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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 24, 2007.

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

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God of sacred revelation, the poetic and pathetic story of Job raises for every generation the mysterious question of human suffering: Why do bad things happen to good people?

In our own day, Lord, we hear Job in the African cry of the poor, in the conflicted mind of the wounded Marine and in the silence of the abused child.

Make the Members of Congress true comforters of Job, who not only talk about suffering but are in anguish to relieve his fate. Lift them from the illusion that virtue is directly linked to public notoriety and comparative wealth. Rather, by the infusion of faith, Lord, plunge them into a deeper solidarity with the war-torn poor and the heroic innocents so that Job's blessing may truly be their own:

''Naked I came from my mother's womb and naked I shall return. The Lord has given and the Lord has taken away. Blessed be the name of the Lord forever.''

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 Illinois (Mr. LAHOOD) come forward and lead the House in the Pledge of Allegiance.

Mr. LAHOOD led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 414. An act to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the ''Miguel Angel Garcia Mendez Post Office Building''.

H.R. 437. An act to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the ''Lino Perez, Jr. Post Office''.

H.R. 625. An act to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the ''Atanacio Haro-Marin Post Office''.

H.R. 988. An act to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the ''Lieutenant Todd Jason Bryant Post Office''.

H.R. 1402. An act to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the ''Sergeant Dennis J. Flanagan Lecanto Post Office Building''.

H. Con. Res. 128. Concurrent resolution authorizing the printing of a commemorative document in memory of the late President of the United States, Gerald Rudolph Ford.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1352. An act to designate the facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the ''Dr. Francis Townsend Post Office Building''.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to ten 1-minutes per side.

WAR IN IRAQ

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

Mr. SESTAK. Mr. Speaker, I have served this Nation in combat in Afghanistan and Iraq. The first was a just war; the second was a tragic misadventure.

After 31 years of military service, I ran for this office. I have never deviated from believing that a date certain to redeploy from Iraq is the only strategy which can change the incentives for the Iraqis, the Iranians and Syria, to change their behavior and to work for a non-failed state in Iraq. But I have run the Navy $67-billion-a-year warfare program. And I understand that money is only so fungible, and we will run out.

There is a greater good than me, than my office, than my caucus, than this Congress, and that is those that still wear the cloth of this Nation in Iraq that we Americans sent to fight for us.

I cannot vote to place their security between us and someone we hope might blink, because I do believe, however, after this, that I have great faith that there are those Americans on both

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sides of the aisle that will work towards ending this open-ended commitment for their security and America's.

LANCE CPL. BEN DESILETS

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

Mr. LAHOOD. Mr. Speaker, I rise today to pay tribute to Lance Cpl. Ben Desilets.

Ben was killed in Iraq on Tuesday. He was from Elmwood, Illinois, which is just west of Peoria, Illinois. He was a 2004 graduate of Elmwood High School.

In a statement from his family, it was described that Ben was killed behind the wheel of a Humvee when he died in the early morning hours. His mother is quoted as saying in an article in a local paper today, ''He thought he was doing good. I was proud of him. It made him grow up a lot.''

Today, as we honor Ben and all those who have fallen, and we remember our veterans on Memorial Day, we thank them for their service. We thank their families for their service and the great sacrifice that people like Ben and others have made in the name of freedom.

God bless Lance Cpl. Ben Desilets and his family.

IT IS TIME TO END THE WAR IN IRAQ

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

Mr. KUCINICH. With the passing of the war supplemental, our creation, the Iraqi Government, must meet certain benchmarks of performance, including turning over most of their oil assets worth as much as $21 trillion to international oil companies.

The administration blows up Iraq, is responsible for the deaths of perhaps as many as a million Iraqi citizens; the administration triggers a civil war, takes $10 billion in Iraq oil proceeds, which disappear, and now tells the Iraqis they better start behaving or the U.S. won't give them more support.

This isn't politics; this is pathology. Instead of passing legislation to continue the war, we should instead deny funds for the war and begin documenting war crimes.

It is time this Congress took responsibility to bring the troops home, to end this war, to restore our Constitution and reconnect our country to the highest values of truth and justice.

A CALL FOR LEADERSHIP IN THE HOUSE

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

Mrs. BLACKBURN. Mr. Speaker, I rise this morning in a continuing call for responsible leadership in this House.

It has now been 107 days since the President called for Congress to produce a supplemental bill that will adequately fund the war on terror. And after more than 3 months of political theater and grandstanding, we have a leadership that hasn't produced anything. A bill will come before us today, hopefully that will fund the troops, and quite simply this will hurt our men and women in uniform.

These are not my words but those of a sergeant first class from Tennessee serving in Iraq who wrote to me recently. She has said this, and she is frustrated with some of the things in Iraq but is committed to her duty. And I would like to quote from her letter.

She writes, ''I believe that before Congress keeps pushing to get us out of here just to get their sons and daughters home, they need to take a step back, talk to the soldiers.'' She continues, ''I have lost several good friends, brothers and sisters in arms, to this place, but I do not want my children to come back here and clean up this mess if I had the capability to take care of it myself. I know that if we pull out now, the next generation will be right back here to finish what we did not, because too many people are worried about their own political agenda. I am proud to be an American soldier, doing my job to protect my country and help others.''

God bless this soldier, and God bless all who with her serve.

□ 1010

UNDERSCORING THE NEED TO MAKE CRITICAL INVESTMENTS IN PRESCHOOL EDUCATION

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

Mrs. MALONEY of New York. Mr. Speaker, yesterday's Democratic National Summit on America's Children underscored the need to keep critical investments in preschool education for children today so that society does not pay a higher price later. A new Joint Economic Committee report shows that investing in high quality education is a cost-effective way of improving the life circumstances of children, while also increasing the U.S. economic growth over the long term by as much as 3.5 percent.

Another report details the provisions in Federal and State tax codes that are available to help families with children. The credits offered by my home State of New York are among the most generous. Both reports are available on the JEC website.

Investing in our Nation's children not only helps them, but also helps produce an innovative workforce for the future and keeps our economy strong.

WHY THERE IS A MEMORIAL DAY

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

Mr. POE. Mr. Speaker, this Memorial Day, we honor the warriors of America whose lives were taken in their youth for their country's future. In Southeast Texas, 18 of these men have been killed in Iraq in sacrifice and service for the rest of us. One of those was 20 year old Lance Corporal Anthony Aguirre of Channelview, Texas.

While on patrol with 20 other Marines in the desert sands of Al Anbar Province, Lance Corporal Aguirre stepped on an improvised explosive device. Since America's enemies hide in caves and won't face off with our troops, these cowards of the desert use these explosives to kill Americans. Rather than immediately jump off the IED, however, Aguirre stood firm and told his fellow Marines to clear the area. When his buddies were safe, he took his foot off the bomb. He died so others could live. Amazing men, these young Marines of the United States Marine Corps.

Later, as the funeral procession passed through the streets of Channelview, the crowds, estimated at 8,000, waved flags and stood in silence along the rural roads for this Son of Texas.

Mr. Speaker, Lance Corporal Aguirre and his fallen comrades are why we have Memorial Day.

And that's just the way it is.

RECOGNIZING THE CONTRIBUTIONS OF JEWISH PEOPLE TO AMERICA

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

Mr. SARBANES. Mr. Speaker, I rise today during Jewish American Heritage Month to recognize the contributions the Jewish people have made to our country.

I have come to understand that to the Jewish people, the word ''heritage'' has deep meaning. It is not simply a sense of pride or history. It is a belief that each person should in some way improve the world. The often quoted Rabbi Hillel asked the question, ''If I am not for myself, who will be for me? If I am not for others, who am I?''

It is this same set of values that brings Jewish groups to the Hill advocating not just for so-called Jewish issues, but for issues that affect everyone; better education, better healthcare, more protections for the environment, free speech, and separation of church and state. The Jewish community feels a special obligation to repair the world, one little piece at a time, for all people, not just their own.

I am grateful to the organizations in my own district for their contributions to our community. From providing educational and social services, to involvement in local and national policy,

the commitment to improving our society is one of the many values I have come to respect in the Jewish community in Baltimore and across this Nation.

THE END OF THE BLAIR ERA

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

Mr. STEARNS. Mr. Speaker, the decision of British Prime Minister Tony Blair to resign on June 27th marks the end of an era in U.S.-British relationships. Blair's extraordinarily close alliance with President Bush has been a major force on the world stage since the terrorist attack of September 11, 2001.

The Prime Minister has been an eloquent and passionate leader in confronting global terrorism. He deserves credit for his central role in the global war on terrorism and for having the courage to act on his convictions in the face of tremendous opposition within his own party and from other European governments.

His steadfast support for the United States in the 4 years since 2001 and his key role in building the international coalition of the willing demonstrated principled leadership as well as vision.

The strong U.S.-British relationship will certainly endure under Blair's successor. However, there is no doubt that this relationship was made better because of Tony Blair.

AMERICANS WILL BE HEARD ON ENDING THE WAR

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

Mr. BLUMENAUER. Mr. Speaker, it is unfortunate that Congress is poised to approve a short-term funding proposal for Iraq without strong conditions to phase down this war. I, for one, will not vote for it. But the sad fact is that we don't yet have a majority in this House to end the war.

Yet it is hardly a victory for the Bush administration. Congressional support is slowly crumbling, even among Republicans, as the politicians are catching up to where most Americans are on this war.

I would urge people not to be discouraged by the vote today, but to keep up their spirits and their pressure. Americans will be heard, and this nightmare will end.

REJECT AMNESTY FOR ILLEGAL ALIENS

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

Mr. CULBERSON. Mr. Speaker, as Members of Congress return home for the Memorial Day weekend, as we honor the sacrifices of our men and women who have given their lives in defense of our Nation and of its values, I hope that every American will remind their elected representatives that in honoring that sacrifice, our elected representatives have an obligation to uphold the rule of law, to preserve our borders and to preserve this Nation's financial security for the future.

In so doing, every American ought to demand that their elected representatives reject this monstrous amnesty bill, which proposes to legalize 14 to 20 million illegal aliens, honoring those who have broken our laws, threatening the financial security of the Nation by more rapidly bankrupting Social Security and all of our financial social welfare programs, and driving this Nation more rapidly towards that financial brick wall which is so rapidly approaching.

In my office, 100 percent of the phone calls received have been in strong opposition to this bill. Every other Member of Congress from the Republican side that I have visited has received equally strong opposition.

I think it is vitally important for Americans to rise up, as we did in the Dubai ports deal, and demand that our elected representatives honor the sacrifices of our fallen soldiers by rejecting this mass amnesty bill over the Memorial Day break.

ACCOUNTABILITY PLAN NEEDED FOR IRAQ WAR

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

Mr. KLEIN of Florida. Mr. Speaker, today, the House of Representatives will vote on a war spending bill that does not call for accountability. Unlike the previous Iraq supplemental, the bill we are voting on today does not provide the American people with a path to end this war. For me, the issue of accountability is imperative. Without a real accountability plan in Iraq, there is no telling how long this war will continue.

We were elected to bring a new direction in Iraq, and I will continue that fight, along with many of my colleagues. As I have made clear time and time again with my votes, I fully support our troops and their families. But I also believe that it is Congress' duty to support a change in the Iraq policy that will meet our national security objectives.

When the people of South Florida chose me to be their voice in Congress, they put their trust and faith in me to represent their values and priorities. Along with the people of South Florida, I will continue to stand up and work toward a new policy in Iraq.

For these reasons, I will vote against the Iraq supplemental bill today.

DEMOCRATS WILL KEEP PLEDGE TO THE AMERICAN PEOPLE

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

Mr. MORAN of Virginia. Mr. Speaker, the Republican Party and the President will make it clear today to the American people that they own this war; hook, line and sinker.

The President and his Republican colleagues will be successful today in continuing the Iraq war, but this is a pyrrhic victory at best. The Democratic leadership is allowing this bill to pass because, unlike the President, they will not leave our troops unprotected in battle. It is our troops and their families that are the only ones being asked to make any sacrifice in this war, and this President's policy is unworthy of their sacrifice.

The only sacrifice requested of the rest of us has been to go out and spend our tax cuts at the mall. Meanwhile, the Iraqi parliament is preparing to take the summer off, probably using some of the missing $9 billion to sunbathe along the Mediterranean. Our soldiers risk life and limb to secure their country, which is in the midst of a civil war, and they go on vacation. Ask yourself if you think this is a war worthy of our soldiers' sacrifice.

We Democrats will do everything, legally and legislatively, to bring our troops home as soon and as safely as possible. That is our pledge to the American people, and we will keep it.

□ 1020

TURNING THIS WAR AROUND

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

Mr. CARNAHAN. Mr. Speaker, there are two sets of issues coming before this Congress before we finish up our work this week. One is the President's request for a blank check to finance this war for the remainder of this fiscal year. I cannot and will not support that.

This House will also consider funding for children's health insurance, gulf coast recovery and drought relief for our farmers. I will indeed support that.

We have put forth a plan in this House to the President. He has rejected it time and time again. I will continue to fight. Even though this proposal before the Congress today provides benchmarks, it is not enough. Even though it requires reports to Congress in July and September, it is not enough.

My pledge is for a new direction to turn this war around, to bring stronger accountability, stronger support for our troops, and bring them home safe, sound and soon.

LIVES IN THE BALANCE

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

Mr. COHEN. Mr. Speaker, I wish to quote Jackson Browne's ''Lives in the

Balance,'' a song written quite a few years ago but most appropriate for today.

''I've been waiting for something to happen
For a week or a month or a year.
With the blood in the ink of the headlines
And the sound of the crowd in my ear
You might ask what it takes to remember
When you know that you've seen it before
Where a government lies to a people
And a country is drifting to war.
''And there's a shadow on the faces
Of the men who send the guns
To the wars that are fought in places
Where their business interests runs.
''On the radio talk shows and the TV
You hear one thing again and again
How the U.S.A. stands for freedom
And we come to the aid of a friend
But who are the ones that we call our friends,
These governments killing their own?
There are lives in the balance
There are people under fire
There are children at the cannons
And there is blood on the wire.
''There's a shadow on the faces
Of the men who fan the flames
Of the wars that are fought in places
Where we can't even say the names?
''I want to know who the men in the shadows are
I want to hear somebody asking them why.
They can be counted on to tell us who our enemies are,
But they're never the ones to fight or die.
And there are lives in the balance
There are people under fire
There are children at the cannons
And there is blood on the wire.''

SUPPORT OUR TROOPS

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, we have heard sentiments from the other side of the aisle about the vote that is going to take place today. I would like to throw a few facts on the table.

One, the President asked us 110 days ago for this support; 110 days. Nothing has changed with his request, the need for the support of the troops, from then until now, except we have gone through political exercises to try and limit the ability of the President and, more importantly, his commanders in the field, from doing what they think is best.

I have heard it said that we need a new policy. We have a new policy. I have heard it said, we need a new military commander. We have a new military commander. I have heard it said, we need new tactics. We have new tactics.

The problem is, as the President has presented this, as we put this into effect, all we hear is, no, no, no, and no. That is not a policy; that is a denial. That does not support the troops. Unfortunately, it makes it more difficult for them.

Let's remember as we vote to support our troops, we could have done this and should have done this 110 days ago.

SAD DAY FOR AMERICA

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

Ms. SHEA-PORTER. Mr. Speaker, this is a very sad day for our country. Once again, the President is going to be handed a blank check by the Republicans. Last year the Republicans took a lot longer than the Democrats on this side of the aisle to pass this supplemental. Every year they have given the President exactly what he wanted: a blank check.

This time we said to the President twice, we will give the money as long as you meet certain criteria, responsible criteria; and he said, no. He had to have it completely his way, running the war in the fifth year the way he ran it in the first year and the fourth year, without any kind of check, sending our brave troops into battle without the equipment they need. And if they come home injured, failing to care for them and providing for them what they need at home.

We tried to give our brave troops a 3.5 percent pay raise. The President said, no. He supports the troops but not financially, not physically and not in the ways that really matter.

So here we are approaching Memorial Day, and once again, we are leaving our troops unprotected while they have a political battle about this. And they can't go back to their districts and tell the truth.

I will vote against this supplemental because I am voting for the troops.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2206, U.S. TROOP READINESS, VETERANS' CARE, KATRINA RECOVERY, AND IRAQ ACCOUNTABILITY APPROPRIATIONS ACT, 2007

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 438 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 438

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2206) making emergency supplemental appropriations and additional supplemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Appropriations or his designee that the House concur in the Senate amendment with the House amendments printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question except that the Chair shall divide the question of adoption of the motion between the two House amendments.

SEC. 2. If both portions of the divided question specified in the first section of this resolution are adopted, the action of the House shall be engrossed as a single amendment to the Senate amendment to H.R. 2206.

SEC. 3. During consideration of the motion to concur pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of such motion to such time as may be designated by the Speaker.

SEC. 4. (a) During consideration in the Committee of the Whole of a bill making supplemental appropriations for military operations in Iraq or Afghanistan for fiscal year 2008, before consideration of any other amendment, it shall be in order to consider an amendment only proposing to add to the bill the text of H.R. 2451. Such amendment shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or the Committee of the Whole. All points of order against such amendment are waived except those arising under clause 9 of rule XXI.

(b) Subsection (a) shall not apply to a bill making regular appropriations for the Department of Defense for the fiscal year ending September 30, 2008.

The SPEAKER pro tempore. The gentlewoman from New York (Ms. SLAUGHTER) is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume and ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 438.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, House Resolution 438 provides for consideration of the Senate amendment to H.R. 2206, making emergency supplemental appropriations and additional supplemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes.

Mr. Speaker, when my fellow Members of Congress and I speak and debate and cast our votes on this floor, we seek to reconcile our ideals with what is possible to achieve. We seek to do what is right in principle and necessary at any particular point in time, and pray that the two are one and the same.

That struggle has formed the foundation of the fight Democrats have waged since January, and it is the basis of what we are doing today.

This war was not challenged by the last Congress. It was supported by the last Congress. It was defended by the last Congress. Year after year, the Republican-led House kept this war alive.

□ 1030

But the public rightly lost faith in the war and those who would support it unquestionably. We all know what the result was.

The first opportunity the new majority had to change course in Iraq came with the first version of this bill. That legislation conditioned any future support for the conflict upon proof that our efforts were bearing some fruit. What is more, it would have ended the war by August 2008 at the very latest. Democrats, and some Republicans, united, and that bill was passed by the House.

Democrats in the Senate agreed, and the conference report that was sent to the President was even stronger. The same benchmarks were in place, but the war was to end 6 months sooner, by March of next year.

Our position was clear and unequivocal. For the first time since 2003, a majority of the United States Congress supported a new direction in Iraq, and it was a direction which would lead to an end to the war. The President vetoed that bill.

Our Constitution requires two-thirds of the Congress to overcome a veto. Two-thirds of the public stood squarely with the Democrats in this Chamber, and a handful of Republicans, who voted to overcome it. But what we needed was significant support from the other side of the aisle, and we did not get it.

Since then the President's made it clear that he will veto any legislation which even mentions the word ''timeline,'' and so he left my fellow Democrats and me with a choice. Some would have us ignore his words and simply send him a new copy of our original bill. I certainly relate to those feelings.

But as appealing as this may seem, I do not believe that it would be right. The President and his allies in Congress have put our soldiers in harm's way, and Mr. Bush is willing to keep them there no matter how much they suffer.

If this Congress delayed funding by continuing to back a bill we cannot pass at this time, we would not force the President to end the war. All indications are that he would leave our soldiers in Iraq, and without adequate funding, they would have to do even more with even less.

The Democratic Party is the party that supports our soldiers. We're the party that fights for them to have proper equipment, training and rest. We're the party that demands that they be given a sensible strategy for victory before going into battle. We're the party that demands that they receive proper medical care once they return.

We understand the mistaken judgment and obstinacy of the White House, and so we will not prevent any funding from coming forth from this Congress, an outcome which would permit the President to further add to the struggles that our troops endure every day.

Ultimately, of course, supporting the troops means ending the war entirely, and the legislation we bring to the floor today goes as far as is possible at this moment to achieving that goal.

Mr. Speaker, I ask everyone listening to look at the victories that have been won here. The President previously said he would block any bill which contained benchmarks for the war, but now the only legislation the House will deliver to him contains no fewer than 18 benchmarks linking economic aid to improvements in the Iraqi situation.

Furthermore, the President and members of the Republican minority derided what they called ''unrelated spending'' during our first debate on this bill. They did so even though Democrats were seeking only to fill the gaps left by last year's failure to give us a budget.

But today we will pass a minimum wage increase. We will increase funding for military health care and for veterans' health care, and critically needed funding for agriculture disaster aid, children's health care, and recovery from Hurricane Katrina.

What is critical for all of our citizens to understand is that what is missing from this bill, a timeline to end the war, has been neither forgotten nor conceded by the Democrats in the Congress.

To the contrary, our path forward is clear. We will fight every day until the world's greatest deliberative body lives up to its billing and actually represents the will of the people its serves.

As I said before, at least two-thirds of the American people oppose the President's approach to Iraq and want this war brought to a close. It's time that two-thirds of this Congress wants the same. And we all know where the remaining votes have to come from.

Some days in Iraq are worse than others, but all days there are bloody. Four American soldiers died on Monday. Six more died on Tuesday. Three lost their lives yesterday. Three hundred twenty-one civilians have been anonymously murdered in Baghdad just this month, an average of 13 a day.

We must not be afraid to speak what is a simple truth. Every day that the Republican minority in this Congress stands by and empowers the President to perpetuate this war, they are saying the day's deaths in Iraq are acceptable. They're saying that those lives lost are part of a price they're willing to let others pay, other mothers, other fathers, other sisters, other brothers and other children, not theirs.

But they are alone. Official Pentagon assessments now speak of Iraq's ''civil war,'' meaning the Pentagon itself has broken now from the White House. The generals on the ground are admitting that our whole approach to Iraq must change. That dialogue, even with insurgent groups the President swore he would never talk to, must replace the open-ended warfare, which means the surge has failed.

And, of course, the overwhelming majority of the American people are not willing to accept the sacrifices asked of our soldiers and Iraqi civilians not because of a lack of will, but because of an abundance of reason. They correctly see the war as it is being fought today has never and will never yield the intended results, that our soldiers have been given a mission that has failed them and the people of Iraq time and time again.

The Democrats in both Chambers of this Congress stand with them. A handful of principled Republicans stand with us as well, but not yet enough.

The American people will continue to demand that their voices be heard. They will continue to demand their Representatives no longer willfully ignore their wishes, and my fellow Democrats and I will continue to demand the same.

Together we will struggle until our collective ideals becomes one with what is possible to achieve and until this representative Congress actually represents its constituents and forces the President to do the same.

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

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

Mr. Speaker, I rise in strong opposition to this rule, and I express my appreciation to my very good friend, the distinguished Chair of the Committee on Rules, the gentlewoman from Rochester, for yielding me the customary 30 minutes.

Mr. Speaker, I have to begin by saying how greatly saddened I am by the opening statement that was just delivered by the Chair of the Committee on Rules. Using the word ''failure'' to describe what has taken place in Iraq is, to me, as we head into this Memorial Day weekend, an extraordinarily sad message for our courageous men and women who are on the frontline in this struggle against global terrorism.

Mr. Speaker, I have to tell you that we just got the news this morning of the death of Joseph Anzack who was one of the three troops in Iraq who was kidnapped, and as we think about this Memorial Day weekend, to say to those men and women who are there on the frontline that this is a failure, I believe, is a horrible, horrible message, and I'm greatly troubled that those words would emanate from the floor of the House of Representatives.

Mr. Speaker, it has taken the Democratic leadership four tries, and as my very good friend from California (Mr. DANIEL E. LUNGREN) said in his 1-

minute speech, more than 100 days since the President's request that they have finally agreed to vote on an emergency supplemental appropriations bill that gives our troops the funding they need without tying their hands and ensuring their defeat.

Mr. Speaker, no matter how many times my friend from Rochester, the distinguished Chair of the Committee on Rules, is saying that they have lost, saying that they have failed and saying that defeat is imminent, the passage of this funding bill will help very much to ensure that that is not the case.

I'm extremely proud that we have been able to hold the line on the disastrous proposal and this notion that somehow we have lost and we have failed in the struggle against terrorism. Unfortunately, though, at this point in the debate, we can't be totally certain about what it is exactly that we're agreeing upon, particularly in the case, Mr. Speaker, of the additional spending.

□ 1040

Now, let me explain why. For several years, there has been concern from both sides of the aisle about the lack of availability of the text of bills and conference reports. That concern has been raised by both Democrats and Republicans on a regular basis.

I would like to briefly, for our colleagues, outline a timeline for how this rule we are debating at this moment was produced. Last night, the Committee on Rules adjourned at roughly 8:45 p.m. after reporting the rule on lobbying reform, which we will be considering in a little while.

Then members of the Rules Committee patiently waited until 11 p.m., when we were notified the text of the supplemental agreement wouldn't be ready until the early morning hours and that the Rules Committee would hold an emergency meeting at 7 a.m.

The text of the Obey amendments were then circulated to the Rules Committee members at 5:39 this morning, just a few hours ago; 5:39 this morning, less than 1½ hours before we convened the Rules Committee. The text of the amendments were not posted publicly on the committee's Web site until around the time we actually met.

Now we are here considering the rule, which makes in order language which spends $119.99999 billion, less than 4 hours after it was actually submitted.

I remember my very good friend from Rochester (Ms. SLAUGHTER) regularly saying that we needed to be provided with 24 hours notice. This clearly is a far cry from what was promised at the beginning of this Congress.

This language may very well represent the agreement between the House, the Senate and the administration. However, there is no way for us to know this, because there has been no time to thoroughly read the language and verify.

Unfortunately, as most Members must at this point, I shall have to proceed under an assumption. I must say that I am very concerned about the negative impact the ongoing surrender debate has had in Iraq, both in terms of the morale of our troops and our credibility with the Iraqi people. I am concerned about the impact that this delay in funding has had on our military as well.

But, ultimately, we have succeeded in ensuring that this body has the opportunity to fund our troops without simultaneously handing the terrorists a date certain for our surrender. While this process, this political process has played out, I talked a great deal about what the consequences would be if we were to abandon the Iraqis to the terrorists. And, of course, al Qaeda has taken responsibility for the murder of Mr. Anzack, whom I mentioned, Joseph Anzack.

They clearly are in the midst of their drive. We also are hoping very much that we can see this fledgling democracy take hold. That is why what we are going to be doing here, providing that necessary support, helps us in that quest, but there is no need to take my word in this matter. We are hearing repeatedly, repeatedly from our people on the ground, from the Iraqi leadership and from the Iraqi people, that withdrawing before our mission is complete would have terrible consequences.

Iraq's ambassador to the United Nations, Feisal Amin al-Istrabadi, has implored us not to leave. I would like to quote Iraq's ambassador to the United Nations. ''We are at war together,'' he recently said. ''We are allied at war together against a common enemy. We have one way forward: together.''

In a recent interview with the New York Post, he talked about the troop surge and pointed to the progress that is being made because of it. At this critical juncture, Iraq's ambassador to the United Nations believes we should be redoubling our efforts and pressing forward, not debating a withdrawal at the precise moment that progress is being made.

Every Member of this body knew at the beginning of this process that the President would never sign a withdrawal bill. The President said it, and the President says what he means, and he means what he says.

Unfortunately, as Mr. LUNGREN pointed out in his 1-minute speech earlier, the weeks and weeks of pointless debate on our surrender date have clearly taken their toll in Iraq. As Ambassador al-Istrabadi points out, and I quote, ''It's been very painful to watch the political process in Washington, because it seems to have very little to do with Iraq.'' He says that al Qaeda has been following this debate closely. The ambassador says, ''There are real enemies who are watching the debate, who understand what's happening here and who think they can affect the outcome of the debate.''

He is baffled, as I am baffled, that the Democratic leadership could even consider playing right into the terrorists' hands. How on earth could we even contemplate giving them what they want and turning the country and the region over to them?

I understand many Americans just want this war to be over. I want this war to be over, too. I would like nothing more. I would like nothing more than to be able to tell the people whom I am honored to represent here that their husbands and wives and sons and daughters and brothers and sisters are going to be coming home tomorrow.

The problem is that, even if we were to withdraw from Iraq, the war would not magically be over. We can pick up and go home. We can turn off our TV sets and ignore what is taking place over there. But the war will still go on. The terrorists will continue their battle for Iraq and for the region; only, this time, we would not be there to stop them.

We would not be there to train and strengthen the Iraqi Army and police forces or to help strengthen those democratic institutions.

I have to say that I am particularly proud of the work that our House Democracy Assistance Commission is doing. DAVID PRICE of North Carolina has chaired this effort, and we are hoping to be able to include Iraq's parliament as we work in consultation to help them build this fledgling democracy.

Before long, I have no doubt whatsoever that the war would make its way to our doorstep once again. We ignored a growing terrorist haven once before, and we suffered the worst attack on our soil because of it.

I was very proud during the decade of the 1980s to work with a number of our colleagues in providing the assistance to the Mujahedin who were fighting to liberate their country of Afghanistan from the Soviet Union. When that was over, we left and did virtually nothing to help build a democracy.

Did Afghanistan teach us anything? Did September 11 teach us nothing? Burying our heads in the sand is not an effective defense. The consequences of abandoning our mission in Iraq would be even graver than the consequences of ignoring the growing terrorist threat that took place during the decade of the 1990s in Afghanistan. This time, not only would the terrorists establish another safe haven from which to operate their global terror network, they would, and I quote, ''erect a triumphant monument on the ruins of American power,'' as the American Enterprise Institute scholar Frederick Kagan said.

We simply cannot and will not strengthen the hands of terrorists who have made the destruction of America their number one priority. We cannot and will not abandon the Iraqis to be butchered by these terrorists in their midst. We cannot and will not abandon our mission just as real progress is starting to be made.

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

□ 1050

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield to the gentleman from Wisconsin (Mr. OBEY) as much time as he may consume.

Mr. OBEY. Mr. Speaker, let me first address the gentleman's comments about process and time.

We have been negotiating with the Senate and with the White House since last Friday. At approximately 12:30 last night, the majority staff on the Appropriations Committee finally wrapped up our work in putting this package together. At about 1:00, we communicated what that package was to the minority staff on the Appropriations Committee. It couldn't have been communicated any earlier because it wasn't done until 12:30. One of the reasons it wasn't done is because as late as 10:00 last night, the White House was still squawking about individual provisions in the bill. And the last time I looked, the White House was in Republican hands.

Now, we have negotiated in good faith. I hate this agreement. I am going to vote against the major portion of this agreement even though I negotiated it, because I think that the White House is in a cloud somewhere in terms of understanding the realities in Iraq. But let's not get our nose out of joint about the way this package was put together.

We have tried in good faith to find a way to put the administration's request and their opponent's position on the floor on an equal footing to give everybody an opportunity to vote however they wanted on it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

The gentleman may proceed.

Mr. OBEY. As I was saying, Mr. Speaker, we don't relish bringing a package to the floor that we don't like and that we are not going to vote for. But what I especially don't relish is the fact that, in the process of doing so, we are criticized by people on the minority side of the aisle who, when they were in charge, couldn't run a two-car funeral in terms of the budget.

The gentleman claims that it has taken us too long to get here. The fact is, the gentleman's party was in control last year, and it took them 110 days to produce a supplemental that the administration requested. That is 10 days longer than it took us. And we had to spend the first 30 days of this session passing last year's budget because the gentleman's party couldn't get a single domestic appropriations bill through the House because of an internal Republican Party squabble between Republicans in the Senate and Republicans in the House. So that ate up the first 30 days. And the rest of the time we have spent trying to convince the President to change his mind on the policy in Iraq.

And so we haven't exactly been doing nothing these last 110 days. We sent a proposition to the President to try to force change in American policy in Iraq. He vetoed it. So if somebody is going to bellyache about the fact that the money isn't getting to the troops, we passed that. It was the President who vetoed it. It is the President's action that has delayed getting anything to anywhere.

We then sent a second package over, and the Senate couldn't pass that. And so that is when we faced the inevitability that we simply did not have the votes to force the President to change policy, and so we are now trying to produce a responsible alternative.

Let me also say, with respect to the argument that we are somehow playing into the hands of al Qaeda. Who played into the hands of al Qaeda? A fellow by the name of Bush. He lives in that big White House at the other end of the avenue. He is the guy who walked this country into a war he didn't have a clue about how to end, he didn't have a clue about the political realities in the region, he didn't have a clue about what was necessary militarily to pacify the country. He didn't have a clue about what this was going to do to our influence in the world. If anybody in this country has weakened our influence drastically and tragically in the Middle East third of the world, it is the occupant, the present occupant, of the White House and his Republican allies who continue to support this misguided policy on this misbegotten war.

So, I get a little tired of people who produced one mess after another. I get a little tired of people who have been wrong from the start on this war. They went after the wrong country. They didn't go after al Qaeda, they went after Iraq. Iraq didn't have anything to do with 9/11. The gentleman knows that, unless he has a faulty memory. Only DICK CHENEY is still trying to invent that connection, and his aim is about as bad as it is when he's got a shotgun in his hand.

So with all due respect, Mr. Speaker, we have tried to produce change. We have been blocked in obtaining that change by the President. We are now trying to move ahead, on the only option we have available. And the gentleman's nose is out of joint because the action was completed last night too late to provide good notice. You know what? I didn't know about a third of this stuff in this package until I got it in the morning, because we made a number of changes in response to White House requests as late as 10:00 last night. I don't apologize for that. That is what negotiating is supposed to be.

You can't have it both ways. You can't squawk at us for being too late in bringing the bill to the floor, and then squawk at us for not giving you enough notice.

So, with all due respect, I will take a look at the record of the minority party last year when they were running the show and couldn't pass anything, and I will compare theirs to our record any day of the week.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to refrain from engaging in personalties toward the President or the Vice President.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume and then I'm going to be yielding to one of my colleagues.

Let me say that at 7 o'clock this morning I praised the distinguished chairman of the Committee on Appropriations, Mr. OBEY. He knows that I have the utmost respect for him and his work. He is very, very diligent, and a very, very thoughtful Member. And I have been privileged to serve with him for the last more than a quarter of a century, as we were counting upstairs some of our former colleagues who are long departed, Mr. Dabo, Mr. Conte, and others.

Mr. Speaker, let me say that, with all due respect to my friend, I am not bellyaching about the process itself. I am not bellyaching about what it is that got us here. I am simply pointing to a promise that was made to this institution; and that promise, Mr. Speaker, was that there would be 24 hours to review legislation before it is brought to the floor. And I will acknowledge that when we were in the majority, we did not always provide that 24 hours. But, Mr. Speaker, I would say to my friend from Wisconsin, it is not about what we did, it is about what this new majority promised they were going to do. And that commitment was that after this laborious late-night negotiating process that included Members of the other body, the White House, and Members of this body into the night, that there would be a 24-hour opportunity for Members to look at a $119.99 billion spending measure.

So I have to say that the process that led up to the creation of this is historically the process that does bring about bipartisan agreements. The gentleman is absolutely right, not everyone is happy with all the measures included in this bill. But the fact of the matter is we are where we are; we have gotten here under challenging circumstances. As I said, the Rules Committee adjourned at 8:45 last night. At 11 o'clock we were informed that we would have an emergency meeting at 7 o'clock this morning, and at 5:39 this morning it was made available to us.

□ 1100

And here we are just a few hours later considering it on the House floor. Now, Mr. Speaker, I'm hoping to go back to Los Angeles tomorrow morning, and I'd like to be able to do that. But I'm more than willing to help this majority comply with the promise that they made that on all major legislation, they would in fact provide the minority and, frankly, the majority Members with 24 hours to review the legislation.

And, finally, I just have to say that when we hear arguments that somehow

President Bush is playing into the hands of the terrorists and responsible for where we are, Mr. Speaker, September 11 of 2001 changed not only the United States but the world. The largest most important Nation in the history of mankind suffered an attack the likes of which we had never seen in our Nation's history. And so, taking on a multi-pronged approach, dealing with, as we have in both Afghanistan and in Iraq, and we all know that Iraq is the central front for al Qaeda, has been very important. You can raise issues like weapons of mass destruction and other items like that, but the fact of the matter is, we are where we are today. And I believe that it would be a horrendous mistake for us to take a retrograde step, which is exactly what those terrorists want.

And with that, I'm happy to yield 4 minutes to my very good friend from Sacramento, Mr. LUNGREN.

Ms. SLAUGHTER. Mr. Speaker, I believe it's my time to yield time following your speech.

Mr. DREIER. Mr. Speaker, I was recognized, and I announced at the beginning——

Ms. SLAUGHTER. Nonetheless, I think we do alternate.

Mr. DREIER. Mr. Speaker, was I out of order by yielding to my colleague?

The SPEAKER pro tempore. Who seeks time?

Ms. SLAUGHTER. I seek time.

Mr. DREIER. Mr. Speaker, I was in control of the time. I yielded myself such time as I may consume, and as I did that, I asked that I yield to my colleague from California.

But if, in fact, the distinguished Chair of the Committee on Rules wishes to supersede that, I will reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 4½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, some might see this Iraq supplemental as a victory for President Bush in his never-ending quest to secure open-ended, unaccountable funding for his disastrous policy in Iraq. If so, it is a hollow victory.

We can debate why and when our Iraq policy turned into the disaster that plays out every day in Baghdad and Dyala. But that debate really doesn't matter anymore, because the President's policy is a failure. And no amount of funding, with or without conditions, can fix it. The only thing that matters now is when and how we end this disaster, and when we bring our uniformed men and women safely home to their families and communities.

Our troops did their job. They achieved their mission. They ended the brutal reign of Saddam Hussein, and confirmed for the world that there never were any weapons of mass destruction.

They weren't sent to Iraq to take a bullet on behalf of the sectarian religious factions hellbent on civil war.

Mr. Speaker, this supplemental only postpones the inevitable. After hundreds of billions of dollars; after more than 3,400 soldiers, marines, sailors and airmen have lost their lives; after nearly 1,000 U.S. defense contractors have been killed; after more than 25,000 uniformed men and women have been wounded or maimed; after tens of thousands of American veterans returning from Iraq will be suffering from the trauma they experienced in combat for the rest of their lives; after hundreds of thousands of Iraqi men, women and children have been killed and millions more have been traumatized by the violence and horror that now marks Iraqi daily life; after the destruction of towns, villages, communities, neighborhoods and infrastructure, we still come back to the same place, the same stark question.

Mr. Speaker, how and when is this war and our military occupation of Iraq going to end?

The Middle East is going up in flames. Al Qaeda and other terrorist networks remain strong and intact. Their recruitment is growing. Meanwhile, America's standing in the world has never been lower.

I ask each of my colleagues, when and how are we going to get out of Iraq? When will each of us be able to tell the families in our districts that their sons and daughters, fathers and mothers, husbands and wives, brothers and sisters, will finally be coming home?

Mr. Speaker, unbelievably, the President doesn't even want his own policy priorities tied to a time line for removing our troops in Iraq. He wants no accountability on the readiness of our troops, or whether they are adequately trained and equipped. Just show me the money. That's all he wants.

Mr. Speaker, I simply can't support it. And I will vote against this blank check of a supplemental.

Mr. Speaker, let me just conclude with a few words about the rule. This is not a satisfactory conclusion to the weeks-long debate over funding the war. But the sad reality is that the Senate is too timid and the President too irrational. There was no one with whom the House could forge a genuine compromise to hold the President accountable for the lives he is willing to sacrifice and the money he seeks and move us closer to bringing our troops home. And we do not have the votes in this House, sadly, to override a veto.

Mr. Speaker, I want to thank Speaker PELOSI and Chairman OBEY for their persistence and their courage in trying to end this tragic war.

The rule before us ensures that we do not walk away from this debate or the decision to remove our troops from Iraq. Under this rule, the House must vote on removing our troops from Iraq before any further supplemental funding can be approved for the war.

So let's be clear. Those of us who oppose this war will be back again and again and again and again until this war is ended.

Mr. Speaker, from the White House to our military field commanders, everyone, including the Republican leader of this House, has said that September is the tipping point. Well, we will vote, and we will vote in September. And we will decide, and I pray that we will then bring our troops home.

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 14 minutes remaining, and the gentlelady from New York has 10½ minutes remaining.

Mr. DREIER. Mr. Speaker, with that, I'm happy to yield 5½ minutes to my very good friend from California (Mr. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, as we sit here and listen to this debate, both on this rule and on the 1-minutes that went before us, one thing is passing strange. I heard my friends on the other side of the aisle complain or lament that the problem with this bill is that it does not hold the President in check. We're dealing with a wartime supplemental. I thought the purpose of that is to hold the enemy in check, not hold the President of the United States in check.

I heard another Member of the other side of the aisle say, Republicans now, you understand, you own this war. Are we trying to make a political statement, or are we trying to help our troops? Are we trying to do some political dance, or are we trying to stand behind our troops?

I heard from the other side of the aisle, you Republicans are continuing this war. The enemy is continuing this war. Have we lost sight on what it is we're supposed to be talking about here? Have we lost sight on what it is that our troops are thinking about? Is this something where we define somebody other than the enemy on the field as the enemy?

We now have heard from the distinguished lady from New York that the surge has failed. She has joined others, including those in the other body from that side of the aisle, who have made the determination, not that this policy will fail, not that it cannot succeed, but they have now declared, as she has said, that the surge has failed. Perhaps she should talk to General Petraeus. Perhaps she should talk to our military leaders in the field. I don't question her sincerity, but I would suggest that perhaps General Petraeus has a better idea about what the circumstances on the ground are. Has he declared victory? No. Has he said he believes that victory is achievable? Yes. Has he told that to our troops time and time again? Yes. Has he quoted the gentlelady from New York to say to our troops, as I send you out on this mission, understand that the surge has already failed? No, he has not. No, he has not.

We hear repeated on this floor, we need a change in mission. We need a

change in policy. We need a change in leadership.

□ 1110

You have a new Secretary of Defense. You have a new military commander. You have a new mission on the field. And yet as it begins to unfold, what do you say? What do we hear said on this floor by those who ask for those things? Not, let's see if it works, the President has listened to us, we have the best of the best, the best warrior leader we have in our country who has come up with this plan, who has put his imprimatur on this plan, who tells us and tells the troops this plan is a plan for victory.

But no. What do we hear? ''The surge has failed,'' we hear uttered on this floor. ''The surge has failed.'' If you believe it has failed, then why have we been fooling around with all of these other things? Why don't you just have an up-or-down vote, get us off this funding completely, tell the troops the only thing to do is to take them home?

But what have we heard from the other side? They say, we don't have the votes to do that, so we are going to have death by a thousand cuts. That is why it has taken us 110 days plus, because of the strategy to somehow do by indirection what the Constitution won't allow you to do by direction.

We have heard it again and again and again from the other side of the aisle. Their dictionary begins with ''F'' and the word ''fail,'' and it ends with the word ''lost.'' You will not find in their lexicon the words ''victory'' and ''win.'' You will find only ''failure'' and ''loss.'' And not that we will fail, but we have heard the pronouncement from the majority on this floor today we have already lost. That is the message they are sending by their vote today, and they have told us what it is with an exclamation point.

Troops in the field, we sent you on a mission that is a mission to fail, and it has already failed. What a terrible message to send to our troops. We should reject that notion. We should support our troops. We should support this funding. And we should stop trying to play the ''gotcha'' game here on the floor of this House.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds.

Perhaps my good friend from California has not heard the news. The Pentagon has now said that we are indeed enmeshed in a civil war and we now have a plan B. What we are going to do now is deal with insurgents so that we can try to pacify them and get pockets of peace somewhere, here and there in Iraq, never mind the Iraqi Government we have been holding up all this time.

This may be news to him, but as far as I am concerned, the Pentagon has really called it straight, and I consider it a break with what the White House has been telling us.

We know the President said time and again he would never negotiate with any insurgents. Well, that was yesterday.

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

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 3 minutes to my colleague from Hood River, Oregon (Mr. WALDEN).

(Mr. WALDEN of Oregon asked and was given permission to revise and extend his remarks.)

Mr. WALDEN of Oregon. Mr. Speaker, it saddens me that once again I have to remind my colleagues of the current emergency occurring in my district and throughout many counties in the rural West all because the Federal Government has violated its promise to America's forested communities.

Here I have the front page of the May 17 edition of the Grants Pass Daily Courier in Josephine County. Notice the photo. It is a banner that says ''Sheriff Out of Service.'' ''Service jobs slash 42 sheriff's deputies, 28 juvenile correctional officers among those laid off. Medical rescue help may be delayed.''

The last 3 years Congressman DEFAZIO and I have been warning the Congress that these are the things that are going to happen out in our part of the world if we don't fix for the long term the county payments issue. In Jackson County, the most populated area of my district, all 15 public libraries have closed.

Now, the underlying bill has a 1-year fix for this. It is an emergency bridge, and for that we are indeed thankful and appreciative. But the problem continues. The 1 year does not give enough assurance to the financially strapped rural communities to restore the hundreds of jobs and countless public safety services that have already been compromised by Congress's failure to have a long-term solution. As the Medford Mail Tribune editorialized today, ''Josephine County has laid off 42 sheriff's deputies, ended patrols, and virtually shut down its jail. Curry County,'' in Congressman DEFAZIO's district, ''which has lost 68 percent of its general fund, also has no sheriff's patrols and has asked the National Guard to provide security for coastal residents. Jackson County closed its libraries and plans to lay off nine sheriff's deputies, road workers, and other employees for a total of 172 positions.

''There are those in Washington, D.C.,'' the paper writes, ''who will paint the 1-year extension as a great day for rural counties. Meanwhile, back here in Mudville, there is little joy.''

So I sent to the Rules Committee this morning two amendments that would have extended the emergency funding for years, not months. The first amendment was identical to that passed by a 75–22 vote in the Senate with complete offsets for a 5-year extension. The second amendment I submitted would have extended the emergency funding in the emergency supplemental bill for 2 years, not 1, without increasing the overall cost of the bill or changing the funding distribution formula. Unfortunately, both of those amendments were denied along party lines.

The work to secure a long-term extension and reauthorization of these funds must continue. I will not give up. I will not quit. I will not rest. The Congress will be forced to address this issue over and over and over again until we reach agreement on a long-term solution for the forested counties and keep the government's commitment.

My good friend and colleague Congressman DEFAZIO and I sent a letter, which I would like to put in the RECORD, on May 17 to the emergency supplemental conferees, which was signed by more than 90 Members of our Congress, 74 of which were the Democrat Party, asking that a 5-year solution be included in the emergency supplemental. Many conversations with Speaker PELOSI and Leader BOEHNER have made them aware of this emergency, as has a recent Presidential meeting that I had with Senator WYDEN. We appreciate all the support for seeking a long-term solution and will be relying on all of us to get this done.

My colleagues, though, we cannot wait any longer. More to the point, the people of America's forested communities cannot wait any longer. We need to act for a long-term solution.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 17, 2007.

Hon. DAVID OBEY,
Chairman, Committee on Appropriations, House of Representatives, Washington, DC.
Hon. ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.
Hon. JERRY LEWIS,
Ranking Member, Committee on Appropriations, House of Representatives, Washington, DC.
Hon. THAD COCHRAN,
Ranking Member, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR CHAIRMAN OBEY, CHAIRMAN BYRD, CONGRESSMAN LEWIS AND SENATOR COCHRAN: As you conference on the Emergency Supplemental Appropriations bill for FY 2007 (Supplemental) to fund vital government programs, we urge you to support the Senate passed language to reauthorize and fully fund the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106–393) and the Payment in Lieu of Taxes program (PILT). The Senate language was passed by an overwhelming vote, and identifies offsets.

P.L. 106–393 expired at the end of September 2006 endangering the loss of payments to over 600 counties and 4400 school districts in 39 states. In addition to reauthorizing the Secure Rural Schools program, the Senate passed language would further benefit these rural communities by fully funding, for the first time, the Payment in Lieu of Taxes program, which provides general funds to 49 states. Rural communities have relied on these programs to provide stable funding for rural schools. health care, law enforcement and other critical programs.

The elimination of the Secure Rural Schools and Community Self Determination Act would default on the 100 year old federal

commitment to our rural communities that depend on these payments to keep their communities strong and stable. Fully funding PILT, for the first time ever, would provide much needed economic stability for the rural communities that support our public lands.

Please support the Senate passed reauthorization language of P.L. 106–393 and full funding for PILT.

Sincerely,

Peter DeFazio, Don Young, Chris Van Hollen, Charles Wilson, Leonard Boswell, G.K. Butterfield, Pete Stark, Earl Pomeroy, Jon Porter, Timothy J. Walz;

Eddie Bernice Johnson, Neil Abercrombie, Collin Peterson, Peter Welch, Carol Shea-Porter, Rick Boucher, Shelley Moore Capito, Lois Capps, John Conyers, Henry Cuellar;

Lincoln Davis, John Doolittle, Gabrielle Giffords, Raúl Grijalva, Baron Hill, Steve Kagen, Ron Kind, Dan Lungren, Jim Matheson, Jim Marshall;

Michael Michaud, Brad Miller, Grace Napolitano, Devin Nunes, Solomon Ortiz, Ted Poe, Vic Snyder, John Spratt, Gene Taylor, Bennie G. Thompson;

Buck McKeon, James L. Oberstar, Ed Perlmutter, Nick Rahall, David G. Reichert, John T. Salazar, Cathy McMorris Rogers, Steve Pearce, George P. Radanovich, Rick Renzi;

Mike Ross, Bill Sali, Bob Filner, Louie Gohmert, Doc Hastings, Wally Herger, Jay Inslee, Rick Larson, Doris O. Matsui, Barney Frank;

Phil Hare, Alcee L. Hastings, Darlene Hooley, Sheila Jackson Lee, David Loebsack, Jim McDermott, Michael Arcuri, Brian Baird, Shelley Berkley, Bruce L. Braley;

Dennis Cardoza, Lincoln Davis, Jo Ann Emerson, Joe Baca, Joe Barton, Earl Blumenauer, Corrine Brown, Donna M. Christian-Christensen, Diana DeGette, Bob Etheridge;

Linda Sánchez, Mike Simpson, Betty Sutton, Mike Thompson, Greg Walden David Wu, Heath Shuler, Bart Stupak, Ellen Tauscher, Mark Udall, Maxine Waters, Members of Congress.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, let me simply say, in response to the comments from the gentleman, that given what he prefers to see in this bill on this subject, we are very lucky to have the 1-year fix at all because the White House opposed not only the long-term fix, but the short-term fix as well.

I would also point out that it was last year's Congress that allowed the program to expire in the first place and never managed to get around to finding the offsets that would have enabled the committee to provide this package long term.

So I recognize the legitimacy of the gentleman's concern, but I want to point out that I think that given the resistance of the White House to anything except money for the Iraqi operation and a tiny portion of our obligation for Katrina, with those two exceptions, the White House resisted every single effort made by us to deal with any problem, whether it was Western schools, whether it was kids getting knocked off health-care rolls, or whether it was the need to provide more veterans' health care. They fought it all.

Mr. WALDEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Oregon.

Mr. WALDEN of Oregon. Mr. Speaker, I appreciate the gentleman's work on this issue, and I realize that the last Congress did not get it done. I complained about that at the time and tried everything I could to get it reauthorized.

It passed out of the Resources Committee, as you know, and then did not make any progress in either Chamber.

It has been a very difficult, uphill battle across the board to educate all of our Members about how we have got to solve this problem. If you remember the Kim family, who were tragically lost in Josephine County last year and Mr. Kim was later found dead, it is that county that just eliminated all sheriff's patrols.

So I am not here to point blame at anybody. You have been terrific in helping us in this 1-year extension. I am just saying thank you, but the big job remains because this problem does not go away.

Mr. OBEY. Mr. Speaker, I agree with the gentleman. I just wish the administration would give us as much help in solving American problems as they have given us heat for not supporting their multibillion-dollar on-the-installment-plan request for Iraq.

□ 1120

Mr. DREIER. Mr. Speaker, may I inquire of my very good friend from Rochester how many speakers she has remaining and then how much time is remaining on each side.

Ms. SLAUGHTER. Mr. Speaker, I have one other besides myself.

The SPEAKER pro tempore. The gentlewoman from New York has 8 minutes and the gentleman from California has 6 minutes remaining.

Mr. DREIER. I will reserve the balance of my time, then.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, we cannot, we should not, and we must not give President George Bush a blank check to squander the lives of our children and the dollars of our constituents in Iraq. We should not give him a blank check today, we should not give him a blank check next week, and we should not give him a blank check ever. The days of giving him a blank check to make repeated incompetent decisions in Iraq must be stopped and they should be stopped today by voting ''no'' on this supplemental.

And the inspiration for doing that should come from our proud men who are serving in Iraq. I heard a story a few weeks ago about a fellow who had his buddy shot by a sniper, he was being shot up by automatic weapons fire, and his buddy ran out into the field of fire to rescue his friend. We should look at our duty today as rescuing our children, brothers, sisters, husbands and wives in Iraq. And if we take hostile political fire in doing so, so be it. That tiny act of standing up to George Bush does not end up in the same league of courage of those who are serving in Iraq who take real hostile fire, that need to be rescued from the incompetence of the executive branch of the United States Government. And it is solely the power of the U.S. Congress to do that.

The people who established this institution had a very wise knowledge. They knew someday there could be a President who might make bad decisions on occasion, who might make bad decisions in the course of a war, and that is why in article I, section 8, they vested in the U.S. Congress the power of the purse to be used in exactly these circumstances, to rein in a rogue President who cannot seem to understand the reality on the ground in Iraq and has a hallucinatory policy that is exposing our children to harm. This power in section 8, the power of the purse, is one that is designed by the framers of democracy for exactly these circumstances. And the reason the framers put the power of the purse to rein in a rogue President is because they understood that this is the institution closer to the American people. This is the People's House.

And I know there's a lot of problems that none of us are geniuses on in Iraq, but there is one thing we know: In difficult times in America, there is one will, one sense of absolute genius that all of us should follow, and that is the will of the American people, the joint, commonsense consensus. From the cornfields of the Midwest to the coastlines, there is a common consensus that we need a change in policy in Iraq, and the only way we will get it, the only way that common sense of the American people will be followed is to vote ''no'' on this today. We can be united in understanding that. And when we do so, we will follow the Congresses of the past who on at least five occasions have used the constitutional power of the purse to insist on a change.

And I will say this. In the Constitution, this organization here is given the power to declare war. And we also have the power to end a war. Presidents do not have the authority to fight wars in perpetuity. There is no way that Congress would ever give that authority. And today using the power of the purse, a constitutional tool, we should stand up for the will of the American people and fulfill our rescue mission for our sons and daughters in Iraq and vote ''no'' on this supplemental bill.

Mr. DREIER. Mr. Speaker, it is my understanding that my friend from Rochester is just going to close the debate on her side.

Ms. SLAUGHTER. I am.

Mr. DREIER. Then I will yield myself the balance of the time on our side. How much time is that, Mr. Speaker?

The SPEAKER pro tempore. Six minutes, sir.

Mr. DREIER. Thank you very much, Mr. Speaker.

Let me begin by saying that I do have the utmost respect for the distinguished Chair of the Committee on Appropriations and, of course, for my Chair, the gentlewoman from Rochester (Ms. SLAUGHTER). And I understand that there is great sincerity on their part in this quest here and I understand there is a desire to ensure that we have a process that works. I will just make a couple of comments on process here and some concerns that I have and then I have some other remarks on the overall issue of the war.

We have gone through, as we know, four incarnations of this attempt and now 110 days that has really prevented us from making sure that we have had an opportunity to get the funding necessary for our troops. Through that process, Democrats and Republicans alike have regularly said they don't want to do anything to prevent funding from getting to our troops. And I respect that. Again, Members on both sides of the aisle have pointed that out, Mr. Speaker. But we all know that from the outset, the President made it clear that he was going to veto anything that established an artificial timeline which he, and I agree with him, concluded would be a prescription for admitting defeat. And so he was very strong on that and unwavering.

So we've gotten to the point where we are at this moment, and that point is we have a 213-page package that is before us. My good friend from Wisconsin said that I was bellyaching about the process, and I will say again to my colleagues, I'm not complaining about what took place in the hours leading up to the consideration of this package. This is my 27th year here and I understand that negotiations among the Senate, the House and the White House are challenging and can often go into the night. The only point that I am making, Mr. Speaker, is that as we look at this process of having this 213-page measure before us, we were promised by the new majority that we would be given 24 hours before consideration of major legislation here on the House floor. And, as I said, and I am really somewhat confused on this because, I would say to my friend from Wisconsin, I look at the time stamp on this. The time stamp on the measure that we are voting on is 9:38 p.m. last night. Yet he said that he was negotiating into the night, 1 o'clock in the morning. I mean, I didn't follow all of the incarnations of this, but I do know that we received this at 5:39 this morning, and that was less than an hour and a half before the Rules Committee was scheduled to convene at its 7 a.m. meeting this morning. And then we had it made public at about the time our group convened, the Rules Committee convened. And so that does concern me.

And so, Mr. Speaker, I am going to be urging my colleagues to vote against the previous question so that I may amend the rule to allow Members to offer motions to strike earmarks which are undoubtedly going to come to the attention of Members the longer that this agreement is available.

Mr. Speaker, I ask unanimous consent that the text of my amendment and extraneous material be printed in the CONGRESSIONAL RECORD just prior to the vote on the previous question.

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

There was no objection.

Mr. DREIER. Mr. Speaker, let me just say, finally, we are going into this Memorial Day weekend. I have the honor of participating in seven Memorial Day events on Monday in southern California, and I will be meeting with family members.

Just yesterday, I met with the mother of a young man, Mr. Colnot, who lost his life over a year ago in Iraq. She said to me just yesterday afternoon, ''It is absolutely essential that we complete our mission.''

I have regularly pointed to another one of my constituents whose son paid the ultimate price. A man called Ed Blecksmith's son, J.P., died over 2 years ago, 2½ years ago, on the famous November battle of Fallujah.

□ 1130

And repeatedly Mr. Blacksmith has said to me, ''You must complete this mission or my son, J.P., will have died in vain.''

So, Mr. Speaker, as we go into this Memorial Day weekend, I thank God that we are going to pass this measure that will be providing the essential support for our troops, so that General David Petraeus and the new leadership, with a new strategy to deal with uncertainty, will have the hope of victory. There is no guaranteed success, but there is a hope for victory because this is a struggle which is going to continue on and on and on as long as there are people out there who are going to try to do us in, to kill us, and to change our way of life.

So, Mr. Speaker, I urge a ''no'' vote on the previous question so that I can offer my amendment. And if by chance we are not successful on that, I urge my colleagues to vote against this rule because of the unfair process that we have. But if in fact the rule does proceed, I urge everyone, in a bipartisan way, to support the very important measure that will allow us to support our troops and allow them to complete their mission.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the Chair of the committee (Mr. OBEY) to respond.

Mr. OBEY. Mr. Speaker, I am sorry to interfere with the gentlelady's time, but I just wanted to bring something to the attention of the gentleman from California.

He mentioned that the time stamp on the proposition he received was 6:31 p.m. last night. That was one of only two packages. That time stamp refers to the time at which the legislative counsel got this copy to the staff. The staff still had to read it, to check it out, to make certain it did what it was supposed to do. And that was on the easiest package, that was on the President's package. And everybody knows what the President's request was and what the Warner amendment is.

The time stamp on the other package is 9:30 p.m. last night. What that means is that you have over 200 pages, which we got from legislative counsel, and the staff had to read every page of that to make certain, again, that it did what it was intended to do, and to make sure that, among other things, it reflected the changes that had been demanded by the White House at the same time.

Mr. DREIER. Will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

I would simply say, Mr. Speaker, that if in fact we were going to see compliance with this 24-hour request, the 9:38 time stamp that is on this measure, the 6:30 time stamp that is on the other, the domestic spending measure would have in fact allowed us to consider this measure on the floor on Friday, which is really what should have happened as we proceeded with that.

Mr. OBEY. Will the gentlewoman yield?

Ms. SLAUGHTER. I will yield 30 seconds to Mr. OBEY to respond.

Mr. OBEY. Mr. Speaker, with all due respect, the gentleman has criticized us for taking too much time to bring this to the floor, and he is now suggesting that we delay it. That is like falling off both sides of the same horse at the same time.

Mr. DREIER. If the gentlewoman will yield.

Ms. SLAUGHTER. I will yield 30 seconds.

Mr. DREIER. I thank the gentlewoman for yielding.

Mr. Speaker, all I'm saying is that we were promised a 24-hour opportunity for Members of both the Democratic and the Republican Parties to have a chance to review this measure. And I believe that having gone 110 days, that allowing for a review with potential earmarks and other items in here is the responsible thing to do because that is the promise that was made to this institution at the beginning of the 110th Congress.

The SPEAKER pro tempore. The gentlewoman from New York is recognized to close.

Ms. SLAUGHTER. Mr. Speaker, I would urge a ''yes'' vote on the previous question and on the rule.

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

AMENDMENT TO H. RES. 438 OFFERED BY REP. DREIER OF CALIFORNIA

At the end of the resolution, add the following:

SEC. 5. Notwithstanding any other provision of this resolution, after conclusion of the period of debate on the motion to concur in the Senate amendment, it shall be in order for any Member to offer a motion to strike any provision of the amendment numbered one in the Rules Committee report accompanying the resolution, which is asserted that would specifically benefit an entity, State, locality, or Congressional district. Any such motion shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

Mr. 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.

PROVIDING FOR CONSIDERATION OF H.R. 2317, LOBBYING TRANSPARENCY ACT OF 2007 AND PROVIDING FOR CONSIDERATION OF H.R. 2316, HONEST LEADERSHIP AND OPEN GOVERNMENT ACT OF 2007

Ms. CASTOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 437 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 437

Resolved, That at any time after the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2317) to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of 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 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 chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 2. Upon the adoption of this resolution, the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2316) to provide more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 9 or 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. During consideration of H.R. 2317 or H.R. 2316 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of either bill to such time as may be designated by the Speaker.

SEC. 4. Subparagraph (3)(Q) of clause 5(a) of rule XXV is amended to read as follows:

''(Q) Free attendance at an event permitted under subparagraph (4).''.

□ 1140

The SPEAKER pro tempore. The gentlewoman from Florida (Ms. CASTOR) is recognized for 1 hour.

Ms. CASTOR. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of this rule is for debate only.

GENERAL LEAVE

Ms. CASTOR. 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 gentlewoman from Florida?

There was no objection.

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

Mr. Speaker, the resolution provides for consideration of H.R. 2317, the Lobbying Transparency Act of 2007, and H.R. 2316, the Honest Leadership and Open Government Act of 2007.

The resolution provides that H.R. 2317 is to be considered under a closed rule, with 1 hour of debate equally divided and controlled by the Committee on the Judiciary. The rule waives all points of order against the bill and its consideration, except for those arising under clauses 9 and 10 of rule XXI.

The resolution also provides for consideration of H.R. 2316, the Honest Leadership and Open Government Act of 2007, under a structured rule. The rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against the bill and its consideration, except those arising under clauses 9 or 10 of rule XXI.

The rule makes in order and provides the appropriate waivers for five amendments, three by Democratic Members and two by Republican Members.

Mr. Speaker, I urge strong support for the Honest Leadership and Open Government Act of 2007 and the Lobbying Transparency Act as well and this rule.

The Honest Leadership and Open Government Act continues the new direction charted by this new Congress and builds upon the strongest ethics reforms ever adopted in the United States Congress.

Last November, the Congress was reinvigorated by the election of a large number of new Members, who were sent here by the American people to fight for reform and change and to sweep aside a previous Congress that was defined by scandal and corruption.

On the first day of this new Congress, the new reform-minded Members, under the leadership of Speaker NANCY PELOSI and Rules Committee Chair LOUISE SLAUGHTER, ushered in the broadest ethics and lobbying revisions since the Watergate era. The ethics watchdog group Public Citizen called the new ethics rules sweeping in scope and a signal that the Democratic majority in the House appears committed to serious lobbying and ethics reform.

Those new rules include a ban on gifts from lobbyists and organizations that employ lobbyists, a ban on trips that are privately funded by lobbyists and organizations that employ lobbyists, prohibition on Members and staff flying on private corporate jets, an end to the K Street Project, and a new requirement that all earmarks with congressional sponsors be disclosed to the public.

Then 3 weeks after the adoption of that very broad and aggressive ethics reform rules package, the House acted again on ethics reform and stripped the congressional pensions of Members of Congress who commit any of a number of crimes during their tenure, including bribery, conspiracy and perjury.

This new Congress took that direct action to change the culture of Congress at a time when Members of the previous Congress were pleading guilty to living off gifts they had received from lobbyists in exchange for votes and earmarks. Through our bold and expanding ethics package, this new Congress is tackling the cozy relationships between lobbyists and lawmakers.

Next, Mr. Speaker, these bills that we will consider today, the one for open government and honest leadership and transparency in lobbying, and this rule, provide rigorous new requirements for lobbyist disclosure and enforcement of lobbying laws and regulations.

Mr. Speaker, we don't adopt reforms for reform's sake alone. We adopt these reforms and we fight for change because it matters to our constituents and our neighbors back home.

For over a year I have been sitting down with seniors trying to work through the disaster of Medicare part D that was crafted in the last Congress. Fortunately, this bill adds a House rule prohibiting Members and senior staff from negotiating future employment or salaries and requires public recusal of Members on any matters where there may be a conflict of interest.

You see, Mr. Speaker, that Medicare part D that is so costly and confusing to our seniors and puts all the benefit on the side of HMOs and Big Pharma, and puts all of the burden on our seniors, was crafted by a Member of Congress who, shortly thereafter, after he helped write the Medicare drug bill, went on to become the head lobbyist for PhRMA in what I think was a crass violation of the public trust. Fortunately, this bill will tackle that problem.

This bill also makes it a Federal crime for Members and senior staff to influence employment decisions or practices of private entities for partisan political gain. Some people have called this the K Street Project. The K Street Project was an initiative by the Republican Party to pressure Washington lobbying firms to hire Republicans in top positions and to reward loyal GOP lobbyists with access to influential officials.

The bill also requires quarterly instead of semiannual disclosure of lobbying reports. It requires in the age of the Internet for lobbying reports to be filed electronically and be made available in a free, searchable, downloadable database within 48 hours of being filed.

It also requires the Clerk of the House to post travel disclosures on the Internet. This follows the scandals of Jack Abramoff. We must allow greater transparency into the trips and financial holdings of Members of Congress. Former Members of Congress took lavish trips to Scotland with a lobbyist that had minimal disclosure, and these new provisions will bring more such light to congressional disclosure forms.

Through this legislation we will also increase civil and criminal penalties for failure to comply with lobbying disclosure requirements. And it does much, much more.

Mr. Speaker, we must continue to fight for high ethical standards in government to end the culture of corruption in Washington so that our neighbors and folks we represent know they can count on us to stand up for them against powerful special interests and trust that congressional Members work in the public interest.

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

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

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

Mr. DREIER. Mr. Speaker, I would like to begin by expressing my appreciation to my very good new friend from Tampa (Ms. CASTOR) for yielding me the customary 30 minutes, and to congratulate her on her statement that she has just provided. But, Mr. Speaker, I rise to reluctantly oppose this rule.

This bill has lots of problems, and I understand the problems on the other side of the aisle. I am very happy to see the distinguished Chair of the Committee on the Judiciary, my very good friend JOHN CONYERS, here.

It was just a year ago, it was just a year ago this month, that we were on the floor with our own lobbying bill, and we faced many of the same problems and challenges that Chairman CONYERS and others in the Democratic leadership are facing at this moment. Trying to address the concerns that our colleagues have on this issue is a challenge, a very challenging thing, and they have discovered the lesson that I learned long ago, and that is reform is very hard work. It is a constant work in progress.

I was reminded by one of my staff members that I had said at one point as we moved ahead with a reform bill, which I am happy to say we passed in the last Congress, I said, when we are done with that reform, what we need to do is work on more reform.

This is, again, a constant work in progress, and will continue to be. And I believe it is part of our responsibility to constantly look at ways in which we can reform and improve the operations of this institution.

□ 1150

But if the bill that this House passed in the last Congress was described as a ''sham,'' it is very unfortunate, and Mr. CONYERS and Ms. CASTOR and others were there when I was describing this, the very distinguished chair of the Committee on Rules no fewer than seven times when we, a year ago this month, were debating this measure, described the bill I had, H.R. 4975, as a ''sham'' bill.

I have to say, as I listen to my friend from Tampa (Ms. CASTOR) talk about

this bill, she was going through the fact that we will have disclosure on the Internet of travel, and she went through basically the provisions included in H.R. 4975; it is basically the same bill. But, unfortunately, there are a number of important provisions included in H.R. 4975 that are not included in this measure. I find that to be somewhat troubling.

For instance, while starting out with a 2-year restriction on lobbying after Congress, the majority left that provision on the cutting room floor. They recognized, as we did, that the economics of attracting and retaining good staff, they don't work with that kind of restriction. But instead of retaining a provision which passed the House last year and would provide everyone with a degree of transparency about who was and was not under the lobbying restriction, and I am going to offer an amendment to add that back which I hope will be able to improve the bill. But this bill, as we have it, is not nearly to the level of what the new majority described as a sham in the last Congress.

While this bill provides important new criminal penalties for lobbying violations, it includes nothing, absolutely nothing, Mr. Speaker, to make enforcement more rigorous.

I offered an amendment in the Rules Committee to add a provision which again was included in the bill that we had passed out of this House last year which would allow the House inspector general to randomly audit lobbying disclosure filings and forward cases of wrongdoing to the Department of Justice for prosecution.

The majority's answer to that proposal was, no, we don't want enforcement of our bill. Enforcement is always a challenge. We deal with that with the issue of illegal immigration and a wide range of things. It is easy to put all kinds of great ideas out there, but if there is no enforcement, it has no teeth and no chance of success. That is something that is very lacking in this bill. We had it in our lobbying reform bill that passed last year, and I offered it as an amendment at the Rules Committee. Unfortunately, my colleagues in the majority on the Rules Committee rejected it.

Mr. Speaker, last year, Mr. CASTLE added a provision on the floor requiring lobbyists to take ethics training. Is that provision in this bill? Nope, it's not.

Did the majority make Mr. CASTLE's amendment in order to consider that? Nope, they didn't.

My colleague, Dr. GINGREY, a former member of the Rules Committee, added an amendment on the floor dealing with the personal leadership of PAC funds. That was not included in the bill, and his amendment was not made in order. Last year, with bipartisan support on the floor, we amended our bill, H.R. 4975, to say that Members who have leadership PACs cannot transfer those dollars into their own account for personal use, which is what can happen today. It is not allowed for principal campaign committee accounts, but that loophole which allows Members to transfer money from their leadership PAC for personal use is still going to be allowed. And the attempt to even offer an amendment to close that horrendous loophole was denied.

That is to say nothing of the other creative ideas that were summarily rejected by the Rules Committee majority last evening.

Mr. Speaker, if the bill which I sponsored last year was a sham, and as I said the chairman of the Rules Committee, although last night she said she never said it, seven times it is in the CONGRESSIONAL RECORD when she was offering her motion to recommit, if it was a sham, then this bill can only be characterized at this moment as being ''sub-sham,'' and our efforts to raise it to the level of a mere sham were rebuffed, unfortunately, in the Rules Committee.

Which brings me to the rule for this bill, Mr. Speaker. For all of the criticism the Republicans take for the way we administered the House, and we hear that constantly up in the Rules Committee and down here on the floor, it is notable this bill makes in order fewer amendments than we did when we considered our bill last year.

The rule for H.R. 4975, our lobbying bill, made in order nine amendments. This year, only five amendments were made in order. And while it gives Mr. VAN HOLLEN an up-or-down vote on his so-called bundling disclosure bill, it doesn't attach it to the lobbying bill going to the Senate, making it much more difficult to ultimately reach passage.

Mr. Speaker, this rule and these bills are not unlike many of the so-called reforms instituted in this Congress, which means all show and no substance whatsoever.

For instance, our Democratic friends take credit for adopting and supposedly improving Republican earmark disclosure reforms. As Mr. FLAKE found out just last week, when it comes to actually trying to enforce those rules, the Rules Committee eliminated every avenue for a Member to bring this question before the House. On top of that, Mr. FLAKE had several amendments addressing lobbying for earmarks. Mr. Speaker, none of those amendments were made in order.

In the end, there is little in this bill that is truly objectionable. My friend from Tampa went through and outlined the provisions included in H.R. 4975 that passed this House a year ago this month with bipartisan support. Again, there is little that is truly objectionable. There is very little that is in this bill that is beyond what we had in the last Congress; and, unfortunately, it doesn't include or even provide an opportunity to provide amendments to include many of the items that were so important in this effort.

This bill takes no risk, reaches no heights, and falls short of the lofty promises made by my newly minted majority colleagues. Unfortunately, the rule is unacceptable in its current form, Mr. Speaker, and I am going to urge its defeat.

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

Ms. CASTOR. Mr. Speaker, I am very pleased to yield 4½ minutes to the ethics reformer of Ohio and my colleague on the Rules Committee, Ms. SUTTON.

Ms. SUTTON. Mr. Speaker, I thank the gentlewoman from Florida for her leadership on this issue and for yielding me the time.

Today I rise in favor of the rule and in favor of the Honest Leadership and Open Government Act. On my first day in office representing Ohio's 13th District, under the leadership of the new Speaker, NANCY PELOSI, I stood on the floor of the House in support of a new ethics rules package, a rules package that put an end to the K Street Project, that ended gifts and perks and trips, and that made a historic move towards cleansing the inner workings of government.

This rules package was extraordinary in its scope and its breadth, but it was only the beginning. In our fight against the climate of excess that flourished under recent Republican leadership of this body, it is clear we must take further action. We must continue to eradicate the pay-to-play culture that has pervaded and all too often undermined lawmaking in the Congress.

We must expose and eliminate the strings and the coziness that have resulted in policies by the special interests for the special interests. We must end the culture of corruption so we remain focused and truly tend to the people's business.

When I ran to represent Ohio's 13th District, I made it clear that I wanted to go to Congress to change the way business was being done and to restore the public trust. Safeguarding the public trust is not a part-time job. It must always remain uppermost in our minds. It requires the observation of current rules, and it requires legislative action to cure problems that persist.

Today we take the next step to bring the cleansing light of day to political financial contributions and to reduce the potential for shady lobbying practices.

□ 1200

This bill focuses on sanitizing the relationship that lobbyists have with Congress. It gives the American people the ability to follow the money. It increases the number of times per year that lobbyists must file disclosure reports, and it requires electronic filing of these reports, making it available to the American public on the Internet. To increase public disclosure, we will shed needed light on the money trail from lobbyists to Capitol Hill.

This bill also requires lobbyists to certify that they have not provided elected Members of Congress with gifts or travel forbidden by the rules of the

House. This is another means to ensure that the past practice of special interests using gifts and perks to woo legislators is truly coming to an end.

When lobbying laws and congressional rules are violated, the American people suffer. They suffer in policy, and they suffer in spirit. They are cheated out of their right to proper representation. The action we are taking today provides for greater punishment for the violation of these laws by those who are willing to betray the public trust.

When Americans went to the polls last November, they sent a clear message that they're concerned about the state of government. I have long believed that what people truly want from their Representative is someone who understands their concerns and who will strive to do all that they can on their behalf. The American people want to know that we are here for them, not for lobbyists, not for special interests, not for self-interests. They deserve nothing less.

Today, thanks to an amendment made in order by this rule, we also take action to bring much-needed transparency to the practice of lobbyists' bundling of campaign contributions. The American people deserve to know the source of campaign contributions, as well as the sometimes lengthy and roundabout paths that these campaign contributions travel before they are placed into the hands of candidates.

Our bill gives the American people a window into the lobbying practices and fund-raising activities by requiring the disclosure of bundled contributions collected by lobbyists for candidates.

This Democratic Congress is working to restore and ensure the trust of our constituents. One step was the elimination of soft money, the next step the House rules package. We can't stop there.

In closing I just want to say, as a new member of Congress, Mr. Speaker, how very honored I am to have been given the awesome opportunity and responsibility to represent the people of the thirteenth district of Ohio. Every day, I cherish the trust that they have placed in me to do all that I can on their behalf. I know that others in this body feel just as strongly as I do about their own constituents. We must pass this bill to restore the hope and live up to the promise that those we have been sent to serve have placed in us. Our constituents must know and it must be true, that it is they that are always uppermost in our hearts and minds as we carry out our responsibilities. I am pleased to support this rule, this bill, and the amendment to disclose the bundling of campaign contributions. I respectfully urge my colleagues to join in passing them.

I urge the passage of the rule, the bill and the amendment on bundling.

Mr. DREIER. Mr. Speaker, we're all reformers today, and at this time I'm very happy to yield 2 minutes to a great reformer from Cherryville, North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I thank my colleague from California for yielding.

The Speaker and I are on opposite sides of most issues, so I take great pleasure in the rare instance that we can find some common ground. The rule on this bill is one of those rare occasions. In fact, Speaker PELOSI and I completely agree when it comes to her public statements on the need for an open debate on lobbying reform. ''We urge you to immediately bring to the floor, under an open rule that permits unrestricted amendments and debate on the wide-ranging reform provisions contained in the Honest Leadership and Open Government Act of 2006.''

Madam Speaker, those were your words on February 9 of last year, but, Madam Speaker, I'm hearing a different tune these days. Your words are different than your actions. Very different, I might say.

We should be debating this bill today under an open rule that you urged that permits unrestricted amendments and debates. Unfortunately we won't.

There were 48 amendments offered to the Rules Committee. Only five were allowed to be offered here on the floor today. I submitted one of those 43 amendments that the Democrat leadership didn't want to hear on, didn't want to have a debate on, and my amendment would require Members of Congress to make an accurate disclosure of their financial holdings, including their personal residence. We've seen in recent Washington scandals the results of this loophole that allows Members to hide ownership of properties. This is a bad thing, and we should close that loophole.

Unfortunately, the Democrat leadership didn't allow us to have this debate here today on that important amendment. They're allowing it to stay open.

Another quick point. The American people should realize that we're debating essentially a watered-down version, as my colleague from California said, of the lobbying bill that Republicans offered last Congress. Only eight Democrats voted for that tougher bill to reform rogue lobbying practices; 192 voted no.

Mr. Speaker, does the Democrat hypocrisy know no bounds? Does it? At the time, they said the bill didn't go far enough. We realize they're singing a different tune, a tone-deaf tune, Mr. Speaker, and I urge the defeat of this rule so we can have an open debate on lobbying reform.

Ms. CASTOR. Mr. Speaker, I am very honored to yield as much time as he may consume to the gentleman from Michigan (Mr. CONYERS), the chairman of the House Judiciary Committee.

Mr. CONYERS. Mr. Speaker, I want to thank the gentlewoman from Florida (Ms. CASTOR) who is floor manager for this important bill.

And I want to thank the gentlewoman from Ohio (Ms. SUTTON) for the great work she, and I include the former chairman of the Rules Committee, they have done in trying to bring about reform in the House of Representatives and in the Congress as a whole. I mean it. I was up there yesterday, and I was one of the ones that took exception to calling Mr. DREIER of California's H.R. 4975 a sham bill. It was not a sham bill, and we have taken many of the things out of that bill and have brought them to H.R. 2316 which we're observing.

So we think that we all agree on both sides of the aisle that we have one big problem. The Congress has a black eye in terms of ethics, and we want to correct it. We're agreed? Okay. We check that one off.

Now, how do we correct it? Well, the one way that you will never correct it in the 110th Congress is to vote down this rule this afternoon, because if you vote down this rule this afternoon, there will be nothing to meet the Senate bill, which has already passed in January. They have been waiting for February, March, April, end of May, and now all of us who are concerned about fighting corruption, fighting for better ethics, fighting for transparency, fighting for basic disclosure now say on that side, let's vote down the rule. And do what I would ask? What do you have in mind that we haven't done now?

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my very dear friend for yielding, and I would simply say the reason we're calling for a ''no'' vote on the rule is that we should allow us to get to what I, as we now know, affectionately describe what the former minority leadership called the sham level. We need to at least get up to the level, and I'm very appreciative of the remarks that my friend has offered characterizing, I think correctly, my bill.

Mr. CONYERS. I thank my friend for helping me out there, because what we will have done, and there are some in the media that are predicting that this is what's going to happen, that we're going to abandon all of the work that we have put into this measure. And I'm looking still after a number of decades for the Member who can concede that he's voted on the perfect bill in the legislative process.

But if we abandon this at this course, months behind schedule, we're sending a perfectly obvious message to the American people; namely, that this is the sham that is working on the Congress.

We've got to get this rule going. I'm happy that our colleague, the former chairman of Rules, said nothing about the amendments that have been granted by the committee in which he worked so hard over the years. We've got amendments. Some are Republican amendments, some are Democratic amendments, but for goodness sake, let's keep our promises to the American people.

We campaigned on this. We said we can improve the transparency and the rules regulating lobbyists, regulating bundling, regulating reporting, increasing the penalties. We've said all of this

and put it in in as perfect form as we can do here.

□ 1210

We need now to get something to go to conference. I pledge to be open to suggestions, as I have all along the way. We've got to keep our promises, and the promises start with voting the rule to begin the debate. Now, you may have differences in the debate but certainly not on moving forward from this elementary process.

I thank the gentlelady, the floor manager, for allowing me to bring these matters up at this point.

Mr. DREIER. Mr. Speaker, I yield 4 minutes to a former member of the Rules Committee, our good friend from Marietta, Georgia (Mr. GINGREY).

Mr. GINGREY. I thank my friend and former chairman, Mr. DREIER, for yielding.

I rise in strong opposition to this rule to H.R. 2316. The Honest Leadership and Open Government Act I am not opposed to. It's the rule that I am opposed to. When you have 48 amendments and five of them are made in order, this is not open government. This is not open process.

I want to particularly, to my colleagues, mention the fact that I had one of those 43 amendments which were not made in order. And I think if we really wanted meaningful reform in an open government, that this amendment clearly would have been made in order, we would have had an opportunity on the floor of this House to debate it.

No, it's not in the Senate version. If it doesn't get in the House version, then, clearly, it's not going to come out of conference.

What this amendment basically says is that Members, either Republicans or Democrats, House or Senate, in a leadership position that formed these things known as leadership PACs, cannot convert that money at any time, but especially when they leave this place, to their personal use.

Now we did that, or a former Congress, I think, back in the early 1990s, said Members cannot retire from this body and go home with seven figures worth of money in their campaign accounts. For those who are not paying attention, seven figures is over $1 million.

A lot of Members, back then in the early 1990s, decided since they were not going to be able to do that after a date certain, they retired so they could go home and spend that money and buy a new vacation home or fancy automobile or whatever.

Since then, what's happened is Members have formed these leadership PACs. It's not just leadership Members; in fact, any Member can form a leadership PAC. So I am not saying that the money that they use out of those PACs is improperly or dishonestly spent, but the temptation is there.

I want to give you an example of just one. I have 10 listed in my official remarks. I am not here to embarrass anybody. But there was one PAC called Searchlight PAC that, in 2006, raised $2 million. Do you know how much of that money was spent on helping another Member run for a Federal office in that particular PAC's party? $300,000. That means $1.7 million of that PAC's money was spent in some personal way. I don't know if it was dishonest, but we have to stop this sort of thing.

Really, I am shocked that this amendment was not made in order. Listen to this letter that was sent to Speaker HASTERT last year when my former Chairman DREIER worked on lobbying ethics reform. Here is the letter. ''The House of Representatives is supposed to be a marketplace of ideas, and any debate in open government must not restrict the discussion of serious proposals . . . I am calling on you to use your authority as Speaker to direct the Rules Committee to report an unrestricted rule on lobby reform.'' Signed then-Minority Leader NANCY PELOSI.

Ms. PELOSI obviously has changed her mind this time around. This rule says loud and clear that this House no longer is a marketplace for ideas; there is no room in this House for full and unrestricted debate on open government. That's why I am standing in opposition, not to the bill, but to the rule. We could have made this bill so much better if we had allowed these amendments, such as mine, to be made in order.

I ask my colleagues, as former Chairman DREIER said, to oppose this rule.

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

Mr. DREIER. Mr. Speaker, I yield 4 minutes to the leader on the issue of earmark reform, the gentleman from Mesa, Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding. This bill is referred to as the Honest Leadership and Open Government Act. I am pained to say there is precious little of either of it in this bill.

The previous speaker mentioned that the voters were aware of the needs that existed here in Congress, and the majority party paid the price in November. I fully agree with that. I wasn't quiet on that subject in the last Congress.

I was overjoyed to see that the Democrats came in in January, and not that they came in in January; but when they did, they actually enacted earmark reform that I felt was a little stronger than what we had done a few months previous. Having said that, then we go to where we are today where we rolled back a lot of those protections that were there or simply ignored them.

The rules that you put in place are only as good as your willingness to enforce them. We just heard this past week that the earmark rules simply are going to be ignored. If a bill comes to the floor, and if it is certified to have no earmarks, we have no recourse, even though there might be earmarks, and have been in a few of the bills already this year. Now we have heard that the plan is to take the appropriation bills through the House process and into the conference process without any earmarks, and simply air drop the earmarks during the conference process.

This is not more sunlight. This is actually keeping earmarks secret until it's too late to do anything about it. No amendments can be offered during the conference process, so it will be impossible for anybody to challenge any of what will be thousands and thousands and thousands of earmarks in the bill.

This is not better. This is far worse than we have had before.

Let me just speak specifically to this legislation and some of the failings. I offered an amendment which would get rid of the so-called Abramoff exemption. Few people are probably aware, but public universities, or lobbyists who represent public universities, or State and local governments, are not required under this legislation, are not bound by the same rules that people who lobby for a private institution are.

So what, in effect, you are saying, well, let's just take the final four of the basketball tournament that we just had in the NCAA. There was a game between Xavier University and Ohio State. If you were a lobbyist for Xavier University, you couldn't take a Member to the game. But if you were a lobbyist for Ohio State University, you could treat your Member of Congress, your favorite Member or anybody you wanted to, to a $400 ticket. That's the difference.

Now, are we to assume that if you are lobbying for a private institution, that you are somehow inherently suspect, but if you are lobbying for a public institution, you are not? That's the dichotomy here.

This amendment was not sprung on the majority as some kind of a gotcha amendment. I took this to the Democrat leadership earlier this year and said, please, can we work together and get rid of this loophole? But we didn't.

The amendment was offered in good faith, and it was rejected. Why are we doing this? Why do we allow, right now, if Jack Abramoff were still around, he could still, under these current rules that we are going to enact today, Jack Abramoff could treat Members at the Capital Grille to a big steak dinner. We shouldn't be doing this.

The Jack Abramoff incident is what precipitated a lot of these reforms. I'm glad it did. But the problem is, Jack Abramoff represented public institutions, State and local government, territories. I believe he collected about $6.7 million from the government of Saipan. With that, he could continue to do what he did before under these rules, and we should put a stop to it.

□ 1220

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I would just like to clarify this once again, if I might.

So a private institution is not allowed to provide any kind of meal or support, tickets or things like that, but a public institution is able to?

Mr. FLAKE. That is correct. Let me take the example from right at home where I am. The University of Phoenix can take me to dinner, but they can't buy even a cheeseburger. But Arizona State University right next door can buy me a seven-course meal. They can fly me wherever. There are no gift rule problems there. So private institutions are treated differently than public institutions.

Mr. DREIER. So that won't be changed under this bill that we are considering right now. Am I correct in concluding that?

Mr. FLAKE. That is correct. It would have been a very simple amendment simply to get rid of what I call the Abramoff exemption, but that amendment was rejected by the Rules Committee for no reason. Like I said, it wasn't a ''gotcha'' amendment. This was offered to the Democratic leadership earlier this year. They simply don't want to change the rule.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to simply say to my friend, the example of allowing a public institution to provide meals and tickets and all kinds of things while a private institution cannot do that underscores the fact that this issue needs to be addressed in a broad bipartisan way.

Now, in the exchange that I had with the distinguished Chair of the Committee on the Judiciary upstairs, he was happy to give it back over to us at the Rules Committee. We should have had an original jurisdiction hearing on a wide range of these issues that have not been addressed. In the last Congress, we held four original jurisdiction hearings on this issue. This year there have been none.

So I think that the point that my friend from Mesa is making, very correctly, is that he made a bipartisan attempt to the new majority leadership to try and address this and was rebuffed.

Everyone has recognized, I believe, certainly on our side of the aisle, and we did so when we were in the majority, that the issue of reform needs to be done in a bipartisan way. I know that on the Judiciary Committee, Mr. SMITH, the ranking member, has worked with Chairman CONYERS; but there are many of the rest of us who have been involved in this issue of reform who I believe should have been consulted, especially in light of a number of provisions that were included; and, in fact, one provision which is absolutely outrageous, no hearing whatsoever, it was literally snuck into this bill, dealing with the question of Members attending charitable events. No hearing, no consideration whatsoever. A piecemeal attempt to do this.

Now, Mr. Speaker, on the 29th of March, nearly 2 months ago, the minority leader, Mr. BOEHNER, sent a letter to the Speaker asking that she deal with these important questions which impact every single Member of this institution with a bipartisan panel. Mr. Speaker, I am saddened to inform the House that Minority Leader BOEHNER has gotten no response to that letter that was sent nearly 2 months ago. So that is why we are concerned about this process.

Yes, the bill itself is one which included so much of what I was proud to include in H.R. 4975; does not get to that level. But I am urging opposition to this rule, as is Mr. FLAKE, as was Dr. GINGREY and others of my colleagues, so that we can try and improve this in a bipartisan way.

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

Ms. CASTOR. Mr. Speaker, I am pleased to yield 1½ minutes to my colleague from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, for over five years I have attempted to close a gaping loophole in the Lobby Disclosure Act that has permitted various lobbyists to form over 800 stealth or hidden coalitions to avoid the requirements of the act. That effort had been met with nothing but indifference. Finally we now have a new Congress and a new direction.

Under the legislation Mr. CONYERS offers today, we incorporate the provisions of that Stealth Lobbyist Disclosure Act. Here is how it works: A lobbyist for an unpopular cause, like those who would avoid their taxes by renouncing their American citizenship and moving abroad, or by those who would deny climate change, instead of indicating who they actually represent, those lobbyists claim they represent a ''coalition'' of two or more individuals and avoid any indication of the true parties in interest.

When deep-pocketed interests spend big money to influence public policy, the public has a right to know. Even a little light can do a lot of good. If wealthy interests want legislators to sing their tune, the public has a right to know who is paying the piper.

Of course, President Harry Truman said, ''The buck stops here.'' But with stealth lobbying we don't know where ''here'' is or whose buck it is.

This stealth lobbyist disclosure provision helps close this loophole. The bill amends the definition of ''client'' to require the disclosure of the members of a coalition or association so that a small number of people or corporations can no longer operate under a shell group and destroy the intent of our lobby disclosure laws. Combining ''wealth'' with ''stealth'' is a recipe for unaccountable government.

After years of indifference, we have a new Congress dedicated to open government and the pursuit of the public interest. This rule and this legislation should be approved.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on each side? And then I would like to ask my colleague, she indicated she was the last speaker a few minutes ago, and then Mr. DOGGETT joined us.

The SPEAKER pro tempore (Mr. CAPUANO). The gentleman from California has 8½ minutes; the gentlewoman from Florida has 11¾ minutes.

Ms. CASTOR. Mr. Speaker, I will reserve the balance of my time until the gentleman has closed for his side.

Mr. DREIER. So the gentlewoman is the last speaker?

Ms. CASTOR. That is correct, Mr. Speaker.

Mr. DREIER. Mr. Speaker, the gentlewoman is on her feet and so I would actually like to engage her in a colloquy, if I might, and ask some questions. I would be more than happy to yield to my friend from Tampa.

I am very concerned about the ramifications of this measure, and I talked about the concern that I have over this issue of charitable events, and that this item was in a piecemeal way stuck into this rule, and I raised the issue of the letter.

Mr. Speaker, I submit for printing in the RECORD a copy of the letter that was sent by Mr. BOEHNER to my California colleague Speaker PELOSI. Mr. Speaker, the reason I do that is that there has been no response to this nearly 2-month-old letter; and I hope that maybe someone on the Speaker's staff will read the CONGRESSIONAL RECORD and see this request for a truly bipartisan approach to this issue.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 29, 2007.

Hon. NANCY PELOSI,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER PELOSI: The American people have every right to expect the highest ethical standards here in the people's House. Yet, less than three months into the 110th Congress it has become clear that House ethics rules are hopelessly broken. Members on both sides of the aisle are understandably frustrated because they know you can't ''clean up Congress'' with confusing rules that are as difficult to comply with as they are to enforce.

It is equally clear that until the ethics rules are repaired through a genuinely bipartisan process, they will continue to lack the credibility needed to ensure broad compliance, effective enforcement and widespread public acceptance.

As you know, sweeping changes to House ethics rules imposed at the start of this Congress were drafted in secret by the incoming Majority without consulting either the Minority or the staff of the nonpartisan Ethics Committee. The new rules were then rammed through the House with no opportunity to carefully analyze the proposals or to improve them in any way. The consequences of this ill-considered approach are now being felt by Members and staff on both sides of the aisle:

A staffer may attend an evening reception hosted by a corporation and consume shrimp, champagne, sliced filet and canapés . . . but may not accept a slice of pizza or a $7 box lunch provided by the very same

corporation at a policy briefing the next day. [see Ethics Committee ''pink sheet'', Feb 6, 2007 (pp. 4–5)]

Although Members and staff may play in a $1,000 per person charity golf tournament to benefit a local scholarship fund, they are prohibited from similarly helping the American Red Cross raise funds for Katrina victims by playing in its golf tournament—solely because the Red Cross employs lobbyists. [see Ethics Committee ''pink sheet'', Jan 19, 2007 (p. 7)]

In order to go on a ''first date'' with someone who happens to be a lobbyist, a staffer must agree to pay for his or her full share of the lunch or dinner, as well as anything else of value, such as a movie, concert or ballgame. [see Ethics Committee ''pink sneet'', Feb 6, 2007 (p.2)]

A Member may accept $200 tickets for the Final Four from Ohio State (public university), but not $20 tickets to a preseason game from Xavier University (private university). [see Gifts & Travel, House Ethics Committee, April 2000 (p. 37)]

A Member may accept a $15 t-shirt or $20 hat from the Farm Bureau, but not a $12 mug or mouse pad. Similarly, a $4 latte is OK—but a $4 sandwich is not. [see Ethics Committee ''pink sheet'', Feb 6, 2007 (p. 5)]

A Member who has his own airplane is prohibited from flying it for any purpose—official, campaign or personal—even at his own expense. [see Ethics Committee letter to Rep. Stevan Pearce, Feb 16, 2007]

A staffer invited to a post-season barbecue for her daughter's soccer team may not attend once she learns that it will be held in the home of a player whose father is a lobbyist. [see Ethics Committee ''pink sheet'', Feb 6, 2007 (p. 2)]

Although a Member may not accept dinner from a lobbyist who uses his own funds or those of his firm, he may accept dinner from the very same lobbyist using a credit card provided by his state or local government clients. [see clause 5(a)(3)(O) of House Rule XXV]

A corporate executive who is not a lobbyist may not use his expense account to take a Member out to dinner, but may—in many cases—take the same Member to dinner using his personal funds. [see Ethics Committee ''pink sheet'', Feb 6, 2007 (p. 3)]

A Member may not take a privately-funded trip if a lobbyist accompanies him to and from Washington; but the same Member may spend five days in Brussels discussing global warming with environmental group lobbyists—as long as none of them are on the same flights to and from the meeting. [see Ethics Committee ''pink sheet'', March 14, 2007 (p. 2)]

It's no surprise that Members deeply committed to following the rules are confused and concerned by the current state of disarray in the House.

Making matters worse, the chaos inflicted on Members and staff by careless (or worse) Democrat rule writers has now infected the legislative process as well. For example, confusion over the proper application of congressional earmark rules has made it possible for Democratic leaders to certify as ''earmark free'' a multi-billion dollar Continuing Resolution that any knowledgeable observer will confirm was laden with them.

Moreover, the failure of the House Ethics Committee to provide official guidance to Members seeking to comply with newly adopted earmark ''conflict of interest'' rules until after the deadline fix submission of earmark requests had expired has unnecessarily disrupted the FY08 appropriations process by delaying for more than a month processing of many Member earmark requests, and complicated efforts to make the earmark process more transparent.

This latter incident underscores the folly of Democrats rushing to unilaterally impose complicated and contradictory new rules on the House, and then denying an entirely reasonable joint request by the Chairman and Ranking Republican of the Ethics Committee for the additional resources the panel needs to carry out its added responsibilities to Members.

Sadly, Democrat leaders straining to legitimize their campaign rhetoric have instead left Members—on both sides of the aisle—more vulnerable than ever to violating rules that are hard to define, riddled with logical inconsistencies, and utterly unlikely to prevent the sort of abuses that have properly sparked so much public outrage.

After all, few of the ''Culture of Corruption'' violations by Duke Cunningham and Bob Ney—or alleged violations by William Jefferson and Alan Mollohan—would have been prevented had the recently passed ethics changes been in effect last year.

Rather, the principled path to a more ethical Congress is through clearcut, common sense rules that are widely communicated and firmly enforced. And, as you and your fellow Democrat leaders argued so persuasively during the last Congress, the process of developing those rules must be transparent and genuinely bipartisan.

To that end, I ask that you join me in appointing a bipartisan working group tasked with analyzing House ethics rules—and recommending fair, sensible and understandable revisions that working group members believe would improve both compliance and enforcement.

As with the Livingston-Cardin ethics task force in 1997, the working group should be led by co-chairs and evenly divided between majority and minority members. I propose that it consist of six to eight members, including a member of the ethics committee from each party (but neither its chairman nor ranking minority member), one elected leader from each party, and one or two additional Members from each side of the aisle.

I further propose that we direct the working group to report back its recommendations no later than July 1, 2007 to allow time for the House to consider its proposed revisions to the Rules of the House prior to the August recess.

Madam Speaker, I have been encouraged by recent public statements made by you and members of your staff noting your desire to correct evident problems with several of the new rules. Thus, I hope you will commit to work constructively with me to ensure that any revisions to the Code of Conduct and other House rules are imbued with the sort of credibility that you have often pointed out can only result from a thoroughly bipartisan effort.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

Mr. Speaker, I would simply ask my colleague from Tampa to describe a term that is in this bill.

Now, one of the questions out there is that Members of Congress are often approached by people and considered for employment beyond their service in this institution. Now, in H.R. 4975, we were very specific in saying that when negotiation for compensation, and those are the exact words that we used in H.R. 4975, are included in the bill, then there has to be a letter to the Committee on Standards of Official Conduct stating that that negotiating process has begun. So we had that exact term of ''negotiating for compensation.'' Those are the three words that we had in there.

Now, I would like to inquire of my friend from Tampa why it was in this measure that they went from ''negotiation for compensation'' to simply ''negotiation.'' And the reason I say that is a very sincere one.

The question naturally comes to mind, now, the gentlewoman from Tampa is new here and obviously not prepared to leave at this point. But there are people, Mr. Speaker, who may have been here for a while and people have decided they wanted to approach them.

Is it negotiation if it is simply said to that person, ''Gosh, we'd like you to consider going to work for us''? And so I am wondering if my friend might define this term ''negotiation'' for us. And I am happy to yield to the distinguished manager of this rule.

Ms. CASTOR. Well, my interest, Mr. Speaker, is keeping this legislation on track. The American people spoke loud and clear in November. They called on us to fight for reform and change.

Mr. DREIER. Mr. Speaker, if I might reclaim my time. And I do so to simply say, I was posing a question to my colleague, not asking for a campaign speech on what the American people sent us to do here in November. The fact is, Democrats and Republicans alike are committed to reform. I am very proud of the record we have had on reform, and I am honored to have had it praised by the distinguished Chair of the Committee on the Judiciary.

The question that I have is a very specific one: Why in this legislation did we go from the utilization of three words, ''negotiation for compensation,'' to this open-ended question of simply ''negotiation''?

I would be happy to further yield to my friend to elucidate us on that.

Mr. CANTOR. I thank my colleague very much. I recall the sessions I have had with seniors back home in Florida trying to work through the morass of Medicare part D.

Mr. DREIER. Mr. Speaker, if I could reclaim my time. My question, and I will pose it again to my colleague from Tampa. The issue of negotiation for Members of Congress, the debate that we are having now is not about the message that was sent last November, it is not about Medicare part D. It is a question about the issue of lobbying and ethics reform in this institution. And obviously my colleague doesn't really have an answer to this question.

What it does do is it underscores the fact that it is absolutely essential that we deal with this issue in a responsible, bipartisan way to try to bring about some kind of resolution in here. And so I am very, very troubled with the way that this has been handled in a piecemeal way.

□ 1230

And so, Mr. Speaker, it is true that the effort is a valiant one. I congratulate and praise those who have been involved in it. And as I said in my opening remarks, it's very clear that reform is a work in progress. And we need to do more on the issue of reform. It's just that this bill is nowhere near the level of the bill that was passed under the Republican Congress. And I will say, I hope very much this institution will pass a bill that is even better than the one that I was privileged to author in the 109th Congress. And I believe that we could do better than we did in the 109th Congress. It's just that this measure, after all of this talk of reform, after all of this talk about the message sent last November, falls short of where we were in the last Congress, and that's why we are very troubled by this.

Mr. Speaker, I'm going to urge my colleagues to vote ''no'' on the previous question, so that when we succeed in defeating the previous question, I will be able to make in order an amendment that was offered that specifically provides greater disclosure and transparency and accountability which, again, are the three buzz words that are used around here: transparency, disclosure and accountability.

If, in fact, a Member is asking for an earmark, if a Member has been asked for an earmark by a lobbyist, under the amendment that I hope that we will be able to make in order, that Mr. FLAKE has propounded and unfortunately it was rejected by the Rules Committee, it would simply require that lobbying entity to disclose the fact that they have, in fact, made that in order.

Mr. Speaker, I ask unanimous consent that I be able to, just before the vote on the previous question, have printed in the CONGRESSIONAL RECORD a detailed explanation of the amendment that would require that lobbyists who make a request of a Member, that they call for an earmark to be made, that that information be made public. I believe that that, in and of itself, is a very, very modest but responsible thing that needs to be done in this effort to ensure greater transparency and disclosure.

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

There was no objection.

Mr. DREIER. So, with that, Mr. Speaker, I urge a ''no'' vote on the previous question.

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

Ms. CASTOR. Mr. Speaker, I urge adoption of the Honest Leadership and Open Government Act and the Lobbying Transparency Act and this rule. Citizens deserve open and honest leadership. We must stay on track with lobbying reform. And after the scandals in past years, we will continue the fight for reform and change so that the American people trust that Members of Congress are making decisions that benefit our communities and our country, and not some powerful special interest with undue influence.

Unfortunately, there has been a price to pay for the culture of corruption. You can see it when you gas up at the pump. Big Oil has gotten millions and billions in tax breaks, while people that we represent pay higher gas prices. And in Florida, the big oil companies have been granted a right to drill off our beautiful coastline.

You can see it when our seniors are pushed into privatized Medicare. The HMOs get a slush fund, and seniors pay more for health care.

You can see it when students and their families pay more for student loans because of sweetheart deals. The special interests get tax breaks, and our kids pay off higher debt.

Mr. Speaker, today we will keep our promise to the American people to fight for change and reform. When our neighbors and the folks back home send us to Washington, they rightly expect their representatives to act in the public interest and not in the interest of well-paid lobbyists with undue influence.

I urge my colleagues to build on the strongest ethics reform ever adopted in the Congress, what we started on day one in this new Congress.

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

Mrs. MALONEY of New York. Mr. Speaker, I rise today in strong support of H.R. 2316, the Honest Leadership and Open Government Act, and H.R. 2317, the Lobbying Transparency Act.

As the Jack Abramoff scandal made abundantly clear, the way that business has been conducted in Washington during the past few years needs to change. Congress already has taken important steps to reduce the influence of lobbyists, and the legislation that we are considering today will implement additional necessary reforms. These reforms include closing the revolving door between the legislative branch and post-employment lobbying, increased reporting requirements, including for bundled campaign contributions, and greater public access to lobbying reports and disclosure information.

The issue of openness in government is critical to our democracy. The American people should have faith that their representatives in Congress are responding to their needs and not acting in the interests of those trying to buy influence.

I also want to commend Chairman CONYERS and the Judiciary Committee for including language in the bill to clarify that H.R. 2316 does not infringe upon the first amendment or prohibit any activities currently protected by the free speech, free exercise, or free association clauses.

I urge my colleagues to support this legislation.

Mr. LEVIN. Mr. Speaker, I rise in strong support of H.R. 2316, the Honest Leadership and Open Government Act, as well as H.R. 2317, the Lobbying Transparency Act.

When the new Democratic Congress convened on January 4, our first action was the approval of a sweeping package of changes to restore the integrity and fiscal responsibility of the House of Representatives. While these reforms represented the most significant ethics and lobbying revisions in decades, we promised that this would be just the first step in ending the cozy relationships between Congress and special interest lobbyists. Today we take the next important step.

The Honest Leadership and Open Government Act H.R. 2316 mandates quarterly disclosure of lobbying reports; ends the K Street Project of Members and staff influencing employment decisions of private entities for partisan political gain; increases disclosure of lobbyists' contributions to lawmakers; and establishes an online, searchable public database of lobbyist disclosure information.

One of the most important provisions of this lobbying reform package is the Lobbying Transparency Act, H.R. 2317. This legislation requires a registered lobbyist who also serves as a fundraiser to disclose the campaign checks that he or she solicits or "bundles."

When lobbyists also act as campaign fundraisers, a possible conflict of interest arises, making it all the more necessary to allow for greater public awareness as to their actions and treatment.

Reforming the way that lobbyists and Members of Congress do business is the right thing to do not only because it will help to restore the trust of the American people in their institution of Congress, but also because doing so has a very real impact in putting the power back into the hands of the public.

I urge my colleagues to join me in supporting H.R. 2316 and H.R. 2317.

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

AMENDMENT TO H. RES. 437 OFFERED BY REP. DREIER OF CALIFORNIA

At the end of the resolution, add the following:

SEC. 4. Notwithstanding any other provision of this resolution, the amendment printed in section 4 shall be in order to H.R. 2316 as though printed as the last amendment in part B of the report of the Committee on Rules if offered by Representative Flake of Arizona or his designee. That amendment shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

SEC. 4. The amendment referred to in section 4 is as follows:

Page 13, line 3, strike ''Section 5(b)'' and insert ''(a) GIFTS.—Section 5(b)''.

Page 13, insert after line 18 the following:

(b) REQUESTS FOR CONGRESSIONAL EARMARKS.—Section 5(b)(2)(A) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)(2)(A)) is amended by striking ''bill numbers'' and inserting the following: ''bill numbers, requests for Congressional earmarks (as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives for the One Hundred Tenth Congress),''.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

Mr. DREIER. Mr. Speaker, may I ask the indulgence of the Chair to ask unanimous consent if I could reclaim my time. I didn't realize that my very distinguished colleague from Kentucky was here, and he had a very important question that he wanted to pose on this, and I'd ask unanimous consent to be able to reclaim my time and yield to the gentleman from Kentucky.

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

Ms. CASTOR. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. DREIER. Thank you very much, Mr. Speaker, and thanks to my colleagues for their consideration.

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

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

Mr. 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 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 437 will be followed by 5-minute votes on adoption of House Resolution 437, if ordered; ordering the previous question on House Resolution 438; and the adoption of House Resolution 438, if ordered.

The vote was taken by electronic device, and there were—yeas 224, nays 195, not voting 13, as follows:

[Roll No. 415]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Cardoza
Cooper
Davis, Jo Ann
DeGette
Emerson
Engel
Hunter
Jones (OH)
Lewis (GA)
McMorris Rodgers
Oberstar
Radanovich
Rohrabacher

□ 1259

Messrs. SOUDER, McCOTTER, NEUGEBAUER and RAMSTAD changed their vote from ''yea'' to ''nay.''

Ms. CORRINE BROWN of Florida changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

The question was taken; and the Speaker pro tempore announced that the 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. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 197, not voting 11, as follows:

[Roll No. 416]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—197

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Cardoza
Davis, Jo Ann
DeGette
Emerson
Engel
Hunter
Jones (OH)
Lewis (GA)
McMorris Rodgers
Oberstar
Radanovich

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are less than 2 minutes remaining on the vote.

□ 1308

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.

NEW CLERK MAKING IMPRESSIONS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I want to call to the attention of all of the Members that our new Clerk of the House is continuing to make impressions. She is on the cover of Crisis magazine for this month, the official publication of the NAACP. And she is president of the local chapter. I just thought that if you don't have a copy, she is standing right over there.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2206, U.S. TROOP READINESS, VETERANS' CARE, KATRINA RECOVERY, AND IRAQ ACCOUNTABILITY APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 438, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 199, not voting 12, as follows:

[Roll No. 417]

YEAS—221

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind

Klein (FL)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—199

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Clay
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Moran (VA)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stark
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Cardoza
Davis, Jo Ann
DeGette
Emerson
Engel
Hunter
Jones (OH)
Lewis (GA)
McMorris Rodgers
Oberstar
Pickering
Radanovich

□ 1316

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 1 minute remains in this vote.

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 218, nays 201, not voting 13, as follows:

[Roll No. 418]

YEAS—218

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—201

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Clay
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Harman
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (WI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stark
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Waters
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Cardoza
Davis, Jo Ann
DeGette
Emerson
Engel
Gutierrez
Hunter
Jones (OH)
Lewis (GA)
McMorris Rodgers
Oberstar
Radanovich
Shea-Porter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1323

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 417

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent that Representative XAVIER BECERRA be removed as a cosponsor of H. Res. 417. Mr. BECERRA was listed as a cosponsor due to a clerical error.

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

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON HOUSE ADMINISTRATION

Mr. EMANUEL. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 441) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 441

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

(1) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Brady of Pennsylvania, Chairman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2317, the Lobbying Transparency Act of 2007.

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

There was no objection.

LOBBYING TRANSPARENCY ACT OF 2007

Mr. CONYERS. Madam Speaker, pursuant to House Resolution 437, I call up the bill (H.R. 2317) to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2317

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 ''Lobbying Transparency Act of 2007''.

SEC. 2. QUARTERLY REPORTS BY REGISTERED LOBBYISTS ON CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.

(a) IN GENERAL.—Section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is amended by adding at the end the following new subsection:

''(d) QUARTERLY REPORTS ON CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.—

''(1) IN GENERAL.—Not later than 45 days after the end of the quarterly period beginning on the first day of January, April, July, and October of each year, each registered lobbyist who bundles 2 or more contributions made to a covered recipient in an aggregate amount exceeding $5,000 for such covered recipient during such quarterly period shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

''(A) the name of the registered lobbyist;

''(B) in the case of an employee, his or her employer; and

''(C) the name of the covered recipient to whom the contribution is made, and to the extent known the aggregate amount of such contributions (or a good faith estimate thereof) within the quarter for the covered recipient.

''(2) EXCLUSION OF CERTAIN INFORMATION.—In filing a report under paragraph (1), a registered lobbyist shall exclude from the report any information described in paragraph (1)(C) which is included in any other report filed by the registered lobbyist with the Secretary of the Senate and the Clerk of the House of Representatives under this Act.

''(3) REQUIRING SUBMISSION OF INFORMATION PRIOR TO FILING REPORTS.—Not later than 25 days after the end of a period for which a registered lobbyist is required to file a report under paragraph (1) which includes any information described in such section with respect to a covered recipient, the registered lobbyist shall transmit by certified mail to the covered recipient involved a statement containing—

''(A) the information that will be included in the report with respect to the covered recipient; and

''(B) the source of each contribution included in the aggregate amount referred to in paragraph (1)(C) which the registered lobbyist bundled for the covered recipient during the period covered by the report and the amount of the contribution attributable to each such source.

''(4) DEFINITION OF REGISTERED LOBBYIST.—For purposes of this subsection, the term 'registered lobbyist' means a person who is registered or is required to register under paragraph (1) or (2) of section 4(a), or an individual who is required to be listed under section 4(b)(6) or subsection (b).

''(5) DEFINITION OF BUNDLED CONTRIBUTION.—For purposes of this subsection, a registered lobbyist 'bundles' a contribution if—

''(A) the contribution is received by a registered lobbyist for, and forwarded by a registered lobbyist to, the covered recipient to whom the contribution is made; or

''(B) the contribution will be or has been credited or attributed to the registered lobbyist through records, designations, recognitions or other means of tracking by the covered recipient to whom the contribution is made.

''(6) OTHER DEFINITIONS.—In this subsection—

''(A) the term 'contribution' has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), except that such term does not include a contribution in an amount which is less than $200;

''(B) the terms 'candidate', 'political committee', and 'political party committee' have the meaning given such terms in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.);

''(C) the term 'covered recipient' means a Federal candidate, an individual holding Federal office, a leadership PAC, or a political party committee; and

''(D) the term 'leadership PAC' means, with respect to an individual holding Federal office, an unauthorized political committee which is associated with such individual, except that such term shall not apply in the case of a political committee of a political party.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the second quarterly period described in section 5(d)(1) of the Lobbying Disclosure Act of 1995 (as added by subsection (a)) which begins after the date of the enactment of this Act and each succeeding quarterly period.

The SPEAKER pro tempore. Pursuant to House Resolution 437, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 110–167, is adopted and the bill, as amended, is considered read.

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

H.R. 2317

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 ''Lobbying Transparency Act of 2007''.

SEC. 2. QUARTERLY REPORTS BY REGISTERED LOBBYISTS ON CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.

(a) IN GENERAL.—Section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is amended by adding at the end the following new subsection:

''(d) QUARTERLY REPORTS ON CONTRIBUTIONS BUNDLED FOR CERTAIN RECIPIENTS.—

''(1) IN GENERAL.—Not later than 45 days after the end of the quarterly period beginning on the first day of January, April, July, and October of each year, each registered lobbyist who bundles 2 or more contributions made to a covered recipient in an aggregate amount exceeding $5,000 for such covered recipient during such quarterly period shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

''(A) the name of the registered lobbyist;

''(B) in the case of an employee, his or her employer; and

''(C) the name of the covered recipient to whom the contribution is made, and to the extent known the aggregate amount of such contributions (or a good faith estimate thereof) within the quarter for the covered recipient.

''(2) EXCLUSION OF CERTAIN INFORMATION.—In filing a report under paragraph (1), a registered lobbyist shall exclude from the report any information described in paragraph (1)(C) which is included in any other report filed by the registered lobbyist with the Secretary of the Senate and the Clerk of the House of Representatives under this Act.

''(3) REQUIRING SUBMISSION OF INFORMATION PRIOR TO FILING REPORTS.—Not later than 25 days after the end of a period for which a registered lobbyist is required to file a report under paragraph (1) which includes any information described in such section with respect to a covered recipient, the registered lobbyist shall

transmit by certified mail to the covered recipient involved a statement containing—

''(A) the information that will be included in the report with respect to the covered recipient;

''(B) the source of each contribution included in the aggregate amount referred to in paragraph (1)(C) which the registered lobbyist bundled for the covered recipient during the period covered by the report and the amount of the contribution attributable to each such source; and

''(C) a notification that the covered recipient has the right to respond to the statement to challenge and correct any information included before the registered lobbyist files the report under paragraph (1).''.

''(4) DEFINITION OF REGISTERED LOBBYIST.—For purposes of this subsection, the term 'registered lobbyist' means a person who is registered or is required to register under paragraph (1) or (2) of section 4(a), or an individual who is required to be listed under section 4(b)(6) or subsection (b).

''(5) DEFINITION OF BUNDLED CONTRIBUTION.—For purposes of this subsection, a registered lobbyist 'bundles' a contribution if—

''(A) the contribution is received by a registered lobbyist for, and forwarded by a registered lobbyist to, the covered recipient to whom the contribution is made; or

''(B) the contribution will be or has been credited or attributed to the registered lobbyist through records, designations, recognitions or other means of tracking by the covered recipient to whom the contribution is made.

''(6) OTHER DEFINITIONS.—In this subsection—

''(A) the term 'contribution' has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), except that such term does not include a contribution in an amount which is less than $200;

''(B) the terms 'candidate', 'political committee', and 'political party committee' have the meaning given such terms in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.);

''(C) the term 'covered recipient' means a Federal candidate, an individual holding Federal office, a leadership PAC, or a political party committee; and

''(D) the term 'leadership PAC' means, with respect to an individual holding Federal office, an unauthorized political committee which is associated with such individual, except that such term shall not apply in the case of a political committee of a political party.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the second quarterly period described in section 5(d)(1) of the Lobbying Disclosure Act of 1995 (as added by subsection (a)) which begins after the date of the enactment of this Act and each succeeding quarterly period.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

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

Madam Speaker, the moment has come in this very important session of Congress that we examine the lobbying and bundling provisions that have been of such interest and debate for the past several months.

This measure, the Lobbying Transparency Act, will more effectively regulate, but does not ban, the practice of registered lobbyists bundling together the large numbers of campaign contributions to candidates for Federal office. This is a practice that has already taken root in Presidential campaigns.

In essence, the bill requires a registered lobbyist who bundles two or more contributions made to a candidate to file quarterly reports with the House Clerk and Secretary of the Senate.

I want to begin by paying tribute to the gentleman from Maryland, Mr. CHRIS VAN HOLLEN, for the enormous amount of work not only in this Congress but in the previous Congress that he has put forward on behalf of this measure.

Under the bill, the bundled contribution is limited to contributions which the lobbyist physically receives and forwards to the candidate, or which are credited to the lobbyist through a specific tracking system put in place by the candidate. In order to better ensure that a registered lobbyist does not inaccurately report contributions involving a candidate, the measure further requires the lobbyist to send the candidate a proposed statement first. This allows the candidate or the political action committee to correct any errors.

This legislation reflects considerable input on Members of the House of Representatives both on the Judiciary Committee and off the Judiciary Committee.

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It reflects the considered judgment of many Members not even on the Judiciary Committee. We've worked with the public interest groups around the clock to craft a workable piece of legislation that provides for the disclosure of large-scale bundling in a way that provides clear and enforceable legal requirements.

The American people have been waiting for this. We've talked about this for a considerable period of time, and many people now have realized that the House of Representatives has taken a very important step in moving this measure forward.

Most significantly, the measure does not include the provision that would have counted as bundled any contribution arranged by a lobbyist. After careful consideration, we've concluded that as the Senate provision is written, it was too vague to be effectively enforced.

And so I rise today to let you know of my firm conviction that we ultimately need to move to assist the public financing of campaigns, and I don't mean somewhere in the nebulous future; I'm talking about as soon as we can. But until we do, I remain persuaded that the legislation today represents an extremely important step forward toward that reform when coupled with the other lobbying reform measure that is before us.

This is not the perfect bill. I'm still looking for a Member that has ever passed the perfect piece of legislation. But I draw to my colleagues' attention this measure and ask that they examine it carefully and recognize the importance and significance of this measure.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, this bill addresses the issue of the disclosure of campaign contributions bundled together by lobbyists. The Judiciary Committee addressed this issue in the last Congress when we adopted an amendment by the gentleman from Maryland (Mr. VAN HOLLEN) by a vote of 28–4.

As a principal supporter of these provisions, Mr. VAN HOLLEN signed the following statement in last year's committee report: ''At the markup, we were able to develop a bipartisan provision concerning the areas of Judiciary Committee jurisdiction, principally the Lobbying Disclosure Act.''

So I'm glad to see a provision brought to the floor today that is so similar to what we did last year. However, I do find it ironic that we are bringing this bill to the floor with little advance notice.

Yesterday we received notice that this bill would come up less than an hour before the Rules Committee was to start. That hardly gave us a fair opportunity to offer amendments to the bill.

Madam Speaker, this bill and the other bill that we consider today on lobbying reform are supposed to be about open government, but the process by which this bill has been rushed to the floor shows how this House sometimes lacks a fair and open process.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself 15 seconds.

When we went to the Rules Committee, my dear friend LAMAR SMITH and myself, there were 48 amendments already filed when we got there. I don't know how many were ultimately considered.

Madam Speaker, I am very pleased to yield as much time as he may consume to the gentleman from Maryland (Mr. VAN HOLLEN), the one Member who has worked longer and harder than anyone else on this matter, a former member of the Judiciary Committee.

Mr. VAN HOLLEN. Madam Speaker, let me begin by congratulating the chairman of the Judiciary Committee Mr. CONYERS, and the ranking member Mr. SMITH, on all their work on this particular issue, and I want to thank them and the other members of the Judiciary Committee for reporting this bill out by unanimous vote, a unanimous bipartisan vote. And I also want to thank the other cosponsors of this legislation, including Mr. MEEHAN and others.

Madam Speaker, in the last election I think the American people sent Congress a very strong and unambiguous message, that it's time to change the way Washington does business. They said loud and clear that the status quo on Capitol Hill is unacceptable. The

American people want this Congress to hold the Bush administration accountable, and they want Congress to hold itself accountable.

They grew weary of a Congress that used the power of the majority to benefit narrow special interests at the expense of the public interest, and that's why on the very opening day of this new Congress, under the leadership of Speaker PELOSI, we immediately enacted a series of important reforms, gift bans, travel limitation, and greater transparency of the earmark process.

The lobbying reform bills that are before us today are the next important steps along the path to greater openness and transparency, and I think we would all agree that with greater openness to the public comes greater accountability for this institution.

Let's be clear. Lobbyists come before this body to advocate issues on behalf of their clients, and they serve a valid and important service of providing information and expertise on complex issues that we face. However, we know a number of recent scandals have demonstrated that lobbyists, some of them like Jack Abramoff, have been able to exercise undue influence in shaping the legislative agenda and the policies that come out of the Congress.

This bill, the Lobbying Transparency Act, deals with the role of lobbyists in the campaign fund-raising process. It requires registered lobbyists to disclose certain contributions that they bundle on behalf of candidates and political committees.

This bill involves simply the disclosure of information that the public has a right to know, and a vote against this bill is a vote to deny that public important information that they can use to judge the legislative process.

I think we all agree that Members of Congress are sent here to represent the public interest. We're not here to represent narrow special interests, and we should have a very simple test, a very simple standard in considering whether we're going to vote for or against legislation, and that test is, does that legislation advance the public interest. And the answer on this bill is unequivocally yes.

Let's fulfill our promise to restore the public trust by serving the public interest. I urge adoption of this legislation.

Mr. SMITH of Texas. Madam Speaker, at this time I have no other speakers on this particular bill. So I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a distinguished member of the Committee on the Judiciary.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I will take my time now to applaud and thank both the chairman of the full committee Mr. CONYERS, and the ranking member of the full committee, my colleague from Texas, Mr. SMITH, and our former colleague Mr. VAN HOLLEN for having a partnership between H.R. 2317 and H.R. 2316.

I think the first point I'd like to make is that as I have spent a lot of time in this first session, first couple of months, with a lot of visitors who have come to this Capitol, I've watched them look in awe, visit with their Member of Congress, and appreciate this most powerful law-making body that cherishes democracy and values integrity.

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I know that visitors have a great sense of respect for their individual Members of Congress. I want you to know that that respect is well deserved. Your Member is hard-working. They cherish not only the democratic values of this Nation, but they pride themselves in promoting integrity and promoting your interests over their interests.

But sometimes we need a little cleanup. It does not mean that the whole body has disregarded the question of integrity and the question of ensuring your interests be put forth. But we have had some bumps in the road.

So we have projected two legislative initiatives that will separate out the interests at work of lobbyists. That is part of the Democratic process, but it will also provide an opportunity for voices to be heard, the right of the protections of the first amendment.

As it relates to the concept of bundling, which sounds like a very interesting and difficult word, that is the course of putting a number of financial contributions together. We will have a system that will work, that everyone who is here to put forward the interests of the American people, will, in fact, know that that is the first priority.

But we have a system that does not promote public finance. I would like to see us have a complete system of public financing. That means the taxpayers will contribute toward the presidential candidates, and they would not be able to opt out Federal congressional candidates, Senate and House. That will be a system dominated by the people.

But we don't have that system. So we have good-thinking people who want to contribute, and we have good people, good-thinking people who would receive. Let us not taint all of them.

But I rise to support these two initiatives, because they provide the open-door transparency that we need. I want to thank Chairman CONYERS, first of all, for accepting my amendment that clearly stated that those advocacy groups that wanted to be heard, the right of the protections of the First Amendment.

Nothing in this bill denies any first amendment protection for expression or association. I know the leadership of Chairman CONYERS on the issue of civil liberties, in complete, but I wanted to reaffirm this fact so that we know for sure, any Member coming to the floor to vote for this, they know their university or they know their place of faith, or they know the Boy Scouts or the Girl Scouts, or they know their various civil rights organizations will still have the opportunity to convey their voice with the assurance of first amendment protection.

I also want to thank Mr. VAN HOLLEN for working with me to include language that I hope all Members will appreciate, and that is, as I stated earlier, that Members come here with the greatest sense of integrity and respect for their duty to the American people. So we provided a provision that instructs lobbyists to give notice to the Member of the list of items that they are going to file. That Member cannot, if you will, stop the list from being filed, but the Member will have the opportunity, the Member of Congress, to be able to read the list and make sure that it is accurate as it is being filed.

We will not stop the time from ticking, if you will, for the filing process, but we will make the system work better and provide for the participation by all of the impacted parties. The congressional Member will be allowed to receive the notice of this filing and have the opportunity to correct it, to make sure it is consistent with his or her files.

These are difficult times, because we all realize our ultimate responsibility is to the American people. We must put them over self. But my amendment in this bill, I believe, will help the open-door transparency proceed, family and I ask my colleagues to support it.

Madam Speaker, I rise in support of H.R. 2317, the "Lobbying Transparency Act of 2007." I rise in support of legislation that will help bring about the most open government and the most honest leadership in the history of the Congress. Most of the credit for this achievement goes to my very good friend, the gentleman from Maryland, Mr. VAN HOLLEN, for his tenacity in shepherding this legislation through the gamut that is the House legislative process.

In particular, Madam Speaker, I wish to commend Mr. VAN HOLLEN and the Rules Committee for agreeing to incorporate my friendly amendment to H.R. 2316. Let me describe the bill and explain why I believe the incorporation of the Jackson-Lee amendment improves the bill to the point where it warrants the support of the members of this body.

H.R. 2316 requires registered lobbyists to provide quarterly reports to the House clerk and secretary of the Senate regarding the "bundled" contributions totaling more than $5,000 in a quarter that they provide to a covered recipient.

"Bundled contributions" are contributions that are received by a registered lobbyist and forwarded to a covered recipient, or contributions that are otherwise credited or attributed to a lobbyist through records, designations or other means of tracking, such as placing the lobbyist's name on a check's memo line or using another symbol. The bill's definition of "covered recipients" applies to federal candidates, federal officeholders, leadership political action committees or political party committees.

The required reports would disclose the name of the lobbyist, the name of his or her

employer, and the name of the covered recipient to whom the contributions were given, as well as the amount of the contributions made or a good-faith estimate thereof. The report would be due within 45 days of the end of the quarterly period. These reports would not include certain information that is included in other required disclosure reports. Within 25 days of the end of a quarterly reporting period, the registered lobbyist is to send a notification by certified mail to a covered recipient outlining the information that will be included in the lobbyists' report, and the source of each contribution.

For all its good intentions, for many members these provisions are problematic. There is a legitimate concern that the information the lobbyist might report to the Clerk or Secretary of the Senate may be inaccurate or incomplete which may later be disclosed to the public causing untold problems or embarrassment to the covered recipient. The amendment that I offered, and which has been incorporated into the bill, assuages that concern.

The Jackson-Lee amendment requires that the statement which a covered registered lobbyist must provide to the recipient also shall include a notification that the recipient has the right to respond to the statement to challenge and correct any information included before the registered lobbyist files the report with the Clerk of the House or Secretary of the Senate.

The inclusion of this provision will reduce the likelihood that the recipient will be unduly prejudiced by the disclosure of inaccurate information by giving the recipient notice and opportunity to identify, and the lobbyist the opportunity to correct, inaccurate information regarding bundled contributions.

In sum, H.R. 2317 now will help ensure that the salutary objectives of the legislation are achieved without reaping the unintended consequence of prejudicing a recipient—whether he or she be an office holder or candidate for federal office—by the disclosure of inaccurate or incomplete information.

Madam Speaker, all of us favor open government. All of us favor honest leadership. And all of us are in favor of transparency of process. But we also believe in fundamental fairness. And that includes fairness to those who seek to exercise their First Amendment rights to freedom of speech and of association, and to petition their government for a redress of grievances.

That is why I offered, and the Judiciary Committee, approved my amendment during markup that provides a rule of construction that nothing in H.R. 2316 is intended or is to be construed to prohibit any expressive conduct protected from legal prohibition by, or any activities protected by the free speech, free exercise, or free association clauses of, the First Amendment to the Constitution.

The Jackson-Lee amendment incorporated in H.R. 2317 is intended to ensure fair treatment to elected office holders and candidates for federal office.

Again, let me thank Mr. VAN HOLLEN for his fine work in crafting this legislation. Let me also thank the members of the Rules Committee incorporating my amendment into H.R. 2317. I urge all members to support this legislation. It will be another step in the right direction toward fulfilling our promise to the American people to drain the swamp and return open government, honest leadership, and transparency to the legislative process.

Madam Speaker, I rise in strong support of H.R. 2316, the ''Honest Leadership and Open Government Act of 2007.'' With the adoption of this legislation, we begin to make good on our pledge to ''drain the swamp'' and end the ''culture of corruption'' that pervaded the 109th Congress.

It is critically important that we adopt the reforms contained in H.R. 2316 because Americans are paying for the cost of corruption in Washington with skyrocketing prices at the pump, spiraling drug costs, and the waste, fraud and no-bid contracts in the Gulf Coast and Iraq for administration cronies.

The cozy relationship between Congress and special interests we saw during the 109th resulted in serious lobbying scandals, such as those involving Republican super lobbyist Jack Abramoff. In this scandal, a former congressman pleaded guilty to conspiring to commit fraud—accepting all-expense-paid trips to play golf in Scotland and accepting meals, sports and concert tickets, while providing legislative favors for Abramoff's clients.

But that is not all. Under the previous Republican leadership of the House, lobbyists were permitted to write legislation, 15-minute votes were held open for hours, and entirely new legislation was sneaked into signed conference reports in the dead of night.

The American people registered their disgust at this sordid way of running the Congress last November and voted for reform. Democrats picked up 30 seats held by Republicans and exit polls indicated that 74 percent of voters cited corruption as an extremely important or a very important issue in their choice at the polls.

Ending the culture of corruption and delivering ethics reform is one of the top priorities of the new majority of House Democrats. That is why as our first responsibility in fulfilling the mandate given the new majority by the voters, Democrats are offering an aggressive ethics reform package. We seek to end the excesses we witnessed under the Republican leadership and to restore the public's trust in the Congress of the United States.

Madam Speaker, federal lobbying is a multibillion dollar industry, and spending to influence members of Congress and executive branch officials has increased greatly in the last decade. While the Lobbying Disclosure Act of 1995 (LDA) is one of the main laws to promote transparency and accountability in the federal lobbying industry and represents the most comprehensive overhaul of the laws regulating lobbying practices in 50 years prior to 1995, it falls far short of a complete solution, as even recognized by its staunchest supporters, during congressional hearings on the issue.

The need for further reform was highlighted by a major study of the federal lobbying industry published in April 2006 by the Center for Public Integrity, which found that since 1998, lobbyists have spent nearly $13 billion to influence members of Congress and other federal officials on legislation and regulations. The same study found that in 2003 alone, lobbyists spent $2.4 billion, with expenditures for 2004 estimated to grow to at least $3 billion. This is roughly twice as much as the already vast amount that was spent on federal political campaigns in the same time period.

The LDA contains a number of measures to help prevent inappropriate influence in the lobbying arena and promote sunshine on lobbying activities. However, according to the Center's study, compliance with these requirements has been less than exemplary. For example, the report found: during the last 6 years, 49 out of the top 50 lobbying firms have failed to file one or more of the required forms; nearly 14,000 documents that should have been filed are missing; almost 300 individuals, companies, or associates have lobbied without ng registered; more than 2,000 initial registrations were filed after the legal deadline; and in more than 2,000 instances, lobbyists never filed the required termination documents at all.

Under the LDA, the Secretary of the Senate and the Clerk of the House must notify in writing any lobbyist or lobbying firm of noncompliance with registration and reporting requirements, and they must also notify the U.S. Attorney for the District of Columbia of the noncompliance if the lobbyist or lobbying firm fails to respond within 60 days of its notification. It appears that until very recently, however, these cases of noncompliance were not being referred to the Department of Justice for enforcement. It is also clear that the infractions that are actually being investigated by the Secretary or the Clerk do not coincide with the extent of noncompliance, and it is entirely unknown whether enforcement actions are being effectively pursued by the Department of Justice. Clearly, further reform is needed.

Madam Speaker, I commend Chairman CONYERS and the members of the Judiciary Committee for their excellent work in preparing this lobbying reform package. The reforms contained in the package are tough but not nearly too tough for persons elected to represent the interests of the 600,000 constituents in their congressional districts. Indeed, similar bipartisan lobbying and government reform proposals were debated and passed by the House and Senate in 2006 but the Congress failed to reconcile the two versions.

Madam Speaker, I support H.R. 2316 because it closes the ''Revolving Door,'' requires full public disclosure of lobbying activities, provides tougher enforcement of lobbying restrictions, and requires increased disclosure.

H.R. 2316 closes the ''Revolving Door'' by retaining the current 1-year ban on lobbying by former members and senior staff and requires them to notify the Committee on Standards of Official Conduct within 3 days of engaging in any negotiations or reaching any agreements regarding future employment or salary. The members' notification will be publicly disclosed.

The bill also requires members and senior staff to recuse themselves during negotiations regarding future employment from any matter in which there is a conflict of interest or an appearance of a conflict.

Madam Speaker, this legislation also ends the ''K Street Project,'' made notorious during the 12 years of Republican control of Congress. Members and senior staff are prohibited from influencing employment decisions or practices of private entities for partisan political gain. Violators of this provision will be fined or imprisoned for a term of up to 15 years.

Second, H.R. 2316 requires full public disclosure of lobbying activities by strengthening lobbying disclosure requirements. It does this by mandating quarterly, rather than semiannual, disclosure of lobbying reports. It covers more lobbyists by reducing the contribution thresholds from $5,000 to $2,500 in income

from lobbying activities and from $20,000 to $10,000 in total lobbying expenses. It also reduces the contribution threshold of any organization other than client that contributes to lobbying activities to $5,000 ($10,000 under current law).

Third, the legislation increases disclosure of lobbyists' contributions to lawmakers and entities controlled by lawmakers, including contributions to members' charities, to pay the cost of events or entities honoring members, contributions intended to pay the cost of a meeting or a retreat, and contributions disclosed under FECA relating to reports by conduits.

Fourth, the bill requires the House Clerk to provide public Internet access to lobbying reports within 48 hours of electronic filing and requires that the lobbyist/employing firm provide a certification or disclosure report attesting that it did not violate House/Senate gift ban rules. And it makes it a violation of the LDA for a lobbyist to provide a gift or travel to a member/officer or employee of Congress with knowledge that the gift or travel is in violation of House/Senate rules.

Transparency is increased by the requirements in the bill that lobbyists disclose past Executive and Congressional employment and that lobbying reports be filed electronically and maintained in a searchable, downloadable database. For good reason, the bill also requires disclosure of lobbying activities by certain coalitions but expressly exempts 501(c) and 527 organizations.

Finally, Madam Speaker, H.R. 2316 increases civil penalties for violation of the Lobby Disclosure Act from $50,000 to $100,000 and adds a criminal penalty of up to 5 years for knowing and corrupt failure to comply. Finally, the bill requires members to prohibit their staff from having any official contact with the member's spouse who is a registered lobbyist or is employed or retained by such an individual and establishes a public database of member Travel and Personal Financial Disclosure Forms.

Madam Speaker, it is wholly fitting and proper that at the beginning of this new 110th Congress, the Members of this House, along with all of the American people, paid fitting tribute to the late President Gerald R. "Jerry" Ford, a former leader in this House, who did so much to heal our Nation in the aftermath of Watergate. Upon assuming the presidency, President Ford assured the Nation: "My fellow Americans, our long national nightmare is over." By his words and deeds, President Ford helped turn the country back on the right track. He will be forever remembered for his integrity, good character, and commitment to the national interest.

This House today faces a similar challenge. To restore public confidence in this institution we must commit ourselves to being the most honest, most ethical, most responsive, most transparent Congress in history. We can end the nightmare of the last 6 years by putting the needs of the American people before those of the lobbyists and special interests. To do that, we can start by adopting H.R. 2316.

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

Mr. CONYERS. Madam Speaker, I yield myself the remainder of the time.

I urge my colleagues to step up to the plate this afternoon, the day before we go out into recess, to join with your Committee on the Judiciary in their bipartisan support for this bundling bill. It's necessary that we continue to bring sunlight on the workings of the lobbying organizations and the fundraising as it affects the congressional product.

It's important, as a part of the promise that we have made to the American people, that we work to restore their confidence in us, and this will be accomplished, in part, by what we do here on the floor of the House of Representatives on this day. I hope we will keep that commitment by passing this very important measure before us, H.R. 2317, the Lobbying Transparency Act of 2007.

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

I am a proud cosponsor of this legislation, and I am glad to see that this House is following in the footsteps of the Senate in crafting some of the most important lobbying reforms in a generation.

Madam Speaker, there is an often cited quote from Supreme Court Justice Louie Brandeis. He said: "Sunlight is the best disinfectant."

In the spirit of that principle, the law already requires that lobbyists disclose their direct contributions to Members of Congress.

But that is hardly the full picture of the relationship between lobbyists, Members and campaign contributions.

In a practice known as bundling, lobbyists call up their clients and fellow colleagues and pool checks to hand over to Members.

Sometimes this will happen at fundraisers, where a lobbyist comes in with an envelope full of bundled checks.

Sometimes lobbyists will pledge to raise a certain amount for a campaign, and their progress is tracked through a coding system—for example, getting donors to write a name or number on the memo line of a check.

In either scenario, lobbyists are likely bundling contributions that far exceed their individual contribution.

I believe that it is more important to know how much a lobbyist is bundling for a Member of Congress than how much he is contributing directly.

Lobbyists, like every other citizen, are limited in their individual giving, but are unlimited in how much they can collect and forward to a campaign.

Without passing this bill, and requiring lobbyists to report their bundled contributions, this Congress and the American public will remain in the dark.

The Van Hollen bill shines sunlight on the practice of bundling.

In their lobbying bill, the Senate addressed bundling, setting a high bar for the House.

This proposal meets that high bar.

Mr. BLUMENAUER. Madam Speaker, I support H.R. 2316 and 2317—bills that significantly reform the lobbyist-lawmaker relationship for the better. By opening the lobbying process to greater oversight, we will reaffirm our commitment to accountability and transparency in Congress. Although I am deeply frustrated that stronger reform measures were abandoned, I believe this pair of bills represents an essential step toward a more honest and open government.

Earlier this year, my colleague GREG WALDEN and I reintroduced H.R. 1136, the "Ethics Reform Act of 2007," with provisions that tighten lobbyist disclosure and reporting. I am pleased to see similar provisions—such as quarterly disclosure requirements, electronic filing, and a public database of disclosure data—in H.R. 2316.

I am also pleased to see increased gift restrictions, tightened reporting requirements, and stiffened noncompliance penalties included in these bills. These are critical components of effective lobbying reform whose adoption will help to clearly delineate an appropriate boundary between lobbyists and lawmakers.

However, I must also voice a deep concern: these bills do not go far enough. The Senate easily passed—by 96–2—a more stringent bill which included stricter penalties and tighter lobbying restrictions on Members of Congress and their families. The House, in contrast, weakened the lobbyist, "cool-off" period in H.R. 2316. We can, and must, do better. With the leadership of Speaker PELOSI, I look forward to improving these bills in conference.

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

Mr. SMITH of Texas. Madam Speaker, I, too, urge my colleagues to support this legislation and yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 437, the previous question is ordered on the bill, as amended.

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

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

MOTION TO RECOMMIT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Madam Speaker, I offer a motion to recommit.

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

Mr. SMITH of Texas. I am in its current form.

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

The Clerk read as follows:

Mr. Smith of Texas moves to recommit the bill H.R. 2317 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

In section 5(d)(6)(C) of the Lobbying Disclosure Act of 1995, as proposed to be added by section 2(a) of the bill, insert after "leadership PAC," the following: "a multicandidate political committee described in section 315(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(4)),".

The SPEAKER pro tempore (during the reading). Is there objection to dispensing with the reading?

Mr. CONYERS. Madam Speaker, reserving the right to object, and I believe I may have to object, because we are just seeing the motion for the first time.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas is recognized for 5 minutes in support of his motion.

Mr. SMITH of Texas. Madam Speaker, the base bill addresses the same bundling issue that the Judiciary Committee dealt with in a bipartisan fashion last year. Mr. VAN HOLLEN, the principal supporter of these provisions, signed on to that compromise.

I offer this motion to recommit because there is a difference between what was covered by the Van Hollen amendment that was adopted in committee last Congress and what is contained in this legislation authored by Mr. VAN HOLLEN in this Congress, a very big difference.

This legislation does not require that bundled contributions to political action committees, often referred to as PACs, be disclosed. Why are PACs omitted from the disclosure requirements in this legislation?

As has been recently reported in the BNA Money & Politics Report, ''Democrats' new-found majority status has made them the biggest recipients of campaign money from lobbyists and others, a fact that could increase their wariness about passing strict new rules.''

''For example, a new analysis posted on the politicalmoneyline.com Web site, and based on Federal Election Commission reports, found that in the first quarter of 2007, Federal political action committees, that is the PACs this legislation exempts, reported giving all Federal candidates $27 million, of which almost $17 million, or 62 percent, went to Democrats, and only 38 percent went to Republicans. The Democrats' newfound fundraising prowess could cause them to have second thoughts about such proposals as increased disclosure of bundled contributions arranged by lobbyists, some observers said.''

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It appears these observers were correct. The majority has let the color of money dampen their desire for more openness and reform. The loophole in this bill that exempts bundled contributions to PACs is big enough to ride a Democratic donkey through.

If we are requiring the disclosure of bundled contributions to political party committees, those same disclosure rules should also apply to contributions to PACs. Party committees represent all members of that party affiliation. PACs, on the other hand, represent more narrow, special interests. Why should the former be exposed to more sunshine, but not the latter?

The fact that PACs give more money to Democrats is not a serious answer. Time and again the majority party finds itself presenting legislation that picks favorites, when what the American people want is more honesty and more accountability. This motion to recommit would achieve that by including bundled contributions to PACs under the same provisions that cover Federal candidates, other PACs, and political party committees.

I urge my colleagues to support this motion to recommit so that we can have a more open and honest government. To put it another way, what was good for the Democrats last year should be good for the Democrats this year.

Madam Speaker, the American people want and deserve a government that operates in the sunlight and not in the shadows.

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

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. CONYERS. Members of the House, recommit motions too frequently here have become procedural tactics that are not based on the work that we have done in the committee up until now. And I rise to oppose the provision because it raises conveniently a new issue not discussed in our hearings and not even raised in the markup. I don't think that it is really going to be helpful to the bundling law at all.

As I understand this motion to recommit, this is a broad new provision that would make the bill even more complex and difficult to administer. We have had that problem with this measure in the other body, and we certainly don't want to bring that kind of strategy into the measure before us now. It would seem to sweep into its reach entities that are not public or official.

This would include political action committees created by the following organization. It would include the National Rifle Association, the Right to Life Organization, even the Congressional Black Caucus. It would include Emily's List. It would seem to me that this would really confuse the bill, and I urge my Members, at this late date, under this strategy, to oppose the amendment.

Madam Speaker, I yield to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Madam Speaker, I thank my colleague. I also urge my colleagues to vote against the motion to recommit.

During the earlier discussion, Mr. SMITH talked about how the bill that we passed last year out of the Judiciary Committee was a bipartisan bill. In fact, it was a bipartisan vote in the Judiciary Committee. But what he failed to mention, and in the spirit of bipartisanship earlier I thought I wouldn't raise, was when that amendment that was attached in the Judiciary Committee got to the Rules Committee, the Rules Committee took it out. So the lobbying reform bill that the Republicans brought to the floor of the House stripped out the amendment that Mr. SMITH, number one, claims bipartisanship on right now.

Number two, the measure that we have brought before us today is, in fact, broader than the amendment that the Judiciary Committee voted on last year and, in fact, captures more bundling activity. It doesn't just capture very narrow bundling activities, it is broader, and, in fact, would capture a lot more of the bundling and disclose a lot more than the bill that Mr. SMITH referred to. So, in fact, it is a very important step forward in terms of the public's right to know.

Finally, the purpose of dealing with the registered lobbyists is registered lobbyists register for a reason. They are paid to try and influence legislation before Congress. They are paid to try and influence Members of Congress with respect to legislation. So the whole purpose of this is to go get at that nexus. Registered lobbyists don't register to go lobby a PAC. They don't go register to lobby the NRA PAC or to go lobby an environmental PAC or go lobby a right-to-life PAC.

So this is drawn to get at the issue that we are trying to get out in this Congress, which is to change the way we do business here and to make sure that we address the nexus between registered lobbyists and the legislative process. That is the focus. This takes us out of that focus, so I urge that we oppose this particular motion to recommit.

Mr. CONYERS. Madam Speaker, the fact of the matter is that these organizations aren't the objects of a bundling activity, the National Rifle Association, the right-to-life, and others. This is a poison pill amendment.

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

There was no objection.

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

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

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 228, nays 192, not voting 12, as follows:

[Roll No. 419]

YEAS—228

Aderholt	Bilirakis	Buchanan
Akin	Bishop (UT)	Burgess
Alexander	Blackburn	Burton (IN)
Altmire	Blunt	Buyer
Bachmann	Boehner	Calvert
Bachus	Bonner	Camp (MI)
Baker	Bono	Cannon
Barrett (SC)	Boozman	Cantor
Barrow	Boustany	Capito
Bartlett (MD)	Boyda (KS)	Carney
Barton (TX)	Brady (TX)	Carter
Bean	Brown (SC)	Castle
Biggert	Brown-Waite, Ginny	Chabot
Bilbray		Chandler

Coble
Cohen
Cole (OK)
Conaway
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (NY)
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Israel
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Loebsack
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Space
Stearns
Sullivan
Sutton
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Yarmuth
Young (AK)
Young (FL)

NAYS—192

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson
Castor
Clarke
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn

NOT VOTING—12

Campbell (CA)
Cardoza
Davis, Jo Ann
DeGette
Emerson
Engel
Hunter
Jones (OH)
Lewis (GA)
McMorris Rodgers
Oberstar
Radanovich

□ 1426

Messrs. MURTHA, HOYER, WELCH of Vermont, TIERNEY, ELLISON, BERRY, ROSS, DINGELL, McNERNEY, SNYDER, BOUCHER, TAYLOR, Mrs. McCARTHY of New York, and Ms. SLAUGHTER changed their vote from ''yea'' to ''nay.''

Messrs. BONNER, SESTAK, ROHRABACHER, McKEON, TIAHRT, FRANKS of Arizona, TERRY, CANNON, MURPHY of Connecticut, ISRAEL, SHUSTER, SMITH of Washington, HALL of New York, KUCINICH, CUELLAR, MARSHALL, DEFAZIO, MORAN of Virginia, GOHMERT, COHEN, KLEIN of Florida, BARROW, MITCHELL, ELLSWORTH, Mrs. BLACKBURN, and Mrs. CUBIN changed their vote from ''nay'' to ''yea.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

N O T I C E

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.