz, Hastings of Florida, Adler of New Jersey and Donnelly of Indiana; Thomas Pamperin, Associate Deputy Under Secretary, Policy and Programs Management, Veterans Benefits Administration, Department of Veterans Affairs; and representatives of veterans organizations.

## NEW PUBLIC LAWS

*(For last listing of Public Laws, see* DAILY DIGEST, *p. D749)*

S.J. Res. 33, to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law. Signed on June 30, 2010. (Public Law 111–194)

## COMMITTEE MEETINGS FOR FRIDAY, JULY 2, 2010

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

No committee meetings are scheduled.

### Joint Meetings

*Joint Economic Committee:* to hold hearings to examine the employment situation for June 2010, 9:30 a.m., SD–106.

# Résumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

## EXECUTIVE DATA ON LEGISLATIVE ACTIVITY

January 5 through June 30, 2010

| | *Senate* | *House* | *Total* |
|---|---|---|---|
| Days in session | 89 | 84 | .. |
| Time in session | 644 hrs., 29′ | 539 hrs., 30′ | .. |
| Congressional Record: | | | |
| Pages of proceedings | 5,719 | 5,304 | .. |
| Extensions of Remarks | .. | 1,260 | .. |
| Public bills enacted into law | 14 | 55 | 69 |
| Private bills enacted into law | .. | .. | .. |
| Bills in conference | 3 | 3 | .. |
| Measures passed, total | 261 | 466 | 727 |
| Senate bills | 36 | 16 | .. |
| House bills | 54 | 144 | .. |
| Senate joint resolutions | 3 | 3 | .. |
| House joint resolutions | 2 | 2 | .. |
| Senate concurrent resolutions | 6 | 3 | .. |
| House concurrent resolutions | 19 | 28 | .. |
| Simple resolutions | 141 | 270 | .. |
| Measures reported, total | *165 | *126 | 291 |
| Senate bills | 109 | .. | .. |
| House bills | 44 | 72 | .. |
| Senate joint resolutions | .. | .. | .. |
| House joint resolutions | .. | .. | .. |
| Senate concurrent resolutions | 1 | .. | .. |
| House concurrent resolutions | .. | 2 | .. |
| Simple resolutions | 11 | 52 | .. |
| Special reports | 3 | 5 | .. |
| Conference reports | .. | 2 | .. |
| Measures pending on calendar | 279 | 73 | .. |
| Measures introduced, total | 852 | 1,842 | 2,694 |
| Bills | 633 | 1,245 | .. |
| Joint resolutions | 9 | 27 | .. |
| Concurrent resolutions | 19 | 69 | .. |
| Simple resolutions | 191 | 501 | .. |
| Quorum calls | 3 | 2 | .. |
| Yea-and-nay votes | 204 | 273 | .. |
| Recorded votes | .. | 139 | .. |
| Bills vetoed | .. | 1 | .. |
| Vetoes overridden | .. | .. | .. |

*These figures include all measures reported, even if there was no accompanying report. A total of 106 written reports have been filed in the Senate, 133 reports have been filed in the House.

## DISPOSITION OF EXECUTIVE NOMINATIONS

January 5 through June 30, 2010

| | |
|---|---|
| Civilian nominations, totaling 472 (including 209 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 247 |
| Unconfirmed | 214 |
| Withdrawn | 11 |
| Civilian nominations, totaling 1,041 (including 112 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 882 |
| Unconfirmed | 159 |
| Air Force nominations, totaling 5,194 (including 759 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 4,488 |
| Unconfirmed | 706 |
| Army nominations, totaling 2,959 (including 76 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 2,913 |
| Unconfirmed | 41 |
| Withdrawn | 5 |
| Navy nominations, totaling 1,640 (including 8 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 915 |
| Unconfirmed | 725 |
| Marine Corps nominations, totaling 1,181 (including 714 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 1,179 |
| Unconfirmed | 2 |

*Summary*

| | |
|---|---|
| Total nominations carried over from the First Session | 1,878 |
| Total nominations received this Session | 10,609 |
| Total confirmed | 10,624 |
| Total unconfirmed | 1,847 |
| Total withdrawn | 16 |
| Total returned to the White House | 0 |

*Next Meeting of the* **SENATE**

**2 p.m., Monday, July 12**

**Senate Chamber**

**Program for Monday:** Senate will be in a period of morning business. Senators should expect a roll call vote on confirmation of a judicial nomination at approximately 5:30 p.m.

*Next Meeting of the* **HOUSE OF REPRESENTATIVES**

**2 p.m., Tuesday, July 13**

**House Chamber**

**Program for Tuesday:** To be announced.

## Extensions of Remarks, as inserted in this issue

HOUSE




**Congressional Record** The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

**POSTMASTER:** Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.