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House of Representatives

The House met at 10 a.m.

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

Lord God, throughout the ages You recognize, more than we, those who show the greatest courage and patience in difficult times such as during war.

Those who serve in the military are often in our prayers, Lord, and deserve this Nation's greatest respect and gratitude. You alone know however the great sacrifice their families face when preparing to deploy, during deployment, and when their loved one comes home. Even more pain and long suffering is endured by those military families who lose a family member in service to their country.

Today, the House raises up in prayer all military families. Strengthen them in love and faith that they always prove supportive. Provide them with great grace and inner freedom to embrace the separation and flexibility demanded of them due to military orders.

Lord, above all others, it is the voice of military families that are proudly heard when our Nation's anthem is sung from ''the land of the free and the home of the brave.'' Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Michigan (Mrs. MILLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. MILLER of Michigan 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.

ELECTING MEMBER TO CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution, as follows:

H. RES. 237

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

(1) COMMITTEE ON FOREIGN AFFAIRS.—Ms. Woolsey (to rank immediately after Mr. Gene Green of Texas).

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PASTOR of Arizona). The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

UNEMPLOYMENT IN NORTH CAROLINA

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

Mr. BUTTERFIELD. Mr. Speaker, yesterday it was announced that North Carolina's unemployment rate for January is 9.7 percent. This represents a 16 percent increase from December, and it is at its highest mark in 26 years. I have good reason, Mr. Speaker, to worry that the numbers will be even worse in my congressional district when they are reported.

It was devastating to learn yesterday that Cummins Diesel, Incorporated, will lay off 25 percent of its workforce. That is 390 people in Rocky Mount, North Carolina, an area that is already suffering an unemployment rate of nearly 14 percent.

We must pull together, not as Democrats or Republicans, but as Americans, to rally behind President Obama's plan to revive our economy. This is not a quick fix. It is a measured, responsible, transparent and accountable approach.

Mr. Speaker, I urge my colleagues to join me in helping families who are hurting.

THANKING JAY LENO FOR HIS SUPPORT OF METRO DETROIT WORKERS

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

Mrs. MILLER of Michigan. Mr. Speaker, all too often, it seems as though celebrities get caught up in their own life and have little time for those who are struggling in this very difficult economy. Well, Jay Leno is not one of those people. In fact, I think Jay Leno is an American hero today, because on Tuesday's Tonight Show, Jay Leno announced he will soon be doing a show at the Palace of Auburn Hills in Metro Detroit for the unemployed workers who have been struggling in this difficult economy, and the show will be absolutely free of charge.

Jay is donating his immense talent in an effort to give those workers who have been struggling a night out for a few laughs. I certainly also want to praise the leaders of the Palace who have offered up the facility free of charge for this event.

Jay Leno is a ''car guy'' who understands the hard work done by our Nation's auto workers and the incredible products they produce, and he understands that in this tough economy, many of those workers no longer have jobs.

It is absolutely outstanding that he is doing this to help lift their spirits

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and to help highlight the economic challenges that we face around our Nation, but especially in southeast Michigan. I want to thank you, Jay Leno. We in Metro Detroit welcome you, and you have our sincere thanks.

A COMPREHENSIVE APPROACH TO ECONOMIC RECOVERY

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

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to address our current economic crisis and the careful and responsible investments in America that President Obama and this Congress have made. The Federal Reserve has predicted that without action, our economy will contract by $2 trillion over the next 2 years. With a recession that has persisted since December of 2007, we cannot expect an overnight cure. However we are cushioning the fall.

There was no one cause for the economic collapse. Instead, we have taken a number of positive steps in various areas to address the various facets of this economic decline. The second half of the TARP funding will help stabilize the financial sector. The American Recovery and Reinvestment Act will create millions of jobs, including 9,300 in my district. The Help Families Save Their Homes Act will keep millions of honest, hardworking Americans from foreclosure and help stabilize the housing values of their neighbors not currently in crisis. The Fiscal Year 2009 Omnibus Act the House recently passed adds crucial investments in public safety, energy efficiency, clean water and mass transit.

Mr. Speaker, I'm proud of the fact that this Congress has joined with the President in responding to the financial crisis.

THE TRUTH WILL GET YOU SUED

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

Mr. POE of Texas. Mr. Speaker, they say the truth will set you free. Well, maybe not. Now the truth may get you sued. Here is why.

The Staples Company fired an employee for lying on his expense account, and then sent a warning e-mail to all other employees on this action. The former employee sued, saying the company's actions were ''malicious and harmful.'' A Federal court in Massachusetts ruled with the employee, even though the statements were true.

Mr. Speaker, it has long been the law in this country that libel and slander only occur when the statement is false and malicious. But not anymore. So what is going to happen when the New York Times has a headline tomorrow morning saying ''Bernie Madoff, Worst Thief in American History, Goes to Jail?'' Even though that statement might be true, while old Bernie is in the big house, he may decide to sue, saying his reputation is ruined.

Mr. Speaker, the Constitution protects free speech and a free press. The Federal courts in Massachusetts were wrong to say that truthful speech is unlawful if it offends somebody or hurts their little feelings.

And that's just the way it is.

DISPELLING A HEALTH CARE MYTH

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

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, as we begin in this Congress a potentially transformational debate on the future of health care, I think it is time that we start dispelling some of the myths about American health care. So let's start with this one.

If I told you that the country which spent the most money on health care also ranked among the highest in wait times for care, opponents of health care reform would scream, ''Well, that is what you get with socialized medicine.'' The sad fact is that I'm describing our own health care system. A recent study published in Business Week showed that amongst the six top industrialized nations, the U.S. ranked fifth in medical wait times. We ranked behind New Zealand, Britain, Germany and Australia. In addition, 26 percent of Americans reported going to the ER for treatment because they couldn't get in to see their doctor, and ER wait times for heart attack patients has nearly doubled in the last 5 years.

So when you hear these anecdotes about people waiting for care in other countries that guarantee health care, know the facts. Americans wait longer.

□ 1015

CONGRESS SPENDING $1 BILLION AN HOUR

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, folks in America ought to be outraged. They have a right to know that Congress has spent roughly $1 billion an hour since the new President took office.

Recently, Michael Allen of Politico wrote about a speech in the other body. He described a crafty Senator's efforts to express his deep concern that the Nation is spending way too much money, and America can't afford this free-for-all spending Congress.

In just 50 days, the Congress voted to spend about $1.2 trillion between the stimulus and the omnibus. That amounts to $24 billion a day, or about a billion dollars an hour, most of it borrowed money.

Congress spending $1 billion an hour? Pew.

HONORING CORPORAL BRIAN M. CONNELLY

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

Mr. PALLONE. Mr. Speaker, I rise today to honor the life of Corporal Brian M. Connelly, who was killed in Iraq on February 26 when his vehicle was struck by a roadside bomb. Corporal Connelly was a combat engineer and was in the vehicle's gunning position at the time of the attack.

He lived in Union Beach, New Jersey, where he had recently married Kara Connelly. His job in Iraq as an engineer involved protecting the way for other soldiers. He lost his life essentially helping his comrades in arms.

His family and friends remember him as a man who had a great sense of humor and loved fishing and boating and being out on the water.

I attended the memorial service of Corporal Connelly in Keyport this past weekend to pay my respects to the corporal and his family and friends.

Too often we are tragically reminded of the human costs this war has placed on our country's citizens. His family kept a ''Bring Our Troops Home'' banner above their home, reinforcing their hopes that Brian would return home safely as soon as possible.

Corporal Connelly was an American hero. He was my constituent, and I am proud to pay tribute to him in our Capitol today.

DIFFICULT TIMES IN AMERICA

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

Mr. PENCE. Mr. Speaker, during these difficult times, families and small businesses across the land are making hard choices to make ends meet. Sacrifices are being made everywhere, except in Washington, D.C.

While Americans are finding ways to cut back, the Democrat Congress and our President have gone on an unprecedented spending binge, bailout after bailout, a $1 trillion stimulus bill. Yesterday, the President signed an omnibus spending bill with an 8 percent increase in spending and 9,000 earmarks. And to make matters worse, the administration has proposed a massive Federal budget that spends too much, borrows too much and taxes too much, and the American people know it. Even a distinguished colleague on the Budget Committee said recently: ''This is not an easy budget to market, for sure.''

Well, I say respectfully to my colleagues, the problem with the President's budget is not marketing, it is content. The American people want Congress to do what they are doing, make sacrifices, be there for our neighbors and embrace fiscal discipline and responsible plans for growth; not a Federal budget that spends too much, taxes too much and borrows too much.

SPEND, BORROW, AND TAX TOO MUCH

(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, in the land of spend too much, borrow too much and tax too much, and in the age of the trillion-dollar deficits, the American taxpayers deserve to know where their hard-earned money is being spent.

After the $1.63 trillion spent in the stimulus and TARP bills, we need a system for transparency and accountability. That is why I have introduced the TARP and Stimulus Reporting and Waste Prevention Act. This bill requires complete disclosure of the TARP and stimulus spending, and it goes further than the President's ''Recovery.gov.'' It establishes a waste, fraud and abuse hotline that provides protection to all whistleblowers, including Federal employees.

The bill will promote accountability policies for government agencies and companies that benefit from the bailout in the stimulus so that taxpayers know that their money is not going to big bonuses and lavish resorts.

We owe it to the taxpayers to ensure that these funds are being used for designated purposes. It is their money, and they deserve to know.

PROVIDING FOR CONSIDERATION OF H.R. 1262, WATER QUALITY INVESTMENT ACT OF 2009

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 235 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 235

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1262) to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. 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 Transportation and Infrastructure 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 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 the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 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. 2. House Resolutions 218, 219, and 229 are laid on the table.

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

Mr. ARCURI. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. ARCURI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD.

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

There was no objection.

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

Mr. Speaker, H. Res. 235 provides for a structured rule for consideration of H.R. 1262, the Water Quality Investment Act of 2009. The rules makes in order 10 amendments, including all five of the Republicans' amendments considered for consideration.

Among the many challenges confronting us, none could be more elemental than protecting our water. Today, the nationwide system of wastewater infrastructure includes 16,000 publicly owned wastewater treatment plants, 100,000 major pumping stations, 600,000 miles of sanitary sewers, and 200,000 miles of storm sewers. It is estimated that we have already invested over $250 billion on the construction and maintenance of this system. However, we are now in danger of losing that investment, if we do not act to maintain and improve the system.

The vast majority of the Water Quality Investment Act of 2009 is made up of five bills that the House considered and passed during the 110th Congress, four of which were not addressed by the Senate. With any luck, our colleagues in the other body will be able to address these important issues this Congress.

The need for serious investment in our infrastructure is clear. In 2002, the EPA estimated that there will be a $534 billion gap between spending and needs for water and wastewater infrastructure in 2019. The EPA's Clean Watersheds Needs Survey of 2004 Report to Congress documented America's wastewater infrastructure needs at more than $202 billion, and these are numbers from several years ago.

The Water Quality Investment Act of 2009 authorizes $13.8 billion in Federal grants over 5 years to capitalize clean water State revolving loan funds that provide grants and low-interest loans to communities for water and wastewater infrastructure. These funds are critical to so many communities in the district that I represent. During December and January, it seemed like every local official that I met with had a water or wastewater infrastructure project that was shovel-ready and in dire need of stimulus funds. The funding authorized by this bill will help to address that backlog of need.

H.R. 1262 also authorizes $1.8 billion over the next 5 years for Sewer Overflow Control Grants programs. Addressing and eliminating combined sewer overflows is one of the biggest financial challenges facing communities in my district and all over the country.

Communities in the Northeastern United States tend to have old and deteriorating sewer systems. Old clay pipes with leaking joints and other weaknesses in the system allow outside water to infiltrate into the system. During heavy storms or spring snowmelt, this infiltration causes the system to overflow and discharge water and sewage into local rivers.

A number of county and municipal water systems in my district are facing multi-million dollar projects to prevent their systems from overflowing into the Mohawk River that runs from west to east across upstate New York and feeds into the Hudson River. Many of these communities have small populations, incapable of simply passing the cost of these projects on to ratepayers.

H.R. 1262 authorizes extended repayment periods of up to 30 years for the SRF loans to help lessen the burden on local ratepayers.

To further assist rural or small communities like these, the legislation also authorizes technical assistance to help them meet the requirements of the Clean Water Act and to assist them to gaining access to financing wastewater infrastructure. In the upstate New York district that I represent, I often hear from rural communities about the difficulties they have in finding and applying for grant and loan opportunities.

The most reliable way to prevent human illness from waterborne diseases and pathogens is to eliminate human exposure in discharged sewage.

While system repairs and upgrades take time to implement, timely public notice can limit the human exposure when these discharges occur. The Water Quality Investment Act also requires owners and operators of publicly owned treatment works to monitor for and provide timely notification of sewer overflows to Federal and State agencies, public health departments and the public at large.

The legislation properly extends Davis-Bacon prevailing wage protections to contractors on treatment works projects that are constructed with my assistance from the State revolving loan funds. This prevents ''cut-rate'' crews from performing shoddy work and ensures that local contractors can competitively bid on local water infrastructure projects.

The bill also reinstatements the applicability of the Buy American Act to construction projects funded by Clean Water Act. In this way, the bill ensures that the investment we make in our infrastructure has the greatest possible benefit on the American economy. The Buy American provisions included in the Water Quality Investment Act are consistent with the Buy American provisions included in the final conference agreement of the American Recovery and Reinvestment Act.

The bill also increases the authorization to remediate contamination in the Great Lakes. In 2002, the EPA reported that pollution was impairing the use of 91 percent of the Great Lakes shorelines and 99 percent of the Great Lakes open water.

□ 1030

Impairment means that the shoreline of the open waters did not meet all of the designated uses, including fishing, swimming, and suitability for aquatic life. The leading causes of this impairment were pathogens, metals—mainly mercury—and toxic organic compounds. EPA noted that the dominant cause of shoreline impairment was historic pollution in the form of contaminated sediment.

H.R. 1262 increases to $150 million per year the authorization for projects that address sediment contamination in the Great Lakes areas. Areas of concern are defined under the Great Lakes Water Quality Agreement between the United States and Canada as ecologically degraded geographic areas that require remediation. An area qualifies if at least one of 14 beneficial uses—fishing, swimming, drinking water, et cetera—is impaired as a result of contamination.

By increasing the authorization for the cleanup of contaminated sediment in the most polluted areas of the Great Lakes, the bill will improve opportunities for fishing, swimming, boating, and agriculture. This will help approximately 40 million people who live in the Great Lakes Basin. The level of authorization is consistent with the provision of the House-passed Great Lakes Legacy Act Reauthorization passed by the House in the fall of 2008.

Mr. Speaker, I strongly support the Water Quality Investment Act. I hope that my colleagues on both sides of the aisle will continue to support it as well.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my friend, the gentleman from New York (Mr. ARCURI), for the time, and I yield myself such time as I may consume.

American taxpayers have invested billions of dollars in our sewage treatment infrastructure resulting in decades of progress in reducing waterborne illness from contaminated drinking water. By the way, Mr. Speaker, if you look at the history of the 20th century, the single factor that contributed most to public health in the United States, and in the developed world generally, was the development, the spreading, if you will, throughout society of the ability of people to have access to clean water, clean drinking water. And so what we're dealing with today is perhaps more important than at first glance, it seems.

Now, unfortunately, whenever there has been, for example, an accidental breach in sewage treatment facilities, we see the repercussions of polluted water to public health, to our communities, and also to important industries such as tourism. That is why it is sound economic and environmental policy to invest in effective sewage treatment that ensures that the United States continues to have a healthy and vibrant aquatic ecosystem and clean water.

But the cost for these systems is expensive. In south Florida, the Miami-Dade Water and Sewer Department evaluated its wastewater needs through the year 2020 and determined that in order to maintain adequate transmission systems capability, treatment, disposal and the prevention of sanitary sewer overflows, that department alone in south Florida would have to spend over $2 billion. The cause of many sanitary sewer overflow events is that the infrastructure is failing due to structural deterioration and corrosion. So Federal funding, such as is provided in the Water Quality Investment Act of 2009, will give additional assistance to proactively identify the infrastructure requiring replacement prior to failure.

Included in the underlying bill is $13.8 billion in Federal grants over 5 years to capitalize the Clean Water State Revolving Funds for the construction of publicly owned wastewater treatment works and other wastewater infrastructure. And it provides low-interest loans to communities for wastewater infrastructure. These grants will encourage communities to consider alternative and innovative processes, materials, and technologies that maximize the potential for efficient water use, reuse, and conservation.

I would like to thank Chairman OBERSTAR and Ranking Member MICA for their hard work on this important bill that will help to keep our water safe and healthy and will also keep our ecosystem clean of wastewater.

Mr. Speaker, as you know, the underlying legislation consolidates five bills that passed the House in the 110th Congress. In the 110th Congress, the House considered two of these bills under modified rules. The majority set a precedent, thus, that these bills should be considered under at least modified open rules. Modified open rules allow Members in the House to debate and consider all amendments that are preprinted in the CONGRESSIONAL RECORD. So why not do the same today? Those two bills, even with a modified open rule, easily passed the House. So is the majority so afraid of debate that, even on a noncontroversial bill like this, they feel they must restrict debate? It's a shame.

It is unfortunate that the majority continues to backpedal on the open debate precedent—even that they themselves set. Yet, considering the way the majority has run this House in the last Congress and in this Congress, it's not a surprise; it is just the way the majority conducts business.

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

Mr. ARCURI. Mr. Speaker, my colleague from the Rules Committee mentioned that this bill is costly. There is no question there is a cost associated with clean water. But I would submit, how do you put a price tag on clean water? How do you put a price tag on keeping the water that your family drinks and the water that is so important to life on this planet clean? There is no real price tag that you can put on it.

In my own county, Oneida County in New York, we are under a consent order from the State of New York to eliminate sewer overflow that discharges into our river during storms. It would cost $150 million for our small community to fix our water system, but it's necessary for us to do that. And I would submit that, without projects such as this, local communities cannot keep their water clean and cannot do the kind of things that are necessary and so important for our country.

Mr. LINCOLN DIAZ-BALART of Florida. Would the gentleman yield?

Mr. ARCURI. I would yield.

Mr. LINCOLN DIAZ-BALART of Florida. Thank you. I hope my friend did understand that I praised the underlying legislation.

Mr. ARCURI. I understand.

Reclaiming my time, Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio, a former colleague from the Rules Committee, Ms. SUTTON.

Ms. SUTTON. I thank the gentleman from New York for his leadership on this issue and for the time that he has yielded to me.

Mr. Speaker, I rise today in support of the rule and the underlying legislation, H.R. 1262, the Water Quality Investment Act of 2009. This bill provides

a total investment of $18.7 billion over 5 years for much-needed water and environmental infrastructure. Not only will this bill help provide communities with improved water quality, but it must be remembered that it will create over 480 million jobs.

H.R. 1262 provides $13.8 billion in Federal grants to the Clean Water State Revolving Fund over the next 5 years. This fund provides low-interest loans to our communities so that they can repair wastewater infrastructure, and that is desperately needed. Like much of the Nation's infrastructure, the wastewater systems in my district are aging, and they are in dire need of repair, or, in some cases, replacement.

Mr. Speaker, I am also pleased that this legislation includes a ''buy American'' provision. This provision will require that steel, iron, and other manufactured goods used for the construction of these water projects are produced here in the United States.

The economic downturn has taken a toll on U.S. manufacturing, including the steel plants in my district in Ohio. And with this legislation, and with this ''buy American'' provision, we will be putting Americans back to work doing work that America needs to have done.

The bill also contains Davis-Bacon protections requiring that the workers who will do this work will be paid a local prevailing wage, a wage that will ensure that they are able to provide for their families, which is all that they really are looking to do.

Now, last year, Congress passed the Great Lakes Legacy Act to clean up contaminated toxic sediments that are endangering families and communities throughout the Great Lakes Basin, which is an area that is home to approximately 40 million people in eight States, including Ohio. As you may recall, Mr. Speaker, the House-passed version of that bill provided $150 million each year through fiscal year 2013 for cleaning up the Great Lakes. However, our colleagues on the other side of the Capitol in the Senate operate under different floor rules, and one Senator was able to block action on the bill until funding levels for this program were cut by two-thirds.

This bill also restores the funding level for the Great Lakes Legacy Act projects to the level initially—and overwhelmingly—passed by the House last September. The residents of the Great Lakes Basin have been waiting far too long for these toxic sites to be cleaned up. The funding in this bill will allow for the cleanup of all contaminated sediment in the Great Lakes region by 2020. For these reasons, I urge a ''yes'' vote on the bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my pleasure to yield 3 minutes to the distinguished gentlelady from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding, and I rise to support this rule, as well as the underlying legislation.

Mr. Speaker, it has been said that if the last century was all about the world's obsession with oil, that this century is going to be about water; fresh, clean water. Now, you cannot drink oil, but you cannot live without fresh, clean water.

In Michigan, we are truly blessed to be surrounded by the Great Lakes. These bodies of water are a world treasure—not just a national treasure, but a world treasure—because they comprise fully 20 percent, or one-fifth, of the fresh water drinking supply of our entire planet. Unfortunately, after years of industrial pollution and sewage overflows from aging, inadequate underground infrastructure and sewage systems, all of this has taken a toll on our magnificent Great Lakes.

This bill, the Water Quality Investment Act, continues a very proud tradition of continuing our efforts to improve water quality, both in the Great Lakes and around our Nation as well. I want to commend Chairman OBERSTAR, as well a Ranking Member MICA, for their work on these very important bills. As has been mentioned, we are consolidating five very important bills that passed the House last year into this one piece of legislation which is, again, so critically important to our fresh water supply in our Nation.

Specifically, this bill is authorizing $13.8 billion for capitalization grants for Clean Water Revolving Funds, and $1.8 billion for grants to deal specifically with sewer overflows. It is estimated, Mr. Speaker, that 24 billion gallons of municipal sewage find their way directly into local water systems every year, and that is the equivalent of over 100 olympic-size swimming pools full of sewage each and every day getting into our water supply. This legislation recognizes this problem and acts to correct it.

This bill also reauthorizes the Great Lakes Legacy Act, which, unfortunately, will expire next year if we don't take action now. As a result of this act, nearly 800,000 cubic yards of contaminated sediments have been removed from areas of concern in the Great Lakes Basin. But we still have a very long way to go. We need to continue this good work because 31 areas of concern which have been designated remain in the United States alone, and then there are five others that are split between the United States and the nation of Canada. This bill increases the authorization for this program up to $150 million annually, again, which will help us meet our goal of cleaning up the Great Lakes.

I also want to take a moment and mention my support for the application of Davis-Bacon requirements to projects funded from Clean Water Revolving Funds in this act. As a Member, Mr. Speaker, coming from the great State of Michigan, which is, unfortunately, suffering with over 11 percent unemployment today, I want to be absolutely certain that water infrastructure projects in my State are built by workers who live in my State, a State where we need every single job that we can get.

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

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentlewoman an additional minute.

Mrs. MILLER of Michigan. Davis-Bacon ensures that local workers benefit from projects being done in their area.

The Water Quality Investment Act will help us make great strides, I think, in efforts to maintain and to improve our Nation's water infrastructure and to clean up the Great Lakes. As I say, for all these water projects throughout our entire Nation, as my colleague from Florida has mentioned, this is such a critically important piece of legislation. On our side, I think you can expect an awful lot of support for this bill.

Clean water is not a partisan issue. Water doesn't know if it's in a Republican district or a Democratic district or what kind of district it is, but it is for those of us in Congress to speak up and to support, again, this rule and this bill, and I would certainly urge my colleagues to do so.

The SPEAKER pro tempore. Without objection, the gentleman from Colorado (Mr. POLIS) will control the remainder of the time.

There was no objection.

□ 1045

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

It's wonderful to see such strong words of support from both sides of the aisle for this important piece of legislation.

I rise today in support of this rule and ask my colleagues to join me and pass the Water Quality Investment Act of 2009. I would like to thank Chairman OBERSTAR and the members of the Transportation and Infrastructure Committee for bringing forward this legislation, which will protect clean water for Americans.

Clean water is essential to America's urban and rural communities. With this legislation, our cities will be able to take a comprehensive approach to water and wastewater management. It combines green and traditional methods to create a sustainable infrastructure that provides clean drinking water and leverages our precious natural resources to meet the demands of growth.

For agricultural uses, the advancements in water storage and treatment will provide reliable, clean water supplies that are good for the economic stability of our rural economies and improve the quality of our food supply, keeping Americans healthy. In these difficult economic times, the infrastructure improvements made possible through this legislation will create jobs and reduce costs for municipal governments. I ask my colleagues to

invest in clean, reliable water resources for all Americans by supporting this rule and voting for the Water Quality Investment Act.

This will also address the growing needs for improvements in our water treatment systems. Several sectors of our economy will benefit from the improvements in this bill. The Nation's farmers, fishermen, manufacturing, and tourism industries rely on clean water that carry out our economic activities that contribute more than $300 billion to our economy each year. Our wastewater infrastructure is badly in need of the investment that this bill provides, Mr. Speaker, especially the $13.8 billion in Federal grants that capitalize the Clean Water State Revolving Funds. States can use that money to repair and build wastewater treatment plants and pipes.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is a pleasure to yield 3 minutes to the distinguished gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, what we have before us is a rule on the Water Quality Investment Act, a rule sent to the floor by a committee the Speaker of the House controls, a Speaker who speaks often about the need for climate change legislation.

To that end, the Speaker of the House, Ms. PELOSI, went before the American people in February of 2007 and repeatedly disputed a report that her office requested a larger, fossil fuel burning military plane than has ever been used by a Speaker before. The type of plane which she denied requesting is exactly the type of plane that most certainly has a negative impact on our environment and the quality of water, the bill that is before us today under this structured rule. In fact, the Speaker went so far as to say in her rebuttal, ''We didn't ask for a larger plane, period.''

However, earlier this week, prior to the consideration of this rule we have before us now, new e-mail evidence was revealed that contradicts the Speaker's public statements from 2 years ago. These e-mails between the Speaker's staff and the Department of Defense show that it was the Speaker's office that requested the larger plane, not once but repeatedly.

While we are considering legislation today to provide quality water to the American people, I think we should also note for the American people that spending their taxpayer dollars on a luxurious plane for Speaker PELOSI could negatively impact the environment and our quality of water. But even if you disagree with me on that, you should be troubled by these new facts. These newly reported facts contradict the Speaker's prior statement, possibly jeopardizing the faith of the American people, who we are here today representing and trying to help with this water quality bill.

Most alarmingly, a member of the Speaker's staff threatened a wartime budget of the Defense Department, implying that unless the Speaker's demands for personal luxuries were met, the defense budget itself would be placed in jeopardy. This is a department that has spent many resources developing and promoting clean water technology, like this bill before us today purports to do.

What did the Speaker know and when did she know it? The American people deserve the truth, something that this uncovered e-mail evidence shows the Speaker has not been telling them.

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

According to the Environmental Protection Agency, without continued improvements in wastewater treatment infrastructure, future population growth will erode away many of the important achievements of the Clean Water Act. Without the sort of improvements that this bill, this bipartisan bill, includes, EPA projects that by 2016 waster water treatment plants nationwide may discharge pollutants into U.S. waters at levels similar to those in the mid 1970s.

Mr. Speaker, this bill allows us to move forward rather than backward with regard to making sure that America's water supply is clean and safe. By requiring that workers on projects funded by the Clean Water State Revolving Funds be paid local prevailing wages, this bill promotes the payment of fair wages, as my colleague from Michigan pointed out on the other side of the aisle. This is important, both for its stimulative effect as well as being a future investment in our country.

The EPA reported in 2002 that pollution is impairing the use of 91 percent of the shoreline of the Great Lakes and 99 percent of Great Lakes open water. By authorizing $750 million for cleanup of the Great Lakes, this bill will improve opportunities for fishing, swimming, boating, agriculture, industry, and shipping for the 40 million people in one of the hardest-hit areas of our country in the recession who live in the Great Lakes Basin.

The vast majority of the provisions of this bill were contained in five bills that were passed in the House in the 110th Congress, most of them with broad bipartisan support, and it passed the committee by a voice vote. The provisions in this bill are similar. By reinstating the applicability of the Buy American Act for the construction of projects funded, we can ensure that our money will be spent here and that the infrastructure expenditures will have the greatest possible benefit for the American people and the American economy.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank all of our colleagues who have taken to the floor to speak about this underlying legislation, which is important. Again, I want to thank Chairman OBERSTAR and Ranking Member MICA for their hard work in bringing forward this legislation and allowing the House to consider it today. I see that it's Thursday and the House has been waiting all week to get to this legislation, so I commend the majority for finally bringing the legislation to the floor on Thursday.

Having seen the reiteration of bipartisan support for the underlying legislation, I do so again, and once again I thank all our colleagues that have come to speak on the underlying legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

With regard to this rule, we are, in fact, advancing to the floor all of the amendments that were recommended in advance by the minority party. This will allow a full discussion, debate, and vote on all the important issues that still divide us on this bipartisan piece of legislation.

Mr. Speaker, the vast majority of the Water Quality Investment Act of 2009 is made up of five bills that passed the House with strong bipartisan support during the 110th Congress. Four of those bills were never addressed by the Senate. Those measures are:

First, the Water Quality Financing Act of 2007, which was passed by the House on March 7, 2007, by a vote of 303–108. Provisions of that bill comprise title I of the legislation we will consider today.

Secondly, the Healthy Communities Water Supply Act, passed by the House of Representatives on March 8, 2007, by a vote of 368–59. That legislation is included in H.R. 1262 as title II.

Third, the Water Quality Investment Act of 2007, passed by the House on March 7, 2007, by a vote of 367–58. Provisions of that bill comprise title III of the legislation that we will consider today.

Fourth, the Sewage Overflow Community Right-to-Know Act, which was passed by the House on June 24, 2008, by voice vote under suspension of the rules. This legislation is included in H.R. 1262 as title IV.

The Water Quality Investment Act of 2009 also includes an increased authorization for eligible projects that address contamination within the Great Lakes Areas of Concern. The authorization for these programs is consistent with the authorization contained in a previous version of the Great Lakes Reauthorization Act of 2008, which the House passed on September 18, 2008, by a vote of 371–20.

I would also like to emphasize that the rule for debate today makes in order every single amendment filed by the minority party. This rule will allow for a full debate of the issues involved. At the end of that debate, I hope that this legislation will enjoy the same bipartisan support that its

components enjoyed in the last Congress.

This bill will accomplish two things that have already become a key characteristic of all of our efforts here in the 111th Congress: It will create jobs and it will save energy. The Water Quality Investment Act will support quality paying jobs by ensuring that workers receive no less than local prevailing wages. By authorizing funding for cleanup of the Great Lakes, the bill will improve opportunities in the fishing, swimming, boating, agriculture, and shipping industries, which support approximately 40 million people in the Great Lakes Basin whose livelihoods are directly dependent upon clean water resources.

This bill has a thoughtful eye on the future by taking into account energy efficiency and water conservation. As a westerner, I understand the vast challenges we face with regard to our water supply. Establishing our water infrastructure that encourages and promotes conservation is of incredible importance for regions that will only see their water sources become fewer and farther between. In Colorado, we rely on clean water not only for municipal and agricultural use, but entire communities are supported by visiting kayakers, fly fishermen, and outdoorsmen from across the country who flock to our pristine rivers and streams. Our environment, communities, industries, and businesses all stand to gain under the provisions of this law. Without the infrastructure investments in this bill, the EPA has projected that our water quality could be set back decades to pre-Clean Water Act levels.

I urge my colleagues to vote ''yes'' on the rule and to vote ''yes'' on the underlying bill.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING PROCEEDINGS TODAY

Mr. POLIS. Mr. Speaker, I ask unanimous consent that during proceedings today in the House and in the Committee of the Whole, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any questions that otherwise could be subjected to 5-minute voting under clause 8 or 9 of rule XX or under clause 6 of rule XVIII.

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

There was no objection.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 1262 and include extraneous materials in the RECORD.

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

There was no objection.

WATER QUALITY INVESTMENT ACT OF 2009

The SPEAKER pro tempore (Ms. SUTTON). Pursuant to House Resolution H. Res. 235 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1262.

□ 1058

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1262), with Mr. PASTOR of Arizona in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Thank you, Mr. Chairman. I yield myself such time as I may consume.

The bill pending before us has been so well described in the discussion of the rule that it seems superfluous to repeat the major items of the pending legislation.

At the Rules Committee yesterday, I said, and our floor manager for the Rules Committee restated, that we bring to the House bills that passed the House in the 110th Congress individually. The gentleman from Colorado read off the votes, which were overwhelming, well over 300-plus votes in favor of each of those bills; just bipartisanship, nonpartisanship, overwhelming support for these measures.

Unfortunately, they went to the other body, never to be heard of again. So we thought it would be a better approach this year to combine those all into one bill, and maybe the other body can do one bill instead of five, we are hoping.

The commitment to clean water, though, cannot be taken so slightly, cannot be just subject to ''hotline holds'' by the other body, cannot be subject to undisclosed holds, cannot be subject to indifference to action. The agenda for clean water is ours. It's for the next generation. It's to hand on to the next generation water in better condition than we received it from the previous generation.

I have been on the Committee on Transportation and Infrastructure from the time it was the Committee on Public Works. I started my career in this House in January of 1963 as Clerk of the Subcommittee on Rivers and Harbors, the oldest committee of the House, the first committee of the House.

Our work has evolved over many years to encompass a wide range of issues related to investment in the Nation's well-being, but none more fundamental, more important, than water. All the water we ever had on this Earth, or ever will have, is with us today. We aren't going to create new water from any technological source. No comet is likely to come into our orbit and deposit new ice to form water. Our responsibility is to care for the water we have.

Every day, 42 trillion gallons of moisture passes over the continental United States. Ten percent of that falls as moisture, 4.2 trillion gallons. Of that, some .4 trillion gallons is absorbed by the soil or evaporates. The rest, some 680 billion gallons, goes into surface waters of the United States. That is all we have every day, 680-some billion gallons.

We have to manage it well, make sure that we use it properly, that we return to the streams and lakes and estuaries of the Nation water in clean condition. This legislation will move us in that direction.

The centerpiece of this $18.7 billion package of bills is restoration of and reauthorization of the State Revolving Fund from which funds are borrowed by municipalities to build wastewater treatment facilities, sewer lines, interceptor sewers, separate storm and combine storm and sanitary sewers. But for a dozen years, until the 110th Congress, that legislation had expired and had not been reauthorized. The funding was continued, but at lower levels of appropriation, for each of those 12 years until the 110th Congress.

That leveled off, because the authorization legislation could never make its way to the House floor, even though our committee was prepared to do that. We had bipartisan support within the committee, but could never get it to the House floor.

Well, we brought it to the floor in the 110th and passed it overwhelmingly, as I said earlier. It went to the Senate, and that has not moved.

The stimulus legislation provides funding of $4.6 billion, half in loans and half in grant funds to the State Revolving Funds to create jobs and to deal with the backlog of need in State wastewater treatment programs and sewer upgrades. Hardly a week goes by that I don't read of a matter main break or a sewer line break somewhere in this country.

It is commentary on the aging wastewater structure of this country and the need to rebuild it, need to upgrade our sewage treatment plant facilities built in the 1970s and some in the 1980s that are beyond their capacities or that are in need of new technology upgrades. This legislation will move us in the direction of dealing with those needs.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 9, 2009.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: I write to you regarding H.R. 1262, ''the Water Quality Investment Act of 2009.''

Section 1501 of H.R. 1262, as ordered reported, increases vessel tonnage duties. This provision falls within the jurisdiction of the Committee on Ways and Means. In addition, H.R. 1262 violates clause 5(a) of Rule XXI, which restricts bills and amendments from carrying taxes and tariffs not reported by the Ways and Means Committee.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill and will not oppose H.R. 1262 being given a waiver of Rule XXI. However, I agree to waive consideration of this bill with the understanding that this does not in any way prejudice the Committee on Ways and Means or its jurisdictional prerogatives on H.R. 1262 or similar legislation.

Further, the Ways and Means Committee reserves the right to seek the appointment of conferees during any House-Senate conference convened on this legislation on provisions of the bill that are within the Committee's jurisdiction. I ask for your commitment to support any request by the Committee on Ways and Means for the appointment of conferees on H.R. 1262 or similar legislation. I also ask that a copy of this letter and your response be placed in the Committee report on H.R. 1262 and in the CONGRESSIONAL RECORD during consideration of this bill by the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, March 9, 2009.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN RANGEL: Thank you for your recent letter regarding H.R. 1262, the ''Water Quality Investment Act of 2009''. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that section 1501 of H.R. 1262, as ordered reported, is of jurisdictional interest to the Committee on Ways and Means. I acknowledge that, by foregoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Ways and Means has jurisdiction in H.R. 1262.

This exchange of letters will be placed in the Committee Report on H.R. 1262 and inserted in the CONGRESSIONAL RECORD as part of the consideration of this legislation in the House. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

I look forward to working with you as we move ahead with this important legislation.

Sincerely,

JAMES L. OBERSTAR,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, March 6, 2009.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN, I am writing to you concerning the jurisdictional interest of the Committee on Science and Technology in H.R. 1262, the Water Quality Investment Act of 2009. The bill contains certain provisions which are within the Committee on Science and Technology's jurisdiction.

The Committee on Science and Technology acknowledges the importance of H.R. 1262 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forgo a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Science and Technology and that a copy of this letter and of your response will be included in the legislative report on H.R. 1262 and the CONGRESSIONAL RECORD when the bill is considered on the House Floor.

The Committee on Science and Technology also asks that you support our request to be conferees on any provisions over which we have jurisdiction during any House-Senate conference on this legislation.

Thank you for, your attention to this matter, and I look forward to working with you to pass this important legislation.

Sincerely,

BART GORDON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, March 6, 2009.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, Washington, DC.

DEAR CHAIRMAN GORDON: Thank you for your letter regarding H.R. 1262, the ''Water Quality Investment Act of 2009''.

I appreciate your willingness to waive rights to further consideration of H.R. 1262, notwithstanding the jurisdictional interest of the Committee on Science and Technology. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this or similar legislation. Further, I will support your request to be represented in a House-Senate conference on those provisions over which the Committee on Science and Technology has jurisdiction in H.R. 1262.

This exchange of letters will be placed in the Committee Report on H.R. 1262 and inserted in the CONGRESSIONAL RECORD as part of the consideration of this legislation in the House. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR,
Chairman.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, anyone who drives on our bridges and roads, ships freight through our rivers and locks, or who has the responsibility to maintain our water quality knows that our country's infrastructure system needs attention. We as a Nation have allowed important components of our economic security to fall into disrepair.

Maintaining municipal water infrastructure has long been a local responsibility. It's a difficult task. Around the country, many communities have gotten behind.

To address this problem, we need a collective effort that focuses both on reducing cost and on increasing investment in water infrastructure at all levels, including Federal, State and local governments, local ratepayers and the private sector. No one element will be able to carry this responsibility alone.

The Congress believes in helping those communities that need help to get back into control of their wastewater management program and developing good management practices to ensure that the Federal Government does not become the financing mechanism of choice for these systems.

Our Nation's quality of life and economic well-being rely on clean water. However, that challenge to continue providing clean water is substantial, as our existing national wastewater structure is aging, deteriorating and in need of repair, replacement and upgrading.

As a Nation, we are not investing enough in our wastewater infrastructure to ensure that we will continue to keep our waters clean. Unless we act, we could lose the significant gains in water quality that have been achieved over the last 30 years.

In addition to reauthorizing the Clean Water State Revolving Fund, the bill also extends the pilot program under the Clean Water Act for alternative water source projects. Many communities are finding that their water needs cannot be met by existing water supplies. As a result, they are looking at alternative ways to alleviate their water shortages and enhance water supplies to meet their future water needs.

Some of these approaches they are looking at involve reclaiming, reusing or conserving water that has already been used. This bill helps them do that.

H.R. 1262 provides an authority to help communities meet some of their critical water supply needs through water reclamation, reuse, conservation and management. The bill authorizes $250 million over 5 years for the EPA to make grants to water resource development agencies for these sorts of alternative water source projects.

Another provision of H.R. 1262 reauthorizes grants to help communities address the widespread problem in our country of sewer overflows. As a result of inadequate or outdated wastewater infrastructure, raw sewage can flow into rivers or back up into people's basements. To provide communities some assistance to meet these needs, the bill authorizes additional resources for EPA to make sewer overflow control grants totaling $1.8 billion to States and local communities.

The Water Quality Investment Act also contains a provision to improve the public's confidence in the quality

of our Nation's waters and protect public health and safety. This provision requires that communities monitor for potential overflows in their sewer systems and notify the public whenever a release would threaten public health and safety. The public has a right to know when their lives are threatened by sewer releases.

Also included in this reauthorization is a reauthorization of the Great Lakes Legacy Act, authored by VERN EHLERS and enacted in 2002. The Great Lakes Legacy Act authorized the Environmental Protection Agency to carry out qualified sediment remediation projects and conduct research and development of innovative approaches, technologies and techniques for the remediation of contaminated sediment in the Great Lakes.

While I agree very much with the clean water goals of H.R. 1262, I am disappointed that the majority included language that requires Davis-Bacon wage rates to be used for all projects receiving any money from the Clean Water State Revolving Fund. Even projects paid for with State contributed funds will be subject to the higher wage rates.

I am not a supporter of Davis-Bacon, because it will make clean water projects cost more. It will especially hurt small disadvantaged communities who are trying to clean up their local waters, and it will force States that do not have their own prevailing wage rate law to adopt the expensive Federal Davis-Bacon requirement. The result will be fewer projects, fewer jobs and less clean water.

Despite my concerns with Davis-Bacon, I believe this to be a very, very good bill, a very, very good underlying bill, and I very much support it.

I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield 5 minutes to the distinguished Chair of the Water Resources Subcommittee, Ms. JOHNSON of Texas, and yield myself 5 seconds to compliment her on the splendid work she has done in chairing this subcommittee in the 110th and in this Congress, and the groundwork she has laid to bring this legislation to the floor.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you to the Chair of the full committee and to the subcommittee members, as well as the full committee.

I rise in strong support of the Water Quality Investment Act of 2009. This legislation authorizes almost $19 billion to protect and restore the integrity of U.S. waters, which are one of this country's most valuable natural resources. Over the past several decades, we have made significant progress in improving the quality of our water. Unfortunately, much of this progress is now at risk.

Today, approximately 40 percent of the rivers, lakes and coastal waters do not meet State water quality standards, and the problem is getting worse. Based on EPA estimates, without significant additional investment in our Nation's system of wastewater infrastructure, discharges into the U.S. waters could reach levels not seen since 1968, 4 years before the enactment of the 1972 Clean Water Act.

Moreover, much of the United States' water structure is approaching or has exceeded its projected useful life and is now in need of repair or replacement. Without significant investment now, this could have dire consequences for human health, aquatic ecosystems and our overall quality of life.

The Environmental Protection Agency and others estimate that we will need to invest between $300 billion to $400 billion over the next 20 years to address these water infrastructure needs. Current estimates show an annual funding gap of between $3 billion to $11 billion over our existing expenditures, from Federal, State and local sources.

This legislation will help jump-start the investment in these needs so that we will continue to have access to clean, safe water and so future generations can continue to enjoy the economic and recreational benefits of our water resources.

The Water Quality Investment Act of 2009 contains five titles which, together, will make great progress to this end. Each of these titles contain legislative proposals that passed through the House in the 110th Congress. Unfortunately, these important bills never became law.

The first title reauthorizes the Clean Water State Revolving Fund legislation. It is intended to address the Nation's infrastructure needs and to reaffirm the Federal commitment toward meeting the goals of the Clean Water Act. This title reauthorizes the Federal grant program for capitalizing State Revolving Funds at $13.8 billion over next 5 years.

Further, the reauthorization provides increased flexibility in the types of projects that the State Revolving Fund can finance. In addition, it seeks to improve the efficiency of our wastewater infrastructure by promoting, to the maximum extent practicable, the use of more energy and water-efficient practices.

□ 1115

This creates incentives for alternative energy approaches that will lower energy costs and reduce our greenhouse gas emissions. It also encourages the development of ''green infrastructure'' that decreases the amount of storm water that enters our waterways, relieving some of the strain on our aging wastewater treatment systems.

It also provides the States with increased flexibility in financing packages so they can offer the cities and local communities principal forgiveness and negative interest loans. This is intended to assist communities in meeting their water quality infrastructure goals, which is critical in this time of economic stress.

Title II of the Water Quality Investment Act of 2009 provides funding for the pilot program for alternative water source projects, and this program provides $250 million in grant funding for a variety of projects, such as water reuse and recycling.

Title III of the legislation reauthorizes the Sewer Overflow Grant Program. This section provides $1.8 billion over the next 5 years in grant funding for States to control combined sewer overflows. These overflows discharge annually an estimated 850 billion gallons of untreated or partially treated sewage directly into local waters.

In addition, combined sewer overflows are often the direct cause of beach closures, contamination of drinking water supplies, and other environmental and public health problems. This program will help address the critical needs of the approximately 700 communities in the United States that still depend on combined sewer systems.

The CHAIR. The time of the gentlewoman has expired.

Mr. OBERSTAR. I yield 1 additional minute.

Ms. EDDIE BERNICE JOHNSON of Texas. Title IV of the Water Quality Investment Act of 2009 creates a new Sewer Overflow Right-To-Know program. The legislation amends the Clean Water Act to require owners and operators of publicly owned treatment works to notify Federal and State agencies, public health officials, and the public of sewer overflows. This is an important step to increase transparency of this public health-related information and to protect the well-being of the public.

Finally, Title V of the legislation completes some unfinished business in last year's Great Lakes Legacy Act. This provides funding for the cleanup of contaminated sediment around the Great Lakes.

My colleagues, it has been over 20 years since Congress last authorized appropriations for the Clean Water State Revolving Fund. These programs cannot wait any longer while the quality of our water deteriorates. It is time that Congress completes the task of sending these important provisions to the President for signing.

I encourage my colleagues to join me in voting for this act.

Mr. BOOZMAN. I continue to reserve the balance of my time.

Mr. OBERSTAR. I yield 2 minutes to a hardworking member of the committee, the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. On behalf of the residents of eastern Long Island, I would like to commend Chairman OBERSTAR and Chairwoman JOHNSON for their leadership and unwavering dedication to clean water issues. I would also like to thank Ranking Member BOOZMAN and the committee staff for their hard work and commitment to advancing this legislation.

The Water Quality Investment Act will renew our commitment to clean

water in America and provide funding to chip away at the tremendous backlog of water infrastructure needs across the Nation. This legislation will increase investment, reduce costs, and promote efficiency in our water infrastructure.

I am particularly proud of Title IV of the bill that provides monitoring, reporting, and public notification of sewer overflows. My good friend, Mr. LOBIONDO of New Jersey, and I have worked to advance this issue for several years through independent legislation, the Sewage Overflow Community Right-To-Know Act, that is a part of this legislation.

Sewer overflows discharge roughly 850 billion gallons of sewage annually into local waters. These discharges end up in local rivers, lakes, streams, and the ocean.

The best way to avoid health and environmental concerns from sewer overflows is to ensure that they never occur in the first place, a primary goal of this legislation. However, even with significant increases in investment, sewer overflows will continue to occur. Therefore, it is imperative that we provide the public with comprehensive and timely notification of sewer overflows, which is also accomplished in this bill.

Mr. Chairman, the Water Quality Investment Act makes investments today to protect our families tomorrow. I encourage my colleagues to vote in favor of this commonsense legislation to ensure we maintain our commitment to clean water.

Mr. BOOZMAN. I will continue to reserve.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan, defender of the Great Lakes water, Mr. STUPAK.

Mr. STUPAK. I thank the gentleman for yielding, as I rise in support of H.R. 1262, the Water Quality Investment Act of 2009. I wish to personally thank Chairman OBERSTAR for his work and for including a provision I requested, which will improve water quality in the Great Lakes.

Water pollution in the Great Lakes comes from both Canadian and U.S. sources. In my district, residents of Sugar Island, located within the St. Mary's River Area of Concern, have to deal with water contaminated with E. coli, coliform, and other bacteria along their shoreline.

The problem is neither they, nor Federal or State regulators, have a clear understanding of how much the pollution is American in origin, how much is Canadian, resulting in a great deal of finger-pointing over responsibility for cleanup.

My provision within the manager's amendment would require the EPA to conduct a study, in consultation with the Department of State and the Canadian government, on all pollution discharges from wastewater treatment facilities into the Great Lakes. When the study is complete, the EPA is to provide recommendations on how to improve information-sharing and coordination between the two countries to protect the water quality of the Great Lakes. It is my hope that, with the conclusion of the study, our two countries can coordinate to meet our mutual goal of protecting Great Lakes water quality.

Again, thank you, Mr. Chairman, for addressing our concerns. This legislation will play an important role in helping communities upgrade and repair their aging water infrastructure, which will ensure the health of the Great Lakes, a source of drinking water for 45 million people.

I urge my colleagues to support this vital legislation.

Mr. OBERSTAR. How much time remains on both sides?

The CHAIR. The gentleman from Arkansas has 24½ minutes. The gentleman from Minnesota has 14½ minutes.

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

Mr. BOOZMAN. I yield such time as he may consume to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding. I rise in strong support of H.R. 1262, the Water Quality Investment Act of 2009. As previously stated, this legislation is an accumulation of five bills that individually overwhelmingly passed the House of Representatives in the 110th Congress but which were held up or significantly altered in the Senate.

I echo the comments made by Chairman OBERSTAR at the Transportation and Infrastructure markup, that, by bundling these bills together, we can make it even easier for the Senate to act quickly. The provisions in this bill will go far toward helping restore and protect the Great Lakes, the largest fresh water source on the planet.

I have spent a considerable amount of time on this issue over the years. I want to deeply thank Chairman OBERSTAR for his dedication to this and his willingness to combine these bills in a very meaningful fashion. I also thank Mr. BOOZMAN for his good work on it, and Ranking Member MICA for his help as well.

Of particular interest to me is the reauthorization of the Great Lakes Legacy Act. The Great Lakes are plagued by toxic contaminants from years of industrial pollution that have settled in the sediment of tributaries to the lakes. These legacy pollutants degrade the health of both humans and wildlife and, if they are not cleaned up, they will remain toxic for generations to come.

We have known about these toxic materials for years. We lived in the vain hope that they might just stay in the sediments at the river bottom and not move into the lakes. But we now know that they are moving into the lakes. And that is the reason I authored the Legacy Act several years ago.

I have to say that the highest compliment I have received on that bill, and I have received it numerous times, is that this is the most effective, best Federal cleanup bill that was ever passed. Maybe we can now use this as a successful model to go back and clean up all the rest of the toxic dumps using the same approach we used here.

That is why I introduced the Great Lakes Legacy Act in the 107th Congress. With bipartisan support, Congress passed, and the President signed, the Legacy Act in 2002. Since then, the Legacy Act has been heralded, as I said, as the best and most effective Federal environmental cleanup program.

The interesting aspect of it, which was gratifying in some ways but disappointing in others, is that while the President of the United States every year requested the full authorization in his budget request, the Congress did not appropriate the money that the President had suggested. And I hope, Mr. Chairman and Mr. Ranking Member, that we can both work on this and make sure the appropriators are willing to appropriate the full ammount that the President requests. We would be far ahead in cleaning up the toxic sediments.

Last year, Chairman OBERSTAR and I introduced the Great Lakes Legacy Reauthorization Act, which increased the authorization from $50 million per year to $150 million per year for 5 years. According to the Great Lakes Regional Collaboration Strategy, if fully appropriated, this amount can potentially clean up all of the toxic sediments in the Great Lakes watershed in 10 years. That would be a major accomplishment at relatively low cost, and will stop the problem for all time.

Although the House last year passed this bill by a resounding 371–20 vote, the Senate was unable to overcome the objection of a single Senator who did not want to increase this authorization. A compromise was reached to reauthorize the program at its prior funding level, but to only reauthorize the program for 2 years.

During floor debate last year, Chairman OBERSTAR vowed to address this issue in the 111th Congress, and I am grateful that he has honored that promise in one of the first committee water bills to be taken up by the House in this Congress.

I also thank Chairman OBERSTAR and Ranking Member MICA for their support, as well as Ranking Member BOOZMAN. Their dedication to the Great Lakes issues have been most appreciated throughout the entire Midwest. The Great Lakes are the greatest treasure of pure water in the United States, and I am convinced that in the future water is going to be worth more than oil to the industrial machinery of our Nation. I believe you will see a resurgence of manufacturing and population around the Great Lakes, simply because of the availability of abundant clean water.

I am hopeful the Senate will be able to pass this bill soon so that we can

speed our efforts to clean up and protect the Great Lakes. I urge all Members to support this important legislation. Once again, I thank all those who worked so hard on these bills so that they could reach this state. We hope to see them signed into law very soon.

Thank you, again, for the time.

Mr. OBERSTAR. I yield myself 1 minute to express my great appreciation to Mr. MICA for the splendid cooperation we have had and the bipartisan spirit in which we approached combining these bills into one package, one piece of legislation for the House floor; Ms. JOHNSON, for her splendid leadership as chair of the subcommittee; Mr. BOOZMAN as the ranking member, who has done splendid service to the Nation in his championship of water; and Mr. EHLERS. If it were up to me, I would rename this the Vern Ehlers Great Lakes Legacy Act. At some point in time, I think we will come to do that.

We do have a President from the Great Lakes region who has increased funding for the Great Lakes in the budget, but the details are yet to come. The overall dollar amount is increased, I'd say, Mr. Chairman. And I hope to work closely with the gentleman from Michigan as the details of the budget come out to designate the appropriate amount of funding for the Great Lakes Legacy Act.

I yield 2 minutes to a refugee from the Committee on Transportation and Infrastructure, but still an advocate for our programs, particularly for clean water, the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Thank you, Mr. Chairman. I rise in support of H.R. 1262, the Water Quality Investment Act. I want to commend Chairman OBERSTAR and Subcommittee Chairwoman JOHNSON for bringing this critical legislation to the floor, and it has had bipartisan support for quite a few years. We didn't give up on it, did we?

H.R. 1262 makes many crucial investments in our country's water infrastructure system. Section 3 of the bill contains language we originally introduced a few years ago in our Water Quality Investment Act. The language authorizes $1.8 billion in appropriations for grants to municipalities and States to control combined sewer overflows and sanitary sewer overflows. The municipalities just don't have the money to do this, yet we mandate them to do it. Figure that out.

□ 1130

Funding for infrastructure projects will help create jobs and spur the economy. For every $1 billion, we create 40,000 jobs.

My provision is very important, especially for my colleagues in the Northeast and the Great Lakes area. Many of our older cities have combined sewer systems and suffer from overflows that send sewage and untreated waste flowing into streets, basements, rivers, and lakes. All in all, a total of 772 municipalities have combined sewer systems, serving approximately 40 million people. Problems that arise during wet weather events can be devastating and are one of the most pressing issues facing urban America. Our communities must be given access to the Federal resources necessary to upgrade their systems and to upgrade the Clean Water Act.

In its 2004 Clean Water Needs survey, the EPA estimated the cost to communities of addressing these particular problems at almost $55 billion and the cost of the SSO problems to be $88.5 billion; and here we are, $1.8 billion.

The CHAIR. The time of the gentleman has expired.

Mr. OBERSTAR. I yield the gentleman an additional 1 minute.

Mr. PASCRELL. The vast majority of these costs will be borne by local communities, many with fewer than 10,000 people. As a former mayor, I know how difficult it is to keep a town going in tough economic times. These communities are struggling financially. Many are laying off critical personnel, like police officers and firefighters and teachers, because they struggle to provide even the most essential services. During our current economic crisis, upgrading these infrastructures is completely out of reach to most of these towns.

H.R. 1262 serves many purposes financially and healthwise. I commend people on both sides of the aisle for making sure this gets done today, and we hope the folks on the other side of the building understand what this is all about. I pray for that.

Mr. BOOZMAN. Mr. Chairman, I yield such time as he would like to our distinguished ranking member, the gentleman from Florida (Mr. MICA).

Mr. MICA. I thank the gentleman from Arkansas for yielding, and appreciate his leadership.

As our ranking Republican leader on the Water Resources Subcommittee, I also want to thank Mr. OBERSTAR, my chairman of the full committee, who I am pleased to work with on our side of the aisle in what has been I think an example for the Congress, a bipartisan relationship, during the last 2 years. I want to compliment him on the water resources bill that we did together, when we sat down and we said we had not reauthorized water resources legislation for some 7 years, and we made a commitment together that we thought was in the best interest of the Nation.

Previously, the authorization levels were $4 billion or $5 billion. The bill that we offered, and there had been a backlog of projects and need for investment in our water resources infrastructure, was a $24 billion measure which, unfortunately, got vetoed by the former President. But I helped in leading the 107th veto override in the history of the Congress, because both Mr. OBERSTAR and I, Democrats and Republicans, agreed. There were some disagreements with the administration, but we agreed that we had to invest in this Nation's infrastructure; that our sewer systems, our water systems, the basic infrastructure of this country needed that investment. We can't have in the United States Third-World water and sewer systems or storm drainage systems or antiquated municipal systems that serve our people, and essential public services that are outdated, aging, crumbling. So we made that commitment together.

Now, I was noticing that this legislation here, we passed five bills last time. Four of the bills, and I have the votes here, were all over 360 votes, a very small number of people in opposition to four of the votes. I think I supported all four of the measures. We did combine, however, in here an important bill that the chairman led, the provisions of House Resolution 720, that reauthorized State resolving funds and provides $13 billion over 5 years in Federal assistance to further capitalize the funds for these projects, and this is a very important fund.

Now, let me just say that while I am supportive of the overall legislation, even the level of funding that we put in here, I do have one reservation about the extension of the requirement for prevailing wage. And this is not a union-set wage; that is not the issue; it is a prevailing wage, and the way it is assessed in some of our areas. We have 18 States that will be penalized by having their funds that previously weren't subject to this, and they are State funds, and funds that come back into their fund are now also made subject to this prevailing Federal wage provision. And that is the one objection I do have to this legislation. Another gentleman from Florida (Mr. MACK) will offer an amendment, which we all agreed should be fully debated and heard. But that is my issue.

Now, if that provision comes out of the bill, I would support the entire measure. I am sorry that this small point that I disagree on would cause me not to support this bill on final passage if it is included. But this is basically a good piece of legislation. It does have a question about extension of some of these things, these prevailing wage issues and, again, the way they assess this prevailing wage; and maybe we should go back and change this.

First of all, I have no problem with prevailing wage, and we should have it in our large urban areas. We should also give States discretion to set levels of wage even beyond the Federal requirement, and some of those jurisdictions do. We do have a Federal minimum wage, so no one is trying to make people work for less than the Federal minimum. But sometimes the area in which we assess that prevailing wage does expand into some of the smaller communities. So they are going to be paying more and getting less, or marginal projects will get left behind because they don't have the resources that they can expend. And it does, again, diminish the amount of money that they can have available by

this new requirement. So that is the one area of disagreement we have.

I compliment the staff, the ranking member's, Ms. JOHNSON—I don't see her here today—Mr. OBERSTAR, and the gentleman from Arkansas (Mr. BOOZMAN) for their leadership on this issue, and I hope we can proceed. And I hope that even if this does pass today with that provision, that we can work with the other body and make the basic provisions of this legislation the law of the land and improve our infrastructure.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), a former member of the Committee on Transportation and Infrastructure, an adjunct member of the committee.

Mr. BLUMENAUER. I prefer, Mr. Chairman, to think of myself as an associate member of the committee. It is a source of great pride and interest for me to have served under your leadership for 12 years on that committee and with EDDIE BERNICE JOHNSON on this subcommittee.

I rise in support of this bill today. I take modest exception to my good friend from Florida talking about the problems of prevailing wage. We have only to look at Louisiana and New Orleans, and the post-Katrina debacle where we suspended Davis-Bacon, What happened? The work was done for people literally who were working in many cases for barely minimum wage, there was all sorts of money involved went to subcontracts and we had a lot of shoddy workmanship.

In my State, the voters took this on directly, voting 60/40 to have a State prevailing wage. This protects working men and women and helps provide better quality of workmanship on these critical projects. We need the best workmanship, and we need this bill.

Our Nation's water infrastructure has grown while funding has declined. The American Society of Civil Engineers came out with their 5-year report card, and guess what—water infrastructure: D-minus. And some would say they were grading on a curve.

We have massive needs in the foreseeable future, and the Water Quality Investment Act is an important step towards meeting those needs. It recognizes the challenges we face and will provide communities with new tools to cope with them.

I particularly appreciate the support for green infrastructure and the general movement towards a more sustainable system, both fiscally and environmentally. Green infrastructure often involves nonstructural approaches that can have added environmental and quality-of-life benefits that save communities money.

I worked for 10 years in Portland as Commissioner of Public Works on cleaning up the Willamette River that flows through the heart of our city. We had to spend $1 billion on a big pipe, because it rains all the time in Portland, and any time it rained more than two-tenths of an inch in 2 hours, we were having overflow into that river. But we also worked on nonstructural approaches. We found that green infrastructure reduced peak flows by 80 to 85 percent. We disconnected almost 50,000 downspouts at $53 per downspout. It cost less than $3 million but reduced over 1.2 billion gallons of runoff. If we had tried to do that only with big pipes, it would have cost far, far more, literally hundreds of millions of dollars.

The CHAIR. The time of the gentleman has again expired.

Mr. OBERSTAR. I yield the gentleman another 1 minute.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy, because there is one area that I hope to work on with him and the committee, and that is how we make sure we are focusing on clean water infrastructure that makes repairs and enhancement as a priority. In some places we have to go to new construction, but most of the threats to our communities, from Detroit to Cincinnati to Portland, is the existing infrastructure that is in sad need of repair. I hope, as this works its way through the legislative process, that we might be able to fine-tune that a little bit to give priority to fixing it first where there is the greatest impact and the greatest hope.

I deeply appreciate the leadership of the committee once again, and look forward to working with people on both sides of the aisle to get this important legislation passed and to realize these benefits in a way to make all our communities more livable and our families safer, healthier, and more economically secure.

The CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. DRIEHAUS) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1127. An act to extend certain immigration programs.

The message also announced that pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275 (adopted October 21, 1998), further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 21, 2004), the Chair, on behalf of the Republican leader, announces the appointment of the following Senator as member of the Senate National Security Working Group for the One Hundred Eleventh Congress:

The Senator from South Carolina (Mr. GRAHAM).

The message also announced that pursuant to Public Law 101–509, the Chair, on behalf of the Republican Leader, announces the appointment of Terry Birdwhistell, of Kentucky, to the Advisory Committee on the Records of Congress.

The message also announced that pursuant to Public Law 100–696, the Chair, on behalf of the President pro tempore, appoints the Senator from Alaska (Ms. MURKOWSKI) as a member of the United States Preservation Commission.

The SPEAKER pro tempore. The Committee will resume its sitting.

WATER QUALITY INVESTMENT ACT OF 2009

The Committee resumed its sitting.

Mr. BOOZMAN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Chairman, I appreciate the bill here today, and I would just like to highlight the issue that, as we commit taxpayers' funds to addressing the environmental issues that face this country, that we recognize that outcome is what really matters when we talk about spending money to clean up the environment.

Chairman OBERSTAR has worked with me for years on a problem that we have got to address, and I am not saying we as my district, I am saying nationally; that we have sent funds all over the country and looked at process, rather than how a city or a community may impact the environment.

□ 1145

A good example is the fact that you may have a city of Chicago that was outrageous in saying they were worried about polluting Lake Michigan, because they were polluting their own water. But they built a canal so they can dump the water into the Illinois River and pollute all the waters of the Mississippi.

I think one of the things that we have got to recognize is being smart with our money and addressing the fact that these funds should go to where is the best environmental benefit. And a good example would be the fact that there are certain areas where the treatment of the sewage at its existing level has no net negative impact, but there are other areas which have highly sensitive environments that are being polluted, even though the Federal law technically is being protected, things like the secondary mandate, where we should be putting our resources into tertiary and reclamation, where you end up having areas like deep-water discharge places, where right now scientists will tell you there is no net degradation.

So I would just ask the majority to take a look at when we focus these funds, that we focus it where the most benefit to the environment can be given, much like we have done in California. We have gone beyond the process issue and gone to the outcome-

based environmental review, the Clean Oceans Project, so that we spend every cent in a manner that protects the environment and not just fulfill a regulatory problem. And so I think it is absolutely essential that we avoid situations like we have run into in southern California, where the environmental impact report says that——

The CHAIR. The time of the gentleman has expired.

Mr. BOOZMAN. I yield the gentleman another 2 minutes. I think he makes some excellent points.

Mr. BILBRAY. The example is, Mr. Chairman, where you have got an environmental impact report that says that if you execute the letter of the law, you would be hurting the environment. And no one ever meant that to happen. I want to make sure that as we move forward that the letter of the law reflects protection for the environment first, not just following a regulation blindly. The law should always be reminded that it is here to protect the environment first, not just blindly move forward in spending taxpayers' funds.

And that is where I would ask that the committee take a look at these situations. I think Hawaii is in a situation where we may be sending funds to Hawaii to build facilities that do not have a net positive impact on the environment. I don't think any of us ever meant for clean water funds to be diverted into an area that is not helping the environment when you have areas that desperately need these funds.

And that is one of those things I think we have to recognize, the environmental community, the days of just caring being enough, are over. It is essential that those of us who want to protect the environment need to be smart and make sure that every cent spent, both local and Federal, go toward helping the environment, not just fulfilling a regulatory guideline and not just providing a threshold that somehow looks good on paper but doesn't protect the environment.

And I look forward to working with the chairman and making sure that every dollar spent in this program helps the environment, cleans up the environment, and does it in a manner that we maximize the benefit, because there are not enough funds to go around to waste it. And that is why I look forward to working with the chairman in making sure that every dollar does the best it can for the American people and the environment we live in.

Mr. OBERSTAR. I yield myself 5 seconds to thank the gentleman from California for his enthusiasm and assure him that we will work for full funding.

I yield 2 minutes to the distinguished gentleman from New Mexico (Mr. TEAGUE), a member of the committee.

Mr. TEAGUE. I rise today in support of Chairman OBERSTAR's manager's amendment to H.R. 1262, the Water Quality Investment Act. The manager's package includes my amendment to the bill, the Teague-Green wastewater amendment.

My amendment is simple. It allows wastewater utilities to use resources from the Clean Water State Revolving Funds to implement renewable energy production and energy-efficient projects in their plants.

Wastewater treatment plants are large consumers of power. Along with drinking water facilities, they consume approximately 35 percent of the energy used by municipalities. Together, they constitute 3 percent of national energy consumption, sending approximately 45 million tons of greenhouse gases into the atmosphere each year.

We need to give our wastewater infrastructure an energy makeover. With my amendment to the eligible activities associated with the Clean Water SRF, the revolving funds can become prime motivation for energy conservation and energy generation at wastewater plants across the country. Employing resources from the SRF, plants can generate power from in-circuit hydro turbines, biogas produced through anaerobic digesters, and solar panels and wind turbines, all offsetting electricity purchased from the grid.

The Teague-Green Wastewater Amendment will reduce the amount of energy consumed by wastewater plants, create green jobs, reduce greenhouse gas emissions and save money for taxpayers. It is what I like to call common sense.

I want to thank the chairman for including my amendment in the manager's package and for crafting this excellent piece of legislation.

Mr. BOOZMAN. Does the gentleman have any more speakers?

Mr. OBERSTAR. We have no more speakers. I will close on our side if the gentleman is prepared to close.

Mr. BOOZMAN. Mr. Chairman, I wanted to associate myself with the remarks of our ranking member, Mr. MICA, in regard to Davis-Bacon. I have some real concerns with the extension there. But I do rise in support of the bill. I believe the underlying bill is a very, very good bill.

I was visiting with former Member John Paul Hammersmith, one of my predecessors who was here for many, many years with Mr. OBERSTAR. I had lunch with him. And he asked me what was on the agenda. And we talked about the water issues and things. And he, like Mr. OBERSTAR, gave me the history and again related how hard you all had worked together, Mr. OBERSTAR, to get these things done. And we do thank you for your very hard work for many, many years really laying the groundwork. So we have a tremendous amount to do, but we need to get it done. So we do appreciate that, Mr. Chairman.

The other thing is I would like to thank Mr. EHLERS for his hard work in the Great Lakes. Again, he has dealt with this for many, many years. And as you said, this truly is a model for this type of bill. The other thing I would like to do is thank Ms. JOHNSON for her leadership as my chairman on Water Resources, for her shepherding this through committee and now shepherding it through the House. And then, as always, Mr. MICA in his position as ranking member, again, for doing the same thing. I also want to thank the staffs for their hard work on both sides. They do a tremendous job. And we appreciate their efforts.

I do support the bill and urge its passage.

And I yield back the balance of my time.

Mr. OBERSTAR. I yield myself the balance of time on our side.

I appreciate the reflection of the gentleman from Arkansas about Mr. Hammersmith. He was one of the giants of this House, a truly distinguished person. He approached every issue thoughtfully, reflecting on the substance of the matters, never a tone of partisanship in his presentation in committee or on the floor. And a particularly touching experience for me was some years ago, Mr. SHUSTER was chair of the full committee, and we moved the first authorization of EDA in years. And as the bill was moving toward final passage on the floor, I got a message from the Republican cloakroom that Mr. Hammersmith was on the phone. So with trepidation in my heart, I marched into the Republican cloakroom and picked up the phone. And John Paul Hammersmith was on the other end of the line laughing. And he said, ''I have always wanted to get you over here in our cloakroom. Congratulations on passage of the bill.'' It was so typical of John Paul Hammersmith. He cared about the substance, and still does, of our work here, as does his successor, Mr. BOOZMAN.

Mr. Chairman, this package of legislation is not a jobs bill, although it follows on the Economic Recovery Act, which provides funding for these projects for water, for sewer and sewage treatment facilities, and water infrastructure financing. This isn't a list of projects from the State of Minnesota. I have one here for wastewater infrastructure needs for the State of New York. There are thousands, thousands—6,900 such projects—by the various water infrastructure agencies across the Nation that are ready to go, ready to be built. Minnesota has prioritized these in the Minnesota Public Facilities Authority from 1 through 261 on wastewater projects.

And the need is enormous. We have 12.5 million people out of work in the United States. Of that number, 2 million in the construction trades are out of work. And the unemployment rate of 8.1 percent nationwide for February is the highest in 25 years. By passing this legislation and putting to work the funding that the administration has indicated in its budget for the fiscal year that starts in October, we can make a serious dent in the unemployment numbers that I just cited, along with

what will be accomplished with the roughly $5.6 billion in stimulus, half of which is in grant money and half of which is in loan funds. But we will create jobs in both packages, both this legislation and the stimulus need.

As to Davis-Bacon, I will save my remarks for the amendment to be offered by the gentleman from Florida (Mr. MACK). Suffice it to say that at a time of high unemployment, of desperate need across this country, an economy that needs people with income and ability to spend, to buy and to stimulate this economy, why would you tell folks, work for less? Why would you tell people, work for just at or below the minimum wage? Prevailing wage is not the union wage. Robert Reich, former Secretary of Labor, said in a radio statement just the night before last, ''right now we need people working at union wages. We need people with money in their pocket to buy, to stimulate this economy.'' And with the stimulus package, we will be putting people to work, paying them for work, not paying them unemployment checks for not working. We will discuss that at more length.

I now urge the passage of H.R. 1262.

Ms. JACKSON-LEE of Texas. Mr. Chair, I rise today with great enthusiasm for H.R. 1262, the ''Water Quality Investment Act of 2009'', which renews the Federal commitment to addressing our nation's substantial needs for wastewater infrastructure by investing $18.7 billion over five years in wastewater infrastructure and other efforts to improve water quality. H.R. 1262 increases investment in wastewater infrastructure, reduces the cost of constructing and maintaining that infrastructure, and promotes energy- and water-efficiency improvements to publicly owned treatment works to reduce the potential long-term operation and maintenance costs of the facility.

Mr. Chair, from my perch as Chairwoman of the Subcommittee on Transportation and Infrastructure Protection I have promoted shoring up our water infrastructure. Indeed, in the last Congress I introduced Chemical Facility Security Improvement Act of 2007, which prohibits federal funds from being used by the Secretary of Homeland Security to approve a site security plan for a chemical facility unless the facility meets or exceeds security standards and requirements to protect it against terrorist acts established by the state or local government for the area where it is located.

Although much progress has been made in achieving the ambitious goals that Congress established more than 35 years ago to restore and maintain the physical, chemical, and biological integrity of the nation's waters, longstanding problems persist, and new problems have emerged. Water quality problems are diverse, ranging from pollution runoff from farms and ranches, city streets, and other diffuse or ''nonpoint'' sources, to ''point'' source discharges of metals and organic and inorganic toxic substances from factories and sewage treatment plants. And many of these problems need funding—and frankly cannot wait. The quality of our water supply is at stake.

My bill also amended the Department of Homeland Security Appropriations Act, 2007 to: (1) repeal a provision prohibiting the Secretary from disapproving a site security plan based on the presence or absence of a particular security measure; (2) require vulnerability assessments and site security plans to be treated as sensitive security information; and (3) repeal a provision limiting to the Secretary any right of action against a chemical facility owner or operator to enforce security measures. The connection is that water facilities use chemicals to ensure safety and eliminate harmful elements.

The main law that deals with polluting activity in the nation's streams, lakes, estuaries, and coastal waters is the Federal Water Pollution Control Act, commonly known as the Clean Water Act, or CWA. It consists of two major parts: regulatory provisions that impose progressively more stringent requirements on industries and cities to abate pollution and meet the statutory goal of zero discharge of pollutants; and provisions that authorize federal financial assistance for municipal wastewater treatment plant construction.

Both parts are supported by research activities, plus permit and enforcement provisions. Programs at the federal level are administered by the Environmental Protection Agency (EPA); state and local governments have major responsibilities to implement CWA programs through standard-setting, permitting, and enforcement.

The water quality restoration objective declared in the 1972 act was accompanied by statutory goals to eliminate the discharge of pollutants into navigable waters by 1985 and to attain, wherever possible, waters deemed ''fishable and swimmable'' by 1983.

Although those goals have not been fully achieved, considerable progress has been made, especially in controlling conventional pollutants (suspended solids, bacteria, and oxygen- consuming materials) discharged by industries and sewage treatment plants.

I have noted that progress has been mixed in controlling discharges of toxic pollutants (heavy metals, inorganic and organic chemicals), which are more numerous and can harm human health and the environment even when present in very small amounts—at the parts-per-billion level. Moreover, efforts to control pollution from diffuse sources, termed nonpoint source pollution (rainfall runoff from urban, suburban, and agricultural areas, for example), are more recent, given the earlier emphasis on ''point source'' pollution (discharges from industrial and municipal wastewater treatment plants). Overall, data reported by EPA and states indicate that 45% of river and stream miles assessed by states and 47% of assessed lake acres do not meet applicable water quality standards and are impaired for one or more desired uses. In 2006 EPA issued an assessment of streams and small rivers and reported that 67% of U.S. stream miles are in poor or fair condition and that nutrients and streambed sediments have the largest adverse impact on the biological condition of these waters. Approximately 95,000 lakes and 544,000 river miles in the United States are under fish-consumption advisories (including 100% of the Great Lakes and their connecting waters), due to chemical contaminants in lakes, rivers, and coastal waters, and one-third of shellfishing beds are closed or restricted, due to toxic pollutant contamination. Mercury is a contaminant of growing concern—as of 2003, 45 states had issued partial or statewide fish or shellfish consumption advisories because of elevated mercury levels.

The last major amendments to the law were the Water Quality Act of 1987. These amendments culminated six arduous years of congressional efforts to extend and revise the act and were the most comprehensive amendments since 1972. Authorizations of appropriations for some programs provided in P.L. 100–4, such as general grant assistance to states, research, and general EPA support authorized in that law, expired in FY1990 and FY1991.

Authorizations for wastewater treatment funding expired in FY1994. None of these programs has lapsed, however, as Congress has continued to appropriate funds to implement them. EPA, states, industry, and other citizens continue to implement the 1987 legislation, including meeting the numerous requirements and deadlines in it.

The Clean Water Act has been viewed as one of the most successful environmental laws in terms of achieving its statutory goals, which have been widely supported by the public, but lately some have questioned whether additional actions to achieve further benefits are worth the costs.

Criticism has come from industry, which has been the longstanding focus of the act's regulatory programs and often opposes imposition of new stringent and costly requirements. Criticism also has come from developers and property rights groups who contend that federal regulations (particularly the act's wetlands permit program) are a costly intrusion on private land-use decisions. States and cities have traditionally supported water quality programs and federal funding to assist them in carrying out the law, but many have opposed CWA measures that they fear might impose new unfunded mandates.

Many environmental groups believe that further fine-tuning is needed to maintain progress achieved to date and to address remaining water quality problems.

I am committed to ensuring that I continue to do my part as the Chairwoman of the House Homeland Security Subcommittee on Transportation and Infrastructure Protection.

Mr. COSTELLO. Mr. Chair, I rise today in strong support of H.R. 1262, the Water Quality Investment Act. We must provide means for local communities to address wastewater treatment needs. H.R. 1262 seeks to provide $13.8 billion over five years for the clean Water State Revolving Fund and provides low interest loans to communities for wastewater infrastructure. The bill also provides $250 million in grants over five years for alternative water source projects and authorizes $1.8 billion over five years in grants to municipalities and states to control sewer overflows.

This legislation is critically needed to help meet America's clean water needs.

H.R. 1262 also renews Davis-Bacon on projects, which requires that contractors and subcontractors that receive federal funds on wastewater treatment projects be paid at least the prevailing local wage rate.

I firmly believe it is necessary that the Davis-Bacon prevailing wage requirement applies to all construction projects with federal funds.

I commend Chairman OBERSTAR and Chairwoman JOHNSON for reestablishing what Congress clearly intended.

Davis-Bacon is as important now as it was in the 1930s. It prevents competition from ''fly-by-night'' firms that undercut local wages and working conditions and compete, unfairly, with local contractors for federal work.

It helps stabilize the industry to workers and to employers. In addition, Davis-Bacon may help ensure better craftsmanship and it may reduce both the initial cost of federal construction through greater efficiency and decrease the need for repair and/or rehabilitation.

I oppose any such motion to strike the Davis-Bacon provisions and strongly urge my colleagues to do the same.

With that, Mr. Chair, H.R. 1262 is very important to our communities because it is another avenue for them to use for improving water quality across the country. Again, I strongly support H.R. 1262 and urge my colleagues to as well.

Mr. MITCHELL. Mr. Chair, I rise today in support of H.R. 1262, the Water Quality Investment Act of 2009.

This is an important bill that will help close the approximately $3.2 to $11.1 billion gap between our nation's wastewater infrastructure needs and our current levels of federal assistance.

This bill is especially important for Arizona, because it will finally begin to address a grossly inequitable funding formula that long plagued our state.

Inexplicably, and unfairly, the formula used to distribute federal assistance to State Clean Water Revolving Funds (SRFs) remains linked to Census data from 1970.

While, obviously, this is not a problem for states that have lost population, or whose population has remained stable, it's a huge problem for states like Arizona, whose population has grown dramatically.

Since 1970, Arizona's population has more than tripled.

As a result, we've been getting massively short-changed.

Arizona ranks 9th in the nation in terms of need, but we rank 37th in receipt of federal funding for SRFs. On a per capita basis, Arizona ranks 53rd. Even the territories do better than we do.

This is a disparity that belies any pretence of fairness, and it needs to change.

If enacted, the Water Quality Investment Act of 2009 will begin that process.

I want to thank Chairman OBERSTAR for his leadership on this issue, and for his continued commitment to fairness.

I urge my colleagues to support H.R. 1262, and I look forward to its final passage.

Mrs. MCCARTHY of New York. I rise today in support of H.R. 1262, the Water Quality Investment Act of 2009.

The legislation makes important investments in our nation's water systems and strengthens the environmental protections of our waterways.

I want to thank Chairman OBERSTAR and the Transportation Committee staff for working with me to include my amendment in the manager's amendment to the bill.

I also want to thank Representatives BALDWIN, SCHWARTZ, and INSLEE for joining with me as cosponsors on the amendment and for their continued efforts to work with me to make our waters safe.

Our waterways provide a source of recreation and impact the food supply for all Americans.

And, perhaps most importantly, our waterways are the source of our drinking water.

In 2008, the Associated Press found pharmaceuticals in the drinking water supplies of approximately 46 million Americans.

In my state of New York, health officials found heart medicine, infection fighters, estrogen, mood stabilizer and a tranquilizer in the upstate water supply.

Six pharmaceuticals were found in the drinking water right here in Washington, D.C.

We don't know how the pharmaceuticals enter the water supply.

It is likely that some enter the water supply through human waste, runoff from agricultural operations, and the improper disposal of unused pharmaceuticals.

In addition to antibiotics and steroids, EPA has identified over 100 individual pharmaceuticals and personal care products in environmental samples and drinking water.

As a nurse, I am concerned that the presence of the pharmaceuticals in our nation's waters may have negative effects on human health and wildlife.

This amendment requires EPA to conduct a study on the sources of pharmaceuticals and personal care products in our waters and the effect that they have on the environment and human health.

Upon completion of this study, EPA is required to issue a report detailing their findings.

The study also requires that EPA identify methods that can be used to treat the water and remove the pharmaceuticals if we need to, and to prevent them from entering the water in the first place.

Pharmaceuticals and personal care products include prescription and over-the-counter therapeutic drugs, fragrances, lotions, and cosmetics, as well as products used to enhance growth or health of livestock.

The results of this study will prompt responses from the scientific community which can help form the basis for future research.

The report from the study will be used as part of the government's efforts to better understand the effects that pharmaceuticals in our waters have on human health and wildlife and to craft appropriate legislation that addresses the issue in a responsible manner.

I want to stress that this effort is not intended to make any presumptions or accusations.

We are just looking for more information so that we can make better informed choices and eventually move forward on sensible policies.

Hopefully, the study will give us more information about the presence, source, and effects of pharmaceuticals in our waters so that we can begin efforts to ensure that the water is safe.

We must begin to better understand the impact pharmaceuticals have on our environment and on our health. It is especially important that we make sure that our constituents can feel confident that they are drinking clean, safe water.

We need to find out how these contaminants got in the water, what the risks are and what steps we need to take to solve the problem.

It is vital that Congress take up and champion the cause of keeping our waterways and drinking water safe.

This is a public health issue, an environmental issue, and an economic issue.

I urge my colleagues to support the manager's amendment and the underlying bill.

Ms. MATSUI. Mr. Chair, I would like to begin my remarks today by thanking Chairman OBERSTAR for his work on this critical issue.

He has been a champion for our country's infrastructure.

Whether it is wastewater, roads, bridges, dams, or levees, Chairman OBERSTAR has been the one to fight for the funding we need to keep our country running smoothly.

When it is working properly, our wastewater system is not something that we think about very often.

But the minute something goes wrong, wastewater instantly becomes the most important issue of all.

In my hometown of Sacramento, the city has invested hundreds of millions of dollars to upgrade the combined sewer system in our central city.

Using funding provided from the Federal Government, Sacramento has renovated older pumps, built treatment plants, and increased storage.

The price of clean water and healthy ecosystems is high, Mr. Chair. But the benefits they provide to our society are even greater.

And that is why I am so supportive of the legislation before us today.

It authorizes $13.8 billion worth of wastewater infrastructure projects that will help keep my district's streets and waterways free of sewage and sludge.

This funding will help make Sacramento even more livable than it already is.

It will also create quality jobs in my district which are sorely needed.

For too long, we have lived off the infrastructure built in decades past.

Now it is our turn to invest in the future of our infrastructure, in the health of our communities, and in the quality of our water.

I urge support for the rule and for the underlying bill.

Mr. CUELLAR. Mr. Chair, I rise today to encourage my colleagues to support the manager's amendment to the Water Quality Investment Act of 2009.

The manager's amendment I support builds upon the strong nature of this bill, and addresses several additional needs.

I thank the distinguished Chairman for including 2 of my amendments in the manager's amendment. These important amendments will go a long way towards helping communities along the southern border.

My first amendment, included in this manager's amendment, authorizes the EPA to Study wastewater treatment facilities that discharge into the Rio Grande River, develop recommendations for improving monitoring, information sharing, and cooperation between the Unites States and Mexico.

Last EPA study of pollutants in the Rio Grande River took samples from November 1992 to December 1995.

Since 1992 Laredo alone has doubled in population.

I applaud inclusion of this requirement because knowing the dangers that exist in pollution in the River is the first step in protecting a national treasure.

I also wish to offer my support for the Manager's amendment's recognition of the ongoing crisis that exists on the United States' southern border with impoverished families living in Colonias.

Colonias can be found in Texas, New Mexico, Arizona and California, but Texas has both the largest number of colonias and the largest colonia population.

According to the State of Texas, about 400,000 Texans live in border colonias.

The development of Texas colonias dates back to at least the 1950s, when developers

created unincorporated subdivisions using agriculturally worthless land or land that lay in floodplains or in other rural properties.

They divided the land into small lots, put in little or no infrastructure, and then sold them to low-income individuals seeking affordable housing.

The manager's amendment includes my plan to direct the Government Accountability Office to present to Congress a blueprint to properly address the problems that exist in these low income communities.

Mr. Chair, I applaud you on this important Manager's amendment, and I urge all my colleague to vote ''yes.''

Ms. HIRONO. Mr. Chair, I rise in strong support of H.R. 1262, the Water Quality Investment Act. I commend my House Transportation and Infrastructure Committee Chairman JAMES OBERSTAR for introducing this vital legislation that makes much-needed investments to improve water quality and better ensure safe, clean water for communities throughout the country.

The central focus of the bill is reauthorization of the Clean Water State Revolving Fund, which provides low-interest loans and grants to local communities for construction of wastewater treatment facilities and other water pollution abatement projects. The Clean Water State Revolving Fund was last reauthorized in 1987, although the program has been funded every year, albeit at inadequate levels. For years, the amount of available funding has been far below the demand for funds from local governments.

Much of the clean water infrastructure in our nation is rapidly approaching or has already exceeded its projected life. This aging infrastructure must be repaired or replaced soon. The gap between wastewater infrastructure needs and current levels of spending has been estimated at between $3.2 billion to $11.1 billion a year.

If the authorized levels of funding provided in this bill are appropriated, Hawaii will see a four-fold increase in the annual level of funding received under the Clean Water State Revolving Fund—from $5.3 million in FY2009 to an estimated $21 million each year from FY2010 to FY2014. In addition to improving our infrastructure, this amount of funding could create or sustain some 700 jobs a year in Hawaii.

This funding is critically needed in our state. Just this week, I met with members of the four county councils in my district. All have concerns about the condition of wastewater infrastructure in their districts and the inability of local governments to fund the level of investment that is urgently needed. Lack of this funding is having serious environmental consequences and, in some areas, is actually preventing development of much-needed housing.

I urge my colleague to support this bill, which will stimulate employment and all of our local economies while protecting the environment.

Mr. CLEAVER. Mr. Chair, H.R. 1262, The Water Quality Investment Act, renews the Federal commitment to addressing our nation's substantial needs for wastewater infrastructure. Several provisions in the bill provide federal assistance for improving this capability—through grants, subsidies, loans, and other assistance. Part of the impetus behind this assistance is the current severe economic situation that communities of all sizes across the nation are facing.

Jackson County, Missouri, in my district, is one example of a community caught between a rock and a hard place. The County is trying to provide services for its constituents at two lakes—Longview and Blue Springs—while balancing its dwindling budget. The Army Corps of Engineers built both lakes in the 1980s to help control flooding issues in the Little Blue River region, watershed run-off, wetlands restoration, and to provide a recreational benefit to the public. The Corps entered into a lease contract with Jackson County, Missouri with a 50 year repayment contract (1986–2035). The County, during these tough economic times, is having a significant problem paying back the interest plus the regular principal each year.

These lakes, though owned by the Corps, are operated and maintained by Jackson County. Both Lakes are in need of significant repairs, maintenance, and upgrades to bring them up to standards of today's use. The properties critically need repairs to infrastructure like roads, electrical upgrades, facility repairs, and needed silt control along the watersheds feeding into the Lakes. The County is struggling during this economic downturn, to make the payments as well as make the necessary repairs and upgrades that the Lake property needs for continued use by the public.

The following are examples of the capital improvement needs identified by Jackson County in their 5 year Capital Improvements Plan (CIP): Marina Renovation, upgrades and maintenance—$858,980; Roof repairs—$125,000; Road repairs—$589,962; Shelter house repairs, upgrades and maintenance—$215,240; Campground upgrades, replace pads and electrical capacity upgrades—$1,023,093; Sediment, spillway and watershed control and improvements—$433,304; Trail replacement, repairs and upgrades—$1,132,000; Maintenance facility upgrades and repairs—$2,264,000; Playground upgrades and replacement—$414,400; Beaches improvements and upgrades—$226,400.

This is why I was proud to submit this week an amendment for consideration to H.R. 1262 that would have allowed the County to alleviate the strains on its budget, while maintaining its commitment to the Army Corps as well as its commitment to citizens using the Lakes, plus providing jobs for making the improvements. My amendment would have modified the leases for Longview Lake & Blue Springs Lake to allow the County to reinvest 50 percent of its outstanding payments over the rest of the lease for capital improvements on the property. This is not a default or forgiveness, but rather a reinvestment in lieu of payment so that they can continue to function in both their flood control and recreational capacities.

Even with the redirection, the plan would provide the Army Corps with over $6.5 million ($6,504,447.80) in surplus over the course of the lease. From this reinvestment, Longview Lake would receive $5.3 million ($5,294,483.88) of redirected payments and Blue Springs Lake would receive $4.3 million ($4,302,127.74) as part of the plan. The Corps of Engineers would be fully reimbursed for its initial outlay of funds with interest, and the County would be able to re-invest some of the funds it is contractually obligated to pay into these two greats Jackson County assets.

Mr. Chair, though my amendment was deemed to have a budgetary impact, I wanted to raise this issue. This is a national issue, hitting many communities and counties during these difficult economic times and they deserve Congress's help. The idea makes a great deal of sense and I look forward to working with my fellow Members and my local County Executive as we continue to think outside the box to make this idea work.

Mr. LUJAN. Mr. Chair, the Water Quality Investment Act is a renewed commitment to address our nation's substantial needs for water and wastewater infrastructure. The ability of cities, rural water systems and tribal communities to ensure water quality for our nation's families is critical to the health of our country and will help create jobs. Today, our business in this House is to transform the way we think about water.

All living systems need water. People need it. The climate needs it. Plants and wildlife need it. We are all part of the same living system, and we all need water.

I know the importance of water to rural economies across America. Without a reliable water supply, we cannot improve human health, preserve natural ecosystems, or grow economies. It is a critical prerequisite for life, and we must ensure proper drinking water and wastewater systems will be available to every community in America. The absence of adequate water infrastructure in a community creates enormous health disparities, but also entrenches the severe poverty that is already widespread in these communities.

Tribes across the nation have many difficulties ensuring water quality for their communities. Often water and wastewater systems are hard to construct or maintain due to a lack of availability of funding for tribal governments. Language I proposed, which was included in Chairman OBERSTAR's manager's amendment, will authorize new grants for technical assistance on water and wastewater infrastructure to the tribal communities and people who so desperately need it.

I urge all my colleagues to support this bill.

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

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 1262

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) IN GENERAL.—This Act may be cited as the ''Water Quality Investment Act of 2009''.

(b) TABLE OF CONTENTS.—

1. Short title; table of contents.
2. Amendment of Federal Water Pollution Control Act.

TITLE I—WATER QUALITY FINANCING

Subtitle A—Technical and Management Assistance

1101. Technical assistance.
1102. State management assistance.
1103. Watershed pilot projects.

Subtitle B—Construction of Treatment Works

1201. Sewage collection systems.
1202. Treatment works defined.

Subtitle C—State Water Pollution Control Revolving Funds

1301. General authority for capitalization grants.

1302. Capitalization grant agreements.
1303. Water pollution control revolving loan funds.
1304. Allotment of funds.
1305. Intended use plan.
1306. Annual reports.
1307. Technical assistance; requirements for use of American materials.
1308. Authorization of appropriations.
Subtitle D—General Provisions
1401. Definition of treatment works.
1402. Funding for Indian programs.
Subtitle E—Tonnage Duties
1501. Tonnage duties.
TITLE II—ALTERNATIVE WATER SOURCE PROJECTS
2001. Pilot program for alternative water source projects.
TITLE III—SEWER OVERFLOW CONTROL GRANTS
3001. Sewer overflow control grants.
TITLE IV—MONITORING, REPORTING, AND PUBLIC NOTIFICATION OF SEWER OVERFLOWS
4001. Monitoring, reporting, and public notification of sewer overflows.
TITLE V—GREAT LAKES LEGACY REAUTHORIZATION
5001. Remediation of sediment contamination in areas of concern.
5002. Public information program.
5003. Contaminated sediment remediation approaches, technologies, and techniques.

SEC. 2. AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

TITLE I—WATER QUALITY FINANCING

Subtitle A—Technical and Management Assistance

SEC. 1101. TECHNICAL ASSISTANCE.

(a) TECHNICAL ASSISTANCE FOR RURAL AND SMALL TREATMENT WORKS.—Section 104(b) (33 U.S.C. 1254(b)) is amended—

(1) by striking ''and'' at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting ''; and''; and

(3) by adding at the end the following:

''(8) make grants to nonprofit organizations—

''(A) to provide technical assistance to rural and small municipalities for the purpose of assisting, in consultation with the State in which the assistance is provided, such municipalities in the planning, developing, and acquisition of financing for eligible projects described in section 603(c);

''(B) to provide technical assistance and training for rural and small publicly owned treatment works and decentralized wastewater treatment systems to enable such treatment works and systems to protect water quality and achieve and maintain compliance with the requirements of this Act; and

''(C) to disseminate information to rural and small municipalities and municipalities that meet the affordability criteria established under section 603(i)(2) by the State in which the municipality is located with respect to planning, design, construction, and operation of publicly owned treatment works and decentralized wastewater treatment systems.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 104(u) (33 U.S.C. 1254(u)) is amended—

(1) by striking ''and (6)'' and inserting ''(6)''; and

(2) by inserting before the period at the end the following: ''; and (7) not to exceed $100,000,000 for each of fiscal years 2010 through 2014 for carrying out subsections (b)(3), (b)(8), and (g), except that not less than 20 percent of the amounts appropriated pursuant to this paragraph in a fiscal year shall be used for carrying out subsection (b)(8)''.

(c) SMALL FLOWS CLEARINGHOUSE.—Section 104(q)(4) (33 U.S.C. 1254(q)(4)) is amended—

(1) in the first sentence by striking ''$1,000,000'' and inserting ''$3,000,000''; and

(2) in the second sentence by striking ''1986'' and inserting ''2011''.

SEC. 1102. STATE MANAGEMENT ASSISTANCE.

Section 106(a) (33 U.S.C. 1256(a)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the semicolon at the end of paragraph (2) and inserting ''; and''; and

(3) by inserting after paragraph (2) the following:

''(3) such sums as may be necessary for each of fiscal years 1991 through 2009, and $300,000,000 for each of fiscal years 2010 through 2014;''.

SEC. 1103. WATERSHED PILOT PROJECTS.

(a) PILOT PROJECTS.—Section 122 (33 U.S.C. 1274) is amended—

*(1) in the section heading by striking ''**WET WEATHER**''; and*

(2) in subsection (a)—

(A) in the matter preceding paragraph (1) by striking ''wet weather discharge'';

(B) in paragraph (2) by striking ''in reducing such pollutants'' and all that follows before the period at the end and inserting ''to manage, reduce, treat, or reuse municipal stormwater, including low-impact development technologies''; and

(C) by adding at the end the following:

''(3) WATERSHED PARTNERSHIPS.—Efforts of municipalities and property owners to demonstrate cooperative ways to address nonpoint sources of pollution to reduce adverse impacts on water quality.

''(4) INTEGRATED WATER RESOURCE PLAN.—The development of an integrated water resource plan for the coordinated management and protection of surface water, ground water, and stormwater resources on a watershed or subwatershed basis to meet the objectives, goals, and policies of this Act.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 122(c)(1) is amended by striking ''for fiscal year 2004'' and inserting ''for each of fiscal years 2004 through 2014''.

(c) REPORT TO CONGRESS.—Section 122(d) is amended by striking ''5 years after the date of enactment of this section,'' and inserting ''October 1, 2011,''.

Subtitle B—Construction of Treatment Works

SEC. 1201. SEWAGE COLLECTION SYSTEMS.

Section 211 (33 U.S.C. 1291) is amended—

(1) by striking the section heading and all that follows through ''(a) No'' and inserting the following:

''SEC. 211. SEWAGE COLLECTION SYSTEMS.

''(a) IN GENERAL.—No'';

(2) in subsection (b) by inserting ''POPULATION DENSITY.—'' after ''(b)''; and

(3) by striking subsection (c) and inserting the following:

''(c) EXCEPTIONS.—

''(1) REPLACEMENT AND MAJOR REHABILITATION.—Notwithstanding the requirement of subsection (a)(1) concerning the existence of a collection system as a condition of eligibility, a project for replacement or major rehabilitation of a collection system existing on January 1, 2007, shall be eligible for a grant under this title if the project otherwise meets the requirements of subsection (a)(1) and meets the requirement of paragraph (3).

''(2) NEW SYSTEMS.—Notwithstanding the requirement of subsection (a)(2) concerning the existence of a community as a condition of eligibility, a project for a new collection system to serve a community existing on January 1, 2007, shall be eligible for a grant under this title if the project otherwise meets the requirements of subsection (a)(2) and meets the requirement of paragraph (3).

''(3) REQUIREMENT.—A project meets the requirement of this paragraph if the purpose of the project is to accomplish the objectives, goals, and policies of this Act by addressing an adverse environmental condition existing on the date of enactment of this paragraph.''.

SEC. 1202. TREATMENT WORKS DEFINED.

Section 212(2)(A) (33 U.S.C. 1292(2)(A)) is amended—

(1) by striking ''any works, including site'';

(2) by striking ''is used for ultimate'' and inserting ''will be used for ultimate''; and

(3) by inserting before the period at the end the following: ''and acquisition of other lands, and interests in lands, which are necessary for construction''.

Subtitle C—State Water Pollution Control Revolving Funds

SEC. 1301. GENERAL AUTHORITY FOR CAPITALIZATION GRANTS.

Section 601(a) (33 U.S.C. 1381(a)) is amended by striking ''for providing assistance'' and all that follows through the period at the end and inserting the following: ''to accomplish the objectives, goals, and policies of this Act by providing assistance for projects and activities identified in section 603(c).''.

SEC. 1302. CAPITALIZATION GRANT AGREEMENTS.

(a) REPORTING INFRASTRUCTURE ASSETS.—Section 602(b)(9) (33 U.S.C. 1382(b)(9)) is amended by striking ''standards'' and inserting ''standards, including standards relating to the reporting of infrastructure assets''.

(b) ADDITIONAL REQUIREMENTS.—Section 602(b) (33 U.S.C. 1382(b)) is amended—

(1) in paragraph (6)—

(A) by striking ''before fiscal year 1995'';

(B) by striking ''funds directly made available by capitalization grants under this title and section 205(m) of this Act'' and inserting ''assistance made available by a State water pollution control revolving fund as authorized under this title, or with assistance made available under section 205(m), or both,''; and

(C) by striking ''201(b)'' and all that follows through ''513'' and inserting ''211 and 511(c)(1)'';

(2) by striking ''and'' at the end of paragraph (9);

(3) by striking the period at the end of paragraph (10) and inserting a semicolon; and

(4) by adding at the end the following:

''(11) the State will establish, maintain, invest, and credit the fund with repayments, such that the fund balance will be available in perpetuity for providing financial assistance in accordance with this title;

''(12) any fees charged by the State to recipients of assistance that are considered program income will be used for the purpose of financing the cost of administering the fund or financing projects or activities eligible for assistance from the fund;

''(13) beginning in fiscal year 2011, the State will include as a condition of providing assistance to a municipality or intermunicipal, interstate, or State agency that the recipient of such assistance certify, in a manner determined by the Governor of the State, that the recipient—

''(A) has studied and evaluated the cost and effectiveness of the processes, materials, techniques, and technologies for carrying out the proposed project or activity for which assistance is sought under this title, and has selected, to the extent practicable, a project or activity that maximizes the potential for efficient water use, reuse, and conservation, and energy conservation, taking into account the cost of constructing the project or activity, the cost of operating and maintaining the project or activity over its life, and the cost of replacing the project or activity; and

''(B) has considered, to the maximum extent practicable and as determined appropriate by the recipient, the costs and effectiveness of other design, management, and financing approaches for carrying out a project or activity for which assistance is sought under this title, taking into account the cost of constructing the project or activity, the cost of operating and maintaining the project or activity over its life, and the cost of replacing the project or activity;

''(14) the State will use at least 10 percent of the amount of each capitalization grant received by the State under this title after September 30, 2010, to provide assistance to municipalities of fewer than 10,000 individuals that meet the affordability criteria established by the State under section 603(i)(2) for activities included on the State's priority list established under section 603(g), to the extent that there are sufficient applications for such assistance;

''(15) a contract to be carried out using funds directly made available by a capitalization grant under this title for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural related services shall be negotiated in the same manner as a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code, or an equivalent State qualifications-based requirement (as determined by the Governor of the State); and

''(16) the requirements of section 513 will apply to the construction of treatment works carried out in whole or in part with assistance made available by a State water pollution control revolving fund as authorized under this title, or with assistance made available under section 205(m), or both, in the same manner as treatment works for which grants are made under this Act.''.

SEC. 1303. WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

(a) PROJECTS AND ACTIVITIES ELIGIBLE FOR ASSISTANCE.—Section 603(c) (33 U.S.C. 1383(c)) is amended to read as follows:

''(c) PROJECTS AND ACTIVITIES ELIGIBLE FOR ASSISTANCE.—The amounts of funds available to each State water pollution control revolving fund shall be used only for providing financial assistance—

''(1) to any municipality or intermunicipal, interstate, or State agency for construction of publicly owned treatment works;

''(2) for the implementation of a management program established under section 319;

''(3) for development and implementation of a conservation and management plan under section 320;

''(4) for the implementation of lake protection programs and projects under section 314;

''(5) for repair or replacement of decentralized wastewater treatment systems that treat domestic sewage;

''(6) for measures to manage, reduce, treat, or reuse municipal stormwater, agricultural stormwater, and return flows from irrigated agriculture;

''(7) to any municipality or intermunicipal, interstate, or State agency for measures to reduce the demand for publicly owned treatment works capacity through water conservation, efficiency, or reuse; and

''(8) for the development and implementation of watershed projects meeting the criteria set forth in section 122.''.

(b) EXTENDED REPAYMENT PERIOD.—Section 603(d)(1) (33 U.S.C. 1383(d)(1)) is amended—

(1) in subparagraph (A) by striking ''20 years'' and inserting ''the lesser of 30 years or the design life of the project to be financed with the proceeds of the loan''; and

(2) in subparagraph (B) by striking ''not later than 20 years after project completion'' and inserting ''upon the expiration of the term of the loan''.

(c) FISCAL SUSTAINABILITY PLAN.—Section 603(d)(1) (33 U.S.C. 1383(d)(1)) is further amended—

(1) by striking ''and'' at the end of subparagraph (C);

(2) by inserting ''and'' at the end of subparagraph (D); and

(3) by adding at the end the following:

''(E) for any portion of a treatment works proposed for repair, replacement, or expansion, and eligible for assistance under section 603(c)(1), the recipient of a loan will develop and implement a fiscal sustainability plan that includes—

''(i) an inventory of critical assets that are a part of that portion of the treatment works;

''(ii) an evaluation of the condition and performance of inventoried assets or asset groupings; and

''(iii) a plan for maintaining, repairing, and, as necessary, replacing that portion of the treatment works and a plan for funding such activities;''.

(d) ADMINISTRATIVE EXPENSES.—Section 603(d)(7) (33 U.S.C. 1383(d)(7)) is amended by inserting before the period at the end the following: '', $400,000 per year, or ⅕ percent per year of the current valuation of the fund, whichever amount is greatest, plus the amount of any fees collected by the State for such purpose regardless of the source''.

(e) TECHNICAL AND PLANNING ASSISTANCE FOR SMALL SYSTEMS.—Section 603(d) (33 U.S.C. 1383(d)) is amended—

(1) by striking ''and'' at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting a semicolon; and

(3) by adding at the end the following:

''(8) to provide grants to owners and operators of treatment works that serve a population of 10,000 or fewer for obtaining technical and planning assistance and assistance in financial management, user fee analysis, budgeting, capital improvement planning, facility operation and maintenance, equipment replacement, repair schedules, and other activities to improve wastewater treatment plant management and operations, except that the total amount provided by the State in grants under this paragraph for a fiscal year may not exceed one percent of the total amount of assistance provided by the State from the fund in the preceding fiscal year, or 2 percent of the total amount received by the State in capitalization grants under this title in the preceding fiscal year, whichever amount is greatest; and

''(9) to provide grants to owners and operators of treatment works for conducting an assessment of the energy and water consumption of the treatment works, and evaluating potential opportunities for energy and water conservation through facility operation and maintenance, equipment replacement, and projects or activities that promote the efficient use of energy and water by the treatment works, except that the total amount provided by the State in grants under this paragraph for a fiscal year may not exceed one percent of the total amount of assistance provided by the State from the fund in the preceding fiscal year, or 2 percent of the total amount received by the State in capitalization grants under this title in the preceding fiscal year, whichever amount is greatest.''.

(f) ADDITIONAL SUBSIDIZATION.—Section 603 (33 U.S.C. 1383) is amended by adding at the end the following:

''(i) ADDITIONAL SUBSIDIZATION.—

''(1) IN GENERAL.—In any case in which a State provides assistance to a municipality or intermunicipal, interstate, or State agency under subsection (d), the State may provide additional subsidization, including forgiveness of principal and negative interest loans—

''(A) to benefit a municipality that—

''(i) meets the State's affordability criteria established under paragraph (2); or

''(ii) does not meet the State's affordability criteria if the recipient—

''(I) seeks additional subsidization to benefit individual ratepayers in the residential user rate class;

''(II) demonstrates to the State that such ratepayers will experience a significant hardship from the increase in rates necessary to finance the project or activity for which assistance is sought; and

''(III) ensures, as part of an assistance agreement between the State and the recipient, that the additional subsidization provided under this paragraph is directed through a user charge rate system (or other appropriate method) to such ratepayers; or

''(B) to implement a process, material, technique, or technology to address water-efficiency goals, address energy-efficiency goals, mitigate stormwater runoff, or encourage environmentally sensitive project planning, design, and construction.

''(2) AFFORDABILITY CRITERIA.—

''(A) ESTABLISHMENT.—On or before September 30, 2010, and after providing notice and an opportunity for public comment, a State shall establish affordability criteria to assist in identifying municipalities that would experience a significant hardship raising the revenue necessary to finance a project or activity eligible for assistance under section 603(c)(1) if additional subsidization is not provided. Such criteria shall be based on income data, population trends, and other data determined relevant by the State.

''(B) EXISTING CRITERIA.—If a State has previously established, after providing notice and an opportunity for public comment, affordability criteria that meet the requirements of subparagraph (A), the State may use the criteria for the purposes of this subsection. For purposes of this Act, any such criteria shall be treated as affordability criteria established under this paragraph.

''(C) INFORMATION TO ASSIST STATES.—The Administrator may publish information to assist States in establishing affordability criteria under subparagraph (A).

''(3) PRIORITY.—A State may give priority to a recipient for a project or activity eligible for funding under section 603(c)(1) if the recipient meets the State's affordability criteria.

''(4) SET-ASIDE.—

''(A) IN GENERAL.—In any fiscal year in which the Administrator has available for obligation more than $1,000,000,000 for the purposes of this title, a State shall provide additional subsidization under this subsection in the amount specified in subparagraph (B) to eligible entities described in paragraph (1) for projects and activities identified in the State's intended use plan prepared under section 606(c) to the extent that there are sufficient applications for such assistance.

''(B) AMOUNT.—In a fiscal year described in subparagraph (A), a State shall set aside for purposes of subparagraph (A) an amount not less than 25 percent of the difference between—

''(i) the total amount that would have been allotted to the State under section 604 for such fiscal year if the amount available to the Administrator for obligation under this title for such fiscal year had been equal to $1,000,000,000; and

''(ii) the total amount allotted to the State under section 604 for such fiscal year.

''(5) LIMITATION.—The total amount of additional subsidization provided under this subsection by a State may not exceed 30 percent of the total amount of capitalization grants received by the State under this title in fiscal years beginning after September 30, 2009.''.

SEC. 1304. ALLOTMENT OF FUNDS.

(a) IN GENERAL.—Section 604(a) (33 U.S.C. 1384(a)) is amended to read as follows:

''(a) ALLOTMENTS.—

''(1) FISCAL YEARS 2010 AND 2011.—Sums appropriated to carry out this title for each of fiscal years 2010 and 2011 shall be allotted by the Administrator in accordance with the formula used to allot sums appropriated to carry out this title for fiscal year 2009.

''(2) FISCAL YEAR 2012 AND THEREAFTER.—Sums appropriated to carry out this title for fiscal

year 2012 and each fiscal year thereafter shall be allotted by the Administrator as follows:

''(A) Amounts that do not exceed $1,350,000,000 shall be allotted in accordance with the formula described in paragraph (1).

''(B) Amounts that exceed $1,350,000,000 shall be allotted in accordance with the formula developed by the Administrator under subsection (d).''.

(b) PLANNING ASSISTANCE.—Section 604(b) (33 U.S.C. 1384(b)) is amended by striking ''1 percent'' and inserting ''2 percent''.

(c) FORMULA.—Section 604 (33 U.S.C. 1384) is amended by adding at the end the following:

''(d) FORMULA BASED ON WATER QUALITY NEEDS.—Not later than September 30, 2011, and after providing notice and an opportunity for public comment, the Administrator shall publish an allotment formula based on water quality needs in accordance with the most recent survey of needs developed by the Administrator under section 516(b).''.

SEC. 1305. INTENDED USE PLAN.

(a) INTEGRATED PRIORITY LIST.—Section 603(g) (33 U.S.C. 1383(g)) is amended to read as follows:

''(g) PRIORITY LIST.—

''(1) IN GENERAL.—For fiscal year 2011 and each fiscal year thereafter, a State shall establish or update a list of projects and activities for which assistance is sought from the State's water pollution control revolving fund. Such projects and activities shall be listed in priority order based on the methodology established under paragraph (2). The State may provide financial assistance from the State's water pollution control revolving fund only with respect to a project or activity included on such list. In the case of projects and activities eligible for assistance under section 603(c)(2), the State may include a category or subcategory of nonpoint sources of pollution on such list in lieu of a specific project or activity.

''(2) METHODOLOGY.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, and after providing notice and opportunity for public comment, each State (acting through the State's water quality management agency and other appropriate agencies of the State) shall establish a methodology for developing a priority list under paragraph (1).

''(B) PRIORITY FOR PROJECTS AND ACTIVITIES THAT ACHIEVE GREATEST WATER QUALITY IMPROVEMENT.—In developing the methodology, the State shall seek to achieve the greatest degree of water quality improvement, taking into consideration the requirements of section 602(b)(5) and section 603(i)(3), whether such water quality improvements would be realized without assistance under this title, and whether the proposed projects and activities would address water quality impairments associated with existing treatment works.

''(C) CONSIDERATIONS IN SELECTING PROJECTS AND ACTIVITIES.—In determining which projects and activities will achieve the greatest degree of water quality improvement, the State shall consider—

''(i) information developed by the State under sections 303(d) and 305(b);

''(ii) the State's continuing planning process developed under section 303(e);

''(iii) the State's management program developed under section 319; and

''(iv) conservation and management plans developed under section 320.

''(D) NONPOINT SOURCES.—For categories or subcategories of nonpoint sources of pollution that a State may include on its priority list under paragraph (1), the State shall consider the cumulative water quality improvements associated with projects or activities in such categories or subcategories.

''(E) EXISTING METHODOLOGIES.—If a State has previously developed, after providing notice and an opportunity for public comment, a methodology that meets the requirements of this paragraph, the State may use the methodology for the purposes of this subsection.''.

(b) INTENDED USE PLAN.—Section 606(c) (33 U.S.C. 1386(c)) is amended—

(1) in the matter preceding paragraph (1) by striking ''each State shall annually prepare'' and inserting ''each State (acting through the State's water quality management agency and other appropriate agencies of the State) shall annually prepare and publish'';

(2) by striking paragraph (1) and inserting the following:

''(1) the State's priority list developed under section 603(g);'';

(3) in paragraph (4)—

(A) by striking ''and (6)'' and inserting ''(6), (15), and (17)''; and

(B) by striking ''and'' at the end;

(4) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(5) by adding at the end the following:

''(6) if the State does not fund projects and activities in the order of the priority established under section 603(g), an explanation of why such a change in order is appropriate.''.

(c) TRANSITIONAL PROVISION.—Before completion of a priority list based on a methodology established under section 603(g) of the Federal Water Pollution Control Act (as amended by this section), a State shall continue to comply with the requirements of sections 603(g) and 606(c) of such Act, as in effect on the day before the date of enactment of this Act.

SEC. 1306. ANNUAL REPORTS.

Section 606(d) (33 U.S.C. 1386(d)) is amended by inserting ''the eligible purpose under section 603(c) for which the assistance is provided,'' after ''loan amounts,''.

SEC. 1307. TECHNICAL ASSISTANCE; REQUIREMENTS FOR USE OF AMERICAN MATERIALS.

Title VI (33 U.S.C. 1381 et seq.) is amended—

(1) by redesignating section 607 as section 609; and

(2) by inserting after section 606 the following:

''SEC. 607. TECHNICAL ASSISTANCE.

''(a) SIMPLIFIED PROCEDURES.—Not later than 1 year after the date of enactment of this section, the Administrator shall assist the States in establishing simplified procedures for treatment works to obtain assistance under this title.

''(b) PUBLICATION OF MANUAL.—Not later than 2 years after the date of the enactment of this section, and after providing notice and opportunity for public comment, the Administrator shall publish a manual to assist treatment works in obtaining assistance under this title and publish in the Federal Register notice of the availability of the manual.

''(c) COMPLIANCE CRITERIA.—At the request of any State, the Administrator, after providing notice and an opportunity for public comment, shall assist in the development of criteria for a State to determine compliance with the conditions of funding assistance established under sections 602(b)(13) and 603(d)(1)(E).

''SEC. 608. REQUIREMENTS FOR USE OF AMERICAN MATERIALS.

''(a) IN GENERAL.—Notwithstanding any other provision of law, none of the funds made available by a State water pollution control revolving fund as authorized under this title may be used for the construction of treatment works unless the steel, iron, and manufactured goods used in such treatment works are produced in the United States.

''(b) EXCEPTIONS.—Subsection (a) shall not apply in any case in which the Administrator (in consultation with the Governor of the State) finds that—

''(1) applying subsection (a) would be inconsistent with the public interest;

''(2) steel, iron, and manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(3) inclusion of steel, iron, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

''(c) PUBLIC NOTIFICATION AND WRITTEN JUSTIFICATION FOR WAIVER.—If the Administrator determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the Administrator shall—

''(1) not less than 15 days prior to waiving application of subsection (a), provide public notice and the opportunity to comment on the Administrator's intent to issue such waiver; and

''(2) upon issuing such waiver, publish in the Federal Register a detailed written justification as to why the provision is being waived.

''(d) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with United States obligations under international agreements.''.

SEC. 1308. AUTHORIZATION OF APPROPRIATIONS.

Section 609 (as redesignated by section 1307 of this Act) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) $2,400,000,000 for fiscal year 2010;

''(2) $2,700,000,000 for fiscal year 2011;

''(3) $2,800,000,000 for fiscal year 2012;

''(4) $2,900,000,000 for fiscal year 2013; and

''(5) $3,000,000,000 for fiscal year 2014.''.

Subtitle D—General Provisions

SEC. 1401. DEFINITION OF TREATMENT WORKS.

Section 502 (33 U.S.C. 1362) is amended by adding at the end the following:

''(26) TREATMENT WORKS.—The term 'treatment works' has the meaning given that term in section 212.''.

SEC. 1402. FUNDING FOR INDIAN PROGRAMS.

Section 518(c) (33 U.S.C. 1377) is amended—

(1) by striking ''The Administrator'' and inserting the following:

''(1) FISCAL YEARS 1987–2008.—The Administrator'';

(2) in paragraph (1) (as so designated)—

(A) by inserting ''and ending before October 1, 2008,'' after ''1986,''; and

(B) by striking the second sentence; and

(3) by adding at the end the following:

''(2) FISCAL YEAR 2009 AND THEREAFTER.—For fiscal year 2009 and each fiscal year thereafter, the Administrator shall reserve, before allotments to the States under section 604(a), not less than 0.5 percent and not more than 1.5 percent of the funds made available to carry out title VI.

''(3) USE OF FUNDS.—Funds reserved under this subsection shall be available only for grants for projects and activities eligible for assistance under section 603(c) to serve—

''(A) Indian tribes (as defined in section 518(h));

''(B) former Indian reservations in Oklahoma (as determined by the Secretary of the Interior); and

''(C) Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).''.

Subtitle E—Tonnage Duties

SEC. 1501. TONNAGE DUTIES.

(a) IN GENERAL.—Section 60301 of title 46, United State Code, is amended by striking subsections (a) and (b) and inserting the following:

''(a) LOWER RATE.—

''(1) IMPOSITION OF DUTY.—A duty is imposed at the rate described in paragraph (2) at each entry in a port of the United States of—

''(A) a vessel entering from a foreign port or place in North America, Central America, the West Indies Islands, the Bahama Islands, the Bermuda Islands, or the coast of South America bordering the Caribbean Sea; or

''(B) a vessel returning to the same port or place in the United States from which it departed, and not entering the United States from another port or place, except—

''(i) a vessel of the United States;

''(ii) a recreational vessel (as defined in section 2101 of this title); or

''(iii) a barge.

''(2) RATE.—The rate referred to in paragraph (1) shall be—

''(A) 4.5 cents per ton (but not more than a total of 22.5 cents per ton per year) for fiscal years 2006 through 2009;

''(B) 9.0 cents per ton (but not more than a total of 45 cents per ton per year) for fiscal years 2010 through 2019; and

''(C) 2 cents per ton (but not more than a total of 10 cents per ton per year) for each fiscal year thereafter.

''(b) HIGHER RATE.—

''(1) IMPOSITION OF DUTY.—A duty is imposed at the rate described in paragraph (2) on a vessel at each entry in a port of the United States from a foreign port or place not named in subsection (a)(1).

''(2) RATE.—The rate referred to in paragraph (1) shall be—

''(A) 13.5 cents per ton (but not more than a total of 67.5 cents per ton per year) for fiscal years 2006 through 2009;

''(B) 27 cents per ton (but not more than a total of $1.35 per ton per year) for fiscal years 2010 through 2019, and

''(C) 6 cents per ton (but not more than a total of 30 cents per ton per year) for each fiscal year thereafter.''.

(b) LIABILITY IN REM.—Chapter 603 of title 46, United States Code, is amended by adding at the end the following:

''§ 60313. Liability in rem for costs

''A vessel is liable in rem for any amount due under this chapter for that vessel and may be proceeded against for that liability in the United States district court for any district in which the vessel may be found.''.

(c) CONFORMING AMENDMENTS.—Such title is further amended—

(1) by striking the heading for subtitle VI and inserting the following:

''Subtitle VI—Clearance and Tonnage Duties'';

(2) in the heading for chapter 603, by striking ''**TAXES**'' and inserting ''**DUTIES**'';

(3) in the headings of sections in chapter 603, by striking ''**taxes**'' each place it appears and inserting ''**duties**'';

(4) in the heading for subsection (a) of section 60303, by striking ''TAX'' and inserting ''DUTY'';

(5) in the text of sections in chapter 603, by striking ''taxes'' each place it appears and inserting ''duties''; and

(6) in the text of sections in chapter 603, by striking ''tax'' each place it appears and inserting ''duty''.

(d) CLERICAL AMENDMENTS.—Such title is further amended—

(1) in the title analysis by striking the item relating to subtitle VI and inserting the following:

''VI. CLEARANCE AND TONNAGE DUTIES ..... 60101'';

(2) in the analysis for subtitle VI by striking the item relating to chapter 603 and inserting the following:

''603. Tonnage Duties and Light Money 60301'';

and

(3) in the analysis for chapter 603—

(A) by striking the items relating to sections 60301 and 60302 and inserting the following:

''60301. Regular tonnage duties.
''60302. Special tonnage duties.'';

(B) by striking the item relating to section 60304 and inserting the following:

''60304. Presidential suspension of tonnage duties and light money.'';

and

(C) by adding at the end the following:

''60313. Liability in rem for costs.''.

TITLE II—ALTERNATIVE WATER SOURCE PROJECTS

SEC. 2001. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

(a) SELECTION OF PROJECTS.—Section 220(d)(2) (33 U.S.C. 1300(d)(2)) is amended by inserting before the period at the end the following: ''or whether the project is located in an area which is served by a public water system serving 10,000 individuals or fewer''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 220(j) (33 U.S.C. 1300(j)) is amended by striking ''$75,000,000 for fiscal years 2002 through 2004'' and inserting ''$50,000,000 for each of fiscal years 2010 through 2014''.

TITLE III—SEWER OVERFLOW CONTROL GRANTS

SEC. 3001. SEWER OVERFLOW CONTROL GRANTS.

(a) ADMINISTRATIVE REQUIREMENTS.—Section 221(e) (33 U.S.C. 1301(e)) is amended to read as follows:

''(e) ADMINISTRATIVE REQUIREMENTS.—A project that receives assistance under this section shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund under title VI, except to the extent that the Governor of the State in which the project is located determines that a requirement of title VI is inconsistent with the purposes of this section.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 221(f) (33 U.S.C. 1301(f)) is amended by striking ''this section $750,000,000'' and all that follows through the period at the end and inserting ''this section $250,000,000 for fiscal year 2010, $300,000,000 for fiscal year 2011, $350,000,000 for fiscal year 2012, $400,000,000 for fiscal year 2013, and $500,000,000 for fiscal year 2014.''.

(c) ALLOCATION OF FUNDS.—Section 221(g) of such Act (33 U.S.C. 1301(g)) is amended to read as follows:

''(g) ALLOCATION OF FUNDS.—

''(1) FISCAL YEAR 2010.—Subject to subsection (h), the Administrator shall use the amounts appropriated to carry out this section for fiscal year 2010 for making grants to municipalities and municipal entities under subsection (a)(2) in accordance with the criteria set forth in subsection (b).

''(2) FISCAL YEAR 2011 AND THEREAFTER.—Subject to subsection (h), the Administrator shall use the amounts appropriated to carry out this section for fiscal year 2011 and each fiscal year thereafter for making grants to States under subsection (a)(1) in accordance with a formula to be established by the Administrator, after providing notice and an opportunity for public comment, that allocates to each State a proportional share of such amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls identified in the most recent survey conducted pursuant to section 516.''.

(d) REPORTS.—The first sentence of section 221(i) (33 U.S.C. 1301(i)) is amended by striking ''2003'' and inserting ''2012''.

TITLE IV—MONITORING, REPORTING, AND PUBLIC NOTIFICATION OF SEWER OVERFLOWS

SEC. 4001. MONITORING, REPORTING, AND PUBLIC NOTIFICATION OF SEWER OVERFLOWS.

Section 402 (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) SEWER OVERFLOW MONITORING, REPORTING, AND NOTIFICATIONS.—

''(1) GENERAL REQUIREMENTS.—After the last day of the 180-day period beginning on the date on which regulations are issued under paragraph (4), a permit issued, renewed, or modified under this section by the Administrator or the State, as the case may be, for a publicly owned treatment works shall require, at a minimum, beginning on the date of the issuance, modification, or renewal, that the owner or operator of the treatment works—

''(A) institute and utilize a feasible methodology, technology, or management program for monitoring sewer overflows to alert the owner or operator to the occurrence of a sewer overflow in a timely manner;

''(B) in the case of a sewer overflow that has the potential to affect human health, notify the public of the overflow as soon as practicable but not later than 24 hours after the time the owner or operator knows of the overflow;

''(C) in the case of a sewer overflow that may imminently and substantially endanger human health, notify public health authorities and other affected entities, such as public water systems, of the overflow immediately after the owner or operator knows of the overflow;

''(D) report each sewer overflow on its discharge monitoring report to the Administrator or the State, as the case may be, by describing—

''(i) the magnitude, duration, and suspected cause of the overflow;

''(ii) the steps taken or planned to reduce, eliminate, or prevent recurrence of the overflow; and

''(iii) the steps taken or planned to mitigate the impact of the overflow; and

''(E) annually report to the Administrator or the State, as the case may be, the total number of sewer overflows in a calendar year, including—

''(i) the details of how much wastewater was released per incident;

''(ii) the duration of each sewer overflow;

''(iii) the location of the overflow and any potentially affected receiving waters;

''(iv) the responses taken to clean up the overflow; and

''(v) the actions taken to mitigate impacts and avoid further sewer overflows at the site.

''(2) EXCEPTIONS.—

''(A) NOTIFICATION REQUIREMENTS.—The notification requirements of paragraphs (1)(B) and (1)(C) shall not apply to a sewer overflow that is a wastewater backup into a single-family residence.

''(B) REPORTING REQUIREMENTS.—The reporting requirements of paragraphs (1)(D) and (1)(E) shall not apply to a sewer overflow that is a release of wastewater that occurs in the course of maintenance of the treatment works, is managed consistently with the treatment works' best management practices, and is intended to prevent sewer overflows.

''(3) REPORT TO EPA.—Each State shall provide to the Administrator annually a summary of sewer overflows that occurred in the State.

''(4) RULEMAKING BY EPA.—Not later than one year after the date of enactment of this subsection, the Administrator, after providing notice and an opportunity for public comment, shall issue regulations to implement this subsection, including regulations to—

''(A) establish a set of criteria to guide the owner or operator of a publicly owned treatment works in—

''(i) assessing whether a sewer overflow has the potential to affect human health or may imminently and substantially endanger human health; and

''(ii) developing communication measures that are sufficient to give notice under paragraphs (1)(B) and (1)(C); and

''(B) define the terms 'feasible' and 'timely' as such terms apply to paragraph (1)(A), including site specific conditions.

''(5) APPROVAL OF STATE NOTIFICATION PROGRAMS.—

''(A) REQUESTS FOR APPROVAL.—

''(i) IN GENERAL.—After the date of issuance of regulations under paragraph (4), a State may submit to the Administrator evidence that the State has in place a legally enforceable notification program that is substantially equivalent to or exceeds the requirements of paragraphs (1)(B) and (1)(C).

''(ii) PROGRAM REVIEW AND AUTHORIZATION.—If the evidence submitted by a State under clause (i) shows the notification program of the State to be substantially equivalent to or exceeds the requirements of paragraphs (1)(B) and (1)(C), the Administrator shall authorize the State to carry out such program instead of the requirements of paragraphs (1)(B) and (1)(C).

''(iii) FACTORS FOR DETERMINING SUBSTANTIAL EQUIVALENCY.—In carrying out a review of a State notification program under clause (ii), the Administrator shall take into account the scope of sewer overflows for which notification is required, the length of time during which notification must be made, the scope of persons who must be notified of sewer overflows, the scope of enforcement activities ensuring that notifications of sewer overflows are made, and such other factors as the Administrator considers appropriate.

''(B) REVIEW PERIOD.—If a State submits evidence with respect to a notification program under subparagraph (A)(i) on or before the last day of the 30-day period beginning on the date of issuance of regulations under paragraph (4), the requirements of paragraphs (1)(B) and (1)(C) shall not begin to apply to a publicly owned treatment works located in the State until the date on which the Administrator completes a review of the notification program under subparagraph (A)(ii).

''(C) WITHDRAWAL OF AUTHORIZATION.—If the Administrator, after conducting a public hearing, determines that a State is not administering and enforcing a State notification program authorized under subparagraph (A)(ii) in accordance with the requirements of this paragraph, the Administrator shall so notify the State and, if appropriate corrective action is not taken within a reasonable time, not to exceed 90 days, the Administrator shall withdraw authorization of such program and enforce the requirements of paragraphs (1)(B) and (1)(C) with respect to the State.

''(6) SPECIAL RULES CONCERNING APPLICATION OF NOTIFICATION REQUIREMENTS.—After the last day of the 30-day period beginning on the date of issuance of regulations under paragraph (4), the requirements of paragraphs (1)(B) and (1)(C) shall—

''(A) apply to the owner or operator of a publicly owned treatment works and be subject to enforcement under section 309, and

''(B) supersede any notification requirements contained in a permit issued under this section for the treatment works to the extent that the notification requirements are less stringent than the notification requirements of paragraphs (1)(B) and (1)(C),

until such date as a permit is issued, renewed, or modified under this section for the treatment works in accordance with paragraph (1).

''(7) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) SANITARY SEWER OVERFLOW.—The term 'sanitary sewer overflow' means an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. Such term does not include municipal combined sewer overflows or other discharges from the combined portion of a municipal combined storm and sanitary sewer system and does not include wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned. Such term includes overflows or releases of wastewater that reach waters of the United States, overflows or releases of wastewater in the United States that do not reach waters of the United States, and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral.

''(B) SEWER OVERFLOW.—The term 'sewer overflow' means a sanitary sewer overflow or a municipal combined sewer overflow.

''(C) SINGLE-FAMILY RESIDENCE.—The term 'single-family residence' means an individual dwelling unit, including an apartment, condominium, house, or dormitory. Such term does not include the common areas of a multi-dwelling structure.''.

TITLE V—GREAT LAKES LEGACY REAUTHORIZATION

SEC. 5001. REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN.

Section 118(c)(12)(H) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(12)(H)) is amended by striking clause (i) and inserting the following:

''(i) IN GENERAL.—In addition to other amounts authorized under this section, there is authorized to be appropriated to carry out this paragraph—

''(I) $50,000,000 for each of the fiscal years 2004 through 2009; and

''(II) $150,000,000 for each of the fiscal years 2010 through 2014.''.

SEC. 5002. PUBLIC INFORMATION PROGRAM.

Section 118(c)(13)(B) (33 U.S.C. 1268(c)(13)(B)) is amended by striking ''2010'' and inserting ''2014''.

SEC. 5003. CONTAMINATED SEDIMENT REMEDIATION APPROACHES, TECHNOLOGIES, AND TECHNIQUES.

Section 106(b) of the Great Lakes Legacy Act of 2002 (33 U.S.C. 1271a(b)) is amended by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—In addition to amounts authorized under other laws, there is authorized to be appropriated to carry out this section—

''(A) $3,000,000 for each of the fiscal years 2004 through 2009; and

''(B) $5,000,000 for each of the fiscal years 2010 through 2014.''.

The CHAIR. No amendment to the committee amendment is in order except those printed in House report 111–36. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. OBERSTAR

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–36.

Mr. OBERSTAR. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. OBERSTAR:

In section 1101(a)(3) of the bill, in the matter proposed to be inserted as section 104(b)(8) of the Federal Water Pollution Control Act—

(1) in subparagraph (A)—

(A) insert ''and tribal governments'' after ''small municipalities''; and

(B) insert ''and tribal governments'' after ''such municipalities''; and

(2) in subparagraphs (B) and (C) strike ''rural and small'' and insert ''rural, small, and tribal''.

In section 1103(a)(2) of the bill, amend subparagraph (A) to read as follows:

(A) in the matter preceding paragraph (1)—

(i) by striking ''for treatment works'' and inserting ''to a municipality or municipal entity''; and

(ii) by striking ''wet weather discharge'';

In section 1103(a)(2)(B) of the bill, in the matter proposed to be inserted in section 122(a)(2) of the Federal Water Pollution Control Act, strike ''technologies'' and insert ''technologies and other techniques that utilize infiltration, evapotranspiration, and reuse of storm water on site''.

In section 1103 of the bill, amend subsection (b) to read as follows:

(b) AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 122(c)(1) is amended—

(1) by striking ''and''; and

(2) by striking the period and inserting '', such sums as may be necessary for each of fiscal years 2005 through 2009, and $100,000,000 for each of fiscal years 2010 through 2014.''.

In section 1303(a) of the bill, in the matter proposed to be inserted in section 603(c) of the Federal Water Pollution Control Act—

(1) in paragraph (7) strike ''and'' after the semicolon;

(2) in paragraph (8) strike ''section 122.'', the closing quotation marks, and the final period and insert ''section 122; and''; and

(3) add after paragraph (8) the following:

''(9) to any municipality or intermunicipal, interstate, or State agency for measures to reduce the energy consumption needs for publicly owned treatment works, including the implementation of energy-efficient or renewable-energy generation technologies.''.

In section 1303(f) of the bill, in the matter proposed to be inserted as section 603(i)(2)(A) of the Federal Water Pollution Control Act, strike the last sentence and insert the following: ''Such criteria shall be based on income data, population trends, and other data determined relevant by the State, including whether the project or activity is to be carried out in an economically distressed area, as described in section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161).''.

Amend section 1306 of the bill to read as follows:

SEC. 1306. ANNUAL REPORTS.

Section 606(d) (33 U.S.C. 1386(d)) is amended—

(1) by striking ''(d) ANNUAL REPORT.—Beginning'' and inserting the following:

''(d) ANNUAL REPORTS.—

''(1) STATE REPORT.—Beginning'';

(2) in paragraph (1) (as so designated) by striking ''loan amounts,'' and inserting ''loan amounts, the eligible purposes under section 603(c) for which the assistance has been provided,''; and

(3) by adding at the end the following:

''(2) FEDERAL REPORT.—The Administrator shall annually prepare, and make publicly available, a report on the performance of the projects and activities carried out in whole or in part with assistance made available by a State water pollution control revolving fund as authorized under this title during the previous fiscal year, including—

''(A) the annual and cumulative financial assistance provided to States under this title;

''(B) the categories and types of such projects and activities;

''(C) an estimate of the number of jobs created through carrying out such projects and activities;

''(D) an assessment of the progress made toward meeting the goals and purposes of this Act through such projects and activities; and

''(E) any additional information that the Administrator considers appropriate.''.

At the end of title I of the bill, add the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations]) and conform the table of contents accordingly:

SEC. 1309. UNITED STATES-MEXICAN BORDER WATER INFRASTRUCTURE STUDIES.

(a) STUDY OF INFRASTRUCTURE ALONG THE RIO GRANDE RIVER.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency shall conduct a study of wastewater treatment facilities that discharge into the Rio Grande

River and develop recommendations for improving monitoring, information sharing, and cooperation between the United States and Mexico.

(2) CONSULTATION.—The Administrator shall conduct the study in consultation with the Secretary of State, appropriate representatives of the Mexican government, and the International Boundary Waters Commission.

(3) REPORT.—Not later than 12 months after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study, together with the recommendations developed under paragraph (1).

(b) STUDY OF WATER INFRASTRUCTURE ALONG THE UNITED STATES-MEXICO BORDER.—

(1) STUDY.—The Comptroller General shall conduct a study on water infrastructure along the border between the United States and Mexico to augment current studies relating to colonias development.

(2) CONTENTS.—In conducting the study, the Comptroller General shall examine the comprehensive planning needs relating to water and wastewater infrastructure for colonias along the border between the United States and Mexico.

(3) REPORT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study.

In section 1501 of the bill, strike subsection (b) and redesignate subsections (c) and (d) as subsections (b) and (c), respectively.

In section 1501(c)(3) of the bill (as so redesignated)—

(1) in subparagraph (A) insert ''and'' after the semicolon;

(2) in subparagraph (B) strike ''; and'' and insert a period; and

(3) strike subparagraph (C).

Strike section 3001(b) of the bill and insert the following:

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 221(f) (33 U.S.C. 1301(f)) is amended to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $250,000,000 for fiscal year 2010, $300,000,000 for fiscal year 2011, $350,000,000 for fiscal year 2012, $400,000,000 for fiscal year 2013, and $500,000,000 for fiscal year 2014. Such sums shall remain available until expended.

''(2) MINIMUM ALLOCATIONS.—To the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 20 percent of the amount of the grants made to the State under subsection (a) in a fiscal year to carry out projects to control municipal combined sewer overflows and sanitary sewer overflows through the use of green infrastructure, water and energy efficiency improvements, and other environmentally innovative activities.''.

At the end of title V of the bill, add the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations]) and conform the table of contents accordingly:

SEC. 5004. GREAT LAKES WATER QUALITY.

(a) STUDY.—The Administrator of the Environmental Protection Agency, in consultation with the Secretary of State and the Government of Canada, shall conduct a study of the condition of wastewater treatment facilities located in the United States and Canada that discharge into the Great Lakes.

(b) CONTENTS.—In conducting the study, the Administrator shall—

(1) determine the effect that such treatment facilities have on the water quality of the Great Lakes; and

(2) develop recommendations—

(A) to improve water quality monitoring by the operators of such treatment facilities;

(B) to establish a protocol for improved notification and information sharing between the United States and Canada; and

(C) to promote cooperation between the United States and Canada to prevent the discharge of untreated and undertreated wastewater into the Great Lakes.

(c) CONSULTATION.—In conducting the study, the Administrator shall consult with the International Joint Commission.

(d) REPORT.—Not later than 12 months after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study, together with the recommendations developed under subsection (b)(2).

At the end of the bill, add the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations]) and conform the table of contents accordingly:

TITLE VI—PHARMACEUTICALS AND PERSONAL CARE PRODUCTS

SEC. 6001. PRESENCE OF PHARMACEUTICALS AND PERSONAL CARE PRODUCTS IN WATERS OF THE UNITED STATES.

Section 104 (33 U.S.C. 1254) is amended by adding at the end the following:

''(w) PRESENCE OF PHARMACEUTICALS AND PERSONAL CARE PRODUCTS IN WATERS OF THE UNITED STATES.—

''(1) STUDY.—The Administrator, in consultation with appropriate Federal agencies (including the National Institute of Environmental Health Sciences), shall conduct a study on the presence of pharmaceuticals and personal care products (in this subsection referred to as 'PPCPs') in the waters of the United States.

''(2) CONTENTS.—In conducting the study under paragraph (1), the Administrator shall—

''(A) identify PPCPs that have been detected in the waters of the United States and the levels at which such PPCPs have been detected;

''(B) identify the sources of PPCPs in the waters of the United States, including point sources and nonpoint sources of PPCP contamination; and

''(C) identify methods to control, limit, treat, or prevent PPCPs in the waters of the United States.

''(3) REPORT.—Not later than 12 months after the date of enactment of this subsection, the Administrator shall submit to Congress a report on the results of the study conducted under this subsection, including the potential effects of PPCPs in the waters of the United States on human health and aquatic wildlife.

''(4) PHARMACEUTICALS AND PERSONAL CARE PRODUCTS DEFINED.—In this subsection, the terms 'pharmaceuticals and personal care products' and 'PPCPs' mean products used by individuals for personal health or cosmetic reasons or used to enhance growth or health of livestock.''.

The CHAIR. Pursuant to House Resolution 235, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. The manager's amendment incorporates several important policy changes to the Clean Water Act, principally to promote transparency and accountability following on the committee's portion of the Economic Recovery Act, in which we require across the spectrum of our portion of the stimulus package openness, accountability reports every 30 days, the first of which will be received on April 3 by this committee from the whole range of Federal agencies and State agencies that are receiving recovery funds. We take that principle and incorporate those concepts of openness and accountability for the future of this program.

□ 1200

A review of the types and categories of projects, the activities carried out under the State Revolving Fund, the jobs estimated to be created from the funds that States will use and cities will borrow from, we want to know the jobs created, the type of project, the category of projects, activities carried out, receive that information and make it public.

We also provide additional criteria for States to determine affordability for wastewater infrastructure projects and activities, and tribal governments to be eligible for technical and management assistance for small, publicly owned sewerage agencies.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I ask unanimous consent to claim the time, although I am not in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. Again, we very much support this amendment and thank the chairman for bringing it forward, and I yield back the balance of my time.

Mr. OBERSTAR. I thank the gentleman for his comments. The balance of the manager's amendment includes proposals that we folded in from Representatives CARDOZA, CLEAVER, CUELLAR, EDWARDS of Maryland, LUJAN, MCCARTHY of New York, STUPAK and Mr. TEAGUE, and I will not go into all the details, but I will include in the RECORD under general leave my complete statement covering those provisions. I ask support for the manager's amendment.

I yield back the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I ask unanimous consent to reclaim a minute of my time.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 1 minute.

There was no objection.

Mr. BOOZMAN. I yield 1 minute to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Chairman, I am not in opposition to the amendment. I think the amendment is actually appropriate. My concern about it is, and I will say this to the chairman of the committee, I totally, coming from local government, totally support the openness here. I think at a time when we still have storm water diversion going over and polluting our rivers, it is crazy that we don't do more.

But I would ask the chairman to be aware of the fact that although we will

be able to tell the public, and the public will be able to know, where their money is going and how it is being spent, there is still that issue the American people are very upset about, what the Senate did to the stimulus package, and that is the issue that the public will not know: Are the people who are getting the jobs legally in the country? Do their Social Security names and numbers match? And will the public be able to know how many legal residents and Americans got this job as opposed to somebody who is in violation of our immigration status? The E-Verify was a great bipartisan effort here in the House. For us to abandon that as a minimum standard to allow the public to know, I disagree with that.

Mr. CLEAVER. Mr. Chair, I rise today in support of H.R. 1262, the Water Quality Investment Act of 2009, which my good friend Chairman OBERSTAR introduced. In particular, I am very proud to support the Oberstar Amendment, containing provisions to ensure that no less than 20 percent of all sewer overflow control grants allocated through this legislation will be spent on projects that incorporate green infrastructure practices.

H.R. 1262, the Water Quality Investment Act authorizes significant federal investment aimed at reducing sewer overflows in the, United States—a problem that threatens human health and the environment across the country.

Currently, most cities that have created EPA-mandated plans to reduce their sewer overflows have relied on the increase of treatment and storage capacity, and the separation of sanitary and stormwater sewers—so-called ''grey solutions.'' However, research and demonstration projects have shown promising results for the use of ''green infrastructure'' to help solve the sewer overflow problem. Green infrastructure takes nature as its guide, using plants and natural systems to infiltrate stormwater into the soil before it enters the sewers, taking pressure off of cities' collection and treatment systems.

I was proud to contribute a provision in the Oberstar Amendment that will ensure that no less than 20 percent of grant funds made under this bill for sewer overflow control will be spent on projects that incorporate green infrastructure approaches and practices. This strikes a reasonable balance between green infrastructure and traditional control systems, as both have a role in creating a sustainable and workable solution to sewer overflows.

Green infrastructure has significant advantages over grey solutions. These strategies reduce stormwater runoff, relieving combined sewer systems of large quantities of stormwater that contribute to sewer overflows. At the same time, these natural systems can filter stormwater, removing pollutants that otherwise can be conveyed to streams and lakes. By holding stormwater runoff in the watershed where it falls, green infrastructure helps recharge groundwater sources that many cities rely on for drinking water. Green infrastructure also provides more greenspace to our concrete-covered cities. These open areas allow for recreational uses as well as reducing the urban heat island effect, which reduces energy needs. This reduced energy use combined with greater sequestration of carbon in trees and plants helps mitigate the effects of climate change. Building and maintaining these natural systems create green jobs as well. Finally, by reducing runoff, green infrastructure can alleviate flooding issues.

Perhaps most importantly, given the size of the federal contribution that this water quality financing bill represents, green infrastructure can be more cost effective than traditional grey solutions, even without considering the ancillary benefits listed above. Numerous demonstration projects have shown that green infrastructure can achieve the same level of runoff control for less money. For example, studies of new residential developments have found that green infrastructure can control stormwater for $3,500 to $4,500 less per lot than traditional stormwater controls. At the same time, the developments with green infrastructure have higher property values. Moreover, retrofitting existing urban spaces for green infrastructure is competitive in cost with conventional stormwater controls, especially when viewed as a component of a coherent watershed approach. When the additional benefits of green infrastructure are included, it becomes a very attractive alternative.

No one argues that green infrastructure alone can solve the enormous sewer overflow problem. But my amendment recognizes the growing consensus that green infrastructure deserves a place among the suite of tools used by watershed managers in an increasingly environmentally conscious society. Americans are demanding that we as lawmakers account for and take steps to reduce the footprint that we make on our fragile planet. This bill is a step toward meeting those expectations.

Indeed, America's cities are already moving in the direction of making green infrastructure an integral part of sewer overflow control strategies. Green roofs cover more than 1 million square feet in Chicago, thanks in part to grants of $5,000 the city offers to building owners that install a green roof. Chicago is also aggressively pursuing permeable pavement along its 2,000 miles of alleyways. In the face of rising costs and economic challenges, the Metropolitan Sewer District of Greater Cincinnati in 2007 took the bold step of re-examining its EPA-mandated combined sewer overflow (CSO) control plan, proposing that an aggressive stormwater management strategy using green infrastructure be implemented to reduce the burdensome cost of conventional grey solutions in their original plan. Washington, DC has investigated the stormwater benefits of green roofs and trees, and estimated that aggressive implementation of green roofs and tree planting could reduce CSOs by 1 billion gallons annually.

Kansas City, Missouri, which I proudly represent, has decided as a community that green infrastructure must be a main component of its sewer overflow control strategy. To that end, Kansas City's plan allocates tens of millions of dollars toward implementing green infrastructure solutions. The plan continues and expands the City's award-winning ''10,000 Rain Gardens'' campaign, which educates citizens about the benefits of installing rain gardens and provides resources to residents who want to plant a rain garden. The program will be expanded to help residents disconnect their downspouts. Recognizing the economic benefits of green infrastructure to the long term local economy, Kansas City is also allocating significant resources to developing the green collar workers that are needed to build green infrastructure. In tough times, these jobs will provide an economic stimulus to distressed areas. Finally, Kansas City has kicked off the largest demonstration of green solutions for CSO control in the nation, in the Marlborough neighborhood. Covering 100 acres, the project will be designed to store 500,000 gallons of stormwater. This project will replace the original plan for management of this area—two underground storage tanks that would have contributed no additional benefits to the neighborhood or the environment.

This bill will help cities adopt these and other innovative strategies, and it is in keeping with the New Direction this Congress has charted: one in which economic prosperity, environmental protection, and social well-being are not mutually exclusive. That is why I am proud to support H.R. 1262, particularly the amendment by my good friend Chairman OBERSTAR. I urge all my colleagues to support this vital piece of legislation.

Mr. INSLEE. Mr. Chair, the recent discovery of pharmaceuticals in our nation's waters has increased concern over how these drugs may affect the surrounding environment. That is why I am proud to have worked with Congresswoman MCCARTHY, Congresswoman BALDWIN and Congresswoman SCHWARTZ to secure an amendment in the Water Quality Investment Act of 2009 that would require the EPA to study the presence of pharmaceuticals and personal care products in our waters. This amendment is extremely important in advancing our understanding on how to cleanup these potentially hazardous materials. I would also like to thank Chairman OBERSTAR for inclusion of this amendment in the manager's amendment. It is my hope that Congress will continue to examine the issues surrounding the presence of pharmaceuticals in dangerous settings and work to pass the Safe Drug Disposal Act of 2009 in the near future.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. MACK

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111–36.

Mr. MACK. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. MACK:

In section 1302(b)(4) of the bill, in the matter proposed to be inserted as section 602(b)(14) of the Federal Water Pollution Control Act, insert ''and'' after the semicolon.

In section 1302(b)(4) of the bill, in the matter proposed to be inserted as section 602(b)(15) of the Federal Water Pollution Control Act, strike ''; and'' and insert a period.

In section 1302(b)(4) of the bill, strike the matter proposed to be inserted as section 602(b)(16) of the Federal Water Pollution Control Act.

The CHAIR. Pursuant to House Resolution 235, the gentleman from Florida (Mr. MACK) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MACK. Mr. Chairman, I would like to yield myself such time as I may consume.

I would first like to thank Chairman OBERSTAR and Ranking Member MICA for all of their efforts to promote clean water and infrastructure investment. Despite these good efforts, I find it hard to believe that the majority would include a job-killing provision known as Davis-Bacon in this legislation.

With Davis-Bacon and the majority's introduction of the Card Check legislation earlier this week, the Democrat leadership is telling big labor that they are open for business and it is time to cash in on the backs of hardworking American taxpayers.

As Members of Congress, one of our jobs is to make certain that our country has safe, accessible and modern infrastructure. It is our responsibility as legislators to foster a competitive environment that enables businesses to hire the workers they need and to meet these goals.

Sadly, this is a bill we should all be able to support. But with the poison pill of the Davis-Bacon provision, this becomes unacceptable legislation, and I in good faith cannot support it.

The Davis-Bacon Act passed in 1931 is a throw-back to failed Depression-era economic policies and is fiscally irresponsible. Davis-Bacon is basically a federally mandated super-minimum wage provision that applies to federally funded infrastructure projects. Davis-Bacon provisions force construction projects to deal with unnecessary red tape and lead to higher construction costs. It ensures that wages are artificially set by bureaucrats, not by the free-market forces.

Currently 18 States, including my home State of Florida, have no prevailing wage laws. With the inclusion of Davis-Bacon, my constituents, along with 17 other States, will see increased costs of public construction, thereby reducing the volume of projects and jobs.

Mr. Chairman, I stand up for Florida and other States today. Do not burden them with this reckless policy. This bill today represents an unprecedented expansion of Davis-Bacon. The Clean Water Investment Act mandates that any project funded even in part by the State Revolving Fund is subject to the prevailing wage requirements.

To be blunt and simple, Davis-Bacon is fiscally irresponsible policy and should not be included in this legislation. Repealing Davis-Bacon would save taxpayers billions in construction and administrative costs. These numbers may seem trivial to some of my colleagues, especially in this time when the majority has spent more than a trillion dollars in the last few months, but to my constituents, this is completely unacceptable.

If we repeal Davis-Bacon, we could use these savings to create more jobs and improve our water supply, rather than just lining the pockets of big labor. I cannot believe that Members can sit back and allow this provision to be part of the underlying legislation. Our taxpayers deserve better.

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

Mr. OBERSTAR. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIR. The gentleman from Minnesota is recognized for 10 minutes.

Mr. OBERSTAR. Mr. Chairman, I yield myself 2 minutes.

It is always astonishing to me, over the going on 35 years that I have served in the House, on those few occasions when prevailing wage has become an issue of discussion on the House floor, it is characterized as ''job killing'' and ''union boss wages'' and other such, not that the gentleman from Florida used such language, but it has been used on other occasions.

This is far from job killing. Good Lord, this was a provision signed into law by Herbert Hoover on March 3, 1931, in response to an appeal from contractors who said that job-stealing contractors from other parts of the country were coming into New York on Long Island, where a federally funded hospital was being built, and undercutting their wages—and that was pretty hard to do in those days, because the wage was only about 25 cents an hour—and setting up tents on the property where the construction project was underway to undercut the local contractor who then appealed to the administration for help. Didn't get any, but the local Republican member of the House, Mr. Bacon, vigorously protested that practice.

The Assistant Secretary of Commerce, Mr. Davis, left the administration, went back to Pennsylvania, was elected to the United States Senate, and in 1931 joined with Mr. Bacon, moved this legislation through the House and Senate, and Herbert Hoover signed it into law. It has not killed jobs in over 70-some years.

I reserve the balance of my time.

Mr. MACK. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Chairman, I thank the gentleman for yielding, and I rise in strong support of this amendment.

Inclusion of the Davis-Bacon mandate in H.R. 1262 represents both bad policy and bad process, and I support this effort to correct it.

First on process. The Education and Labor Committee, the committee with jurisdiction over Davis-Bacon, never considered the bill's Davis-Bacon provision, not in a hearing, not in a markup, not in any procedure whatsoever. If we had, we would have weighed the impact of this provision on the projects themselves, on local economies, and indeed, on the American taxpayers. That brings me to my second objection, the policy.

By inflating labor rates, Davis-Bacon typically increases the cost of Federal projects by anywhere from 5 to 38 percent. Furthermore, the costs of Davis-Bacon are particularly burdensome for small businesses. This mandate can saddle private companies with literally millions of dollars in excess administrative work every year. Small, locally owned businesses can't afford this type of bureaucracy. They rarely have the resources to comply. As a result, large companies are more often rewarded government contracts, even for small projects. At a time when the economy is hurting as it is and small businesses are the ones creating jobs, give them the opportunity to do it. Federal law should not have a built-in bias against small businesses.

I urge my colleagues to support this amendment and remove the costly and burdensome Davis-Bacon requirement.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. BISHOP), a member of the committee.

Mr. BISHOP of New York. Mr. Chairman, I rise in opposition to the amendment. I rise particularly noting that Congressman Bacon at one point represented the district that I have the honor of representing.

I want to be clear on what our friends on the other side of the aisle are fighting for. The prevailing wage for a bricklayer in Lee County, Florida, is $8.34 an hour. That is an annual rate of $17,000 a year. The Federal poverty level for a family of four is approximately $21,000 a year. Does this Congress really want to go on record as imposing a wage rate that consigns the hardworking people of our communities to living under the Federal poverty level? I would hope not.

The prevailing wage for a backhoe operator in Madison County, Arkansas, is $12.17 an hour. Is that a wage that we can find indefensible? Is that a wage that is going to bankrupt the companies that hire these people? Absolutely not. An annual rate of $25,000 a year, how do we help our families get their piece of the American dream when we consign them to wages as low as $17,000 a year or $25,000 a year.

So I would urge my colleagues to both reject this amendment and to make a statement that we want to support the working families of our communities. We want to see to it that they are paid a livable wage. And we want to ensure, frankly, that we don't give opportunity to unscrupulous contractors who will not be bound by Federal prevailing-wage requirements, and they will then access a workforce that is willing to accept the subsistence wages and no benefits that would go along with such a job.

Mr. MACK. Mr. Chairman, I would like to yield 3 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman from Florida for yielding.

This is an issue that will bring me to this floor every opportunity I get. I believe I would be the one Member of this Congress who has lived under the oppressive burden of the Davis-Bacon Act

the longest and been impacted by it the most.

□ 1215

There is a second-generation King Construction that is impacted by this now, not of my interest.

The gentleman from Minnesota knows how much respect I have for him. I appreciate him bringing up Herbert Hoover. Herbert Hoover did sign this Davis-Bacon Act bill. It was about the same time that he was initiating the beginnings of the old New Deal. And I don't agree with either one of those decisions of Herbert Hoover, but I will defend his legacy when he's right.

This time, Herbert Hoover was wrong, and here is the reason: that we should, as consenting adults, have a protected right to enter into an agreement of our choice. If two consenting adults sit down and decide—if I want to work for my neighbor for $10 an hour, what business is it of this Congress to tell me and my neighbor that I can't do that job for $10 an hour?

Under the 10th amendment, the Federalism concept, the powers that belong to the States stay with the States. This reaches across into the Constitution and it says to the States, this revolving fund, even if it's your own money, you can't make those decisions any longer at the State level, you have to let the people in Congress make that decision—which I know they're going to go back and say, well, this is a prevailing wage. Well, no, it's a union scale. If it were a prevailing wage, you wouldn't need to have the Department of Labor looking in to keep all of these records. I have had them come and ask me what are we paying our people. Sometimes it's more than union scale, sometimes it's less than union scale; it depends on where the job is. But if you report the prevailing wage as a merit shop contractor—which I have spent nearly 30 years doing—you can bet that the union organizers will show up at your door. And so for that reason, smart merit shop contractors don't submit themselves to that kind of organization. They just don't report the prevailing wage, so it becomes de facto union scale. That is the reality of this.

And my numbers are this—this is out of King Construction's books: The additional cost, when we go into a Davis-Bacon job, is between 8 and 35 percent. It depends on the region, and it depends on the amount of materials. This reaches down into this and tells the States, you're going to have to pay this for the remaining States that do not have many Davis-Bacon laws, like Florida, like Iowa. It imposes a Federal Davis-Bacon wage scale on all of us.

I have not heard a rational argument that upholds the side of Davis-Bacon from proponents of it. I stand in support of this amendment. We cannot take away the 10th amendment rights of our States to do business as they see fit with their money. That is a violation of the Constitution, in my view. There has to be a rational argument.

But I will add one more argument to this, and that is: Herbert Hoover may have signed the bill, but this is the last Jim Crow law that I know that's on the books, and that can't be defended.

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Michigan, a member of the committee.

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to this amendment because, quite simply, Davis-Bacon works.

Some might say that Davis-Bacon is nothing more than a giveaway to unions, but nothing in Davis-Bacon actually requires government contractors to hire union labor. All Davis-Bacon actually does is to require that a local prevailing wage be paid to employees who do work on government infrastructure projects. And it just so happens that in many cases, when Davis-Bacon is applied, that union labor is hired because they have outstanding training that warrants the wage that is being paid is paid to them. And in the end, most importantly, good work is done on public projects.

Let us also remember for a moment what actually happened after Hurricane Katrina when then-President Bush suspended Davis-Bacon during the emergency rebuilding. During that time, Mr. Speaker, we saw local workers turned away in favor of immigrant labor from other areas, many of them workers who were in this country illegally. It got so bad after Katrina that I joined a number of my Republican colleagues in going to President Bush to implore him to restore Davis-Bacon protections. President Bush then rescinded his earlier order and the people of the gulf coast got the jobs they needed and the rebuilding went much smoother. And I will say this: When government work is being done in Michigan, I want highly skilled Michigan building trades workers to get those jobs.

Mr. Chairman, again, very simply, Davis-Bacon works. And I would urge my colleagues to reject this amendment.

Mr. MACK. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, in listening to the arguments, earlier a gentleman spoke about Lee County, Florida. Well, let me tell you what he didn't say. He didn't talk about the thousands of people that are out of work and that would like to have a job, that lost their job maybe in the construction industry and that would like to go back to work. With the Davis-Bacon provision in this bill, we won't be able to hire as many people as we would like. That means fewer jobs and fewer opportunities for the families that live in southwest Florida and all over this country.

Mr. Chairman, at a time when we are debating solutions to jump-start our economy and the importance of job creation, the Democrat majority has incorporated a provision in this bill that would do just the opposite. Repealing Davis-Bacon would create jobs, save money, and allow for more critical projects to be completed.

Including this provision in the bill means fewer jobs for fewer workers at a time when we want more people to have more opportunity. But Mr. Chairman, it comes as little surprise that in the same week the majority would ram through these Davis-Bacon provisions, they would introduce the Card Check bill. These reckless policies promote inefficiency and end up hammering all of our constituents. I hope this Congress will once and for all eliminate the outdated barrier to job creation.

Mr. Chairman, we need to leave Davis-Bacon and these failed Depression-era policies where they belong—in the history books.

I urge all Members to vote for my amendment to strip the Davis-Bacon provisions and to stand up for the American people, not Big Labor.

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

Mr. OBERSTAR. I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the comments from my colleague from Florida, who talked about the Employee Free Choice Act in the same breath as the Davis-Bacon, because it is part and parcel of the same issue.

There has been a concerted war against organized labor for years. Workers have been discriminated against when they have tried to organize, they have been cheated, they have been fired for exercising their rights with little penalties.

And look at what happened during Katrina when the Davis-Bacon provisions were suspended. That didn't trickle down to provide more family wage jobs. It provided more minimum wage jobs, but profit all up the food chain. I invite people to look at the disaster that resulted from suspending these worker provisions.

Mr. Chairman, we in Oregon had a spirited, robust State-wide referendum on this issue. By a 60–40 vote, our citizens, supported by a conservative Republican Governor, decided they wanted these worker provisions. This protection for working people is important, and I hope we keep it.

Mr. OBERSTAR. I thank the gentleman for his statement. I yield myself the balance of the time.

This is the kind of debate we should have, based on facts, based on reality in the workplace, the deeply felt views on issues, and it's why I insisted in committee and at the Rules Committee that the gentleman from Florida be allowed to offer this amendment in place and early on in consideration of this bill. It is appropriate to have this discussion.

I have great respect for the gentleman from Iowa (Mr. KING) who spoke earlier; we have worked together on a great many issues. He, too, speaks from the heart and from his experience

on a range of business matters. And far be it from me to defend Herbert Hoover. But there are a few things in Hoover's repertoire that are worthy to note. He launched aviation security as Secretary of Commerce in 1926. He signed Davis-Bacon. He established the Reconstruction Finance Corporation. Not all of Hoover was bad, as he is associated with the Great Depression.

The gentleman from Iowa has left the floor, but I couldn't help noting that the prevailing wage in Sioux City for iron workers, $20.95—that's not the union wage, that's prevailing wage. And for a truck driver, it is $18.25 in Sioux City, compared to a truck driver prevailing wage in Minnesota, in my district, in Lake County, $10.86.

The prevailing wage varies all over the country, depending on what the local labor survey shows. This is not a national wage, this is not a negotiated wage; this is the best they do in that particular area in this particular skill.

For the gentleman from Florida (Mr. MACK), a backhoe operator prevailing wage is $11.04. A backhoe operator in northeastern Minnesota gets $14.64. A backhoe operator in Mr. MICA's district gets $10.35. Union wage is about double that.

These are not confiscatory wages—they are just barely staying ahead of the minimum wage. I know what it's like to work as a laborer. I worked on laborer jobs when I was going through college, carrying a hod of mud for a bricklayer, puddling concrete on a street-laying job, laying pipe for the sewage treatment plant in my hometown at $1.25 an hour. That was below the minimum wage because we didn't have a union contractor on the job.

We ought to pay people a decent wage, a living wage. All we're asking for is the prevailing wage. And when the gentleman from Florida, the ranking member, said earlier, this is an expansion. Technically, yes, because the law expired. The Republican majority allowed this legislation, State Revolving Loan Fund, to expire. It was last authorized in 1994, and they allowed it to expire and it hasn't been authorized since then. So technically you can say, yeah, it is new, it's new legislation. We are just restoring what was.

This amendment should be defeated.

Mr. MACK. I ask unanimous consent to reclaim my 30 seconds to thank the chairman.

The CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MACK. Mr. Chairman, I failed to mention earlier that, in the committee, when I brought this amendment forward, Chairman OBERSTAR was gracious and kind to allow this debate to happen on the floor, and I think that shows great character. I want to thank him for his efforts to have the debate on the floor so we can let the people in the United States hear what the Congress is up to on this amendment. Thank you so much.

I would first like to thank Chairman OBERSTAR and Ranking Member MICA for all of their efforts to promote clean water and infrastructure investment. Despite these good efforts, I find it hard to believe that the majority would include a job-killing provision known as Davis-Bacon in this legislation.

Mr. Chairman, with Davis-Bacon and the majority's introduction of the card check legislation earlier this week, the Democratic leadership is telling Big Labor that we're open for business and it's time to cash in on the backs of hardworking American taxpayers!

As Members of Congress, one of our jobs is to make certain that our county has safe, accessible, and modern infrastructure. It is our responsibility as legislators to foster a competitive environment that enables businesses to hire the workers they need to meet these goals.

Sadly, this is a bill we should all be able to support, but with the poison pill of the Davis-Bacon provision, this becomes unacceptable legislation and I in good faith cannot support it.

The Davis-Bacon Act, passed in 1931, is a throwback to failed Depression-era economic policy and is fiscally irresponsible. The act was originally passed with the intent of preventing nonunionized and immigrant laborers from competing with unionized workers for very scarce jobs. This provision forced communities to hire workers at higher prices and completely eliminated the pool of competition and competitive wages.

Davis-Bacon is essentially a federally-mandated, super-minimum wage provision that applies to federally-funded infrastructure projects. Many studies have concluded that Davis-Bacon provisions force construction projects to deal with unnecessary red tape and lead to higher construction costs.

Davis-Bacon requirements ensure that wages are artificially set by bureaucrats not by free market forces.

Currently 18 states, inducting my home state of Florida have no prevailing wage laws. With the inclusion of Davis-Bacon, my constituents, along with the 17 other states will see increased costs of public construction, thereby reducing the volume of projects and jobs.

Mr. Chairman, I stand up for Florida and other states today—do not burden them with this reckless policy.

In 1987, the Clean Water Act stated that Davis-Bacon rates would only apply to contracts where direct federal dollars were used.

This bill today represents an unprecedented expansion of Davis-Bacon. The Clean Water Investment Act mandates that any project funded even in part by the State Revolving Loan Fund, is subject to the prevailing wage requirements.

To be blunt and simple, Davis-Bacon is a fiscally irresponsible policy and should not be included in this legislation.

Repealing this Act would save federal taxpayers billions on construction and administrative costs. These numbers may seem trivial to some of my colleagues—especially in this era where the majority has spent more than a trillion dollars in the last month—but to my constituents this is completely unacceptable! If we repealed Davis-Bacon, we could use this savings to create more jobs and improve our water supply rather than just lining the pockets of Big Labor.

According to the Associated Builders and Contractors, Davis-Bacon has been shown to increase public construction costs by as much as 38 percent. A recent estimate from the Beacon Hill Institute suggests Davis-Bacon costs taxpayers $8.6 billion per year. I cannot believe that Members can sit back and allow this provision to be part of this underlying legislation.

Our taxpayers deserve better.

Mr. Chairman, at a time when we are debating the solutions to jumpstart our economy and the importance of job creation, the Democratic majority has incorporated a provision in this bill that would do just the opposite.

Repealing Davis-Bacon would create jobs, save money, and allow for more critical projects to be completed. Including this provision in this bill means fewer jobs for fewer workers at a time when we want more people to have more opportunity.

It comes as little surprise that in the same week the majority would ram through these Davis-Bacon provisions, they introduce the card check bill. These reckless policies promote inefficiency, and end up harming all of our constituents.

I hope this Congress will once and for all eliminate this antiquated barrier to job creation in the private sector.

We need to leave Davis-Bacon and these failed Depression-era policies where it belongs: in the history books!

I urge all members to vote for my amendment to strip the Davis-Bacon provisions and stand up for the American people, not Big Labor.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I strongly oppose the amendment offered by the gentleman from Florida (Mr. MACK).

This amendment would strike the language renewing Davis-Bacon prevailing wage protections for construction projects funded under the Clean Water State Revolving Fund.

Since 1931, the Davis-Bacon Act has provided a living wage for America's workers.

As the authors of the Davis-Bacon Act knew then, and as we continue to know today, the greatest way to improve the quality of life for our nation's workers and for the nation as a whole is to provide workers with an honest wage for an honest day's work.

One of the unfortunate effects of today's economy and cost-of-living is that many families find themselves struggling to make ends meet.

In fact, today, many families either have both parents working or one wage-earner working multiple jobs just to afford a decent living for themselves and their families.

I believe that is important for the Federal government to help working Americans. It has been well documented by this Committee that every $1 billion invested in transportation and water infrastructure creates over 35,000 jobs.

In addition, the Davis-Bacon provisions have increased the numbers of minority and women construction workers nationwide, providing valuable wage protections and training opportunities for groups that might otherwise be left behind.

As of today, twenty-nine states have enacted their own prevailing wage laws for publicly funded construction projects. In some of these states, the prevailing wage laws result in even higher wages for workers than if the Federal Davis-Bacon provisions, alone, were in effect.

However, for those States without prevailing wage protections, the Davis-Bacon Act is essential to protecting America's workers.

I have heard statements from opponents of the Davis-Bacon Act who claim that the government would save money if the Davis-Bacon provisions were not included.

In fact, such a move would be penny-wise and pound-foolish, because such a move would not reduce the cost of construction projects.

Studies have shown that the prevailing wage protections offered by the Davis-Bacon Act, in fact, attract better workers with more experience and training who are more productive than less experienced, and less trained workers.

This increase in productivity often results in the completion of construction projects ahead of schedule, reducing the overall cost of the project, and offsetting any increased costs due to higher hourly wage rates.

Removing the Davis-Bacon protections would, however, have a significant downward impact on the Federal budget, since lower wages for construction workers would result in an estimate decline of $1 billion in Federal tax revenues.

I strongly oppose this amendment, and urge my colleagues also to oppose the amendment.

Ms. MACK. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MACK).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MACK. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. MARKEY OF COLORADO

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111–36.

Ms. MARKEY of Colorado. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 Offered by Ms. MARKEY of Colorado:

In section 1302(b)(4) of the bill, in the matter proposed to be inserted as section 602(b)(14) of the Federal Water Pollution Control Act, strike ''10 percent'' and insert ''15 percent''.

The CHAIR. Pursuant to House Resolution 235, the gentlewoman from Colorado (Ms. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Ms. MARKEY of Colorado. Mr. Chairman, I rise today to urge my colleagues to support my amendment to require States to use at least 15 percent of each capital grant under the State Water Pollution Control Revolving Funds for municipalities of less than 10,000 people.

The State Water Pollution Control Revolving Funds have been a successful source of capital for wastewater treatment projects. The State Revolving Funds receive Federal money in the form of grants. Each State uses the fund to issue long-term, low-interest loans for publicly owned wastewater treatment construction. Loans are repaid to the fund, thereby ensuring a perpetual source of financing for capital projects.

According to the EPA, communities of less than 10,000 people often have a harder time building and maintaining wastewater treatment facilities due to financial limitations. This leaves small communities at a disadvantage for keeping up to date with water quality standards.

In my district, the town of Brush, Colorado, population 5,500, has a wastewater treatment facility that is 44 years old. While this facility is currently meeting water quality standards, it is in need of an overhaul to replace fatigued equipment and stay ahead of ever-changing water quality standards.

Replacement of the wastewater treatment plant is likely to cost Brush between $16 to $18 million. With a median household income of $31,000, the town of Brush simply cannot afford to finance the project with the rate increases alone. Brush is seeking funding through the State Water Revolving Fund program.

The needs of Brush are not unique to small communities around the country. The town of Wray, in Yuma County, Colorado, needs to expand their current wastewater treatment facility. This project is projected to cost up to $5 million. Wray has a population of 2,300 people, with a median household income of $29,000.

□ 1230

My provision would help small communities like Brush and Wray have reliable access to capital loans to sustain their long-term water quality goals. The 15 percent requirement would be in place only to the extent that there are sufficient projects in need of funding. In dry States like Colorado, where every drop of water is accounted for, it is important that rural wastewater treatment facilities are given the funding they need to ensure water supplies are safe.

I urge all Members to support my amendment to H.R. 1262.

Mr. OBERSTAR. Will the gentlewoman yield?

Ms. MARKEY of Colorado. Yes.

Mr. OBERSTAR. We accept the amendment.

Mr. Chair, I rise in strong support of the amendment offered by the gentlewoman from Colorado (Ms. MARKEY) and the gentleman from Maryland (Mr. KRATOVIL).

H.R. 1262 requires States to use at least 10 percent of their Clean Water State Revolving Fund capitalization grants for small and rural communities (communities that have populations of fewer than 10,000) to the extent that there are sufficient applications for assistance. The Markey-Kratovil amendment increases this percentage from 10 percent to 15 percent.

This amendment addresses the reality that many States have small and rural communities that have demonstrated clean water needs. For instance, 19 percent of Colorado's total wastewater needs are made up of systems that serve small communities. Similarly, in Maryland, 12 percent of the total needs are for small communities. In my own state of Minnesota, the figure is a staggering 39 percent.

Given the economic straits that currently grip the nation, it is increasingly difficult for small and rural communities to generate resources on their own to address their wastewater needs. This amendment provides the tools for small communities throughout the country to repair the wastewater infrastructure that we as a nation depend on for clean water.

I urge my colleagues to join me in supporting the amendment offered by the gentlewoman from Colorado and the gentleman from Maryland.

Mr. BOOZMAN. Mr. Chair, I also ask the gentlewoman to yield.

Ms. MARKEY of Colorado. Yes, I will yield.

Mr. BOOZMAN. We also do not oppose the amendment.

Ms. MARKEY of Colorado. Thank you.

Mr. Chair, I yield such time as he may consume to the gentleman from Maryland (Mr. KRATOVIL).

Mr. KRATOVIL. I would like to thank the gentlewoman from Colorado for yielding.

Mr. Chair, I rise in support of the Markey-Kratovil amendment because this Congress needs to do more to ensure that rural communities receive an equal share of the funds needed to protect our environment, reduce pollution, and provide clean water.

Of the top 15 Clean Water Fund priorities in Maryland, eight of them are located in my district, the First District. Of those eight, six serve municipalities with populations under 10,000. Despite their relatively small populations, these small towns play one of the largest roles in protecting the Chesapeake Bay, our Nation's largest estuary with a watershed spanning six States and 64,000 square miles. By increasing the percentage of funds set aside for rural communities from 10 to 15 percent, we are taking a giant step forward in the repair of aging infrastructure, improvement of failing septic systems, and prevention of nutrients entering the Chesapeake Bay. These funds not only benefit the local communities by lessening their financial burden and helping to improve their infrastructure, but they benefit every family within the expansive watershed that relies on the bay for everything from commerce to recreation.

Oftentimes larger population centers are given funding priorities with the assumption that the benefits will find their way towards smaller suburban and rural communities. In the case of the Chesapeake Bay, the funding needs to focus on smaller, more rural areas that are on the front lines of protecting our environment.

The Clean Water State Revolving Fund is especially important to the Chesapeake Bay watershed, where nitrogen pollution degrades habitat for

key plants and animals in the bay's ecosystem, including underwater grasses, crabs, and oysters. As a result of nitrogen pollution, the Chesapeake Bay now functions at barely one-quarter of its estimated potential.

The funding also plays an integral role in upgrading sewage treatment plants that receive the majority of SRF funds. Wastewater discharged from sewage plants is the second largest source of nitrogen pollution to the Chesapeake Bay. When approximately 12 million of the 16 million residents of the watershed flush their toilets, the wastewater goes to sewage treatment plants and is discharged into the Chesapeake Bay and its tributaries. To date, more than two-thirds of those plants do not use any technologies to remove nitrogen pollution, and only 10 plants are currently reducing nitrogen pollution to the state-of-the-art levels, according to the most recent data available.

The Clean Water State Revolving Fund is the primary Federal funding mechanism to reduce water pollution and some of the more rural areas, especially those in my State and district, are the primary defenders of the environment. When allocating these funds, it's important to look past population and toward priorities so that the funding is more targeted for our long-term environmental health.

The CHAIR. The question is on the amendment offered by the gentlewoman from Colorado (Ms. MARKEY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MRS. MILLER OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111–36.

Mrs. MILLER of Michigan. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mrs. MILLER of Michigan:

At the end of the bill, add the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations]) and conform the table of contents accordingly:

TITLE VI—MISCELLANEOUS

SEC. 6001. TASK FORCE ON PROPER DISPOSAL OF UNUSED PHARMACEUTICALS.

(a) IN GENERAL.—In furtherance of the national goals and policies set forth in section 101 of the Federal Water Pollution Control Act (33 U.S.C. 1251), the Administrator of the Environmental Protection Agency (in this Act referred to as the ''Administrator'') shall convene a task force (in this Act referred to as the ''task force'') to develop—

(1) recommendations on the proper disposal of unused pharmaceuticals by consumers, health care providers, and others, which recommendations shall—

(A) be calculated to prevent or reduce the detrimental effects on the environment and human health caused by introducing unused pharmaceuticals, directly or indirectly, into water systems; and

(B) provide for limiting the disposal of unused pharmaceuticals through treatment works in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(2) a strategy for the Federal Government to educate the public on such recommendations.

(b) MEMBERSHIP.—The task force shall be composed of—

(1) the Administrator (or the Administrator's designee), who shall serve as the Chair of the task force;

(2) the Commissioner of Food and Drugs (or the Commissioner's designee); and

(3) such other members as the Administrator may appoint.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the task force shall submit a report to the Congress containing the recommendations and strategy required by subsection (a).

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the task force, the head of any department or agency of the United States may detail any of the personnel of that department or agency to the task force to assist in carrying out its duties under this section.

(e) TERMINATION.—The task force shall terminate 180 days after submitting the report required by subsection (c).

The CHAIR. Pursuant to House Resolution 235, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, last year a constituent of the mine, Gail St. Laurent, told me of a story surrounding the passing of her mother, who had a long battle with cancer. Fortunately, her mother had very good insurance, so she was able to get many, many drugs administered to help her manage pain during the final days of her life.

Gail was there when her mother passed away, and before her mother was taken out of the room, Gail watched as an official took all of the remaining drugs that her mother had, including OxyContin, Marinal, and liquid morphine, and then this person flushed them down the toilet. Then Gail had to sign a form that she had witnessed them being flushed down the toilet. Now, not only were those drugs sent down the toilet and into our water system, but they were perfectly good, including two vials of liquid morphine delivered just that day, and could have been used to help other patients.

This is not an isolated incident. Only about 1 year ago, the Associated Press reported the results of a 5-month investigation into America's water, and their results were shocking. A vast array of pharmaceutical products were found in the water supplies and the water systems that serve millions of Americans their drinking water supply. These drugs were found in water systems all across our country, from Detroit to southern California, from San Francisco to New Jersey. These drugs, which included treatments for high cholesterol, sex hormones, and anti-depressants, have also been found to be causing havoc on our ecosystems, resulting in mutated plant and animal life.

Now, there are a number of ways pharmaceuticals can end up in our lakes or our rivers and our water supplies. But the most direct route right now is when health care facilities and individuals flush unused drugs down the toilet. As this issue began to get more attention, I learned that Federal agencies have issued varying guidelines on how to dispose of drugs that are no longer needed. The AP actually noted that the government has an inconsistency in this area, and this is a follow-up story from September of 2008, and I quote:

''Federal agencies don't have a consistent message. For example, the Fish and Wildlife Service says do not flush unused medications, while the White House, backed by the FDA and the EPA, says flush prescription drugs down the toilet if they are on the list in the special guidelines. Meanwhile, the Drug Enforcement Administration says there is no safe, secure, and reliable disposal system for some narcotics.''

Mr. Chairman, if we are to begin the process of cleaning up our water and safely disposing of these drugs, the Federal Government's message needs to be consistent in telling consumers what to do.

My amendment very simply directs the EPA to convene a task force of the relevant Federal agencies to develop uniform recommendations on the proper disposal of unused pharmaceuticals. These recommendations would be designed with the goal in mind of reducing the detrimental effects caused by unused pharmaceuticals entering our Nation's water supply. The task force would also develop a strategy to educate the public on these recommendations. And I would hope that the task force could also find a safe way to allow for unused drugs to be given to other patients who would benefit from their use.

A year from enactment, the task force would then be required to submit a report to the Congress on their findings, and 6 months later, the task force would be disbanded.

So while I do not expect that this problem will be solved overnight, I feel strongly that we must begin paying proper attention to this issue because of its impact on our environment and its potential impact on public health. This amendment can get us started on working toward a solution. And if we can get everybody on the same page in terms of how to dispose of these products properly, then perhaps we could take a very significant step forward towards protecting our Nation's drinking water supply.

I certainly want to thank my friend Gail St. Laurent not only for the loving care that she gave to her mother but also for bringing this serious issue to my attention. Gail has really endeavored to make something good happen from that instance in her life.

I would urge my colleagues to support this amendment.

Mr. OBERSTAR. Will the gentlewoman yield?

Mrs. MILLER of Michigan. I yield to the distinguished chairman.

Mr. OBERSTAR. The gentlewoman has brought to the committee and to the House a very, very important amendment. To establish a Federal task force, Federal agency task force, to develop recommendations for proper disposal of pharmaceuticals, to educate the public on the effect of those pharmaceuticals on the environment. The Fish and Wildlife Service has reported over a period of years the effect of estrogen on aquatic life, disrupting the condition of frogs and fish not only in inland waters but also in the Great Lakes waters.

This is a critically important issue, and I thank the gentlewoman for bringing it forward and urge its adoption. We support the amendment on our side.

Mr. OBERSTAR. Mr. Chair, I rise in support of the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

This amendment will move us forward in addressing a growing issue of concern in our nation's waterways—the presence of pharmaceuticals.

Congresswoman MILLER's amendment convenes a Federal agency task force to develop recommendations to properly dispose of unused pharmaceuticals, as well as to develop a strategy to educate the public on those recommendations.

Every day, individuals and healthcare facilities improperly dispose of unused pharmaceuticals by pouring them into drains or flushing them down toilets. Presently, our wastewater treatment systems are either unable to properly treat many of these substances, or must expend large resources to capture some of them. As a result, pharmaceuticals are being detected throughout our nation's rivers, lakes, and streams. In a series of recent studies, the United States Geological Survey has identified substances such as acetaminophen, caffeine, hormones such as estrogen, and steroids throughout water bodies. While present in very small quantities, the short- and long-term impacts of these substances on human and aquatic health are largely unknown. However, it only makes sense that changing the manner in which we dispose of these substances may well result in fewer pharmaceuticals in lower concentrations ending up in our nation's waters.

The Federal task force that will be convened pursuant to Congresswoman MILLER's amendment will provide recommendations that will help to limit the improper disposal of pharmaceuticals.

I urge that my colleagues join me in supporting the amendment offered by the gentlewoman from Michigan

Mrs. MILLER of Michigan. I thank the chairman for his comments. And I would certainly yield to our ranking member from the subcommittee as well.

Mr. BOOZMAN. Thank you very much for yielding.

We appreciate the gentlewoman's bringing this forward, and we certainly don't oppose it.

Mrs. MILLER of Michigan. Mr. Chairman, I urge my colleagues to adopt the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. FLAKE

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111–36.

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, designated as No. 5 in the resolutions providing for consideration under H.R. 1262.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. FLAKE:

In section 1308 of the bill, in the matter proposed to be added as section 609 of the Federal Water Pollution Control Act, before paragraph (1), insert the following:

''(a) AUTHORIZATION OF APPROPRIATIONS.—''.

In section 1308 of the bill, in the matter proposed to be added as section 609 of the Federal Water Pollution Control Act, add after paragraph (5) the following:

''(b) PROHIBITION ON EARMARKS.—None of the funds appropriated pursuant to subsection (a) may be used for a congressional earmarks as defined in clause 9d, of Rule XXI of the rules of the House of Representatives.''

The CHAIR. Pursuant to House Resolution 235, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment is noncontroversial in nature. It would simply ensure that the Federal capitalization grants for State water pollution control revolving funds remain formula-based. These Federal grants to the States haven't historically been earmarked, and this will simply ensure that that remains the case for the next 5 years.

I would submit that just because an account or a program hasn't previously been earmarked doesn't mean it won't be in the future.

We all remember that when the Department of Homeland Security was created in 2002, we were told this will not be earmarked. This is going to go out formula-based. It will be grants, merit based, just to protect the Nation. And that held true for about 5 years. However, in the past couple of years, it's been earmarked heavily, particularly the funding for FEMA's pre-disaster mitigation program. This was a program intended to save lives and reduce property damage by providing funds ''for hazard mitigation planning, acquisition, and relocation of structures out of the floodplain.''

But rather than continuing the practice which had been to allow these grants to be given out on a merit-based basis, Congress decided to earmark this, and in 2007, nearly half of these funds were earmarked. In fiscal year 2008, about 128 earmarks worth $400 million were included in the Homeland Security funding.

So this is not an idle concern, I think, that some of us have. Here's a program that I think by all accounts is working and working quite well, and we simply can't afford to have money in this program being drained off through earmarks.

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

Mr. OBERSTAR. Mr. Chairman, although I do not oppose the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. OBERSTAR. Mr. Chairman, there are no earmarks in this bill. There are no earmarks in the stimulus provisions that were part of the Recovery Act covering the State Revolving Loan Fund, because we specifically opposed using any individual designation for projects within the stimulus.

The money appropriated for the State Revolving Loan Fund from 1987 on, and actually it started in 1981, there were no earmarks at that time. But we made it very clear in 1987 in our committee that these funds would go out by a statutory formula in section 205(c) of the Federal Water Pollution Control Act.

The State of Arizona, for example, receives its statutorily defined share of .6831 percent. It's not an earmark. It's a statutorily determined amount that goes to the gentleman's State of Arizona, where the decisions are made by the counterpart agency, the Water Infrastructure Finance Authority, counterpart to our Minnesota Water Infrastructure Financing Authority.

□ 1245

And every State has a similar such authority. I would further say, Mr. Chairman, to the gentleman, that at no time in the history of the 22-year length of this program has there been any earmarking for any project.

But if the gentleman wishes to offer this amendment, we are happy to accept it to make a further statement that we have confidence over the years of operation of this program that States rank their projects, that State agencies rank their projects, as in the State of Minnesota, 1 through 261, on a merit basis. They have a point system. Other States have something similar.

There is no reason for Members of Congress to sigh that the executive branch isn't doing its job properly in allocating the funds authorized for their respective States. It's only where States aren't attending to the needs of Members that they come to the Appropriations Committee or to our committee and say, ''Oh, well, look, we are not being well served. Could you designate something?''

We don't do that in aviation, we don't do that in the clean water program, we don't do that in other programs. So I think the gentleman's amendment is quite appropriate here.

I reserve the balance of my time.

Mr. FLAKE. I thank the chairman. I appreciate the discussion. I appreciate the fact that it has not been earmarked. As I mentioned, I noted that, and I just hope that this is the case in the future.

The problem is with other accounts—in the Homeland Security, for example—we were told these will not be earmarked, and they, in fact, have been. And so I hope the chairman is successful in beating off attempts to earmark.

And I hope, further, that he is successful in other legislation as well, such as the highway bill that we will be doing before long. Because I think that States like Arizona, particularly a lot of the donor States, would be a lot better off.

Many of us would be better off if people in a local capacity are made to make that decision rather than somebody here. I think we find the case that those who are in a position of authority here sometimes take the lion's share of the funding, and it sometimes isn't fair to many of us, and we know that——

Mr. BOOZMAN. Will the gentleman yield?

Mr. FLAKE. I will yield.

Mr. BOOZMAN. We appreciate you bringing forth your amendment. We understand your concern, and we will certainly not oppose your amendment.

Mr. FLAKE. Thank you.

I yield back.

Mr. OBERSTAR. How much time do I have remaining?

The CHAIR. The gentleman from Minnesota has 2 minutes remaining.

Mr. OBERSTAR. Just very briefly, and I appreciate the gentleman from Arizona taking a very principled stand on this issue of earmarks, but it's just, as a matter of historical note, there was a time when the Congress, the House and the Senate together worried about and raised questions about inappropriate spending by the Executive Branch.

It was a Senator from Wisconsin, Mr. Proxmire, who every Sunday night would issue his Golden Fleece Award to a government Executive Branch agency that was inappropriately using taxpayer dollars. And over time someone shifted it to take aim at the House or the Senate and shoot ourselves in the foot.

This is not the point for a broader discussion of the matter of constituent-inspired initiatives in Federal legislation, but there will be another time when I will welcome the opportunity to discuss with the gentleman from Arizona the upcoming surface transportation bill and how these matters are managed in that context. I ask support of the amendment.

Mr. Chair, I rise to speak on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

While I will not oppose the amendment offered by the gentleman from Arizona, I think it is fair to point out that the gentleman's amendment, however well intentioned, does not fit well within the context of the Clean Water State Revolving Loan Fund ("Clean Water SRF").

Since its inception in 1987, funds from the Clean Water SRF are distributed directly to the States through a statutory formula—found in section 205(c) of the Federal Water Pollution Control Act.

These funds—of which the State of Arizona receives a statutorily defined share of 0.6831 percent—are distributed directly to the gentleman's home state, where funding decisions on individual projects are determined by the Water Infrastructure Finance Authority of Arizona.

To the best of my knowledge, at no time during the 22-year history of this program, have funds been statutorily "earmarked" for a certain project, in any state. Nothing in H.R. 1262 would change that history. There is not a single earmark in this bill, and the Committee does not contemplate changing the process for distributing funding to the States via statutory formula.

I understand that the gentleman is doggedly-focused on his concern about Congressional earmarks, but this is an amendment in search of a problem.

Given the history of the Clean Water SRF, and the certainty that this amendment will have no impact on the traditional operation of the program, I urge my colleagues to join me in supporting the amendment offered by the gentleman from Arizona.

I am hopeful that, unlike last year, our acceptance of the gentleman's amendment will make him more likely to support final passage of this vital investment in our nation's clean water infrastructure.

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

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. OBERSTAR

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111–36.

Mr. OBERSTAR. Mr. Chairman, as the designee of the gentleman from Colorado (Mr. POLIS), I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. OBERSTAR:

In section 1103(a)(2)(C) of the bill, in the matter proposed to be inserted in section 122(a)(4) of the Federal Water Pollution Control Act, strike the closing quotation marks and the final period and insert the following:

"(5) MUNICIPALITY-WIDE STORM WATER MANAGEMENT PLANNING.—The development of a municipality-wide plan that identifies the most effective placement of storm water technologies and management approaches, including green infrastructure, to reduce water quality impairments from storm water on a municipality-wide basis.".

The CHAIR. Pursuant to House Resolution 235, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. The amendment authorizes the use of Clean Water Act section 122 grant funds for municipality-wide stormwater management planning, a very, very important initiative. We have discussed it many times in years past. If the gentleman had raised it in the course of our consideration of this legislation, we would have included it in the base of our bill, but our bill moved along much faster than most Members anticipated.

He has presented it to the Rules Committee, it was made in order. We support the amendment on both sides of the aisle.

Mr. Chair, I rise in strong support of the amendment offered by the gentleman from Colorado (Mr. POLIS).

This amendment authorizes the use of Clean Water Act section 122 grant funding for municipality-wide stormwater management planning.

Congressman POLIS' amendment will provide municipalities across the nation the means to evaluate, and then plan for, effective and comprehensive stormwater response strategies. Central to this amendment is the incorporation of "green infrastructure" technologies and approaches into a municipality's stormwater system

Developing an effective response to stormwater should occur from a system-wide perspective. In too many instances today, municipalities try to address their stormwater needs on an ad hoc, piecemeal basis. This approach doesn't make sense from either a cost or effectiveness perspective. Providing funding for communities to do system-wide analysis and planning will result in the placement of the best technology and approaches in the most effective locations. Cities will be able to target their resources at the most valuable sites.

Currently, municipalities have a number of options of stormwter technologies and approaches. They can construct traditional, or grey, stormwater infrastructure, such as pipes and deep tunnels; or they can develop "green infrastructure" technologies and approaches, such as swales, green roofs, and rain gardens. These green infrastructure approaches actually result in less stormwater entering the traditional stormwater system, through the use of infiltration and evapo-transpiration technologies. Congresman POLIS' amendment will provide municipalities with the means to choose the best mix of technologies and approaches for their distinctive localities. This comprehensive approach will result in better water quality at lower cost.

I strongly urge my colleagues to join me in supporting the amendment offered by the gentleman from Colorado.

I yield to the gentleman from Arkansas.

Mr. BOOZMAN. Thank you, Mr. OBERSTAR.

Mr. Chairman, we have no problems with the amendment.

Mr. OBERSTAR. Developing effective response to storm water is the purpose of this amendment. It incorporates green infrastructure technologies and

approaches into developing municipal stormwater systems.

I urge support of the amendment and yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. ROSKAM

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111–36.

Mr. ROSKAM. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. ROSKAM:

At the end of the bill, add the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations]) and conform the table of contents accordingly:

TITLE VI—OMB STUDY

SEC. 6001. EVALUATION USING PROGRAM ASSESSMENT RATING TOOL.

(a) STUDY.—The Director of the Office of Management and Budget shall conduct a study to evaluate the programs authorized by this Act, including the amendments made by this Act, under the Program Assessment Rating Tool (PART) or a successor performance assessment tool that is developed by the Office of Management and Budget.

(b) REPORT.—The Director shall transmit to Congress a report on the results of the study.

The CHAIR. Pursuant to House Resolution 235, the gentleman from Illinois (Mr. ROSKAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. ROSKAM. You know, in a nutshell, this is an effort—and I don't know of any controversy about it, I think it enjoys quite a bit of support—but it's an effort to create a tool to evaluate the success of the program.

Let me just read the amendment. It's very, very brief. It says, ''The Director of the Office of Management and Budget shall conduct a study to evaluate the programs authorized by this Act, including the amendments made by this Act, including the Program Assessment Rating Tool (PART) or a successor performance assessment tool that is developed by the Office of Management and Budget.''

You know, the genesis of this was really coming out of President Obama's inaugural speech, where he said let's look at programs that are working and get behind them. If they are not working, then let's make some decisions and abolish those programs, quite frankly, that are not working.

So this would simply require all the programs authorized under the legislation to be reviewed by OMB and their Program Assessment Rating Tool, and that is just an effort to rate the effectiveness of Federal agencies and programs by assessing purpose, planning, management and accountability.

And in the interest of transparency, it will ensure that the authorizations of H.R. 1262 are analyzed for effectiveness. Really, in this area where Americans, I think, are trying to look with confidence about what their government is doing and how things are being spent this, I think, serves everybody's interest.

I reserve the balance of my time.

Mr. OBERSTAR. Would the gentleman yield?

Mr. ROSKAM. Yes.

Mr. OBERSTAR. We accept the gentleman's amendment. It's a thoughtful, useful, important tool. The committee has always insisted on transparency and accountability, and we welcome this recommendation of a study and a review and recommendations from OMB.

Mr. Chair, I rise in support of the amendment offered by the gentleman from Illinois (Mr. ROSKAM).

The gentleman's amendment directs the Director of the Office of Management and Budget (''OMB'') to conduct a study of the programs authorized by this Act using the Program Assessment Rating Tool (''PART''), or a successor performance assessment tool that may be developed by OMB in the future.

I welcome the independent review of Federal programs to make sure that they are meeting the goals and purposes for which they were created. This independent review of agency actions and programs provides policymakers with valuable insight into agency performance, as well as the opportunity to make changes to improve the overall operation of Federal programs.

The Committee on Transportation and Infrastructure has a long history of ensuring proper oversight of Federal programs and activities. For example, in the Water Resources Development Act of 2007, the Committee established an independent review process for the development of project studies performed by the U.S. Army Corps of Engineers. Independent review of projects should ensure the development projects that are justified both on the basis of costs and benefits, but also on the best scientific and engineering analyses currently available. We should all welcome the opportunity for such scrutiny.

Mr. Chairman, I am heartened by President Obama's commitment to transparency, accountability, and oversight, and I am hopeful that this review will demonstrate the overall effectiveness of the Clean Water authorities contained in this legislation.

I urge my colleagues to join me in supporting the amendment offered by the gentleman from Illinois.

Mr. ROSKAM. Mr. Chairman, reclaiming my time, I yield to the gentleman from Arkansas.

Mr. BOOZMAN. Thank you, Mr. ROSKAM.

We appreciate you bringing this amendment forward. I think it will be a useful tool that we can evaluate in the future. We appreciate your hard work and certainly do not oppose it and will support it.

Mr. ROSKAM. I want to thank Chairman OBERSTAR and the members of the committee.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. ROSKAM).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MRS. DAHLKEMPER

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111–36.

Mrs. DAHLKEMPER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mrs. DAHLKEMPER:

In section 1303(c) of the bill, in the matter proposed to be inserted as section 603(d)(1)(E) of the Federal Water Pollution Control Act—

(1) strike ''and'' at the end of clause (ii);

(2) redesignate clause (iii) as clause (iv); and

(3) insert after clause (ii) the following:

''(iii) a certification that the recipient has evaluated and will be implementing water and energy conservation efforts as part of the plan; and

The CHAIR. Pursuant to House Resolution 235, the gentlewoman from Pennsylvania (Mrs. DAHLKEMPER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

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

I want to thank Chairman OBERSTAR and the committee on bringing this important legislation to the floor. I also want to thank Chairwoman SLAUGHTER for allowing this amendment.

Mr. Chairman, my amendment to H.R. 1262 helps ensure that conservation of both water and energy are elements in water and sewer system planning as these elements of our infrastructure are upgraded both now and in the future. Under the legislation, water treatment works operators are required to develop and implement a fiscal sustainability plan to be eligible for assistance.

Specifically, my amendment requires an assurance that both energy and water conservation are considered in an operator's fiscal sustainability plan. As water and energy costs continue to pose challenges for much of the country, we can help ensure that consumers are getting the most economical service by assuring that those responsible for providing water to our communities incorporate conservation explicitly into plant repair, replacement or expansion plans.

More efficiency in our water structure is desperately needed, as we learned in a recent Science and Technology hearing. Chairman GORDON cited how cities like Chicago lose upwards of 60 percent of their water in transit from treatment facilities to faucets, and that water rates have increased 27 percent over the past 5 years throughout the United States.

I believe conservation of water and energy are natural components of a fiscal sustainability plan, given their impact on an operating authority's structure, and that conservation of both

also serves broader national conservation policies. This amendment will promote greater taxpayer savings and increase efficiency in our Nation's water quality system, and I urge a ''yes'' vote.

I reserve the balance of my time.

Mr. OBERSTAR. Would the gentlewoman yield?

Mrs. DAHLKEMPER. I would yield to the chairman.

Mr. OBERSTAR. I thank the gentlewoman for yielding.

We accept the amendment on this side.

Mr. Chair, I rise in strong support of the amendment to H.R. 1262 offered by the gentlewoman from Pennsylvania (Mrs. DAHLKEMPER).

This amendment requires a certification be completed that Clean Water State Revolving Fund loan recipients conduct energy- and water-efficiency reviews and implement conservation measures that are forthcoming.

It is only fitting that the Member who represents Titusville, Pennsylvania, would offer this amendment. It was in Titusville, in 1859, that oil was first successfully drilled in the United States. It is fair to say, then, that energy has been a central part of the life, history, and culture of the residents of Pennsylvania's Third District.

In offering this amendment, Mrs. DAHLKEMPER has demonstrated the importance of energy to all facets of modern life, including the operation of wastewater treatment facilities. These operations are typically among municipalities' largest users of energy. Requiring that wastewater treatment facilities undertake a robust assessment of their energy usage and operations can ultimately result in less energy being expended, decreased energy bills for local governments, and fewer greenhouse gas emissions. The amendment will apply 21st century energy solutions to 20th century technologies.

I urge my colleagues to join me in supporting the amendment offered by the gentlewoman from Pennsylvania.

Mr. BOOZMAN. Will the gentlewoman yield again?

Mrs. DAHLKEMPER. I yield to the gentleman.

Mr. BOOZMAN. We also accept the amendment.

Mrs. DAHLKEMPER. I would now like to yield 1 minute to the gentleman from Colorado.

Mr. POLIS. Mr. Speaker, I rise today in support of the amendment and express my gratitude to the House for approving my amendment to improve the cleanliness of our waterways and strengthen our towns and city stormwater management.

Everyone knows when it rains, the excess rainwater that runs down our streets and sidewalks and into the drainage pipes that line our city streets eventually ends up in our streams and rivers.

The pollutants include toxins from our cars, such as unburned hydrocarbons, soot particles, copper from brake pads, zinc, cadmium, rubber from tires and other petroleum products. It also includes pesticides and herbicides from our yards.

My amendment addresses this problem by encouraging the use of bioswales and other sustainable stormwater management systems. A bioswale relies on vegetated natural systems alongside roads and parking lots to slow and filter the water before it ends in our drainage systems. Vegetation enhances both interception and evaporation of rainfall through its leaves.

Studies show that natural landscaping in a residential development or along streetways can reduce annual stormwater runoff volume by as much as 65 percent. It's no wonder that cities are starting to realize the benefits of bioswales and green infrastructure, including my City of Boulder, Colorado; Portland, Oregon; and Seattle, Washington, among the leaders in this area.

The increased interest is a response to mounting infrastructure costs of new development or redevelopment projects, but also more vigorous environmental regulations.

The CHAIR. The time of the gentleman has expired.

Mrs. DAHLKEMPER. I yield the gentleman an additional 15 seconds.

Mr. POLIS. This amendment recognizes the relationship between the natural environment and the built environment and manages them as integrated components of a watershed.

□ 1300

Mrs. DAHLKEMPER. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Pennsylvania (Mrs. DAHLKEMPER).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. WITTMAN

The Acting CHAIR (Mrs. CAPPS). It is now in order to consider amendment No. 9 printed in House Report 111–36.

Mr. WITTMAN. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. WITTMAN:

At the end of the bill, add the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations]) and conform the table of contents accordingly:

TITLE VI—CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY

SEC. 6001. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 3 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies for restoration activities during the current and preceding fiscal years, including the identification of funds which were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;

(B) current status of the project;

(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;

(E) project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;

(J) funding history;

(K) cost-sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) MINIMUM FUNDING LEVELS.—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to $100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to $50,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President's annual budget to Congress.

(d) REPORT.—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this Act for which the President submits a budget to Congress.

SEC. 6002. ADAPTIVE MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with other Federal and State agencies, shall develop an adaptive management plan for restoration activities that includes—

(1) definition of specific and measurable objectives to improve water quality;

(2) a process for stakeholder participation;

(3) monitoring, modeling, experimentation, and other research and evaluation practices;

(4) a process for modification of restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(5) a process for prioritizing restoration activities and programs to which adaptive management shall be applied.

(b) IMPLEMENTATION.—The Administrator shall implement the adaptive management plan developed under subsection (a).

(c) UPDATES.—The Administrator shall update the adaptive management plan developed under subsection (a) every 3 years.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the implementation of the adaptive management plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including programmatic and project level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this Act.

SEC. 6003. DEFINITIONS.

In this title, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term ''adaptive management'' means a management technique in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) CHESAPEAKE BAY STATE.—The term ''Chesapeake Bay State'' or ''State'' means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) CHESAPEAKE BAY WATERSHED.—The term ''Chesapeake Bay watershed'' means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) CHIEF EXECUTIVE.—The term ''chief executive'' means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(7) RESTORATION ACTIVITIES.—The term ''restoration activities'' means any Federal or State programs or projects that directly or indirectly protect, conserve, or restore water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

(A) Physical restoration.

(B) Planning.

(C) Feasibility studies.

(D) Scientific research.

(E) Monitoring.

(F) Education.

(G) Infrastructure Development.

The Acting CHAIR. Pursuant to House Resolution 235, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

I am honored to represent Virginia's First Congressional District. Improving the health of our Chesapeake Bay is a priority to me and to my constituents.

The First District has more miles of shoreline than any congressional district in the United States, and the Chesapeake Bay is extraordinarily important to those of us in that district, as well as to other people up and down the basin.

This bill's underlying commitment to improving water quality in our Nation's waterways is commendable. My district and the Chesapeake Bay has significantly benefited from investment in wastewater treatment infrastructure in the past and will so into the future.

I believe there's a deep sense of frustration in the Chesapeake Bay watershed about the progress we've made to restore the Bay. Yes, there have been successes. I don't want to belittle what has been done. However, with all the Federal, State, local and private partner investment, we would like to see more accomplishments.

Our Chesapeake Bay is extraordinarily important. We have heard conversations here about jobs, and certainly jobs related to building sewage treatment plants and water quality improvements are extraordinarily important. But improving the water quality in the Bay also has job ramifications.

By increasing water quality, improving water quality, we create a greater realm of natural resources in the Bay. And we hear about issues of sustainability in the Bay; we hear about oyster populations being at 1 percent of historical levels; we hear about reduction in crab harvests by 70 percent; we hear about problems with our fin fish populations.

Folks, the men and women that make their living off of the water continues to decline. And it is those natural resources that create sustainable jobs. I would suggest that by improving water quality, we also grow jobs, both in the seafood industry and by those that make their living off of the water, whether it's through commercial interests or through leisure and sport interests. These are all extraordinarily important, and those resources are directly tied to water quality.

My amendment to this bill is similar to H.R. 1053, the Chesapeake Bay Accountability and Recovery Act. I have authored this legislation to help clean up the Bay because I believe that it is very much a matter of national importance that this national treasure be restored.

My amendment would implement and strengthen management techniques like crosscut budgeting and adaptive management to ensure that we get more bang for our buck and continue to make progress in Bay restoration efforts.

Both of these techniques, I believe, will ensure that we are coordinating how restoration dollars are spent, and that we make sure everyone understands how individual projects fit into the bigger picture. That bigger picture is making sure that we restore the Chesapeake Bay. That way we know that we are not duplicating efforts, spending money that we don't need to, or worse, working at cross purposes between agencies, both at the Federal, State and local levels.

My amendment would require OMB, in coordination with State and Federal agencies involved in the Bay, to report to Congress on the status of Chesapeake Bay restoration activities. My amendment would also require EPA to develop and implement an adaptive management plan for the Chesapeake Bay and all of the related restoration activities.

Adaptive management relies on rigorous scientific monitoring, testing, and evaluation, and also provides for the flexibility to modify management policies and strategies based on changing conditions. Folks, the Chesapeake Bay continues to change, and we should also change along with it how we manage the restoration activities therein.

Crosscut budgeting and adaptive management should be key components for the complex restoration activities that are occurring presently within the Chesapeake Bay Basin.

Madam Chairwoman, I want to thank the Rules Committee for making this amendment in order, and thank Chairman OBERSTAR and Ranking Member MICA for their consideration. I also ask my colleagues to support my amendment to help restore the Bay.

I reserve the balance of my time.

Mr. OBERSTAR. Madam Chair, though I do not oppose the amendment, I ask unanimous consent to take the time in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. OBERSTAR. Thank you.

I support the amendment of the gentleman, and I also want to note that all amendments requested by Republican members of the Rules Committee have been made in order, though not all Democratic requests were made in order.

I just want to make that little observation to ensure that our committee is being fair and open and, more importantly, inclusive.

The gentleman's amendment is extremely important, as was the offering by the gentleman from Maryland, Mr. KRATOVIL, along with Ms. MARKEY. The Chesapeake Bay is not just a Virginia-

Maryland resource, it is a national and international treasure. It is an estuary.

The estuaries of the world are the places where the meeting of fresh water and salt water creates new forms of life. They are resources for the future. They are a window on the past. And the Chesapeake Bay, perhaps the greatest of all estuaries in the world, has been deteriorating at an alarming pace.

There was a time when the oysters of the Chesapeake Bay turned over that water once every 24 hours. There were millions of oysters. They are down to 1 percent of their number. Shad are down; rockfish are coming back; crabs are down. Why? It's not the watermen who are taking too much, although they are taking more than they probably should be, under these deteriorating, declining conditions of fish and shellfish in the Bay.

But it's the waters from as far as New York, Pennsylvania, and West Virginia, as well as Maryland and Virginia, that come in the Rappahannock and the Shenandoah and others that discharge into the Bay, along with the Potomac and the Anacostia, that are bringing pollutant loads and toxic materials into the Bay that are killing the fish and the shellfish and the life of this Bay.

I was very pleased when President Obama designated Lisa Jackson to be administrator of EPA. I had a conversation with her before her confirmation. And after her confirmation she said, ''I will make the Chesapeake Bay a priority consideration during my service.'' And she has already designated a special advisor to deal with the needs of the Chesapeake Bay and the Anacostia River.

I want to assure the gentleman and all of our colleagues that the Committee on Transportation and Infrastructure will consider reauthorization of legislation governing the quality of waters of the Chesapeake Bay, but we are going to do this in due course after extensive review and consideration of nonpoint source pollution. And the recommendations from the OMB from the gentleman's amendment will be important in making sure that we take the right policy choices to bring back this Bay, to restore this quintessential estuary and protect future forms of life that can be created in this great meeting place.

I thank the gentleman for his amendment, and I urge its support.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

This amendment requires the Director of the Office of Management and Budget to submit to Congress a financial report containing an interagency crosscut budget for restoration activities that protect, conserve, or restore water quality in the Chesapeake Bay watershed. It also directs the Administrator of the U.S. Environmental Protection Agency to make management decisions on an adaptive and ongoing basis.

I commend Congressman WITTMAN for making a good and initial step on addressing the ongoing, water quality problems in the Chesapeake Bay. I appreciate his raising this issue at this time.

This magnificent estuary has occupied a central place in our nation's history. The English explorer, John Smith, established the first permanent English settlement in North America, Jamestown, on the shores of the Chesapeake. And while the Chesapeake Bay watershed transcends only six states, it is the collective context of its history, its vast recreational outlets, and its important fisheries that sum to add to our economy and culture as a whole. Therefore, the degradation of the Chesapeake Bay must be perceived as a national problem—and not simply a regional one. For example, many of the Bay's fish and shellfish populations are below historic levels. Just this past year, both Maryland and Virginia announced stringent catch limitations on blue crabs due to significant declines in populations. Oysters are at less than one percent of historic levels, and the abundance of shad is only at 22 percent of the targeted recovery goal.

It is only through a renewed Federal and congressional commitment to the Bay that we will be able to make the necessary changes to address its varied problems. To this end, the Obama administration has already begun moving in the right direction. The EPA Administrator has already selected a special advisor who will focus on rehabilitation of the Chesapeake Bay and the Anacostia River and the Administrator's appointment signals the agency's commitment to this special region.

The Committee on Transportation and Infrastructure will consider reauthorization of the Chesapeake Bay Program in this Congress and the OMB analysis of a crosscut budget will help ensure that we make the right policy choices to rehabilitate the Chesapeake Bay.

I urge my colleagues to join me in supporting the amendment offered by the gentleman from Virginia.

I reserve the balance of my time.

Mr. WITTMAN. I'd like to yield to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. I would like to associate myself with the chairman's remarks. I can't say it as eloquently as he did, but I think that we are all very much in agreement that this is a very, very important body of water that needs to be protected, and we appreciate the gentleman from Virginia stepping forward with this amendment. And we certainly will support it.

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

Mr. WITTMAN. I would like to thank, again, the chairman for his remarks. He is indeed correct. The Chesapeake Bay is a national treasure and an international treasure. It has tremendous economic value, but it also has tremendous cultural value. It is a symbol of not only the eastern part of the United States, but the United States in general.

I don't think any of us have misgivings about wanting it to be back where it was when Captain John Smith landed here. We certainly would like for it to be there, but I'm a realist and know that it may not get to that point.

I think it's realistic to expect that we can get it back to where it was in the middle part of this century, in the 1950s, when it was, by far, the most productive body of water in the world. It is critical not only economically, but culturally to this country.

I do thank the chairman, again, and the members of the Rules Committee for consideration of this.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. DRIEHAUS

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 111–36.

Mr. DRIEHAUS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. DRIEHAUS:

Section 3001(b) of the bill is amended to read as follows:

(b) AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 221(f) (33 U.S.C. 1301(f)) is amended by striking ''this section $750,000,000'' and all that follows through the period at the end and inserting ''this section $500,000,000 for each of fiscal years 2010 through 2014.''

The Acting CHAIR. Pursuant to House Resolution 235, the gentleman from Ohio (Mr. DRIEHAUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

I want to take this opportunity to thank the chairman of the committee for his tremendous work on this bill. I bring before the House a simple amendment, and that amendment simply increases the authorization for combined sewers and sewer overflow grants from $1.8 billion to $2.5 billion over the 5-year period. I think this is critically important, and I think we need to put this in perspective, Madam Chair.

The EPA estimates that the total need for combined sewer overflow systems in the United States is $54.8 billion. The need for improvement in sanitary sewers, as estimated by the EPA, is $88.5 billion. That is a total, Madam Chair, of $143 billion in needed investment for sewer infrastructure in these United States.

I hail from Cincinnati, Ohio. In Cincinnati, it's estimated that the cost to fix the sewer problem is almost $3 billion. My colleagues around the Midwest and the east coast share our pain. So this is a simple amendment that would simply increase the amount to $2.5 billion.

Just as a point of information that I think is important: Since 2003, the United States has allocated $2.7 billion for water and wastewater infrastructure improvement in Iraq. I would think that we could do at least this much in the United States.

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

Mr. MCMAHON. I rise today as a cosponsor of the amendment offered by my good friend, the gentleman from Ohio (Mr. DRIEHAUS) to increase the amount for sewage control grants in this bill to $2.5 billion. I also commend the great chairman of the Committee on Transportation and Infrastructure, Congressman OBERSTAR, for his great work, and commend him for the great spirit of bipartisanship which he's engendered in this room today.

H.R. 1262 provides critical assistance to communities across the Nation for sewage water runoff, watershed restoration, and other water infrastructure projects. As a former New York City councilman and head of the sanitation committee for New York, I know that municipalities rely on these funds.

As the gentleman from Ohio said, there's a backlog of $140 billion worth of projects. Imagine this. In Staten Island, houses were built without sanitary sewers. This needs to be resolved. The Federal Government has to help us.

So that is why this amendment is so important. It will increase support that is so badly needed across this country and in my district.

Mr. DRIEHAUS. I thank the gentleman from New York, and I would yield 1 minute to my colleague from Ohio, from northern Ohio, who also shares this problem with his constituency, the gentleman from Ohio (Mr. BOCCIERI).

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

Mr. BOCCIERI. I rise in support of this bill and this amendment, and I applaud the chairman of our distinguished committee for his efforts to make this a bipartisan bill. This bill makes key investments to improve water quality, and could create approximately 480,000 jobs over the next 5 years. This will also bridge the gap of our local communities—who experience significant financial trouble—$3.2 to $11 million annually in trying to fill the gap to modernize their water needs.

□ 1315

The Driehaus amendment would further improve our ability to manage wastewater infrastructure by increasing funding for sewer overflow and control programs.

Sewage overflow is dangerous to all of our constituents, but these days our communities are facing tight budgets that prevent them from addressing these serious and most basic infrastructure needs. We know our country's wastewater infrastructure is old and crumbling, and we must do our part here in this legislation to improve that. Adequate funding will not only preserve the environment and our local political subdivisions to help them modernize their aging sewer infrastructure. It will protect lives. If we did it in Iraq, we should do it here in America.

I rise and support this amendment of the gentleman from Ohio.

Mr. DRIEHAUS. Madam Chair, I reserve the balance of my time.

Mr. OBERSTAR. Would the gentleman yield?

Mr. DRIEHAUS. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. We support the gentleman's amendment. It is vitally important to deal with combined storm and sanitary sewer overflows. Seven hundred million dollars is peanuts compared to a whole lot of other expenditures that have been made in the TARP and the rest. So this is a real investment whose benefits we and future generations will see.

Mr. BOOZMAN. If the gentleman will yield, I also support the amendment.

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

Mr. BROUN of Georgia. Madam Chair, I rise to claim the time in opposition to this amendment and reserve my ability to object.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. I know there are many sewer projects all around this country that need funding. There are two that have been already authorized through the Water Act of 2007 that are in my district that we are trying to find funds for. But what I have an objection to is, we are continuing to build greater and greater debt for our children across the country, and not only our children, but our grandchildren. I think their standard of living is going to be much lower than ours today if we don't stop this borrowing of funds from our grandchildren.

We see budget after budget that continues to increase the Federal debt, and we have just got to stop the spending. We are spending too much, we are taxing too much, we are borrowing too much, and at some point we have got to stop that, because our grandchildren are going to pay a very heavy price for us doing so. So I call upon my colleagues on the Democratic side for us to work together to try to find some ways to bring forth these worthwhile projects, but to stop borrowing from our grandchildren and our children. It is absolutely critical for the future of this Nation that we do so.

The Democratic budget that has been presented by the administration does nothing but increase the debt, and we have got to stop it. It is absolutely critical for the future economic well-being of this Nation. Republicans have presented many, many ideas that have not been considered by the leadership of this House nor by the Senate nor by the administration. I call upon my Democratic colleagues to work with us, to consider the things that we bring forth as potential solutions to the economic woes we have as a Nation.

American people are hurting. They are hurting tremendously. We are hurting small business, which is the economic engine of America. We are taxing and we are overregulating them, and we have got to stop it. We have got to build a strong economy in America, and just stop this idea that we can spend more and more money. Consequently, I have objections to continuing to build greater debt for our Nation.

So I call upon my colleagues on the Democratic side, let's work together, consider alternatives, consider ways of solving this economic crisis we have as a Nation, and not continue down this road that I believe is going to lead to not only lengthening the recession and deepening the recession, but, as Warren Buffett just said yesterday and the day before, off the cliff. And I think we may very well be headed to a deep depression, deeper than we saw even in the thirties, if we don't stop the spending that we are doing here in this Nation.

So I call upon my colleagues on the Democratic side, please, let's work together. Let's find some commonsense solutions to these economic woes that we have as a Nation, and do some things for the American people, not for government. Government is not the solution. The private sector is the solution. Small business is the solution. We have got to find those solutions that make sense economically for this Nation. Socialism never has worked, never will work, and it won't work today.

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

Mr. DRIEHAUS. Madam Chairman, we certainly are hurting. And this country is hurting because of a failure, a failure to invest in basic infrastructure over decades and decades. That is why this country is hurting.

I would remind my colleagues on the other side of the aisle that this is an authorization. This is an authorization to say we in the United States, the people that inhabit our cities, deserve as much attention as the folks in Iraq. This actually doesn't even get up to the level of spending on sewers and water projects that we have spent in Iraq over the last 5 years.

So I would remind my colleagues that this is an authorization, not an appropriation, and that the appropriate committees can determine the prioritization; because this is about priorities. We are saying through this amendment that infrastructure and sewer spending is a priority of this Congress, and I would hope that the Appropriations Committee would take the time to validate that and move forward. This is not about spending more; it is about identifying priorities.

Mr. BROUN of Georgia. Would the gentleman yield?

Mr. DRIEHAUS. I yield to the gentleman from Georgia.

Mr. BROUN of Georgia. I thank the gentleman for yielding.

I understand this is an authorization. There is no question in my mind what this stands for. And, frankly, in my opinion, we have spent too much money not only since we have had a Democratic majority in the House and

the Senate, but also the previous administration.

Mr. OBERSTAR. Madam Chair, before proceeding with the vote, I ask unanimous consent to proceed for 2 minutes, equally divided, between the Democratic side and the Republican side, for the purpose of offering a technical amendment to the amendment of the gentleman from Ohio (Mr. DRIEHAUS).

The Acting CHAIR. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. We have discovered during the consideration of the gentleman's amendment that there is a technical phrasing of language in the gentleman's amendment that could affect the underlying bill, and we have consulted with the Parliamentarian about the proper phrasing of the language which is now being drafted.

While that language is being written, I would assure the distinguished gentleman, Mr. BROUN, that we will work together in the appropriations process. We worked together in our committee on both sides of the aisle to incorporate views of both parties in shaping the bill we bring to the House today, and this will be one of many considerations reviewed by the Budget Committee and later, when the real decisions are made by the Appropriations Committee.

I share the gentleman's concern. We are spending an enormous amount of money, Madam Chair, on this asset recovery plan that started last August and September of 2008. We have seen money go out the door, and we have no idea where some of that money has gone that is supposed to stabilize the domestic and international financial structure. And maybe it has done that. But the increasing demands to support this bank and that bank and this insurance agency and that, and now to an international global financial meltdown. The gentleman is right, we have to take stock and balance our equities. But we also have to get this economy moving. We have to put people to work. When people have a job and have incomes and we are paying people to work and not paying them for not working with unemployment compensation, then maybe we can get this economy back on track and get people consuming, and we can start the flow of capital.

Madam Chair, I ask unanimous consent to modify the amendment of the gentleman from Ohio. The Driehaus amendment inadvertently struck a subsection of the manager's amendment adopted earlier today. The amendment to accomplish my request is pending at the desk.

The Acting CHAIR. The request for modification will need to be made by the gentleman from Ohio, the author of the amendment.

MODIFICATION TO AMENDMENT NO. 10 OFFERED BY MR. DRIEHAUS

Mr. DRIEHAUS. Madam Chair, I ask unanimous consent to modify the amendment. The amendment, as stated, inadvertently struck out subsections of the manager's amendment adopted earlier today, and I would ask for conformity.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 10 offered by Mr. DRIEHAUS:

Section 3001(b) of the bill follows:

In the matter proposed to be inserted as section 221(f)(1) of the Federal Water Pollution Control Act strike ''$250,000,000'' and all that follows through ''expended.'' and insert ''$500,000,000 for each of fiscal year's 2010 through 2014.''.

The Acting CHAIR. Is there objection to the modification?

Mr. BOOZMAN. No, Madam Chair. We understand that the amendment created a technical problem, and we agree with this solution.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. DRIEHAUS), as modified.

The amendment, as modified, was agreed to.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on the amendment printed in House Report 111–36 on which further proceedings were postponed.

AMENDMENT NO. 2 OFFERED BY MR. MACK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MACK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 140, noes 284, not voting 13, as follows:

[Roll No. 122]

AYES—140

Aderholt
Akin
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Dreier
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latham
Latta
Lee (NY)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Nunes
Paul
Paulsen
Pence
Pitts
Platts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Putnam
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Royce
Scalise
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOES—284

Abercrombie
Ackerman
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pomeroy
Price (NC)
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Roskam

Ross
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—13

Bright
Conyers
Dingell
Etheridge
Faleomavaega
Hensarling
Miller, Gary
Olson
Radanovich
Roybal-Allard
Sestak
Speier
Tanner

□ 1401

Ms. WASSERMAN SCHULTZ, Messrs. BAIRD, DELAHUNT, NADLER of New York, RUPPERSBERGER, DAVIS of Tennessee, ABERCROMBIE, RUSH, WEINER, MINNICK, Ms. DEGETTE, Ms. EDWARDS of Maryland, and Ms. WATSON changed their vote from ''aye'' to ''no.''

Messrs. BILIRAKIS, TERRY and POLIS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. POLIS. Madam Chair, I would like the RECORD to reflect that on rollcall 122, I inadvertently voted "aye" when I intended to vote "no."

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mrs. CAPPS, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1262) to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes, pursuant to House Resolution 235, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passing H.R. 1262 will be followed by a 5-minute vote on suspending the rules and adopting House Resolution 224.

The vote was taken by electronic device, and there were—ayes 317, noes 101, not voting 13, as follows:

[Roll No. 123]

AYES—317

Abercrombie
Ackerman
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—101

Aderholt
Akin
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Campbell
Cantor
Carter
Chaffetz
Coble
Cole
Conaway
Crenshaw
Culberson
Deal (GA)
Dreier
Fallin
Flake
Fleming
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Granger
Hall (TX)
Hastings (WA)
Heller
Herger
Hunter
Inglis
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latham
Latta
Linder
Lucas
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Myrick
Neugebauer
Nunes
Paul
Pence
Pitts
Poe (TX)
Posey
Price (GA)
Rogers (AL)
Royce
Ryan (WI)
Scalise
Sensenbrenner
Sessions
Shadegg
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Thompson (PA)
Thornberry
Tiahrt
Westmoreland
Wilson (SC)
Wolf

NOT VOTING—13

Bright
Conyers
Dingell
Etheridge
Hensarling
Miller, Gary
Olson
Radanovich
Roybal-Allard
Sestak
Speier
Tanner
Wasserman Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded that there is 1 minute remaining in this vote.

□ 1419

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING DESIGNATION OF PI DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 224, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 224.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 391, nays 10, not voting 30, as follows:

[Roll No. 124]

YEAS—391

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

NAYS—10

Chaffetz
Flake
Heller
Johnson (IL)
Miller (FL)
Neugebauer
Paul
Pence
Poe (TX)
Shuster

NOT VOTING—30

Ackerman
Bishop (NY)
Bright
Castor (FL)
Conyers
Crowley
Dingell
Doyle
Etheridge
Giffords
Hastings (WA)
Hensarling
Higgins
Israel
Larson (CT)
Linder
Maffei
Miller, Gary
Olson
Perlmutter
Radanovich
Rangel
Roybal-Allard
Sestak
Slaughter
Speier
Tanner
Thompson (CA)
Wasserman Schultz
Welch

□ 1430

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, due to events in my congressional district, I was unable to vote today. If I were present, I would vote "yea" to H.R. 1262, the Water Quality Investment Act of 2009, and "nay" to Representative MACK's amendment. Furthermore, I would vote "yea" to H. Res. 224.

PERSONAL EXPLANATION

Ms. ROYBAL-ALLARD. Mr. Speaker, I was ill today and was not present for votes on the Mack amendment to H.R. 1262 (rollcall 122), final passage of H.R. 1262 (rollcall 123), and passage of H.R. 224 (rollcall 124). Had I been present, I would have voted "nay" on the Mack amendment, and "yea" on final passage of H.R. 1262 and H.R. 224.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 31

Mr. MCINTYRE. Mr. Speaker, I ask unanimous consent to remove Representative MANZULLO's name as cosponsor of H.R. 31.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the minority whip for yielding.

On Monday the House will meet at 12:20 p.m. for morning hour and 2:00 p.m. for legislative business. On Tuesday the House will meet at 10:30 a.m. for morning hour and 12 p.m. for legislative business. On Wednesday and Thursday the House will meet at 10 a.m. for legislative business. On Friday no votes are expected in the House, which is a change from the previously announced schedule.

We will consider several bills under suspension of rules. A complete list of suspension bills, as is the custom, will be announced by the close of business tomorrow. In addition, we will consider H.R. 1388, the Generations Invigorating Volunteerism and Education Act, also known as the national service legislation.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, as the gentleman knows, there are 3 weeks remaining prior to the 2-week Easter recess. Since the last recess, this House and Congress have sent a $410 billion spending bill to the President. We have passed a bill imposing housing cramdown, and we just voted on a water quality bill, as well as one celebrating Pi Day.

I would ask the gentleman if he intends to use the next 3 weeks to try and focus on the fear that exists out

there on the part of so many Americans about their jobs, and whether we can commit to focusing on preserving, protecting and creating jobs over the next 3 weeks?

I yield further to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

In fact, we are going to continue, as we have been doing for every week that we have been in session in this Congress, to focus on jobs, focus on job creation.

In fact, I would say to the gentleman, the three bills you mentioned, other than the Pi Day bill, were focused on jobs, focused on investing in our economy, in clean water, in education, in the safety of our public streets, keeping cops on the beat.

So I say to my friend, the answer to your question is, we are going to continue to focus on jobs during the next 3 weeks as well. We think we have been doing that.

We have had some disagreements on whether that was the way to do it, I understand that, but there is no doubt that we are going to continue to focus on jobs. One of those will be at some point in time before we leave for the Easter break. As the gentleman knows, it's our intention to bring up the budget as well.

Mr. CANTOR. I thank the gentleman.

I would ask the gentleman, given this budget that he intends to bring to the floor, and the fact that, frankly, we feel that budget has an Achilles' heel, which is it increases taxes on the primary job creators in the country, which is small business. Can the gentleman tell us if there are other bills that are specifically focused on helping small business people get back into the game, so that instead of just raising taxes, redistributing wealth, we can actually focus on job creation, wealth creation, and get back on the road to prosperity?

Mr. HOYER. One of the things I want to say in response to the gentleman's first question, in response to what he referred to as the cramdown, as the gentleman knows, there were three very important provisions which were not controversial, which is perhaps why I didn't mention them, notwithstanding the fact that many voted against the bill to help homeowners, to help those who were either at risk or may be at risk of losing their homes.

The bankruptcy provision was to try to facilitate, in league with the very substantial reform proposals proposed by the administration, which would be under Fannie Mae and the Treasury Department, and under Sheila Baird's aegis, trying to help homeowners. So that bill, we think, was a very important part of the comprehensive homeowners affordability plan announced by the administration.

With respect to helping small business, as the gentleman knows, we passed the Recovery and Reinvestment Act. As the gentleman also knows, notwithstanding the fact that that was not supported by any on your side of the aisle, it had very substantial tax cuts in there for exactly the people you are talking about. That is, small businesses.

So we think that, as you do, that small businesses are a vitally important part of creating jobs and creating economic opportunity in this country, and we have been supporting policies to assist them.

The gentleman and I were at the fiscal summit together, we went down to the health summit. We weren't in the same breakout group, but one of the things we are looking at, as you know, is trying to help small business with health care costs. That's a major challenge confronting the small business community.

Our friends at NFIB, as you know, have shared that interest. Now we haven't gotten to a specific proposal, so we will have to see what happens when we get there. We certainly share your concern, but we also believe we have been acting toward the end the gentleman suggests, and that is assisting small businesses to grow and to create jobs and to stay in business.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I would like to draw the gentleman's attention to several news reports lately that have alluded to Chairman OBEY and others in the majority caucus preparing a second stimulus bill.

I know the chairman was quoted in CongressDaily this morning as saying that it is spectacularly unreasonable to expect to see the stimulus package that we passed produce any action any time soon.

Further, we see that the economist, Paul Krugman, thought and has written that the first stimulus bill that passed has failed because it didn't spend enough.

Now we know that the economist, Mark Zandi, has met with the Majority Caucus this week and said that the stimulus that passed would fall short of the goals that were originally put out there to create 3.5 million jobs.

So I have asked the gentleman, should we expect in the House for there to be another stimulus bill and, if so, would you include some of the Republican proposals that were in our plan that were focused on job creators, focused on small businesses, entrepreneurs and the self-employed?

I yield further to the gentleman.

Mr. HOYER. I presume the gentleman is referring to the job creators that we had in our bill.

As you know, we believe that the substitute that was offered to the recovery and reinvestment package that was defeated in a bipartisan way created—and there is a difference in this—our perception of this is 2 million less jobs than the bill that we offered and that was passed, which we think either created or saved 3.5 million jobs.

Having said that, you asked about an additional relief package. I note you quoted the newspapers as talking about Mr. Zandi, who was one of Mr. MCCAIN's advisors during the course of the last campaign.

But I also noted in the paper that you are also quoted as saying, House Minority Whip ERIC CANTOR didn't rule out the idea of a second stimulus package and said Wednesday he would be willing to sit down with the White House and congressional Democrats to discuss any new emergency spending proposals.

I appreciate that offer, and I want to show the gentleman that when and if—and I have no reason to believe, by the way, that Mr. OBEY is doing anything as reported in the paper that he might be doing, I have no reason to believe he is doing that—but I want you to know that in light of your interest in sitting down, that I share that interest, and we will do that.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I would like to, for the record, set it straight. My comments were that if we are going to get serious about focusing on job creation, yes, I would support a bill that would provide relief to the small business people of this country, so we can get the entrepreneurs back into the game of putting capital to work so we can not only save the jobs that we have got, we can begin to create new ones for our families and our communities.

Mr. Speaker, I would like to ask the gentleman if he would respond to some of the reports that there may be a bill dealing with stem cell research coming to the floor next week, and whether he could confirm that and, if so, what is the substance of that bill.

I yield further to the gentleman.

Mr. HOYER. I thank the gentleman.

First, in a very short response to your question, I do not expect the legislation dealing with stem cells to be coming to the floor next week.

I do, however, respond to the gentleman that we are considering bringing to the floor legislation, similar, in terms of specifics, very similar, if not the same, as the bill that passed this House on a bipartisan vote in the last Congress.

We believe that that will be consistent with the President's action this week dealing with the executive order on stem-cell research.

We believe this research provides real hope for some of mankind's most difficult diseases and afflictions and challenges. We think the research is promising.

On the other hand, we want to make sure that it does, in fact, do what we say we want to do. As you know, when we passed legislation like that before, we made it very clear that human cloning was not something that the Congress supported and that we were specifically prohibiting that.

So in answer to your question, I would think the legislation would be very much along those same lines. But we do not expect it to be here this week. I want to tell the gentleman it may be, however, on the floor prior to our leaving for the recess.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I know that the gentleman is aware, as all of us are, about the tremendous job losses that we have experienced in America of late, 650,000 plus jobs just last month.

There is an announcement yesterday that we all read about, that the card check bill was introduced. Along with that introduction, there was a new nonpartisan study that was published that predicts that passage of card check legislation will result in the immediate loss of 600,000 jobs.

So I would ask the gentleman, number one, when he expects to bring that card check bill to the floor, and if, in the interim, if he is considering that if the Senate is to act, and we are to act in these economic times, why would we be doing that if we know, through nonpartisan studies issued, that it's a job killer? Why would we be bringing that to the floor?

I yield further to the gentleman.

Mr. HOYER. I thank the gentleman for yielding. First of all, let me respond. We don't know that. Somebody reported that. We don't know that at all and, very frankly, we don't accept that figure. We don't accept the figure that we will, in fact, lose jobs.

We on this side of the aisle feel very strongly that the working men and women in this country have the right under law to organize and to bargain collectively for wages and benefits and working conditions. We think that is inherent in the rights, in the free market.

Very frankly, I would tell my friend that I have traveled, as he has, in many parts of the world, and rarely have I seen a successful democracy that didn't have a free trade union movement. So we feel very strongly about that. We feel very strongly about the right to organize, and that means that it is the employee's choice of how to organize.

Now, having said all that, let me also say that we have observed that there has been, in many ways, a relationship between the decline in union membership and a decline in the buying power of the American worker.

And the greatest disparity between what average workers make and what the bosses make now exist in our country to a greater extent than any other place in the world. We think that's a problem.

Consumerism is what drives this economy. Consumerism is down, incomes have been frozen, and you see, in my opinion, some of that result.

I don't, by any stretch of the imagination, want to say that the reason that we are in the decline that we are in today, and facing the challenge that we are today, is a direct result of the fact that union membership is down.

But, certainly, I believe that one of the results is the reduction in the buying power of average Americans in this country.

Now, having said that, we passed this bill. We passed it pretty handily. We passed it in the last Congress, and it's our expectation that the Senate is going to be dealing with this legislation. They have not yet considered it; and it is my belief that we want to see whether they can pass it. We believe they can.

□ 1445

We are going to be interested in what action they take.

Mr. CANTOR. I thank the gentleman.

For the record, any democracy has also in it the elections that afford one the right to a private or secret ballot, which this bill completely takes away from the workers of this country.

Mr. HOYER. Will the gentleman yield?

Mr. CANTOR. Not yet, Mr. Speaker. I would say again that our economy is not just built on consumerism, our economy is built on investments and, frankly, the rebuilding of this economy will take place with job creation. And if we know that card check is a job-killer, folks across this country have got to be scratching their heads right now, wondering what in the world is Washington doing passing a piece of legislation that has been proven to kill jobs, not promote jobs.

Mr. HOYER. Let me say that, as I said before, we don't believe it's a job-killer, number one. But, number two, the gentleman and I have a disagreement factually as to what the bill does. We don't believe this kills the right of the employees to have a free election at all. Period.

We believe in fact the employee has that choice. The employee has the absolute right to respond, ''No, I don't want to sign your card. Let's have an election. And I will sign it for that purpose, and that purpose only, to give you the 30 percent you need to get the election.''

I think I'm right on 30 percent. But, in any event, we believe this is the employees' choice of how they want to organize, not the employer's choice.

So we are not and did not by passage of this legislation take away from the employees the right to have an election if they so choose.

Mr. CANTOR. I thank the gentleman.

One remaining question, Mr. Speaker. Can the gentleman inform us as to whether the public lands bill will be brought back up under a rule in this House.

Mr. HOYER. We think the public lands bill that failed just by two votes yesterday is a very good bill. Overwhelming support. Essentially two-thirds of this House supported it. Two-thirds of the Senate supported it. Actually, I think it was probably even more than that.

In any event, we believe that bill is a very, very good bill. We are hopeful that a number of your members will conclude that maybe they should have voted for it. We will see on that.

So the answer to your question is that we may bring it up either by rule or by suspension, but we want to see this bill pass. Having said that, let me say that Leader REID, the senior leader of the Senate, has indicated that he is going to file for cloture on that bill in the Senate tomorrow. So they may well move on it as well.

There are a number of options for us to pursue. As you will not be surprised, we are going to pursue the one we think is most successful.

Mr. CANTOR. I thank the gentleman, Mr. Speaker, and I yield back.

ADJOURNMENT TO MONDAY, MARCH 16, 2009

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

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

There was no objection.

TRACKING THE TARP FUNDS

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

Mr. KUCINICH. Yesterday, our Domestic Policy Subcommittee held a hearing about how the Treasury Department has accounted for TARP funds. The taxpayers of the United States have already paid $700 billion of their tax money into this bailout program. We found out that the Department of Treasury doesn't track the funds after they give them to the banks and, as a result, we have seen that, of these funds that were supposed to go to help the U.S. economy, $8 billion has gone through Citigroup to Dubai; $7 billion through Bank of America to China; $1 billion through JPMorgan Chase to India.

I want the American taxpayers to think about that because with all the pressing needs we have here with the people who are starved for credit—businesses are dying because they can't get loans from banks—banks are taking our tax dollars and they're shipping them abroad.

It's time that we started to take care of things here at home. It's time that we started to ask the Treasury Department to keep track of these TARP funds and make sure that they're intended for the purpose that the American people want them to be spent for, and that is revive our American economy.

TRIBUTE TO LEE ANNENBERG

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

Mr. DREIER. Mr. Speaker, it is with great sadness that I rise today to share with my colleagues the news of the passing earlier this morning of a very

dear family friend and one of our Nation's greatest citizens, Mrs. Walter Annenberg.

Lee Annenberg was an extraordinary person who lived every day with elegance, generosity, and a dedication to improving the quality of life of her fellow man. Members of this institution will recall countless instances of a strong commitment to the United States House of Representatives and both Houses of Congress.

She in fact made it possible for us to, for the first time since the founding of our country, convene on the anniversary of September 11, when we all went to Federal Hall in New York. She underwrote the bipartisan civility retreat that we held. Several years ago, the California congressional delegation came together at her beautiful home, Sunnylands, in Rancho Mirage, California, to hold the first ever bipartisan California congressional delegation retreat.

Mr. Speaker, no two people have been more personally committed to public service, education, and philanthropy than Lee and Walter Annenberg.

BUILDING TO FIX THE ECONOMY

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

Ms. JACKSON-LEE. Mr. Speaker, I think it is very important as we begin to build the building blocks of fixing this economy that maybe we should give a greater understanding of what the stimulus dollars are to be utilized for.

There are Congresspersons and Senators and Governors and State legislators and others, but the President's intent, the administration's intent is these dollars are to be in the hands of taxpayers.

The good news for those who have been criticizing is the Dow went up this week, and the Governors of the Nation were in Washington to get their instructions on how to make sure that these grants and these moneys are transparent, to make sure that grants are competitive and, yes, that the dollars are in the hands of small businesses; of primary and secondary schools; of hospitals; of municipal governments; of putting shovel in the ground, if you will, fixing utilities, fixing roads.

That should be the message and the work of those of us who serve in the United States Congress. It's my intent to be at home educating those of my constituents on how to use this money effectively.

The only way that they will be successful is if they can count jobs one at a time. That's what the President wants. That's what we are doing. And those who are criticizing need to look at the people who are now working.

CONDEMNING THE ACTIONS OF THE CHINESE

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

Mr. FORBES. Mr. Speaker, 5 days ago, a U.S. naval vessel was traveling in international waters 70 miles off the coast of China when it was harassed by a Chinese frigate that went dangerously across its bow. Shortly thereafter, it was buzzed by a Chinese maritime aircraft and a demand was given for that vessel to leave international waters or suffer the consequences. When it tried to do so, there was an attempt made to stop it, and then five Chinese vessels harassed it.

Mr. Speaker, yesterday we passed a resolution condemning Chinese actions for harassment for the people of Tibet. I filed a resolution that would condemn these actions and make sure that we understand the message the Chinese government was sending to us through these actions was very clear. So far, I question whether we have sent a response that has equal clarity.

I hope that the Members of this House will join in this resolution and let those individuals on that vessel know that we are standing behind them in condemning these actions that were taken by the Chinese government.

THE DEMOCRAT BUDGET

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

Ms. FOXX. The Democrat budget spends too much, taxes too much, and borrows too much. Contrary to what Democrats say on this floor all the time, the government doesn't invest. It spends. It spends money it takes from American citizens, to whom the money belongs.

Here's a look at the increase in government spending the Democrats want to impose on the backs of American families. The budget increases spending to $3.9 trillion in 2009, or 27 percent of GDP, the highest level since World War II. This is simply too much spending and will lead to higher taxes, slower economic growth, and fewer jobs for middle-class families.

Despite their claims, the Democrats' budget promises historically high deficits stretching out to 2019, when the budget deficit will stand at $712 billion. The Democrats' budget would produce a $1.75 trillion deficit, or 12.3 percent of GDP in 2009. This deficit level is more than three times the previous record deficits.

Over the first fifty days of the new Administration, Democrats have spent approximately $1 billion an hour, most of it with borrowed money.

Beginning in 2012, and every year thereafter, the government will spend more than $1 billion a day in net interest.

Mr. Speaker, American families and small businesses cannot afford all of this government spending and the Democrats need to show some fiscal responsibility, just as President Obama promised.

Where is the responsibility and accountability so often mentioned but never embraced by President Obama?

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

OMNIBUS SPENDING BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, the phones in my offices have been ringing off the wall today because people are very upset that we just passed the omnibus spending bill for $410 billion that has between 8,000 and 9,000 pork barrel projects in it.

The people of this country can hardly believe the way we are spending money up here. They all want to see the economy turn around, but I think they realize that the way to turn the economy around is by instilling enthusiasm and confidence in the American people by cutting taxes across the board, including taxes for businesses, such as the capital gains tax.

Mr. Speaker, so far, we passed a TARP bill for $700 billion, and that TARP bill that was supposed to help get the economy moving and help the financial institutions—we found that $8 billion of that was loaned by Citigroup to Dubai public sector entities; $1 billion was invested by JPMorgan in India; $7 billion was invested by Bank of America in the China Construction Bank Corporation.

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And the American people are wondering why the $700 billion that their representatives voted for is being used to help other countries. That money was supposed to help our economy.

In addition to that, we spent $14 billion for the auto bailout, almost $1 trillion when you add in interest for the stimulus bill and the omnibus bill I just talked about. And the budget is coming up, and it is going to cost about $3.9 trillion, of which $635 billion is for a new socialized medicine health program. But that is not the end of it.

The stimulus package that we passed, almost $1 trillion, was supposed to really help get the economy moving, and now we hear that there probably is

going to be another stimulus package. We don't know how much that is going to cost.

Speaker PELOSI is quoted as saying that she is open to a second stimulus package. That was on CNN. It says, ''The Democrats eye another stimulus bill on the Hill.'' ''Pelosi open to another stimulus,'' in Roll Call. ''Pelosi raises the prospect of another stimulus economic package, a second one, this year,'' in CQ. ''Pelosi leaves the door open to a second stimulus,'' in Reuters. And the Wall Street Journal talks about that by saying, ''Lawmakers weigh the need for a second stimulus to spur job growth.''

If you add all this together, Mr. Speaker, we are spending God only knows how many trillions of dollars that we do not have, and we are mortgaging the future of our kids and grandkids.

I have been down here night after night talking about this, and I cannot understand why we don't approach the solving of these problems in a logical and orderly manner as we have in the past under people such as John F. Kennedy and Ronald Reagan. They cut taxes to stimulate economic growth, and it worked, giving us economic recovery and long periods of economic growth. But what we are doing is just throwing taxpayers' money at it as fast as we possibly can, and it is money which we don't have. And we are going to print that money, the money that we can't borrow from somebody else.

We already owe China about $800 billion, $900 billion. We owe Japan about $600 billion. They are not going to continue to loan us money. We have borrowed money from the Social Security trust fund, so much so that it is probably bankrupt if we were to really look at it today. Yet, we continue to spend money and spend the future generations right down the tube.

The inflation rate that we are going to face in the next 2, 3, 4 years I think is going to be untenable. I really believe we are going to have double-digit inflation as well as double-digit unemployment because of the way we are going about solving these problems. Mr. Speaker, I just cannot understand it.

Then, on top of that, what did we do to stimulate buying homes? We cut the amount of mortgage deductions that people can deduct from their taxes by about 30 percent. So if a person has a mortgage deduction on their house, we cut that. We reduced it by 30 percent. There is a real inducement for people to buy a home. Then, as far as charitable giving is concerned, we reduced the amount that people can deduct from their taxes for giving money to charities, and that is going to put the charitable institutions in a real bind, and that means the government will probably pick up more of the responsibility of taking care of the people of this country. That is just unconscionable, in my opinion. We need to be doing what is necessary to stimulate economic growth and not put this country into a financial trick bag.

Mr. Speaker, my colleagues and I have been down here night after night talking about this. We feel like it is falling upon deaf ears, but we must come down here and try to explain to our colleagues and the American people how really horrible is the approach that we are taking right now.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. CHAFFETZ) is recognized for 5 minutes.

(Mr. CHAFFETZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TAX TIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MCCLINTOCK) is recognized for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, many people were quite relieved when President Obama promised to reduce taxes on 95 percent of Americans. Last week, the President introduced his new budget that depends upon a staggering tax increase of $1.4 trillion over the next 10 years. If that fell on every one of us, that would come to nearly $15,000 for an average family of four, or about $1,500 per year, out of that family's paychecks. So what a relief it was to hear the President's assurances that that is only going to be a tax on the rich. Except, it is not.

As we begin dissecting the President's new taxes, it is becoming crystal clear that they are actually hitting squarely at the middle-class, working families who are struggling to make ends meet in the worst economy in a generation. Let me walk you through the reasons why the President's new taxes are something that every middle-class family should fear.

There are about $650 billion of direct tax increases, including a boost in the income tax of nearly 40 percent. Now, that is the part that the President says will only be on the very wealthy, which he defines as people making $125,000 a year or couples making $250,000. But when you scratch the surface, you learn that more than half of these folks aren't folks at all; they are small businesses. So if you work for or you own a small business, chances are this tax is for you. The rest is coming from increases in business taxes, either directly, or as cap-and-trade taxes for carbon dioxide emissions. That is a huge levee on every business that emits carbon dioxide. That includes construction, agriculture, cargo transportation, energy production, manufacturing, baking, distilling. Is that anything for the middle-class to worry about? You bet it is.

I will let you in on a little secret of government finance: Businesses do not pay business taxes. There are only three possible ways that a business tax can be paid. It is paid by us as consumers through higher prices; it is paid by us as employees through lower wages; or, it is paid by us as investors through lower earnings, that is, what is remaining of our 401(k)s. There is simply no other possible way a business tax can be paid.

The income tax deduction for charitable contributions is being curtailed for upper income taxpayers upon whom charities rely for the vast bulk of their donations every year. That means a lot less charitable contributions and a lot more demand for government services.

At just the moment when investment is desperately needed to create new jobs, the President proposed hiking the capital gains tax. That means a lot less investment and a lot less job creation.

Now, this is not a complicated principle: If you tax something, you get less of it. If you tax productivity, you get less productivity. If you tax charitable contributions, you get less charitable contributions. If you tax investments, you get less investments and less jobs. If you tax energy production, you get less energy.

So just at the time when we need more productivity, more charity, more investment for jobs, and more energy, the Obama administration proposes a massive tax increase that they have the gall to tell us will stimulate the economy. These taxes will hammer every American, either directly or indirectly. At exactly the time when we should be reducing burdens on the economy, this administration wants to increase them.

If the President wants to raise taxes because the government is out of money, what makes him think that the American people happen to be flush with cash? This is exactly the mistake that Herbert Hoover made in responding to the recession of 1929. He dramatically raised income taxes, import taxes, and spending, and he turned the recession of 1929 into the depression of the 1930s.

Adam Smith, the father of modern economics, pointed out that a government that raises taxes in response to a recession makes exactly the same mistake as a shopkeeper who raises prices in response to a sales slump. California has again ignored that warning. It is set to impose the biggest State tax increase in history on April 1. That is going to be $13 billion from California families, proportionately a little bit less than the President's taxes, but it is in the same ballpark. I suspect that by the time the Obama budget, with all of its tax increases, comes up for a vote, California will have become a poster child for what not to do. Maybe, by then, the administration and the majority in Congress will figure out that raising taxes in a recession is not exactly the smartest thing that we could be doing.

SO MUCH MONEY TO GIVE AWAY AND SO LITTLE TIME

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, these are interesting times we are living in. It just seems like the motto we hear in Congress is, so much money to give away and so little time. Wow.

How can we give away more and more money? Well, to give it away, we have got to tax, we have got to borrow, and we have got to print more money. All of these are not good things to be doing. And how ironic this week to see an article in national papers that, as Mr. Geithner is encouraging other countries to follow our lead and spend and spend and tax and spend and borrow and spend, Europe, of all places, is saying, we are not sure that this idea of spending and spending more and more money is such a good idea. Whoever would have thought that Europe would be the ones to give us a lecture on overspending not being the way to go? But these are the people that have been overspending. They know, it doesn't work. Yet, here we are, trying it ourselves.

Now, we keep hearing about the deficit. When I was here as a freshman in 2005 and 2006, I was upset about the overspending. I was upset about the deficit going up. And it wasn't the tax cuts that created the problem. The tax cuts created the greatest revenue coming into the U.S. Treasury in American history, more money than ever coming into the Treasury. That wasn't the problem. But as it came in faster and faster, we were spending even faster than that, and there were some of us who were upset about it. The American people were upset about it. So as our friends across the aisle kept pointing out, you have got to cut out this deficit spending, the voters heard them. They said, they are right. The Democrats are the ones saying don't be spending and running up the deficit on our children and grandchildren. The voters were right. The Democrats were right to say that, because we were overspending. Many of us in the Republican party were saying the same thing. But that was not what carried the day. There was overspending.

As a result, we got this comment after the election in November of 2006 from our now Speaker: ''The American people voted to restore integrity and honesty in Washington, D.C., and the Democrats intend to lead the most honest, most open, and most ethical Congress in the history.''

In fact, we even voted a few weeks ago in here that we would not even vote or take up this horrible spending bill, spendulus, porkulus, whatever you want to call it, until we had at least had 48 hours to review it. We voted on that. The vast majority, it seems like it may have been a super majority, voted that we would not vote on that bill until we had seen it for at least 48 hours. Then it gets on the web at 11:00 or 12:00 at night. I got my copy to review the next morning about 9:00, and we are debating at 10:00. And we are told, people are losing their jobs every minute you are delaying passing this bill. We have got to pass it. You don't have time to read it, you have just got to trust all the people, the staffers and everybody that put this together. We don't know what is air-dropped in there; we don't know what all is part of it, because we don't have time to read it, either. Nobody on either side of the aisle read it, but we had to pass it.

It doesn't exactly match up with the transparency and the openness that was promised. It doesn't match up with the President of the United States, President Obama, promising there would be no bill that would be taken up and voted on unless we had 5 full days before he signed it to have comments, 5 full days. Well, we were told we had to pass it, we had no choice, people are losing their jobs. And the thing is, people were hearing things that were supposed to be in the bill, and yet the very week that this bill was being brought to the floor to vote on, there were tens of thousands of jobs every day being lost because businesses were giving up hope. They were trying to hang in there, hang on to their good employees. So many of those jobs lost were good union jobs. They were trying to hang in there. But then, from what they were hearing it didn't sound like this so-called stimulus or spendulus bill was going to allow them to come out from under the trouble they were in, so they gave up and kept laying jobs aside. People, families were hurt. So we were told, ''It has got to be fast. Don't read it, just vote on it.'' So it was passed, and 4 days later it gets signed into law.

□ 1515

Now, how is that an example of being open, honest and transparent? As a young attorney, I always advised people, if people want you to sign off on something but say, ''you don't have time to read it, just sign it,'' then it is even more important to read before you sign off on it, before you put your name on it. And here we had the Congress of the United States put their names on a document that they were not allowed to read all because it had to be passed immediately. And then 4 days later, once we get the press and all of that going on, have the photo op there in Colorado, then the bill gets signed. And I'll bet the folks there, I'll bet the President had not read the bill. Of course he hadn't. He hadn't had time.

I am joined by my dear friend from Indiana, Mr. DAN BURTON. I would love to yield time to him such as he would use and do so at this time.

Mr. BURTON of Indiana. Thank you very much. I appreciate it. And I'm happy to stick around here tonight with you to go into some of the things that I think ought to be explained to our colleagues and to the American people if they happen to be paying attention here tonight to what we are doing.

The people really do have a right to know where we are spending this money. And we had people from the Treasury Department appear before the Senate Banking Committee last week. And Senator SHELBY, as I recall, asked where some of the money was being spent. They actually would not even tell him where the money was going. And we are talking about $700 billion that was passed by the House and the Senate. There was supposed to be transparency so that we knew where the money was going.

Now we did find out, and I mentioned this in a previous Special Order tonight, we did find out that some of the money that was given to the financial institutions to get the economy moving again was used to help other countries. Now this is $700 billion that was supposed to be used to help the American people, help the American economy and help the financial institutions to be able to survive. And yet $8 billion, $8,000 million, was loaned by

Citigroup to Dubai, $1,000 million was loaned by JPMorgan Treasury Services to India, $7,000 million was loaned by the Bank of America to the China Construction Bank Corporation, and a whole lot more. There were 297 other entities that got the money, and they would not tell us where the money went.

Now we are the representatives of the people. The Senators are the representatives of the people. And we have a right to know where the money is going when we vote to spend it. That is one of the reasons why I voted against almost every one of these spending bills this year because we haven't been able to understand where the money is going to be spent or why it is being spent, and there hasn't been any real plan. We have just thrown money at it, like that is going to solve the problem.

If we are going to spend taxpayers' dollars, in my opinion, they have the right to know where the money is going, number one. And number two, we need to see the plan, as representatives of the people, so that we know where the money is going to be spent, how it is going to be spent and whether or not it is going to be spent wisely. And so far, every single one of the spending bills that I have looked at—and I think my colleagues looked at it as well—not one of them really gives us a plan on how to work our way out of this morass that we are in.

I went into some of the things that I have mentioned in the past. And we are looking at trillions and trillions of dollars that we have been spending. And when I talk to the American people out in my district, in the Fifth District of Indiana, about all this spending, and you talk to them about $1,000, they understand, $1 million they understand, $1 billion they start to glaze over. And when you get to $1 trillion, it just does not register because it is so much. That is a thousand thousand million dollars, $1 trillion. And we are spending money in the trillions. The budget that is coming up here after we have already spent trillions of dollars is going to be almost $4 trillion in addition to that. And today we found out that the Speaker of the House has indicated we might have another stimulus bill, which means we will probably add another $1 trillion on top of that.

Now I brought a chart with me tonight, Mr. GOHMERT. I can't talk to the American people, because we are in the well. But if I were talking to them, I would like for them to take a look at this chart just like my colleagues do. And it shows what happens when you inflate the money supply. And when I talk about ''inflating the money supply,'' I'm talking about when we spend all these trillions of dollars that we don't have. We have to either borrow it from countries like China or we have to borrow it from countries like Japan. And we owe Japan over $600 billion. We owe China over $700 billion. And it will soon be over $1 trillion. And when we borrow that money, it is supposed to help out the problem. But we have to pay them interest on that money. But the money that we cannot borrow, we have to print. And I hope my colleagues are listening to this. We have to print the money. And so far, we have increased the money supply by almost 300 percent. That means if we were buying something 1 week ago or 1 month ago, such as a car, in the future, when this money starts getting into circulation, because we have increased the money supply 300 percent, we are going to have a heck of a rate of inflation. That means the cost of everything is going to go up and up and up. That means college educations, cars, refrigerators, homes, the price of everything will go up.

If my colleagues doubt this, I hope they take a look at this chart. It shows the money supply and how it has changed over the years. And you go all the way to 1990 and you start to see a rise. And then you see in 2000 it goes up more rapidly. And then you go to where we are today, and you see the money supply is going straight up. I mean it is going up straight. It is not going at an angle anymore. It is going straight up. And that means we are continuing to spend more than we are taking in. And we are printing that money.

We had this problem back in the 1970s. Mr. GOHMERT remembers. I think you're old enough to remember that. Back in the 1970s, we had this problem when President Carter was in office. And we ended up with double-digit inflation. We had 14 percent inflation and 12 percent unemployment. And they ended up raising the interest rate to slow the inflationary trend at 21 percent. And that put us into a deep, deep recession.

What we are doing today is going to bring those days back in spades. It is going to be worse because we are increasing the money supply and spending much more rapidly than they did in the 1970s. And that was a tragic experience. Ronald Reagan came in and cut taxes across the board. And we ended up working our way out of the economy, and we had a long period of time of economic growth. But we are digging such a hole right now with this spending that it is going to be much, much more difficult to dig ourselves out of that than it was back in the 1980s when Reagan was President. So I really appreciate Mr. GOHMERT taking this special hour. He is one of the real stalwarts as far as fiscal responsibility is concerned.

Unless we get our colleagues on both sides of the aisle to start paying attention to what we are doing and not just thinking, ''oh, my gosh, we don't have to worry about the spending, it will take care of itself,'' then we are going to continue to dig ourselves into this hole.

And I just wish the American people, Mr. Speaker, would call every one of their congressional representatives and their Senators and say, hey, let's start being fiscally responsible. Let's cut spending. We want to know where the money is going, and we don't want to waste it. And we certainly don't want to have hyperinflation.

This will be passed on to our kids and our grandkids in our posterity. They are going to pay more in taxes. They are going to be paying more in inflation. And their quality of life is going to go down if we don't change this stuff pretty dog-gone quickly.

With that, I want to thank the gentleman for yielding. I appreciate being with you tonight.

Mr. GOHMERT. Thank you. I'm so grateful to my friend from Indiana. I always learn something every time I hear him speak. And I appreciate him any time he wants to speak while I've got time, he is welcome here. It is interesting though. It just seems like we do not learn the lessons either of history from other countries or of our own history. We keep trying the same things over and over again.

For one thing, though, we had this massive bailout back in September. And there were a few dozen, I think maybe 60 Republicans that joined with the vast majority of the Democrats and passed that bailout bill. I thought it was a huge mistake. I knew it was a huge mistake. I begged my colleagues across the aisle, this side, please don't do this. And yet, we did. Seven hundred billion dollars. It was an outrageous amount. It may be that only $250 billion of that—only—only $250 billion of that was spent before the new administration came in. And they immediately asked for the other $350 billion, another $800 billion in a stimulus, spendulus, porkulus whatever you want to call it bill, and then followed that up with over $400 billion on top of that. We only get $1.21 trillion in from income tax, from individuals for the entire year of 2008. And yet, just in a matter of weeks, $1.6 trillion, $1.7 trillion, an incredible amount of money.

I have said this before, people I think are getting the idea, you want to increase the economy and help the economy? Let every taxpayer know they can keep their own tax dollars. Now originally my bill proposed 2 months. But for the kind of money we have been spending, we would be better off to tell everybody you have the whole 2008 tax year off with no taxes. If you send it in, you're getting it back. If you haven't paid it, then don't. We would have been better off. Cars would be bought. Homes would be bought. Homes would be built. Businesses would be built. American Dreams would be made all over.

It is interesting to hear a study this morning that we went from an American Dream of having our children have it better than we have to now the current American Dream, the majority American Dream is to own their own business, to have a small business. Then also know that American businesses, small businesses, that is, have 70 percent of the employees in the

country. You want to help the country? Help small business. And yet all we are hearing is we are going to hammer the people that may make more than $250,000, the very people who I've heard from who have said, ''I would like to hire at least one or two employees, but if I'm about to get hammered with a tax, I'm going to have to pay that in taxes. I can't afford to hire anybody. So I'm waiting back here to see if I'm going to get hammered with more taxes. And if not, then I will hire more people. And if I am, then I'm not hiring anybody. I will just kind of hang on to what I've got.''

One of the things we learned back in history classes was that the power to tax is the power to destroy. That is so clear. Over and over, no matter what country you're in, the government has the power to tax, unless it is a socialist country, in which case all money comes into the government, and they pay everybody, so they just own everything, which kind of seems to be the way we are going right now, but if you tax something, you get less of it. If you want more of an activity, then not only don't tax it, but give it an incentive to have more of that.

There is no better example than in the 1960s when the people in this body, in the House of Representatives, had a big heart, a tender heart, and wanted to help single women who they knew, there weren't that many, but there were some who were having to deal with deadbeat dads, who were not helping raise the children and were not helping with funding. They said, let's help those women. Let's give them a check from the Federal Government for every child they can have out of wedlock. They meant well. But now, 40 years later, we have gotten what we paid for. We have gotten a Nation in which nobody would ever have dreamed at this time that so many of our children would be born out of wedlock. Some of the greatest contributors to this country have come from single-parent homes. And I just have great praise for the single parents who try to raise kids and have done so effectively. It is a tough, tough job. But studies indicate, generally speaking, kids end up better off if they come from a two-parent home, as long as there is not abuse, things like that, we know that. As a former judge, I sure do.

Well, then if you look at some of the things we have taxed, we still have a marriage penalty. If you're married in America, and you are both working, then you're going to pay a higher tax than you would if you were living together in what used to be called in the Bible Belt, ''living together in sin.'' So what does the government do? The Federal Government, this body, because this is the only body that can do it, this body taxes marriage. Well, you get less marriage when you tax marriage.

Now, we have heard over the last few decades all kinds of solutions, we are going to try to fix the marriage penalty, we are going to lower the tax here, fix this, do that and have less of a penalty, oh, we think we have fixed it. I have gotten sick of hearing those messages. And I intend to have a bill filed in the next couple of weeks as soon as we get it back from legislative counsel. It is very simple. It just says, if you're married, then you have got a choice. You can file married jointly or you can file as a single individual, whichever is better for you. Boom. No marriage penalty. That's the end of it.

Now that is how you deal with a marriage penalty. You give people who are doing a good thing, being married, you don't penalize them, you help them.

□ 1530

And then we hear in the President's budget, his plan, we are going to disallow charitable contributions beyond a certain extent. It will be interesting to see how it ends up shaking out. But we are going to disallow tax advantages beyond that and allow that income to be taxed.

Guess what? If you are going to start taxing that money instead of allowing the charitable deduction for the full amount, you are going to get less charitable deductions. I have said all along that this President is a smart man. I think he is. I wish that he would leave the teleprompters alone because the things that we need and what we need to fix America will not be found in a teleprompter. I wish he would look us straight in the eye and talk to us.

In any event, if you are really, really smart and you are pushing to provide less tax incentive for charitable deductions, charitable contributions, you are going to get less of them. If you are really smart, you know that. You know you will get less. So what can you be meaning? What can your thoughts be?

Well, the inevitable conclusion is that you intend to have fewer charitable organizations because you intend to do all of the charitable giving by the government. That is the only conclusion that can logically be drawn. You think you're better at giving charitable donations to the right places than the American public could be, and that the government will do better with those donations, we call them taxes when they are to the government, than those charitable organizations will be.

As I have traveled around the world as a Member of Congress, I haven't done it but a few times, but what I see, the best work for individuals suffering in other countries doesn't come from the U.N. It doesn't come from the United States dollars. When the United States gives, it has to go through another country or through the U.N., and all these people get their cut of the action. And sometimes we prop up corrupt governments by trying to help their people. No, the best work gets done by charitable organizations that go straight in and help the people directly. That's where the greatest good gets done.

Now with this President's new budget, he is proposing to cut that back so the government will be the end all charitable donor. That is so offensive. That is so offensive.

I am delighted to be joined by one of the greatest Members of Congress that we have here. We were delighted when she joined our ranks a couple of years ago because this is someone who comes from the heart, incredibly sincere, and it is hard to beat somebody who is both sincere and very, very intelligent. I would yield to my friend, the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I want to thank the gentleman from Texas, LOUIE GOHMERT, and I want to thank you for the great idea that you proffered to this body earlier on, which is if we want that true stimulus, Mr. President, I recall you saying, Mr. GOHMERT, then why don't we let the American people keep that stimulus dollar directly, pull the United States Government out as the middleman and let's prohibit the government from skimming off its portion to go into a bureaucratic cliff that no one knows where the money goes, let's let the American people keep their money. That was the LOUIE GOHMERT plan.

People all across America have said to me, Do you know that LOUIE GOHMERT? Have you heard of his plan?

And I tell them, You bet I know him.

I can't imagine a more stimulative impact.

As a matter of fact, I was with two ladies yesterday, women who don't necessarily think about politics day and night, and I told them about the LOUIE GOHMERT stimulus plan. They said hey, I would love that. I would love to have of that money because, as the gentleman from Texas knows, in the last 50–52 days under the current Obama administration, the average American family has just had placed on their shoulders an incredible debt load of over $18,500 per family. That is just in the last 52 days. I don't know about you, my family cannot afford these current spending policies.

What we have seen in the last 52 days, out of a Democrat-controlled House, a Democrat-controlled Senate and a Democrat-controlled White House, is spending at historic proportions: $18,500 per American family. That's on top of the debt load that we already have.

What has been the response of the American people? In the month of January, the American people were spooked about what is happening in this economy. What did the American people do? Their personal savings rate has elevated to 5 percent. You know what that savings rate was before, Mr. Speaker, that savings rate was minus 1 percent. The American people are so afraid of these historic levels of spending, they are holding on to every dollar they have, and the personal savings rate has increased to 5 percent. I think that it is great that the American people are going down a savings route. It

shows that inherently the American people are prudent with their own money.

But what has been the Obama plan? The Obama plan has been to raise spending to such historic levels that it will force the United States Government to continue to borrow more money from China, and the Chinese right now are a little skittish about buying more American debt. So skittish are they that our Secretary of State, Hillary Rodham Clinton, had to go to China about 2 weeks ago and practically beg the Chinese to continue buying American debt. Our Secretary of State wouldn't be in that embarrassing position if the Obama administration wouldn't be so bent on spending this level of money.

Well, if we don't have to spend this kind of money, then we don't have to borrow from China. We don't have to have punishing high tax increases, and that is what is amazing to me in the President's budget. He was just here in the Chamber about 2 weeks ago with his State of the Union address, and he said that he plans to tax the American people under the new cap-and-tax plan.

Under this tax plan, which is hard to believe, I know, in the midst of a recession, adding to the burden of the American people $646 billion in new energy taxes. Well, we all remember how much fun it was last July to pay over $4 a gallon for gas, that is the road we are heading down again. In fact, some estimates say that the average American family will see an increase in their yearly energy bill of over $1,400 a year in their utility bill because of this energy tax. Why do we have to have this tax? Because spending is out of control. As a matter of fact, it won't just stop with the utility bill, it is also the gas bill when you go to your local gas station and fill up. The energy tax will impact the price of food. It will impact the price of goods at Wal-Mart. If you go to a local clothing outlet like Target, it will increase the cost of things there. Everything we touch will be impacted by the energy tax. We wouldn't need to do this if we didn't have these historic levels of spending.

One thing that was alluded to by our colleagues, Mr. BURTON and Mr. GOHMERT, is the fact that what we will see happen, other than punishing tax increases and going to other countries to borrow money, we will have to resort to inflation. What's that? Inflation occurs because the Federal Reserve is printing money 24 hours a day, 7 days a week and putting that money into the money supply. If we have $100 in the money supply and the Federal Reserve puts another $100 into the money supply, what does that do to the $100 we have now? It means that our $100 is actually worth half of what it was before.

The cruelest tax of all is the tax of inflation, especially for senior citizens and especially for people who have spent their entire life trying to create wealth, and that is the genius of the United States of America, freedom. Freedom is the genius of our country. And with freedom, we have been able to amass private wealth creation.

Now I'm not just talking about billionaires, I am talking about my grandparents who lived through the Depression. My grandfather made a dollar a day working as a meat cutter, $7 a week. He had seven children that he had to feed on $7 a week. But they wanted to create as much private wealth as they could in their family. My grandmother and grandfather never became wealthy, but what did they try to do individually, they tried to save as much money as they could so that someday they could afford to buy a home.

My little grandmother was eventually able to buy a one-bedroom home. She was so proud of that home. She took such good care of that home because she wanted to make sure that my mother and her six brothers would one day have an inheritance. And at the time of her death, she was able to give them $10,000 each. That was her goal, to transfer to them some of her private wealth. And that is what I am so worried about, Mr. Speaker. That is what I am so worried about, that we are going to take away the right of the American people to amass private wealth no matter how much because they want to be able to use it to be able to pass on to their own kids.

They cannot do that, Mr. Speaker, when this body continues to spend money on the most worthless projects imaginable. We could spend the next hour in this Chamber going after worthless project after worthless project. We just saw in this body this week, President Obama signed it yesterday, almost 9,000 earmarks; 9,000 earmarks. And that is after President Obama campaigned and said I will be a new President. I don't want to see earmarks; I don't want any more earmarks. And what did he do in the first 52 days, putting a burden on the American people of over $18,500, including wasteful projects, 9,000 of them, and having the audacity to say to the American people, This is the end of the old way of doing business. From here on out, it is the new.

It is not the new, Mr. Speaker, not when you are looking at continual rampant spending to have continual rampant taxing. That is what is around the corner.

This horrible energy tax is going to forever change our American way of life, and now is our opportunity to stop it.

I know, Mr. Speaker, that Representative GOHMERT and I were talking about that earlier today. The opportunity that we have between now and May when the Obama administration wants to make sure that the American people are saddled with this horrible new tax, and how do we know that? He has already built it into his budget. He has already assumed that you are going to be paying $4,000 per family in new taxes to finance these boondoggles that all of us come up with here in Washington, D.C.

I didn't vote for any of this. I am more proud every day that I voted against every one of these wasteful spending programs. I know that Representative GOHMERT feels the same way.

With that, I would like to hand it back to Representative GOHMERT, and I would be happy to talk about that with him.

Mr. GOHMERT. Thank you, and great points all. I was enjoying the points you were making.

But what came back to mind was the story about Davy Crockett in the House of Representatives. Some people don't know he was a representative, and yet there is a great story, a true story about him going back home to Tennessee and somebody, one gentleman just lowered the boom on him and was really fussing at him because Congress had decided to give money to help some business that had burned. The gentleman was telling Davy Crockett, if you want to help somebody or some business because it is a noble cause, give them your money, don't give them my money. And Crockett came back here and told about the incident as part of the CONGRESSIONAL RECORD, telling his colleagues: How about for once we don't just force the taxpayers to give up their money and give it to where we think it ought to go. If we think that this business deserves some charitable help, then let's give it out of our own pockets.

□ 1545

They took up a collection. Can you imagine if the debate here on the floor were along those lines these days, that the children need our help, so I'm passing the hat and would like for everybody to kick in their own money here on the floor so that we can help these children? No, that's not what we hear.

Mrs. BACHMANN. If the gentleman would yield. I'm familiar with that story as well. Davy Crockett did come back to this Chamber, he did go to his fellow representatives and ask for money. And the disgraceful thing is that Members did not want to give money personally out of their own pocket to be able to help—it was a widow, I believe, they didn't want to give that money to the widow.

I have only been in this body for 3 years, but if there is anything that I have learned it is how easy it is to spend other people's money. It is so easy to be generous. But one thing that this body needs to remember, one thing that President Obama needs to remember, we are not a philanthropic society, we are not the family, and we certainly are not the church. And when government tries to be the church, when government tries to be the family, and when government tries to be a philanthropic society, we distort everything and usually mess it up.

If you look today, the news just came out that Freddie and Fannie, which

were the engines behind this failure on the housing mortgage meltdown, Freddie and Fannie need another $30 billion of infusion of money because, guess what? They're now nationalized; they're owned by the American taxpayer. They can't stop spending money. They're addicted. As a matter of fact, our government charged Freddie and Fannie with making more loans to people who can't even afford to put down payments on houses. The government hasn't learned its lesson, and it seems unwilling to learn its lesson. I don't know why in the world we would want to take more money out of the hands of people who get how to save it and how to spend it and bring it here to Washington to people who have proved for all time that they have no clue how to spend it.

I yield back.

Mr. GOHMERT. Thank you. Actually, I guess it was right at the end of 1 year, my freshman year here, there were so many of our friends across the aisle quoting Scripture. And it was being used in a way to say things like, well, Jesus said take care of the widows and orphans. And some of you guys, you want to just neglect the widows and orphans and help your rich friends. And others would say, Jesus said that we should be good Samaritans and help those less fortunate. Somebody else said Jesus had said to them that we're to love our neighbors as ourselves, ''the golden rule.'' When a lawyer asked him what is the most important commandment, he said, love your neighbor—those were the two, love God and love your neighbor.

But anyway, we were getting beat up over that, that we ought to be taxing people, taking from other people and giving to these folks that were in need. And I had to point out that night that Jesus never said go ye therefore, use and abuse your taxing authority to take somebody else's money to help them. He said, you do it. You do it. He was talking to the individual. He was talking to the individual heart. And the individuals who were supposed to do it, not go and abuse taxing authority, take somebody else's money, and yet that is what has happened. And a great example was Zacchaeus. Because if you look at what Zacchaeus did after he met Jesus, he went and cut taxes. Not only did he cut taxes, he gave rebates to those he over-collected from. And that is what would be called a tax holiday.

Mrs. BACHMANN. And if the gentleman would yield. We could go to the Old Testament as well and look no further than the Ten Commandments. The Ten Commandments say, ''Thou shalt not steal.'' And whether it comes from government or whether it comes from an individual, we are not to steal from our neighbor.

That's what has me so concerned about this new energy tax from the Obama administration because it literally will be widows and orphans that will be in the worst possible position. Because this energy tax will hit every aspect of American Society, it will forever lower America's cost of living and our way of life. We need look no further than Europe. Europe has already instituted this energy tax. It is continuing to lower the standard of living in Europe, and it is creating job losses all across the United States. Why would we be cruel to widows? Why would we be cruel to orphans?

This will not work. It has been a disaster. And now is the time for the American people to raise up, contact their Member of Congress, and say, please shield me from this Obama energy tax, I can't afford it. Why would we do this when we see crushing debt loads?

Earlier this week, Mr. Speaker—I was sharing this with Mr. GOHMERT—I met with people from the furniture industry. And I don't know if the American people know yet, the furniture industry, if you look at their stock value, the stock value of the American furniture industry has dropped 90 percent. So if you have people who spent their life working in the furniture industry and that's what their retirement was made of, they have lost 90 percent of the value of their wealth assets. Why would you impose a cruel energy tax where we are going to require more jobs to flee from this country?

I yield back to the gentleman.

Mr. GOHMERT. That is such a great point. And it goes right along with the corporate tax. We have people come in here and say the corporate tax is the way to go because these mean, cruel, greedy corporations, let them pay the tax. Well, if a corporation does not pass that tax on to its customers or its clients, then it goes out of business. So that is so deceptive. And I think it is so wrong to say, we all know in here we're going to stick it to the little guy, the guy that is just working and doing all they can to stay up, or the seniors who are on Social Security, we're going to stick it to them, but we can't just stick the tax to them any more than we already have, let's tax the corporation, and then they will have to pass it on. But it won't say ''tax'' when it's passed on because it's from us to them, and it's our way of sticking it to the little guy without them knowing.

But at some point the American public is going to wise up. And I've looked into this as well because there are some that say we need to erect tariff barriers and say, if you're going to sell stuff in this country, your country may be subsidizing this kind of thing, but we're going to put a tariff. Well, that triggers so many penalties. It would trigger a tariff war around the world if we did that. Whereas, what I have looked into is, what if we said we are not going to allow Congress to stick it to the little guy by popping the tax on the corporations that they have to pass on. Let's just say no corporate tax.

Corporations that have fled this country because of the high corporate tax rate have said, our manufacturing jobs will be back in America. The furniture jobs, even though labor is cheaper elsewhere, it would open them up. And some would say, well, that's subsidizing. But the nice thing is it would not trigger any penalty or any tariff war, no trade agreements, penalty provisions would be triggered by doing away with corporate tax so that the people in America wouldn't be taxed further.

But how much more insidious could it be than what President Clinton did as soon as he took office with a Democratic majority when he raised this massive tax on Social Security benefits? These people have worked their whole life, paying taxes on what they made, putting a little bit into Social Security, and actually they're only getting back about one-fourth to one-third of what they would have been if they could have put it into their own private retirement account. But anyway, here it is, they're getting so little as it is, and now you're going to put a tax on top of that? To me, that was pretty insidious. And it continues. There's talk about even possibly increasing the Social Security tax. I think it's outrageous.

We have been joined by my good friend from Iowa. It is always a pleasure, Mr. Speaker, to see him here on the floor. I yield to my friend, Mr. KING.

Mr. KING of Iowa. I appreciate the judgment of the good judge from east Texas. I was listening to this dialogue, and I thought I would come over here and engage in it. And I appreciate you recognizing me and yielding.

The point that the gentleman from Texas makes that—I'll say it succinctly—corporations don't pay taxes, corporations collect taxes that are imposed upon their bookkeeping system and aggregate the money from people and customers and flow that money to the Federal Government into the Treasury. That's how the corporations function, they are tax collectors for the government. But it is always the people that have to pay the taxes, it is always the customers that have to pay the taxes. And by the way, neither do LLCs pay taxes, neither do sole proprietorships, or partnerships, or any other business configuration that has customers out there pay taxes. They have to transfer those to their customers. They have to add it in and calculate it in.

I made payroll out for 28 years. I transferred a lot of those costs onto my customers. I had to. And if you didn't do that, in the first place you couldn't cash flow a business; you would never get it started in the first place. You would never get it to expand. You've got to have capital. By the way, Adam Smith made this real clear. This is something I like to tell the people that will not respond to this charge. There are two components to the cost of everything we buy, it is the cost of capital and the cost of labor. And the capital cost is included in everything that we purchase.

And so if we are going to have policy in this legislature that raises the cost of capital—which takes place easily when you see the tax increase—if you increase taxes on businesses that are doing business, that are investing, that are holding mortgage-backed securities, there is a capital cost to that. If you raise the cost of capital, then you are putting more burden on the economy.

And the other component is labor. Adam Smith wrote it this way: ''The price of gold plummeted in Europe as the Spanish galleons began arriving on the continent from the new world.'' Adam Smith didn't say that because they stole the gold from the Incas and the Aztecs. He described it as they lowered the cost of labor for getting that gold out of the ground and getting it into the marketplace. And that's how this economy works. But corporations have been demonized by the people on the left side of the aisle because they don't understand that simple equation; the cost of capital and the cost of labor is the sum total of all of the things that we buy, and that the businesses in the country have been enlisted, by law, to collect those taxes from people, impose them on people. And what do we do? We impose the acrimony on top of the businesses that are the tax collectors for the government. I'm with LOUIE GOHMERT; let's take the tax off of all these corporations. Let's take all the tax off of productivity, actually.

Mrs. BACHMANN. If the gentleman would yield.

Mr. KING of Iowa. I would. I think I like where you're going.

Mrs. BACHMANN. I would like to add to the stunning STEVE KING from Iowa for his comment. He is absolutely right that the cost of a good is labor and capital. But the third component is the added cost of government. That's the third component that goes into an item. And that cost is getting exceedingly high. And I know that my colleague from Texas, LOUIE GOHMERT, knows this very well because, if you look at the energy industry, at oil and gas production, the amount of money that companies make in profits is exceeded dramatically by the amount of money that the corporations pay in taxes to the government.

People think that oil and gas companies have obscene profits, but they pay even more obscene levels of taxation. Literally, they have spent trillions of dollars that they've paid over to government in taxes, while they've kept billions of dollars in profit. But out of that profit pool, that is where the oil and gas companies have had to take that money to invest back into the business so Americans can enjoy more energy.

I am so pleased about the positive solution that's been offered by one of our colleagues, JOHN SHADEGG, and also Mr. BISHOP, and also Senator VITTER, and it is the No Cost to the Taxpayer Stimulus Bill that says, very simply, let's open up and legalize all forms of energy production all across the United States—wind, solar, biofuels, oil, gas—all of them, let's open all of them up—in fact, I say hamsters running on cages. No matter what it is, let's make sure that we legalize the source of energy. And that is zero cost to the taxpayer. It relieves the American people's burden on dependable gasoline at affordable prices. Let's do that.

I know I was absolutely astounded, Senator Obama, during the campaign—and I will yield back after this quote. This is a quote from our now President. He said, during the course of the campaign, ''What I've said is that we would put a cap and trade system in place that is as aggressive, if not more aggressive, than anybody else's out there. So if somebody wants to build a coal-powered plant, they can. It's just that it will bankrupt them because they are going to be charged a huge sum for all that greenhouse gas that's being emitted.'' He is admitting that his plan will bankrupt coal companies.

''When I was asked earlier about the issue of coal, you know, under my plan of a cap and trade system, electricity rates would necessarily skyrocket.'' That's the future that the American people have to look forward to, and I think that's audacious.

I yield back.

Mr. GOHMERT. I would yield to my friend from Iowa.

Mr. KING of Iowa. I thank the gentleman.

When you describe this, this cap and trade tax that is on everything, I would ask, Mr. Speaker, that we illuminate this for the American people. Think if America were a continent unto itself, what if we were a planet unto ourselves; would we manage ourselves this way? And I would say no. Because we are wasting all kinds of resources; we are wasting labor, we are wasting capital—we're not even using sound science—if we were a planet unto ourselves. But we have to compete with the rest of the planet. So this cap and trade proposal ties our hands, ties our legs. And we are like Gulliver tied up by the Lilliputians with the cap and trade legislation that looks like it's coming down the pike which will immobilize America's economy while India's and China's are growing. And not only are they growing, but they're emitting CO_2 gas and greenhouse gases at an accelerating rate.

□ 1600

So our little piece of this pie that we could possibly effect is so minimal a century from now that it really can't be measured by science. Sound science doesn't support this. Sound economics doesn't support this. And there are many better solutions, even if there was a prediction that could be made accurately.

Mr. GOHMERT. I thank Mr. KING and I thank Mrs. BACHMANN.

That's such a great point about energy. We have been blessed in totality with more natural resources in the United States of America, I think, than any other country. It's just been fabulous. And yet we continue week after week, month after month with the Democratic majority to continue to put more of our natural resources off-limits.

One of the things some of us have been advocating, and I have got my staff working on a bill we talked about yesterday that would be in conjunction with our friend Mr. SHADEGG, with Senator VITTER, but we all agree: We want all-of-the-above energy. Use it all. But make sure we protect the environment. And that can be done. But open up the OCS to drilling. Put litigation on a fast track so they can't tie it up for 10 or 20 years and just keep repeatedly bringing them to court. But let's go use it if it's legal, if it's proper, and it will be if it's done right.

And then something that had been negotiated before that could be done is that the Federal royalty that could be obtained by leasing the OCS would be more than traditionally a property owner gets from leasing their land to produce oil and gas. Traditionally that's been one-eighth. One-eighth of the royalty is what the owner normally got. We could get at least three-sixteenths. We could split it with the States. We've got States coming up here like California saying, please, give us some money. I'm so proud they worked on their budget. They still need money.

You've got all kinds of money sitting in the vault, sitting in the bank, right off your coast. Use what you've got. If it's solely in the State's territory, it's yours. If it's out beyond that and in Federal territory, we will split the money with you. And then my feeling is, and this is what I've talked to the staff about in a bill, we'll take half of the Federal part of that because we should share it with the States, but then with our half, take half of that and devote it completely to research for alternative fuels. You don't have to tax anybody else. You don't have to add more costs to the already hard-working people that are paying to sustain this unwieldy government. But you could fund our own alternative research so that as things run out, we've got it.

And it's really beginning to appear very disingenuous, this stuff about the global warming, and that's why we are no longer hearing ''global warming.'' They're not using that term. They are using ''climate change.'' Climate change happens four times a year. It's the seasons.

Mrs. BACHMANN. If the gentleman would yield, in Minnesota that's true.

Mr. GOHMERT. I yield to the gentlewoman from Minnesota.

Mrs. BACHMANN. Thank you. I think we see two separate agendas at work here. The American people want low-cost energy that's dependable. We need that. Not only just individuals but also businesses, we need low-cost, dependable energy. But the Obama administration has taken a very different

view on energy. Then Candidate Obama said he wants high-cost energy. Why? Because he wants to force the American people to have to pay the carbon tax that's about to come down the pike. We wouldn't need this terrible carbon tax that will completely damage our economy, especially in this time of recession, if the Obama administration wasn't addicted to spending. Because they are so addicted to these high levels of spending, President Obama, in his State of the Union address, said what he wants to do with that money. He wants socialized medicine. Is that what the American people want? The American people aren't crying out for socialized medicine, but that's what President Obama wants to give to the American people.

Not only that, but in his State of the Union address, he said his vision for America is that government's hand would be in the hospital room of a brand new baby with a brand new mother. He wants, from cradle to career, the Federal Government's hand on the life of that child. I don't know about you, but the people in the Sixth Congressional District of Minnesota, moms and dads want to have one of the parents at home with that baby to be able to love that child, rear that child. They don't want to send that little baby off to a government daycare center from the day that baby is born. That is President Obama's vision for child rearing, that the Federal Government would be involved in the cradle stages of a child's life. Massive spending demands a way of taxation.

This cap and trade isn't going to solve our energy problem. It will add to our energy problem because, again, it's going to take out of the pockets of the middle class of this country to put into the pocket of the Federal Government.

Mr. KING of Iowa. Will the gentleman yield?

Mr. GOHMERT. I yield to my friend from Iowa.

Mr. KING of Iowa. I thank the gentleman for yielding.

I would add to this. Again, take it back to a big picture, and that is this is about freedom. It's about preserving the freedom we have, defending the freedom we have, and, in fact, we should be expanding the freedom that we have.

Our freedom has diminished generation by generation since the founders established this country. When you move to the left, it always includes an increase in taxes and an increase in government interference in every aspect of our lives, from raising our families to micro-managing energy to sticking their fingers into education, every aspect of our lives. So when you expand the role of government, you expand also the taxation and you diminish the freedom.

And whether you do it insidiously by saying I'm going to take your child now at age 3 or 2 or 1 as opposed to 5 or 6, as it used to be, or whether you do it in a blatant way by saying we're going to impose this Draconian regime on everybody in America and we're going to confiscate your income, the point that's been made by this administration and this majority, not in so quite many words is this: You're not really entitled to the money you earn, in their view, but the people that claim they have a need are entitled to the money that you earn.

That's the philosophical divide that's been turned. When you go to the left, you give up freedom and it's diminished. When you move policy to the right, you expand freed and it's enhanced.

We need to be about expanding everyone's freedom in this country. That's the foundation of America, and that's where our vitality comes from. That's why we are the unchallenged greatest Nation in the world, because our vitality comes from our freedoms. Acts that diminish it diminish our vitality and handicap us.

I thank the gentleman from Texas for his indulgence.

Mr. GOHMERT. I appreciate my friend from Iowa's (Mr. KING) help.

I would be willing to yield for any final comments to my friend from Minnesota.

Mrs. BACHMANN. I thank the gentleman from Texas. I appreciate that.

I would just like to expand on what Mr. KING said. When you look at this body of the House of Representatives and when you look at the United States Senate and when you look at the White House, one thing that we all do when we come in is we take an oath and we pledge our allegiance, not to the American people, not to an issue; we pledge our allegiance to the Constitution of the United States.

Every time this House acts in contravention of the Constitution, we cause a distortion of freedom and we cause a diminution in the freedom of the people. We cause a diminution in the prosperity of this great land. That's the problem. Our founding principles are all contained in the Declaration of Independence. Abraham Lincoln republished and reaffirmed this Nation to a new foundation grounded in the Declaration of Independence.

And, of course, we know what that beauty is. The beauty is that our rights were given to us from a Creator. Those rights are not from government, the rights of man. The rights come from a Creator God. And that Creator gave those rights to every human being on the planet. Among those rights are life, liberty, the pursuit of happiness. Those are rights that only God can give. Government can't give them; government can't take them away. And our government was instituted for only one reason, and it was to secure those unalienable rights.

None of us in this Chamber with an election certificate has any right to violate those rights because we are here only by the consent of the governed. And when we act in contravention of that, that's how we get into the soup we're in. And today we are in some kind of soup. So if we return to our Constitution, we're in good shape.

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

THE PROGRESSIVE CAUCUS: D.C. VOTING RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. Mr. Speaker, as we come in week and week out, the progressive message is up again, as we come back every Thursday in order to make the progressive position clear on the critical issues.

I'm going to be joined tonight by a number of colleagues who are making their way to the House floor, but tonight our topic is going to be the very critical issue of District of Columbia's voting rights, the District of Columbia's voting rights, which is a vital and essential issue which has been dogging our country for many years. We certainly hope that this issue of D.C. voting rights is an issue that the country focuses its attention on. D.C. voting rights is a question of giving rights and conferring rights upon Americans who pay their taxes, Americans who send their children to war, Americans who are equal in every way to Americans who live in the various States. And because of this important role that they play in our country, this equal role, we're looking forward to seeing legislation come out that will allow members of the District of Columbia to be able to have a representative who can cast a vote in our Congress. We are looking forward to this in the near future.

But before we get to that topic, I want to yield to the gentleman from Virginia, who is going to take a moment to make a critical statement.

YEAR OF THE MILITARY FAMILY

Mr. NYE. I want to thank my colleague very much for yielding to me.

I am rising today to express my strong support for a resolution this House passed yesterday by unanimous vote, Mr. Speaker, the resolution urging the President to designate 2009 as the ''Year of the Military Family.'' And while no words or gestures can fully match the service or sacrifice of our soldiers and sailors, our airmen and Marines, we must also remember those Americans that do not wear a uniform: our military families.

In my home district of Hampton Roads, we know all too well that the challenges faced by our military families are not just financial. They are emotional and physical too. Men and women in my district wake up every day not knowing if their loved ones are safe, not knowing when they will return, or what scars they might bear when they do.

Dealing with that and explaining it to your children with a smile on your

face is not easy, and it must never be overlooked. These hardships are not limited to our active duty military families. The families of Guard and Reserve members also confront regular absences for training, and in the years since 2001, more and more families have seen their loved ones deployed overseas to Iraq and Afghanistan.

Mr. Speaker, I look forward to working closely with Chairman SKELTON, who introduced the resolution, and with all the members of this House to support our military families.

I again thank my colleague for yielding.

Mr. ELLISON. Let me thank the gentleman for his quick message. Though not directly related to what we're talking tonight, we are happy to yield to a colleague at any time, particularly in light of his very good message.

But, again, Keith Ellison here coming today with a progressive message. The Congressional Progressive Caucus comes every week to make the point that there is a progressive vision for America, that we have a vision that is inclusive, that brings Americans of all colors, all cultures, all faiths together, and this progressive message is going to be heard and will be heard every week, week in and week out. This is the Progressive Caucus, and we are here with a progressive message.

And what I want to do without any further delay is to ask my good friend from the great State of Missouri to weigh in on this critical issue of D.C. voting rights.

Mr. CLEAVER, Congressman from the great State of Missouri, how do you understand this critical issue of D.C. voting rights?

□ 1615

Mr. CLEAVER. Thank you, Congressman ELLISON.

One of the most significant measures to find its way into the United States Congress is legislation put forth by our colleague, ELEANOR HOLMES NORTON, who is the delegate for the District of Columbia.

This legislation would allow the citizens of the United States of America, who live in the District of Columbia, to finally, to finally, after more than 200 years, have the opportunity to cast their vote to place a representative in the United States Congress. This is a city of almost 600,000 people, and many people around the Nation may be surprised to learn that the District of Columbia is the only city in the United States that must submit its municipal budget to the United States Congress.

That, in and of itself, is an injustice. That means that this city, unlike any other city, is subservient to the Congress of the United States and they have no voice whatsoever.

The sad thing goes further. Forty percent of the District of Columbia own their own homes, and coming from those homes are young men and women who have died in the world wars, who have died in Vietnam and who are still dying in Iraq and Afghanistan.

Mr. ELLISON. Let me ask, we know that there is no voting representation for final passage issues for the people of the District of Columbia. Are they exempt from military service, are they exempt from taxes?

Mr. CLEAVER. No, in fact, this is something that most people probably don't know and I hope will become angry over this fact. The District of Columbia, the residents, pay the second highest taxes of any city in the United States, and yet they have no right, given to them by the United States Congress, to vote.

Mr. ELLISON. They have to pay, but when it comes to making decisions in Congress, they don't get to play; is that right?

Mr. CLEAVER. Yes, sir. The people of the District of Columbia work hard every day. They pay their taxes, they do the right thing. But when time comes to vote, the Government of the United States says, ''Shut up, you don't have a right to vote. We just want your tax dollars. We want your sons and daughters to go into the sands of Iraq and Afghanistan, but we don't want you to vote.''

Now I was elected to Congress because the people of the Fifth Congressional District of Missouri, Kansas City, Independence and the surrounding areas, needed a representative in Congress. I am that representative, but the people of the District of Columbia, in over 200 years, have never been able to say, ''This is my representative.''

So, Mr. Speaker, I would just like to say that if the people of the United States would like to get something to be angry about, I mean there are a lot of things, fluff issues that people get connected with that really are not significant, but if you want something that is significant then try getting involved in and becoming supportive of the effort to make the District of Columbia, the citizens thereof, an opportunity to be full Americans, full Americans.

They are not asking for anything special, they want what all other Americans have, the right to vote, the right to have their own municipal government that does not have to cow down to the Federal Government.

As I close, I would just like to say that this is a Nation of people who love justice. I mean, of all the nations on the planet, the United States is a Nation that says it is a just nation, and yet we will not act in any way to support the people of the District. And further, all the opinion polls in the United States will reveal that the public, the people of the United States are just and they believe that an injustice is taking place here.

Mr. ELLISON. The gentleman from Missouri made a very eloquent and clear statement.

We are here with the Progressive Caucus message tonight. We are talking about voting representation for the District of Columbia, and we have just been joined by a gentleman from the great State of Maryland, who has been a very able and strong representative of many, many issues.

I am just curious to know if the gentleman from Maryland, ELIJAH CUMMINGS, former chair of the Congressional Black Caucus, leading member on the Committee for Oversight, has a view on this issue of a voting representative for the District of Columbia?

Mr. CUMMINGS. I want to thank the gentleman and I want to thank you and the Progressive Caucus, of which I am a member, for taking up this cause.

I also want to thank Congresswoman ELEANOR HOLMES NORTON. I don't care where she goes, she has made it clear that the people of the District of Columbia deserve a vote. As a matter of fact, if it were up to me, they would have two senators and representatives.

You know, I have often said that we have one life to live. This is no dress rehearsal and this is that life.

But we have people here in the District, as my good friend from Missouri just said, who do it right. They get up every morning, you can see them at the bus stops. They go to work, they raise their children, they do the same things that people do in your district and in mine. They pay their taxes and they are part of the society, building a society and making it the best that it can be.

But then when it comes time for them to have a vote in this body, then suddenly we say ''no.'' It just seems to me that that just smacks democracy in the face.

When we think about our representative government, we think about going to a town hall meeting, for example, as I did just 2 weeks ago, listening to my constituents, and then was able to come to this floor and vote their wishes. That's what representative government is all about. That's the essence of a democracy.

The other piece of that democracy that is so significant is that individuals's right to vote, and the ability to take that vote and transform it into power. They all cannot come here and be a part of this process so, therefore, it becomes very significant that they have representation.

As a matter of fact, when you think about it, it's very unfair to the people of the District of Columbia when everybody else has a vote. But then suddenly when it comes to them, they have no votes, and they can express their will, they can express their frustration, but at the same time, when it comes to their representative coming to this floor, no vote.

Mr. ELLISON. The gentleman from Maryland just offered views on this important topic, and that is this, you have made a very clear case that a representative vote for D.C. is fair, it's moral, it's right, and it's the proper thing to do. But how will it benefit people across America for D.C. to have a vote?

Mr. CUMMINGS. If you really think about democracy, I think it goes hand in hand with diversity. We know that I would hate to even think of having this Congress and not having the views of my friends from California or the views from the folks in Utah or the views from the folks in South Carolina.

Although I am from Maryland, I need to understand, I need to have their views, and I have to have their input. Because I have often said that if we are going to make laws for a diverse society, that we must, indeed, be diverse, and we must be representative of that entire society.

Because I think that when you are not totally representative, it really—I don't care how you look at it—taints the process.

Mr. ELLISON. What you are describing to me is kind of like pushing a cart in a grocery store when one of the wheels isn't really running right.

Mr. CUMMINGS. That's right.

Mr. ELLISON. The other three might be, but one of the wheels isn't being represented and holding up, and the cart just doesn't run smoothly. It almost sounds like you are saying that America is a better country, and the values of the people are more accurately reflected when everyone has a vote here.

Is that your opinion?

Mr. CUMMINGS. That's my view, and I think about the little kids that every day do what we did when we were little kids. They stand up to a flag and they say,

''I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God.''

I guess they have to ask the question, when they found out that they don't have a vote and everybody else has one well, is this really, am I really a full citizen? If they find out their mother and father can go out there to the town hall meeting, can go and vote in the election, what have you, but yet, and still, when they ask Mom and Dad, ''How did our representative vote, Mommy and Daddy,'' their mother or dad says, ''I am sorry, son, we don't have a vote.'' There is absolutely something wrong with that picture.

And so all of this is important, and I think it goes to the integrity of the process, the Democratic process, the one, this process that we participate in all the time.

But let me just say one other thing. One of the interesting things that Ms. NORTON will tell you is that when anything comes up controversial like needle exchange or anything of that nature, we have over and over again, folks from all over the country come and try to tell the District of Columbia, by the way, what to do.

Now, they will not dare having us come to their districts, and they wouldn't even think of it and tell them what to do. But yet still they will come and tell this District of Columbia what to do, and then, to add insult to injury, then not give them an opportunity to have a vote in this body. This there is absolutely unequivocally something wrong with that picture.

Mr. ELLISON. Well, you know, Congressman CUMMINGS, you represent a district very close to the District of Columbia and, therefore, you know people who live in the District and you know people who work in the District and I am sure many of them are your friends, your colleagues, your constituents, you have come to know on a personal basis over time. What is their opinion?

I mean, did the public want this or is this just something that D.C. wants? What do the public opinion polls say? I mean, it looks like the Washington Post might have done some research on this issue.

What, in your view is the public opinion of giving Washington D.C. a representative vote in the Congress?

Mr. CUMMINGS. I can tell you my district in Baltimore, which is only an hour drive away from here, folks feel that the residents of the District of Columbia are being cheated, period. They are being cheated and not treated fairly, and they are overwhelmingly for the District of Columbia having their vote.

And so I just wanted to come on the floor for a moment to be supportive. And I think that, again, we cannot give up this fight.

I get a lot of my energy, to be frank with you, from Congresswoman HOLMES NORTON, because she has never, ever, given up the fight. I also applaud our Progressive Caucus. By the way, this should not just be about the Progressive Caucus, this should be about all of us wanting to make sure that we have a democracy that is truly a democracy.

Mr. ELLISON. I certainly thank the gentleman and do thank him for coming down here, Congressman CUMMINGS, sharing his views about what he knows personally about the people of the District of Columbia and the surrounding area, sharing his views about how children ask their parents about who is sticking up for me, who is speaking up for me. And, unfortunately, in the District of Columbia, parents have to say well, we have a delegate who is really, really good, but she doesn't get to vote on some stuff.

So I have just been joined by other members of the Progressive Caucus, one of whom is Congresswoman BARBARA LEE, who is a Member from the great State of California and is also the Chair of the Congressional Black Caucus; and we also happen to be graced with the presence of that very special delegate that we have all just been talking about, Congresswoman ELEANOR HOLMES NORTON.

I think it's important to say that Congresswoman ELEANOR HOLMES NORTON is not on her own here, she is not fighting the fight by herself. I am all the way from Minnesota, and I feel passionately about the importance of the District of Columbia having a representative. And I look forward to seeing ELEANOR HOLMES NORTON's vote up there on that board count equally with everybody else.

But this is the position of the Progressive Caucus, that we believe firmly in the idea of equal representation.

□ 1630

Yes, it is true that the Washington Post has done research on this issue and it is the will of the American people for the District of Columbia to have a vote.

With that, I'd like to invite the gentlelady from the great State of California to weigh in on this topic of the District of Columbia having a vote, standing equal with the rest of the country, being able to express an opinion.

I yield to the gentlelady from California.

Ms. LEE of California. I want to thank the gentleman for yielding, but also for your leadership and sounding the clarion call once again on behalf of what is right and what is just. And I can't think of any issue that we need to address here 24–7 than this issue we are talking about today, and that is voting rights for a representative from the District of Columbia.

Mr. ELLISON. Would the gentlelady yield for just a moment?

Ms. LEE California. I would be happy to.

Mr. ELLISON. The gentlelady is all the way from California. It takes you 4½ hours to fly here. Why do you care about whether D.C. has a vote or not?

I yield to the gentlelady.

Ms. LEE of California. I care like the entire country cares, based upon the public opinion polling. This is just basic fairness, it's basic justice. And let me just say, first of all, I raise my kids here in Washington, D.C. They went to Washington, D.C. public schools.

My children and myself have been residents. Even though I live and represent California, we are here 3 or 4 days out of the week. I always say that Congresswoman ELEANOR HOLMES NORTON is my representative 3 or 4 days of the week here in the District. We know the District, we know the residents. Whether we do or not, it's important that we make sure that there is equal representation; the civil rights issue for a vote. One person, one vote. I mean it's unbelievable that here in 2009 the District of Columbia does not have voting rights on this floor.

Let me say that we just went to Montgomery, Selma, and Birmingham this past weekend with a great hero, Congressman JOHN LEWIS. We walked across the Edmund Pettis Bridge. We honored those whose lives were given for the right to vote. Bloody Sunday, 44 years ago.

There's no way that I'd be standing here as a Member of Congress if it weren't for the civil rights movement and those martyrs who we honored this

past weekend. In participating in this pilgrimage, I couldn't think about anything but about voting rights for the District of Columbia. This is the unfinished business of this great civil rights movement.

There is no way in the world that the residents of the District of Columbia should continue to be discriminated against and penalized. The District residents pay taxes. Come on, they pay taxes. Our young men and women here go to war. They participate in all aspects of our country's society and all aspects of our work here, and they are citizens of this great country. So why would you deny United States citizens the right to have voting representation on this floor? To me, again, it's a moral issue. It's an issue of fairness and justice.

I have got to say that I am very proud as Chair of the Congressional Black Caucus that we didn't blink when we said this was a top issue for us as the Congressional Black Caucus, to unify and to say that there is no way that we are going to back off of this and allow any type of gun amendments or any type of amendments taint what should be a bill that would celebrate finally the realization of our democracy.

And so this is quite a moment. We have President Obama in the White House. We have major, major breakthroughs in our country. This is a transformative moment. And I would say that those who really want to put their money where their mouth is, they should really step up to the plate and they should say that finally, finally the residents of the District of Columbia's day has come when they can fully participate in this great democracy.

Short of that, there still remains much unfinished business. And I don't think we want to let this moment pass, Mr. ELLISON. I don't think residents in your district want to see the residents of the District of Columbia continue to be discriminated against. We have what, 500,000 people who live in the District—600,000? To me, that's unconscionable. It's unconscionable. The billions of Federal tax dollars that are paid each year and all of the responsibilities of United States citizenship are embraced by the residents of the District of Columbia.

And so on behalf of the Congressional Black Caucus, I just want to thank you once again, Congresswoman ELEANOR HOLMES NORTON, for waging such a noble fight because this is a day and night struggle for you. I want to salute you and I just want to say to you that we are not going to rest until you have this vote here.

I know this vote is not for you personally. This vote is for those 600,000 people who deserve the right to vote in this body.

Thank you, Congressman ELLISON. I thank the Progressive Caucus for your leadership. I hope that the country hears us today and I hope they understand what types of games are being played on a civil rights bill that should never, never, never happen.

And so we have got to move on. We have to pass this. We have to pass the bill as it is written.

Thank you again.

Mr. ELLISON. Thank you for yielding back, gentlelady from California. Let me now recognize the person who we have all been building up to for a moment. Again, Congresswoman ELEANOR HOLMES NORTON is not by herself on this. We are standing shoulder to shoulder with her. But there is also no doubt that she has been quarterbacking this issue, she's been spearheading this issue. No matter what kind of metaphor you want to use, she's been in the leadership of this issue and has offered tireless, unrelenting leadership.

At this time I want to yield to the gentlelady to sort of lay out the issues for us on this critical issue of D.C. having a representative vote in Congress. I yield to the gentlelady.

Ms. NORTON. I thank the gentleman not only for yielding to me, I thank the gentleman for his leadership. When people see me come to the floor, they are used to my coming to the floor for a bill on the District, often a bill I've sponsored.

This is what is known as a Special Order or Special Hour, but it wasn't a Special Hour that I requested. I cannot say enough about how much it meant to me to hear colleagues who could be on a plane now give up that time to come to the floor to speak on this matter.

The chairman of the Progressive Caucus could be halfway—is from halfway across the country in Minnesota; not to mention the Chair of the Congressional Black Caucus, who has even further to go.

Indeed, it ought to be said that today the Congress let out early. So many hightailed it, of course, to their own districts, who would have otherwise been here.

The gentlelady from California has my thanks for another initiative she took, and that is the meeting that was held yesterday with the Speaker of the House.

The Congressional Black Caucus—of course, this is a largely African American city, but it's also a city where the Black Caucus would be out in front for the vote if anybody was denied the vote. But the Black Caucus has carried this since it was founded. The Speaker, in fact, agreed to a meeting with us in her office. It was a very important and very gratifying meeting, all at the leadership of the Congresswoman from California.

I cannot thank her enough. It's very important to me what Mr. ELLISON and Ms. LEE have done because it is their own initiative. It's very important to say that, unlike with so many issues, they are broadly representative of our House and of our Senate and of our country in believing that we should have the vote.

The poll that I think is duplicated perhaps in what Mr. ELLISON had shows an unusual majority across all lines; most Democrats and Republicans. And think about it. What red-blooded American would oppose the right to be represented in the national legislature?

How many of us would want to be at the mercy of a group of people, however benevolent, where none of them was accountable to us, even by a single vote. That's been where the residents of the District of Columbia have been for 212 years now because the expectation of the Framers that Congress would in fact make sure that the vote continued after the 10-year transition period has not occurred. Congress dropped the ball.

Those who gave the land from Maryland and Virginia actually got in the first Congress legislation that assured them that the residents of Maryland and Virginia, who now, after 10 years, would be part of the Nation's Capitol, would be left with exactly what they had when they left Virginia and Maryland. They voted for Members of Congress. They voted in the same way all the other Americans did. It is a long, sad story as to why that did not happen.

Understand what my colleagues have been talking about—only the House vote. We are not talking about a vote in the Senate of the United States. Only in the people's House. We are seeking from the House exactly what the House gave us last time.

In an extraordinary vote, this House was the first to pass this bill and send it to the Senate. They fell three votes short because, remember, over there, 51 percent is not a majority. You need 60 percent. That's a new definition of majority that the Senate has created.

I want to thank my colleagues first for the leadership of my colleagues who have come forward as representative, I can truly say, of this House. But I want to thank for all of those who voted for this bill last year.

This bill originated with one of my Republican colleagues who thought of the idea of making it as bipartisan as possible in the hopes that that would draw members of his party as well as my party because the District, like every large city virtually in America, has more Democrats than Republicans.

So he teamed us with Utah, which had barely missed getting a vote because Mormon missionaries, who were out of the State on a religious mission, always had been counted, and they were not counted in the 2000 census.

Utah was only too happy to join. I want to thank the Governor of Utah, its own delegation, who have been with us from the beginning.

Two hundred-nineteen Democrats voted for this bill last time. Only six voted ''no.'' That is very extraordinary. And I am asking each and every one of them to repeat the vote they made last time.

I was in a meeting with a Republican Member who shares my view on the Capitol Visitor Center because there's some things we want to fix about how

staff can conduct their own tours. He came to me afterwards and said, By the way, I'm voting for D.C. voting rights this time.

I do expect that there will be more Republicans voting for the bill than last time. Twenty-two Republicans voted for the bill. They were under some pressure not to. I want to thank Tom Davis, who spearheaded this bill. He has since retired but is helping me even as I speak.

I do want to say that the bill carries a triple bonus. How often is it that we use the word bipartisan and it doesn't quite mean that each side gets exactly what the other side gets?

Look at what happens here. Utah felt cheated, and that is a good word that Mr. CUMMINGS used for how residents who pay taxes and go to war here feel, and they have joined with the District of Columbia, which has never had a vote. If that isn't bipartisan. One for you, one for me. No compromises there. One each. If that is not bipartisan, I haven't heard a real definition of the word.

This vote does something for the House. It increases the House for the first time in 100 years. Every time that a new State has come in, you have the same 435 seats. You're going to have 437 seats now.

□ 1645

In addition to Republicans and Democrats each getting one, now they have one more seat that makes it easier for each to compete. You would think that Republicans would particularly welcome that since they are in the fastest growing areas of the United States. This failure of the House to permanently increase the House in 100 years has been broken if we pass this bill.

Before I ask another question of my good friend who has remained with us for a little while, I do want people to know what it is that moves most Americans by these kinds of margins, almost two-thirds of all adults, for example, being for the bill, almost 60 percent Republicans, almost 70 percent Democrats. What is it that moves them?

Americans would have given us this vote before, I am sure, if we could have gotten the word out. We have an indigenous organization called D.C. Vote. We have got a leadership conference on civil rights with its 200 organizations spreading the word for one-half dozen years now. That is the only way that this has become visible enough so that people who didn't even know we didn't have the vote, which is most Americans, now know it and cannot conceive of it.

Who can conceive of somebody in our country paying taxes without getting any payback on that right to vote ''yea'' or ''nay'' on whether those taxes should be paid or not? And I know Americans cannot conceive of the experience I have had of going to Arlington Cemetery to bury residents from the District of Columbia in the Iraq and Afghanistan war, who have now succeeded in getting the vote for the people of those countries who did not have it before, and died without having that vote in their own Nation's capital, the only capital of any nation to deny the vote to its own residents. This is an anomaly. Don't blame it on the framers, and don't blame it on the American people. Now that they know it, they say do it; don't leave us in this way with this message that steps on our message of democracy around the world, a district the average size of congressional districts in the United States and a district that is larger than some States.

This point has been made, but let me drive it home when they say the notion of having everybody who can vote, except you. What Members are referring to is that among the things that the District has to do is to send its budget here before it can spend a dollar of its own tax-raised money; send its laws here, and let them lie over and see if someone wants to overturn them.

So, this House will see the D.C. appropriation come forward this year. That is another way of saying the taxes that the people who live in the District of Columbia alone have raised, they will see that come forward as an appropriation.

Now, my good friend from California is now a member of the Appropriations Committee. I wish you would describe what it means to come forward with this bill, knowing good and well that you are going to have a vote on it, every Member on both sides of the aisle are going to have a vote on it, but that no Member from the District of Columbia will have a vote for it. You are on that committee.

The SPEAKER pro tempore (Mr. CONNOLLY of Virginia). Under the Speaker's announced policy of January 6, 2009, the gentlewoman from California (Ms. LEE) is recognized for the balance of the time as the designee of the majority leader.

Ms. LEE of California. Let me first thank you for the historical perspective that you have put this in, because I think you are right; had the word gone out, had we sounded the alarm throughout the country much before now many years ago, these numbers would have been readily there many, many years ago, because the American people care about democracy and they care about making sure that every person has a vote on this House floor.

As a member of the Appropriations Committee, it is very important that we, one, establish the priorities in terms of funding priorities for our country; we also establish and work on priorities for our own congressional districts. In fact, it is only us who know our districts. We know our districts ourselves, just as you know this district, Congresswoman NORTON. So when the appropriations bills come to this floor, it is incumbent upon us to vote for them, ensuring that, one, the bills are in the national interest in terms of funding priority, but also in our own constituents' interest.

If a bill comes to the floor that is objectionable to the residents of the District of Columbia, you should be able to vote ''no.'' If an approps bill comes to the floor that you believe is deserving of the support of the residents of the District of Columbia because the funding priorities are such, the types of initiatives that are in that bill are representative of the needs of the District of Columbia, you should be able to vote ''yes.'' The people of the District of Columbia don't have a vote in terms of our national budget, our national priorities.

What if we say we want to support as a national priority health care reform? Which we do. How in the world will the residents of the District of Columbia vote for an appropriations to implement a health care reform initiative?

So, Congresswoman NORTON, it is extremely important from a funding perspective of our national government that you have a vote right here, because the tax dollars that are paid by the residents of the District of Columbia, they are part of this overall national budget. They are part of the U.S. Treasury. So, my goodness, I don't even know how I would feel if I did not have a vote when in fact my district, my constituents, are paying the taxes, I would be very angry, I would be very upset, each and every year.

So I think you have turned this frustration and this anger, which it really should be, the whole country should be enraged about this, into a very positive struggle for civil and for human rights. And that is really, basically, what this is.

Finally, let me just say, this country continues to promote democracy and democratic movements all around the world. We need to start promoting some democratic movements here in our own country, starting right here with providing the vote for the residents of the District of Columbia, and I think that the polling data shows that the American people want that.

So I am optimistic. As I said earlier, I think we have made a quantum leap and there is a new environment. People want change, and I think this is basic change. This is fundamental to our democracy, and I applaud you again for working day and night to make sure the democratic ideals are realized through this vote.

Ms. NORTON. That is why I have been so pleased, that even Members who are far more conservative than I voted for this bill on the Republican side and on the Democratic side. On the Democratic side, we had many Members who come from districts, we are so pleased to have them, because we are the signature of big tent political party ever since FDR, and the unity that we have shown and the many Republicans who voted for me does say to me that people understand

this vote to be just like the reauthorization of the Voting Rights Act of 1965 a couple years ago.

Remember, in our country when in another part of the country almost nobody of color had the vote. We changed all that. So the only people who don't have that kind of representation here are, of all people, the people who live in plain sight of the Congress.

We feel very deeply about our people who have gone to war. We talk about no taxation without representation. That pales beside giving your life for a country that doesn't think enough of you to give you even a vote in the people's House. This time, I dedicated the bill to an unknown soldier and to the first soldier who died in the Iraq war.

The unknown soldier is a soldier who lived in the District of Columbia, who went to war on the war cry of ''no taxation without representation.'' That was the reason that you could get people to take up arms against the mother country, an act of treason. Imagine if they hadn't succeeded what would have happened to them.

The other soldier I dedicated the bill to is one whose name I know very well, Army Specialist Daryl Dent, 21 years old, a graduate of Roosevelt High School, National Guard. When you sign up for the National Guard, especially at the beginning of this war, a kid who I am sure did not envision that he would be overseas, he went the way Guardsmen and reservists and enlisted men and women have always gone, ready to do their duty for the United States of America. I am just asking that we do our duty to these veterans who leave me feeling the same way that all of you feel, only with a deeper hole in my heart.

I could have dedicated this to a lot of other men and women who have died for the District of Columbia. In World War I, this city lost—this is a city, now—lost more than three States. So there were three States that didn't lose as many men at that time as we did. World War II, more than four States from this one place. Korea, more than eight States. Vietnam War, more than 10 States. We have paid our dues. I don't think that can be doubted.

One of my constituents now is a man who owns a business here and lives here, and he was born in Iraq. He stood with me, and I want to quote from him. I don't think Americans know the facts as he told them. His name is Andy Shallal.

He said, ''People like me of Iraqi ancestry, and even my son who was born in the United States, are entitled to vote in the Iraqi election due in large part to the service of the citizens of the District of Columbia and other Americans who have fought and died in Iraq.'' I just think that says it all.

This country was so intent on making sure that Iraqis, all Iraqis, and even Diaspora, and people who could not even be counted in their Diaspora because they were in fact born here and raised here just like the gentlewoman and I, those people had the right to vote in the Iraqi elections. And that is what we in the District are told we are supposed to swallow. That is why I must give my thanks to Governor John Huntsman of Utah, who continues to support this bill strongly. If I could quote from him.

''The people of Utah have expressed outrage over the loss of one congressional seat since the last census. I share their outrage. I can't imagine,'' Governor Huntsman wrote, ''what it must be like for American citizens to have no representation at all for over 200 years.''

I want to say to the gentlelady what I believe most Americans don't know. The schools of the District of Columbia were integrated as a result of Brown versus Board of Education just as I was about to leave high school. The District of Columbia was one of five Brown versus Board of Education States, right along there with South Carolina and the rest of them. Why? Because the Congress of the United States saw to it that all public accommodations, that public schools, were indeed segregated. They went further. The Congress of the United States left these American citizens for 150 years without any mayor or city council. Instead, the President, with the consent of the Congress, appointed three commissioners. These three unelected people ruled the city for more than 150 years.

There can be no doubt that while race has very little to do with this today, it seems to be all about partisanship. I say to my colleagues, my colleague who chairs the congressional black caucus, it was your party and mine that denied the vote to the people of the District of Columbia, denied any kind of self-government.

□ 1700

We were denied any kind of self-government. It was the capture of our party then by southern Democrats who are today gone and forgotten, because there is a new South, white and black, that looks very different because they could not conceive of a denial on race alone. Of course, what particularly hurts this third-generation Washingtonian is that for most of that time, the city was a majority white jurisdiction. The presence of a significant number of black people was enough to rally the anti-civil rights forces to keep all people from getting representation and from getting any right to govern themselves until the civil rights movement broke through in all.

Ms. LEE of California. Would the gentlewoman yield for just 1 minute? I just have to say I am mesmerized listening to this history because I have to remember and recall the fact that when I learned of this, I was actually working for my predecessor, now mayor, former Congressman Ron Dellums. And he chaired the Committee on the District of Columbia. And his goal, and we used to talk about this, because we were very active in the home rule movement, was to, as Chair of the District Committee, I can always remember him saying, we have got to use this committee to turn over the workings of the District of Columbia to the people of the District of Columbia and transfer that power to the residents of the District of Columbia. And so this is another step. This is the next chapter in that effort.

It is a shame and disgrace that in 2009 we are still here talking about full voting rights for the representative from the District.

Ms. NORTON. To show you the shame on us, we were granted, for a brief period, a delegate, we finally got the delegate and home rule, as we call it, at the same time. But Madam Chair, there was a brief period where when in the 19th century we got the delegate and the right and a mayor and a city council. And that was when the Republicans came to power after the Civil War. Again we are talking about a city where they could see the reason for the disempowerment. And this, of course, is why so many African Americans nationally became Lincoln Republicans and why you would expect the Republican party to be right here with me, as Tom Davis and so many Republicans here, have been.

The fact is that during Reconstruction, we had basically the same kind of home rule we have now. It wasn't an African American mayor. But that is not what we were after. We were after self-government for everyone here. Reconstruction ended. And I will say to my good friend and colleague who chairs the Black Caucus that one of the first things that the Democrats did in reclaiming power was not simply to resegregate the South. What the Democrats did was to wipe out what the Republicans had done with the District of Columbia. They wiped out the delegate. And the Democrats wiped out home rule.

We don't have clean hands. The Democrats got religion, finally, on matters of equal rights long after the Republicans had it and kept African Americans, of course, as a constituency, because they never forgot it until the New Deal came. And our party was still full of segregationists. But the bottom line of survival and the New Deal brought them here.

Madam Chair of our caucus, the thing has for me been a great ride for my constituents. But I tell them the truth that there is also something personal in this for me because I'm a third-generation Washingtonian, and my great-grandfather, Richard Holmes, got here shall we say the hard way. He walked off of a Virginia plantation where he was being held as a slave and got as far as the District of Columbia, and the Holmes roots got planted here. And so on the Holmes side, those who continued to live here have never experienced the same rights that others have seen, including rights that they saw people down South get just a few decades ago.

So Madam Chair of our caucus, this has racial roots. But those roots have been dug up. They are not there anymore. All that is left is a partisanship that exists here in the Congress but not in the country. I think we are close to bringing the two together, the people with the Congress.

I especially am pleased that the gentlelady from California has never ceased to carry this personally when she worked as Chief of Staff for Congressman Ron Dellums, who has gone on, as she said, to be the mayor of another great city, Oakland, and now is Chair of our caucus, I would like to say one word about the constitutional question which is raised. Well, I can't swear that any bill we passed is constitutional. All I know is we are not the ones who decide that question. We decide questions of right and wrong, of whether or not a bill should be passed or not. But I am not worried about the constitutional issue, not when former Court of Appeals judge Kenneth Starr appeared before us and testified in very scholarly testimony that the bill is constitutional. I am really not worried about it when Professor Viet Dinh who spent some years as the constitutional point man in the Justice Department, Attorney General for Legal Policy it is called, has been one of the prime constitutional advocates for the bill. I'm relying not only on people who usually agree with me on constitutional issues, but on scholars who will concede that any bill as unprecedented as this would raise constitutional issues. But in good faith, after more than 200 years, who are we to continue to deny these rights when the very Constitution they cite has ordained an independent institution to make that final judgment? We will be held accountable for this judgment. And so they say you are not a State, so how can you possibly have the rights of States? There is very scholarly testimony from former Assistant Attorney General Dinh about how in each and every instance, more than half a dozen, where the notion of treating the District as a State has been raised, each and every time the Congress and the Supreme Court had said the same thing, when it comes to the Commerce Clause, the fact that it says commerce among the States does not mean, said the Congress first, and then, of course, the court, does not mean it doesn't apply to the District of Columbia. There is not a case which extracts us from that line of reasoning, both congressional reasoning and, of course, the reasoning of the court.

I have to say to the gentlelady, the one that I think makes me smile most is article 1 section 2 clause 3 which provides that representatives and direct taxes shall be apportioned among the several States. The court said, go away from here. When it comes to paying your income taxes, D.C., that means you. Don't take these words so literally that they are meaningless. You are not outside the United States. You are different from the States.

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

Ms. NORTON. Since the gentleman from Georgia has come in, I hope that he will have a 5-minute period.

HONORING COLD WAR WARRIORS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, I would be happy to yield 5 minutes to my colleague so that he can express his opinion on this important discussion. And then I will reclaim my time, the 55 minutes I have left, after 5 minutes.

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

Mr. JOHNSON of Georgia. Mr. Speaker, this is so very gracious of you. I do appreciate it. This is such an important issue. Home rule is a concept that we take for granted, those who live in cities around this great Nation, those who live in counties, those who live in States as we all do. But all of those levels of government afford to their citizens home rule, which is basically the right to have some self-determination of your governmental affairs.

Unfortunately, however, the citizens of Washington, D.C. have not enjoyed that same liberty. And it was only back in I think 1973 that home rule was conferred by this body, the United States Congress, to the citizens of Washington, D.C., and since that time, they have been able to, as a city council, and as a mayor, school system, they have been able to have control over their governmental issues on the local level. And that was certainly something that was prudent for this body to do.

However, the ability of those same citizens to actually vote for President and Vice President of this great Nation still had not been authorized. And it was 1961 when that occurred. So in other words, citizens of D.C. first were given the right to actually vote for President and Vice President, and then they were given the right to govern themselves.

Now, it is important that we logically extend those rights to the citizens of Washington, D.C. to have a Congressperson who has a vote in this great body. We have our illustrious delegate, as she is technically called, but I refer to her always as Congresswoman, a very effective voice in this Congress. And she, on behalf of the citizens of the District of Columbia, deserves to have a vote in this great body. And I'm here in support of that.

I will say that with this fundamental liberty that we are talking about, the right to be represented in this great body, that is a very awesome and fundamental right that should not be bogged down by extraneous matters, particularly when those extraneous matters have to do with tying the hands of this local government that has been granted home rule. It is just totally different. And it is an insult to link a gun control measure to a people's right to have a representative who can vote in this Congress.

So, let's not compound the tragedy and the injustice any further. I'm asking the public to understand that let's not play politics with the people of Washington, D.C.'s ability to be adequately represented. And certainly they are adequately represented. Congresswoman NORTON deserves a right to cast a vote here to have total equality as all of the rest of us have. And so I don't think that is too much to ask.

□ 1715

The SPEAKER pro tempore. The gentleman from California has 55 minutes remaining.

Mr. ROHRABACHER. I appreciate the very sincere presentation we have just had about a serious issue. Although my talk tonight will be focused on some other issues, I would like to have a slight commentary.

Those of us who are conservative Republicans share the concern that has been expressed that the American citizens who reside in the District of Columbia have not been permitted to have the voting rights that people who live in other parts of the United States have. That was taken care of in terms of the Presidential elections by specifically permitting the people involved, and right now as we know the people from the District of Columbia participate in Presidential elections and have Presidential electors, et cetera.

I would suggest that people who are listening do understand there is an alternative to what is being presented which I believe is very serious which is not being considered but should be looked at because I believe that the current path that we just heard being advocated has a chance of being declared unconstitutional. Several scholars testified to that in the hearings.

One method that we know would be constitutional would be to permit the people of the District of Columbia to vote for Federal representation as part of the State of Maryland. That would not only permit the people of the District of Columbia to vote for a representative that would then have every right of every other Representative, but also the right to vote for two United States Senators. They would be the Senators as part of the voting population of Maryland. They would be able to vote for the two Senators that come from Maryland.

This alternative has been somewhat ignored by those people who are pushing for the alternative that you have just heard outlined. But I would suggest as we move forward, I would hope in the spirit of compromise and in the spirit of really trying to get this job done, because I agree with the assessment that there is taxation without representation.

One of my colleagues suggested, well, then let's eliminate Federal taxation

for the people of the District of Columbia. I would support that. But I think it would be better for us to approach a situation where the people of the District of Columbia could vote as part of the voting system in Maryland, the Federal voting system; and thus, they would have a chance to vote for a Member of Congress and two United States Senators. That would be an alternative that I would hope would be looked at and given very serious consideration.

Mr. JOHNSON of Georgia. Would the gentleman yield?

Mr. ROHRABACHER. I would yield.

Mr. JOHNSON of Georgia. I appreciate the gentleman yielding. I would say that the voting rights bill that Congresswoman NORTON has introduced and which has already been passed by the House in the 110th Congress, that act provides for an expedited judicial review as to the constitutionality of these actions that Congress would take by passing this legislation.

There is also a difference of opinion among constitutional scholars about whether or not the Congress has the authority under the constitution to actually do what this legislation proposes. There are those on both sides of the fence on that.

Mr. ROHRABACHER. That is correct.

Mr. JOHNSON of Georgia. I think it needs to be adjudicated in court. This legislation is conducive to that, provides for that, and the fact that we are doing something that would cause us to have to go to court and defend our powers is no reason to not pass the legislation.

Mr. ROHRABACHER. Reclaiming my time, let me just note that I do believe there is an alternative that should be looked at seriously. And whatever happens to this legislation, I would hope that this other alternative which would permit the people of the District of Columbia to vote for not only a Representative but also two United States Senators is given some serious thought.

With that, tonight I rise, Mr. Speaker, in remembrance of a champion of freedom who recently passed away, a great man who influenced the world in which we live, but left the world with little notice of his passing. His name was Dr. Fred Schwarz. He died in his native Australia on January 24, 2009, at age 96. Dr. Schwarz was a medical doctor, a brilliant thinker, with the most disciplined thought process and intellectual honesty than any other person I have ever met. And that is saying a lot.

At an early age, Dr. Schwarz was able to identify the philosophy of communism—Marxism and Leninism—as the major threat of that day to the human race. He spent decades of his life exploring and exposing the basic ideas of Marx and Lenin and other communist thinkers. He was sounding the alarm as to the logical consequences of those ideas.

Most anti-communists in the United States at that time never got in greater depth than that of a cliche. They were opposed to communism. ''The dirty rotten commies.'' But even though they were using these cliches, they didn't have an inkling as to what the actual philosophy and tenets of communism were all about.

Dr. Schwarz saw communism as an evil religion that corrupted the human sole to the point that idealistic people all over the world, humane people, were turned into murderers and mass slaughter was taking place. People were executed. And yet, even thoughtful people in our own society whose thought patterns were corrupted by Leninism and Marxism ignored this mass slaughter that was going on in the communist world, and sometimes even excused it. From Lenin to Stalin, from Castro to Pol Pot, it was no freak accident that every regime led by people who believed in communism ended up with mass killing and the debasement of civilized and human values. And yes, ended up with having people who flirted with this Marxism and Leninism, were affected in some way by the philosophy, ignoring that torturous existence that the people who lived under communism had to endure.

Dr. Schwarz took it upon himself to educate as many people as he could, especially opinion makers and future leaders, not only about the evil doings associated with communism, but also with the ideology itself that resulted in these evil consequences. In fact, one of the Dr. Schwarz's favorite quotes was ''ideas have consequences.''

Thus, it was vital in the Cold War years that the basic ideas and concepts of this evil theory that threatened the world and threaten to bring upon the human race death and misery wherever it happened, it was vital that we understood the basis of this philosophy and what was causing these evil things to happen in the world.

In those days, communism could propagandize about creating a more peaceful world and benevolent society, even as they turned whole countries into concentration camps and murdered anyone who resisted their power, and murdered anyone who was related to anyone who resisted.

Dr. Schwarz was an Australian, but when he realized that the Cold War would be won or lost by the strength and conviction of the American people, he moved here and became a major educational force teaching young and old alike about the inherent danger that lurked in Marxist-Leninist philosophy. He was a disciplined intellectual, and had no fear in engaging in direct confrontations and disagreements. He was always seeking the truth. He would never put up with faulty logic or inaccuracy of fact on our side or on their side.

Now somewhat forgotten, perhaps ignored, the fact is he had a major impact. He had a major impact on the American conservative movement, giving substance and depth to anti-communist activists that were such an important part of that movement. He thus equipped the intellectual soldiers who eventually won the Cold War. He equipped them with what they needed to understand in order to understand the Cold War.

I owe so much to Dr. Schwarz. The education he gave me was invaluable. From the time I went to Saigon in 1967 during the height of the Vietnam War in search of young political leaders to enlist in the anti-communist cause, to the time I marched arm in arm with anti-Soviet activists in the streets of Prague in 1968, what he taught me could be very well seen in those locations in that day of the evils of communism. And what he taught me helped me all the way through the time I was a journalist, all of the time I spent in the 1980s writing hard-hitting, anti-communist speeches in the White House for President Ronald Reagan. Of course, over these last 20 years as a Member of Congress, what Dr. Schwarz taught me has served me well and helped equip me to serve my country and to serve the cause of freedom.

Speaking of President Reagan, it is significant that President Ronald Reagan was the master of ceremonies, before he was President, of course, at several rallies conducted by Dr. Fred Schwarz during the 1960s. Dr. Schwarz's Christian anti-communist crusade drew thousands to rallies and seminars. And I have no doubt that Ronald Reagan's anti-communist attitude, as well as his understanding, were to a great degree shaped by Dr. Fred Schwarz. Early on as a union leader, Ronald Reagan knew that he was anti-communist. But after Dr. Schwarz, Ronald Reagan knew why he was an anti-communist.

I was not the only Ronald Reagan speech writer who subscribed to Dr. Schwarz. Tony Dolan, Ronald Reagan's chief speech writer who worked with Ronald Reagan on the Evil Empire speech and other historic utterances, was a devotee of Dr. Schwarz.

Dr. Schwarz gave us the intellectual ammunition to relegate communism to the dust bin of history. All of us who he equipped to do battle remember him and are grateful to him.

He has been laid to rest now in his native Australia, and I pay tribute to him, along with the other Cold War warriors, for the contributions that he made to us as individuals and to the cause to which we were all so dedicated.

And yes, we as a global coalition of free men and women defeated the Soviet Union without an all-out war with Russia because we defeated their ideas and understood their ideas and fought them at that level as well as with weapons. One of the factors that helped us win was that we understood and defeated the ideology behind that communist tyranny.

Thank you, Dr. Schwarz, for helping us learn what we needed to learn and to know what we needed to know and then to do what we needed to do.

I will submit for the RECORD an obituary of Dr. Schwarz to give a small background on Dr. Schwarz.

[From the Christian Today, Australia, Jan. 30, 2009]

FRED SCHWARZ, RIP

(By Bill Muehlenberg)

Jesus once said that a prophet is without honour, except in his own country. One of the greatest Australian prophets of the past century has just passed away, and nothing that I am aware of about his passing can be found in the Australian mainstream media.

While Australia has many heroes—especially sporting figures and movie stars—perhaps the greatest hero to arise from Australia in recent times has been totally overlooked by our secular, leftist media. I refer to Dr Fred Schwarz, who died earlier this week at age 96.

Schwarz was a successful medical doctor originally from Brisbane. He left a successful medical practice in Sydney, although with a young family, to devote his whole attention to warning people about the dangers of atheistic communism.

Born in 1913, he accepted Christ as his personal saviour in 1934. In the mid 1940s he began his medical work. He combined this with active Christian work, and also became aware of the threat of Communism during this period. He soon was reading everything he could find on the topic, especially the source materials.

Each night he devoured the works of the founders of Communism. Thus his wife Lillian would quip that she often found four men in her bed: Marx, Lenin, Stalin and Fred. He soon was debating leading Australian Communists.

He became aware that most Christians were clueless as to the menace of totalitarian Marxism, and he dedicated his life to educating the public, and the church, about these dangers. He was invited to speak in America in 1950. He was urged to form an organisation dedicated to instructing people about the Communist threat, and how it is the polar opposite of Biblical Christianity.

In 1953 he established the Christian Anti-Communist Crusade (CACC). He closed his Sydney medical practice in 1955 and devoted the rest of his life to this project, moving to America to fully engage in the work. In 1960 his best-selling book was published, You Can Trust The Communists (to be Communists).

I picked up a secondhand copy of this book in Madison, Wisconsin in the mid–80s. He said this in the book, ''In the battle against Communism, there is no substitute for accurate, specific knowledge. Ignorance is evil and paralytic.''

This book and this ministry were profoundly influential. They influenced a generation of Americans who would do battle against the Communist foe. These include such luminaries as Ronald Reagan, William F. Buckley, Jack Kemp, James Jobson and James Kennedy.

Schwarz had countless debates with Communists, gave countless speeches and talks on the subject, and wrote countless articles, booklets and books on the topic. His life was energetic, passionate, and committed to standing up for biblical Christianity, and warning against the Marxist evils.

When asked which was more dangerous, the external or internal threat of Communism, Fred would reply, ''If you were on a ship that was sinking, which would be the greatest danger, the water outside or the water inside? I was illustrating that the external and internal forces were manifestations of the same danger.''

And the dangers were very real indeed. In one of his first pamphlets Schwarz argued that Communism is a disease: ''Communism has already killed many millions of people and proposes to kill many millions more. Therefore, by definition, it is a disease. It is a threefold disease. It is a disease of the body, because it kills; it is a disease of the mind, because it is associated with systemized delusions not susceptible to rational argument; and it is a disease of the spirit, because it denies God, materializes man, robs him of spirit and soul, and, in the last analysis, even of the mind itself, and reduces him to the level of a beast of the field.''

And even though atheistic, Schwarz could clearly see that it was a religion, albeit a false religion, and the main contender against Christianity. He noted that many ex-Communists have spoken of the religious nature of Communism.

When people charged Schwarz with bias, he confessed: ''I plead guilty. We are biased in favour of truth, freedom, and life; we are against deceit, slavery, and unnecessary death. We believe that Communism leads to classicide through the liquidation of the bourgeoisie, that it leads to the justification and practice of mass murder.''

But, critics will complain, what about the good of Communism? ''In rebuttal I explained that a pathologist is a specialist in the characteristics of a disease, not health, and that a mixture of good and evil is often more deadly than an undiluted evil.''

The complete and incredible story of this modern prophet is told in his autobiography, Beating the Unbeatable Foe (Regnery, 1996). This 600-page story is an inspiring read, and shows us the dedication, zeal and perseverance of this one amazing individual.

It tells of the waves of opposition, not just from the Communists and the Soviet Union, but from leftist, liberal allies and ''useful idiots,'' to use Lenin's phrase. The lies, deceit, slander, and malicious attacks on Dr. Schwarz were relentless and are mind-boggling to read about. Yet despite all this incessant opposition and attack, he remained steadfast to his calling.

The book also speaks about how the Christian churches were especially targeted by the Communists. Internal subversion was an important tactic of the Communists. And many churchmen of course were completely taken in by the Communist propaganda.

One notable thing that struck me as I read this book was that a very similar battle is being waged today, and there is a similar need for accurate information to withstand a vicious enemy. I refer to militant Islam, and the war it is waging against the free West. The parallels between its internal and external attacks are so close to what we found in the Communist offensive.

And in the same way today many Christians are completely ignorant of the threat to the Christian church, or are being duped by various ''peace'' initiatives and interfaith endeavours. In the same way that many believers were hoodwinked by the Communists last century, many believers today are being deceived by the Islamists and their interfaith supporters.

Dr. Schwarz eventually returned to Sydney where he has now finally received his eternal reward. This man was a modern-day saint, a genuine prophet, and a tireless worker for Christ and his Kingdom. He achieved more in his lifetime than most people ever will.

Yet incredibly I still cannot find any news of his death, or any obituaries or eulogies about this remarkable man. Like Jesus, he was certainly a prophet without honour in his own land. But his life and work deserve to be widely heralded. And if no one else will, I most certainly will. God bless you richly Fred Schwarz.

I would also like now to rise in honor of another heroic champion of freedom, a distinguished scholar, a Cold War strategist, a man who, yes, like Dr. Schwarz did not get all of the recognition that he deserved, but those of us who were involved in the final days of the Cold War and the implementation of an anti-communist strategy that worked, we remember Constantine Menges.

Constantine Menges passed away in 2004. Again, like Dr. Schwarz, there was not a great deal of attention that was paid to his passing, yet he had been a powerful force in shaping the world in which we live.

He was a profound thinker. Constantine Menges had a Ph.D. He was someone who thought things out in the long run, and had tremendous historical perspectives which he shared with us.

□ 1730

He was the one who put together the strategies and the maneuvers that would end the Cold War with the defeat of the Soviet Union while minimizing the chances of all-out war between the Soviet Union and the United States.

Although it wasn't called it then at the time, the Reagan Doctrine—that strategy of confronting Soviet expansionism without confronting the Soviet Army itself with American troops—this idea flowed from a basic strategy laid forward originally, as far as my first contact with it, from Constantine Menges, who was, at that time, a senior National Intelligence Officer for Latin America at the Central Intelligence Agency under William Casey—of course that was during Ronald Reagan's administration. I remember him showing me that plan.

I also remember that basic plan later when Dr. Jack Wheeler stepped forward and said, I'm going to go out and meet the various people of these anti-Soviet insurgencies and anti-Soviet movements throughout the world so that we can put a face to that strategy. And then of course we had Oliver North, who was then working in the White House to help that insurgency in Nicaragua that helped turn the tide there.

Constantine Menges was the man who strategized these moves, the man who then, after working in the CIA—and serving CIA Director Bill Casey very well—was brought to the White House. And there in the White House he fought the internal battles that made sure that strategy worked. President Reagan had signed on to that strategy—the Reagan Doctrine—of defeating the Soviet Union by supporting those folks in various parts of the world who themselves were resisting Soviet expansionism. But you would think, well, that just speaks for itself, of course we should have done that. Well, in the 1980s, that was not something that was just taken for granted.

The fact is that there were people within the Reagan administration itself who were constantly trying to undermine that strategy. For example, I just mentioned Oliver North, who was

actually in the National Security Council, along with others—by the way, for only 1 year, with our help to the insurgents who were trying to fight the Sandinista dictatorship in Nicaragua, only for 1 year was that not a legal operation. And the years before we gave hundreds of millions of dollars, and the years after that hundreds of millions of dollars were given to support that resistance movement. But constantly there was this effort by people within the Reagan administration—and also from without, I might add, people here in Congress—who were trying to undermine our support for those who were trying to force democracy and democratic elections on the Sandinista dictatorship.

And what was one of the major issues? It was whether or not we should cease our support for these insurgents before or after the Sandinista permitted free elections. And there were those who were trying to pressure Ronald Reagan, people within the administration—and I might say, I believe that our Secretary of State Schultz supported this position—of actually cutting off our arms to the anti-Sandinista insurgency before the Sandinista dictatorship actually permitted the elections to take place.

With Constantine Menges constantly at Reagan's side reminding him that, no, what would work is only after the elections we will pledge, no matter how the elections come out, that we will withdraw our military support for those people in that insurgency, without that, we would have withdrawn our support and the Sandinistas would never have permitted a democratic election because they were committed to the same type of philosophy that you have in Cuba and in other communist countries; they were Marxist-Leninists. As Dr. Schwarz would say, you can trust the communists to be a communist. And Marxist-Leninists don't believe in democracy. And unless we were forcing them to, they would not have permitted free elections.

And once those elections happened in Nicaragua—which was a tribute not only to the championship and to the courage of those people who fought that insurgency, but also a tribute to the Ollie Norths and the Constantine Mengeses who were fighting the inside fight. If we would not have done that, there would never have been those free elections. And with those elections, the Sandinistas were soundly defeated. By an American standard, that election was a landslide against them.

So what happened? There was a solid move to democracy in that region because what we had done is we had thwarted the Soviet Union's strategy of their own to catch the United States by surprise and undermine our security by supporting those pro-communist elements in Latin America, supporting the guerrilla movements in Latin America. And that base of operations was going to be in Nicaragua. We put the Nicaraguan communists on the defensive, and by doing so, we permitted Central America to have a chance for freedom.

And sure enough, the countries in Central America have been stalwarts for democracy in the years since the end of the Cold War. They have benefited by the Constantine Mengeses, who worked their hearts out inside the White House and outside the White House to make sure that they had the political support and the strategic support they needed to establish democracies there.

Constantine Menges wrote book after book. His last book that I remember dealt with the emerging threat of China, but he was also very focused on Latin America and warned us about potential inroads being made in Venezuela, for example.

So tonight we remember Constantine. And we are grateful to Dr. Fred Schwarz, we're grateful to Ollie North, we're grateful to Dr. Jack Wheeler, we're grateful to Constantine Menges. These are individuals whose names most people don't know. Without them, freedom wouldn't have had a chance during the Cold War. But yet, we won the Cold War without actual warfare between the Soviet Union and the United States and, again, democracy was secured in Central America.

Unfortunately, now in Latin America we see an ominous trend, a very ominous trend, when we see the rise of a left-wing, semi-Marxist Cedillo in Venezuela, this Chavez, this boisterous anti-American, we see him aligning himself with communist Cuba, one of the last communist dictatorships in the world. And again, we see this in Bolivia. But yet, we see ominous trends. For example, in Nicaragua itself, the pro-democratic elements of that society were split, and they ended up with the Sandinista, the thugs from the old Sandinista Marxist regime returning to power even though they only had 40 percent of the vote. The 60 percent of the vote that was anticommunist was split, and that in itself is an ominous trend. And then of course we have the elections that will be coming up this weekend in El Salvador. And from what I understand, it is within a margin of error now, it's neck in neck, who will be elected to be the government of that country.

El Salvador has had a solid and a stable democracy all of these years since the end of the Cold War, since Ronald Reagan determined we would be supporting not right-wing dictators to defeat communism, but instead, we would solidly support democratic elements. Otto Reich, one of the champions during the Reagan years, testified just yesterday that when Ronald Reagan became President of the United States, 90 percent of Latin America was under right-wing military dictators. When Ronald Reagan left, 90 percent of Latin America was under democratic rule and governed by people who had been elected in free elections. What a tremendous, tremendous legacy.

But now that legacy is a threat because the people of these countries have learned to take that democracy for granted and to forget the basic nature of those Marxists and Leninists who tried to implement, tried to impose communist dictatorship on those countries back in the 1980s.

Well, now the FMLN—which was a terrorist organization, basically a Marxist-Leninist military arm back in the 1980s which tried, by force, to become the government of El Salvador—since then they have been operating within the democratic process; but this same group that would have imposed a Marxist-Leninist dictatorship now has a chance of winning the elections in El Salvador.

Free people should be alarmed, especially the people of El Salvador. They have learned to take for granted the stability, the progress, the democratic rights that they have. The FMLN is made up of people who have allied themselves with al Qaeda, Iran, Cuba, and other state sponsors of terrorism. For example, the current vice presidential candidate of the FMLN, that candidate, a few days after 9/11, celebrated the attack on the United States with a demonstration in El Salvador and burned American flags and claimed that America had brought 9/11 upon ourselves. That's the kind of leadership, that's the kind of belligerence represented by the FMLN.

Now, the people of El Salvador have every right to elect whoever they want to head their government, whether it's the FMLN, or anyone else—certainly no one is suggesting otherwise, but obviously there are consequences that need to be considered when choosing who your leader will be.

In this case, all of the cooperation, all of the economic cooperation, all of the stability that we've had, the friendship that we've had could be destroyed if the FMLN, a political party in El Salvador that is hostile to the United States—they hate the United States. And if you elect someone who hates the United States, then the people of El Salvador cannot expect that there will be a good relationship between our countries.

Now, if the people of El Salvador want to have a bad relationship with the United States, they don't want to have the same type of economic policies, fine, they should elect the Marxist FMLN. But if they want to be friends of the United States, they should understand that you can't elect people who celebrate 9/11 and say good things about al Qaeda and ally themselves with Marxist dictatorships and think that they're going to have the same positive relationship with us.

In this case, we have had very positive economic policies for which we bestowed upon the Government of El Salvador because it was democratic and because it was friendly to the United States. Those economic policies will not stand up if the Government of El Salvador is hostile to us or hates us, or

is anti-democratic, or starts—as the tough guy in Nicaragua has done, he has already started to repress his own people and to use a heavy hand in place of a democratic process in that country.

So the people of El Salvador need to think about what relationship do you want to have? What will it cost us if we have an anti-American government? Well, today there are over $4 billion that come from El Salvadorians who are in the United States in remittances, $4 billion from these people who are here, who are El Salvadorians, flow into El Salvador. Now, they're called remittances. Well, we do not need to permit those remittances; we do this as a favor to that country and to try to help its economy. But if we have an anti-American government there, that issue will be hotly debated in the United States Congress.

If you have a country that is run by people who burn American flags and congratulate al Qaeda terrorists for flying planes into our buildings and killing thousands of Americans, yes, we will have an honest debate about whether or not we should restrict the billions of dollars that now flow in remittances from the United States to El Salvador. If people want to vote for that there, they have every right, and we respect that. That's democracy. But we, too, will respond. And we, too, will have things that we have to do to protect our interests if we have a country that is allying themselves with the people who slaughtered our American citizens on 9/11. We can't expect to permit the free flow of billions of dollars to continue if that's the case. That shall be solidly debated if the FMLN is brought to power. So we need to make sure that good people who support democracy throughout this hemisphere, who we helped during the wars in the 1980s, that they do not then become complacent and take all of the democracy and progress that has happened there for granted.

There was tremendous chaos in the seventies and eighties in Latin America and Central America. People don't need that anymore. They don't need the hatred and the vitriol that was down there and all of the anti-Americanism—and the outside interference, I might add, that came in when the Soviet Union pumped a billion dollars worth of military equipment into Nicaragua thinking they were going to roll up Latin America. Well, brave people in Latin America stood against Marxism-Leninism then. They should continue to do so because, in the end, all of us, what kind of country we live in is in our hands. We wish the people of El Salvador well; we do, we wish them well. We wish them a successful election. We hope that they will remain friends of the United States.

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Unfortunately, I know there is a large number of Members of Congress who signed on to a letter suggesting whatever happens in the election, it's not going to make any difference in American policy. Well, those Members of Congress, and many of them are my friends, they have a more liberal left outlook in life than I do, and I can say that they're misguided in presenting that to the people of El Salvador. The fact is that what happens in this election will have impact on our relations, and it is not just something that the people can elect an anti-American government and expect everything to stay the same.

So I hope we remain friends. I hope the people of El Salvador vote to be friends. But if they don't, that is their right to do so. I think it would be much more beneficial for the people of El Salvador and other Latin American countries to remain good friends of the United States rather than attaching their future to the likes of Hugo Chavez and other despots and bellicose Cedilloses.

These military strongmen who are in the right wing that dominated Latin America back in the 1960s, that was a tragedy for the people of Latin America, and that was a tragedy that the United States did not oppose that type of authoritarian rule as much as we should have. And it was Ronald Reagan that turned that around, and I am very proud that during Ronald Reagan's administration that we stood for democracy, not just anti-communism; and that with Constantine Menges there to help us strategize, we turned back the tide of communism in Latin America and throughout the world, and we created a better world without having the kind of nuclear exchange or massive military fight with the Soviet army that was predicted so often back in the 1950s and 1960s.

So tonight we look back on the heroes, the heroes of the Cold War who brought about a more peaceful and a more democratic world. And we reach out to those people now in Latin America who are making decisions, making the decisions as to whether or not they're going to take for granted what was accomplished during this pro-democratic revolution that took place under Ronald Reagan and took place at great risk and great hardship for the people in Central America.

Now is not the time to go back to Marxism-Leninism with another face. Let's again go back to Dr. Fred Schwarz. Dr. Schwarz told us that if you really read what the communists and the Leninists believe, you will see that they believe in the dictatorship of the proletariat. You will see they believe in the centralization of power, the arrogant ''we know what's best for everyone'' notion that results in dictatorship every time but also results in poverty and results in a decline in the standard of living and results in conflict with other peoples. Latin America nor anywhere else in the world needs the conflict, needs the repression that will come with a resurgence of Marxist-Leninists who now put on a democratic face and say, no, we're actually different now. Well, maybe they aren't using guns, but putting them in power in any way will not make this a better world or a better country. That is for people of each country to decide for themselves. We wish all of those people, whether in El Salvador or elsewhere, free elections, open discussion, open debate.

I hope that my words today will be seen as part of the debate here as to what we should do if indeed a change in policy happens and a change in leadership happens in El Salvador so that we will know what policies will change if indeed the FMLN, which was a Marxist-Leninist terrorist group back in the 1960s and 1970s, whether or not, if that group comes to power, what changes will be brought about.

With that said, Mr. Speaker, I would also put into the RECORD at this point an obituary about Mr. Constantine Menges, dated July 14, 2004.

[From the Washington Post, July 14, 2004]

CONSTANTINE MENGES; NATIONAL SECURITY AIDE

(By Joe Holley)

Constantine Menges, 64, a national security aide for Latin America during the Reagan administration who had a central role in planning the U.S. invasion of Grenada in 1983, and who focused on the continuing threat of communism in books and numerous articles, died of cancer July 11 at Sibley Memorial Hospital. He lived in the District.

At the time of his death, Dr. Menges was a senior fellow at the Hudson Institute, a public policy think tank. His recent work had focused on the threat to the United States of a growing pro-Castro alliance throughout Latin America; state-sponsored terrorism, including what he considered Iran's subversion of Iraq; and the rise of China as a superpower.

Dr. Menges had just completed the manuscript for a book titled ''China, the Gathering Threat: The Strategic Challenge of China and Russia.'' He also was the author of a memoir, ''Inside the National Security Council,'' several other books, and numerous articles.

Dr. Menges was born in Ankara, Turkey, the son of political refugees from Nazi Germany. The Menges family, fearing that Turkey would enter the war as an ally of the Axis powers, moved from place to place through war-torn Europe. The family arrived in the United States in 1943.

Dr. Menges received a bachelor's degree in physics from Columbia College and a doctorate in political science from Columbia University. He taught political science at the University of Wisconsin before joining the Rand Corp.

He entered government service in the late 1970s, first as assistant director for civil rights, then as deputy assistant secretary for education in the Department of Health, Education and Welfare.

From 1981 to 1983, he was a national intelligence officer for Latin American affairs at the Central Intelligence Agency under Director William Casey. From 1983 to 1986, he worked for the National Security Council as a special assistant to the president, specializing in Latin America.

In ''President Reagan: The Role of a Lifetime,'' author Lou Cannon described Dr. Menges as one of a cadre of National Security Council aides who believed, as did Casey, ''that the West should be mobilized to fight Communists with their own methods.''

Cannon described Dr. Menges ''as one of the most forceful of these polemicists'' and ''a principled conservative.'' White House and State Department pragmatists, according to Cannon, dubbed him ''Constant Menace,'' a play on his name, for his ardent support of action, covert and otherwise, against Nicaraguan Sandinistas and Salvadoran rebels.

Deeply involved in White House support for the Nicaraguan contras, Dr. Menges also argued that an American strategy for combating communism in Latin America should include suppression of right-wing death squads and promotion of land reform.

''He believed that the United States should compete with the Soviets in sponsorship of 'national liberation movements' in Third World nations,'' Cannon wrote.

Dr. Menges contended that the invasion of Grenada helped avert a possible Grenada nuclear deployment crisis and strengthened President Ronald Reagan's hand in deploying intermediate-range missiles in Europe in late 1983.

From 1990 to 2000, Dr. Menges was a professor at George Washington University, where he founded and directed the program on Transitions to Democracy. His work on democratic transitions included the post-communist states, Iraq, Iran and the Americas. He also began a project on U.S. relations with Russia and China and the new Russia-China alignment.

In articles that appeared regularly in The Washington Post, the Washington Times, the New York Times, the New Republic and other publications, Dr. Menges continued to warn that the communist threat persisted.

In a Washington Post opinion article in 2001, he wrote that ''Russia and China are using mostly political and covert means to oppose the United States on security issues and to divide America from its allies.''

As a college student, Dr. Menges helped individuals escape communist East Berlin in 1961, and in 1963, he worked in Mississippi as a volunteer for equal voting rights.

Survivors include his wife of 29 years, Nancy Menges, and a son, Christopher, both of Washington.

Mr. Speaker, I appreciate the fact that in this country we have demonstrated to the world something really important, and that is that we have had a shift in power in the United States. And I hope people see that the Republicans and the Democrats stood there and applauded as our new President was sworn in. We wish this country success, and we wish this President success. We may have a difference of opinion on how to achieve success, but we all are rooting for people who fundamentally believe that democratic dialogue like the one I'm talking about and democratic process is the answer to the future.

OMISSION FROM THE CONGRESSIONAL RECORD OF WEDNESDAY, MARCH 11, 2009 AT PAGE H3336

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1105. An act making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROYBAL-ALLARD (at the request of Mr. HOYER) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. CHAFFETZ, for 5 minutes, today.

Mr. POE of Texas, for 5 minutes, March 19.

Mr. JONES, for 5 minutes, March 19.

Mr. MCCLINTOCK, for 5 minutes, today.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until Monday, March 16, 2009, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

843. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Canadian Forces Snowbird Air Show, Duluth, MN. [USCG-2008-0359] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

844. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; American Carp Society Northeast Regionals fireworks, Seneca River, Baldwinsville, NY. [USCG-2008-0358] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

845. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Columbia River, All Waters Within a 100-yard Radius Around the M/V MAERSK JEWEL [USCG-2008-0362] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

846. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Gulf of Mexico, FL. [Docket No. USCG-2008-0364] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

847. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; New York Air Show, Atlantic Ocean off of Jones Beach, NY [Docket No. USCG-2008-0371] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

848. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [USCG-2008-0370] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

849. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Wilmington River, Savannah, GA [USCG-2008-0387] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

850. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Private Birthday Fireworks Display, Gulf of Mexico, Florida. [Docket No. USCG-2008-0402] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

851. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Columbia River, All Waters Within a 100-yard Radius Around the M/V BRUGGE VENTURE [Docket No. USCG-2008-0435] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

852. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Giants Fireworks Display, San Francisco, CA [Docket No. USCG-2008-0430] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

853. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fish Barrier Testing, Chicago Sanitary Ship Canal, Chicago, IL. [USCG-2008-0300] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

854. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Fleet Week Sea and Air Parade; San Diego Bay, San Diego, CA [Docket No.: USCG-2008-0298] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

855. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Stockton Asparagus Festival; Stockton, California [Docket No.: USCG-2008-0324] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

856. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Exclusion zone for sunken barge; Miami River, Miami, FL [Docket No.: USCG-2008-0325] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

857. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Columbia River, All Waters Within a 100-yard Radius Around the M/V BBC ALABAMA [Docket No.: USCG-2008-0342] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

858. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Atlantic Ocean, Fort Lauderdale, Florida [Docket No.: USCG-2008-0336] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

859. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Cinco de Mayo Fireworks Display [USCG-2008-0357] received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

860. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Woodrow Wilson Bridge Dedication Ceremony, Potomac River, Arlington and Fairfax Counties, VA, Prince Georges County, MD and Washington, DC [Docket No.: USCG-2008-0393] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BROWN of South Carolina (for himself, Ms. BORDALLO, Mr. YOUNG of Alaska, Mr. GEORGE MILLER of California, Mr. KIND, Mrs. BONO MACK, Mr. KING of New York, Mr. TANNER, and Ms. ROS-LEHTINEN):

H.R. 1454. A bill to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself and Mr. KANJORSKI):

H.R. 1455. A bill to amend the Federal Financial Institutions Examination Council Act to require the Council to establish a single telephone number that consumers with complaints or inquiries could call and be routed to the appropriate Federal banking agency or State bank supervisor, and for other purposes; to the Committee on Financial Services.

By Mrs. MALONEY (for herself, Mr. ACKERMAN, Mr. MILLER of North Carolina, Mr. ELLISON, Ms. SPEIER, Mr. TIERNEY, and Ms. ESHOO):

H.R. 1456. A bill to extend the protections of the Truth in Lending Act to overdraft protection programs and services provided by depository institutions, to require customer consent before a depository institution may initiate overdraft protection services and fees, to enhance the information made available to consumers relating to overdraft protection services and fees, to prohibit systematic manipulation in the posting of checks and other debits to a depository account for the purpose of generating overdraft protection fees, and for other purposes; to the Committee on Financial Services.

By Ms. DELAURO (for herself, Ms. ROS-LEHTINEN, Mr. MCGOVERN, and Mr. KLEIN of Florida):

H.R. 1457. A bill to amend the Public Health Service Act to deem certain geriatric health training to be obligated service for purposes of the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CAMP (for himself and Mr. KIND):

H.R. 1458. A bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Mr. NADLER of New York, Ms. WATERS, Mr. LEWIS of Georgia, Mr. DAVIS of Illinois, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. GRIJALVA, Mr. PAYNE, Mr. COHEN, Ms. NORTON, and Mr. RANGEL):

H.R. 1459. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act regarding penalties for cocaine offenses, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM (for himself, Ms. BALDWIN, Ms. KAPTUR, Mr. BISHOP of Georgia, Mr. SMITH of New Jersey, Mr. TAYLOR, Mr. LOEBSACK, Mr. HARE, Ms. DELAURO, Mr. MCMAHON, Mr. MICHAUD, Mr. RANGEL, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. MOORE of Kansas, and Mr. GORDON of Tennessee):

H.R. 1460. A bill to amend the Public Health Service Act to establish a graduate degree loan repayment program for nurses who become nursing school faculty members; to the Committee on Energy and Commerce.

By Mr. GEORGE MILLER of California (for himself, Mr. TIERNEY, Mr. GRIJALVA, Ms. CLARKE, Mr. HARE, Mr. DAVIS of Illinois, Mr. ANDREWS, and Ms. WOOLSEY):

H.R. 1461. A bill to amend the National Labor Relations Act to apply the protections of the Act to teaching and research assistants; to the Committee on Education and Labor.

By Mrs. MALONEY (for herself, Mr. HINCHEY, Mr. GRIJALVA, and Ms. BERKLEY):

H.R. 1462. A bill to provide for a study by the National Academy of Engineering regarding improving the accuracy of collection of royalties on production of oil, condensate, and natural gas under leases of Federal lands and Indian lands, and for other purposes; to the Committee on Natural Resources.

By Ms. HARMAN (for herself, Mrs. TAUSCHER, Mr. ROYCE, and Mr. CONNOLLY of Virginia):

H.R. 1463. A bill to restrict United States military assistance to the Government of Pakistan; to the Committee on Foreign Affairs.

By Mr. FOSTER:

H.R. 1464. A bill to require Federal agencies to collaborate in the development of freely-available open source educational materials in college-level physics, chemistry, and math, and for other purposes; to the Committee on Science and Technology, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLSWORTH:

H.R. 1465. A bill to amend the Consumer Product Safety Act to provide regulatory relief to small and family-owned businesses; to the Committee on Energy and Commerce.

By Ms. WATERS (for herself, Mr. SCOTT of Virginia, Ms. CORRINE BROWN of Florida, Mr. MEEKS of New York, Ms. KILPATRICK of Michigan, Ms. NORTON, Mr. JOHNSON of Georgia, Ms. CLARKE, Mr. COHEN, Mr. HASTINGS of Florida, Mr. ELLISON, Mr. PASTOR of Arizona, Mr. STARK, Ms. FUDGE, Mr. FATTAH, and Mr. DAVIS of Illinois):

H.R. 1466. A bill to concentrate Federal resources aimed at the prosecution of drug offenses on those offenses that are major; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. SENSENBRENNER, Mr. BOEHNER, Mr. COBLE, Mr. GALLEGLY, Mr. DANIEL E. LUNGREN of California, Mr. KING of Iowa, Mr. FRANKS of Arizona, Mr. JORDAN of Ohio, Mr. ROONEY, Mr. HARPER, Mr. SULLIVAN, Mr. PENCE, Mr. CANTOR, Mr. SHADEGG, Mr. HUNTER, Mrs. BACHMANN, and Ms. FALLIN):

H.R. 1467. A bill to extend certain provisions of the USA PATRIOT Act and the Intelligence Reform and Terrorism Prevention Act of 2004 for 10 years; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS:

H.R. 1468. A bill to provide health care liability reform, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mr. CONYERS, and Mr. ROGERS of Michigan):

H.R. 1469. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. KIND (for himself, Mr. HERGER, Ms. KOSMAS, and Mr. REICHERT):

H.R. 1470. A bill to amend the Internal Revenue Code of 1986 to provide that the deduction for the health insurance costs of self-employed individuals be allowed in determining self-employment tax; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia (for himself, Mr. KINGSTON, Mr. LEWIS of Georgia, Mr. GINGREY of Georgia, Mr. SCOTT of Georgia, Mr. JOHNSON of Georgia, Mr. MARSHALL, and Mr. BARROW):

H.R. 1471. A bill to expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia, to redesignate the unit as a National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Mrs. BLACKBURN (for herself, Mr. HUNTER, Mr. GOHMERT, Mr. KLINE of Minnesota, Mr. CHAFFETZ, Mr. LAMBORN, Mr. CONAWAY, Mr. GINGREY of Georgia, Mr. CULBERSON, Mr. MANZULLO, Mr. SMITH of Texas, Mr. AKIN, Mr. WAMP, Mr. LATTA, Ms. FALLIN, Mr. BISHOP of Utah, Mr. OLSON, Mr. MCCLINTOCK, Mr. FLEMING, Mr. PITTS, Mr. BARTLETT, Mr. SHADEGG, Mr. FRANKS of Arizona, and Mr. BURTON of Indiana):

H.R. 1472. A bill to establish reporting requirements each time funds from Troubled Assets Relief Program or the American Recovery and Reinvestment Act of 2009 are received or redistributed, and to establish a waste, fraud, and abuse hotline for such funds, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOOZMAN (for himself, Mr. WESTMORELAND, Mr. GINGREY of Georgia, Mr. ROSS, Mr. SHUSTER, Mr. SNYDER, Mr. BOREN, and Mr. BERRY):

H.R. 1473. A bill to authorize the Secretary of the Army to establish, modify, charge, and collect recreation fees at lands and waters administered by the Corps of Engineers; to the Committee on Transportation and Infrastructure.

By Mr. DAVIS of Alabama (for himself, Mr. BOCCIERI, Mr. WALZ, and Mr. ALTMIRE):

H.R. 1474. A bill to amend title 38, United States Code, to improve the enforcement of the Uniformed Services Employment and Reemployment Rights Act of 1994, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois (for himself, Mr. AL GREEN of Texas, Mr. TOWNS, Mr. RUSH, Mr. LEWIS of Georgia, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FATTAH, Mrs. CHRISTENSEN, Ms. CORRINE BROWN of Florida, Mr. CUMMINGS, and Mr. CLAY):

H.R. 1475. A bill to amend title 18, United States Code, to restore the former system of good time allowances toward service of Federal prison terms, and for other purposes; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mr. INGLIS, Mr. ISRAEL, and Mr. BARTLETT):

H.R. 1476. A bill to require automobile manufacturers to ensure that not less that 80 percent of the automobiles manufactured or sold in the United States by each such manufacturer to operate on fuel mixtures containing 85 percent ethanol, 85 percent methanol, or biodiesel; to the Committee on Energy and Commerce.

By Mr. GRIFFITH:

H.R. 1477. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for long-term capital gain on property acquired or disposed of during 2009 or 2010; to the Committee on Ways and Means.

By Mr. HINCHEY:

H.R. 1478. A bill to amend chapter 171 of title 28, United States Code, to allow members of the Armed Forces to sue the United States for damages for certain injuries caused by improper medical care, and for other purposes; to the Committee on the Judiciary.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1479. A bill to enhance the availability of capital, credit, and other banking and financial services for all citizens and communities, to ensure that community reinvestment requirements are updated to account for changes in the financial industry and that reinvestment requirements keep pace as banks, securities firms, and other financial service providers become affiliates as a result of the enactment of the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KAGEN (for himself and Mr. PETRI):

H.R. 1480. A bill to amend the Tariff Act of 1930 to require that certain laminated woven bags be marked with the country of origin; to the Committee on Ways and Means.

By Mr. KANJORSKI:

H.R. 1481. A bill to authorize certain States to prohibit the importation of solid waste from other States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KANJORSKI:

H.R. 1482. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on oil and natural gas (and products thereof) and to appropriate the proceeds for the Low-Income Home Energy Assistance Program; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Ms. ROS-LEHTINEN, Mr. FILNER, and Mr. WU):

H.R. 1483. A bill to direct the Secretary of Health and Human Services to implement a National Neurotechnology Initiative, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MALONEY:

H.R. 1484. A bill to award a Congressional Gold Medal to Rabbi Arthur Schneier in recognition of his pioneering role in promoting religious freedom and human rights throughout the world, for close to half a century; to the Committee on Financial Services.

By Ms. MATSUI (for herself, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. POE of Texas, and Mr. DOGGETT):

H.R. 1485. A bill to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MEEK of Florida:

H.R. 1486. A bill to amend the Fair Credit Reporting Act with respect to requirements relating to information contained in consumer reports, and for other purposes; to the Committee on Financial Services.

By Mr. MEEK of Florida:

H.R. 1487. A bill to amend the Electronic Fund Transfer Act to require notice to the consumer before any fee may be imposed by a financial institution in connection with any transaction for any overdraft protection service provided with respect to such transaction, and for other purposes; to the Committee on Financial Services.

By Mr. MEEK of Florida:

H.R. 1488. A bill to establish a fair order of posting checks and deposits to prevent unjust enrichment of financial institutions from fees that accrue only by virtue of the order used by the institution for posting checks and deposits, and for other purposes; to the Committee on Financial Services.

By Mr. MOLLOHAN:

H.R. 1489. A bill to extend Corridor O of the Appalachian Development Highway System from its current southern terminus at I-68 near Cumberland to Corridor H, which stretches from Weston, West Virginia, to Strasburg, Virginia; to the Committee on Transportation and Infrastructure.

By Mr. MOORE of Kansas (for himself, Ms. DELAURO, Ms. CORRINE BROWN of Florida, Mr. HOLT, Ms. SHEA-PORTER, Mr. CHANDLER, Ms. BALDWIN, Mr. OLVER, Ms. KAPTUR, Mr. HINCHEY, Mrs. DAVIS of California, Ms. SCHWARTZ, Ms. MOORE of Wisconsin, Mr. KENNEDY, Ms. KILPATRICK of Michigan, Mr. MEEKS of New York, Mr. KUCINICH, Mr. CONYERS, Mr. SABLAN, Mr. PAYNE, and Mr. CARNAHAN):

H.R. 1490. A bill to establish a grant program to assist in the provision of safety measures to protect social workers and other professionals who work with at-risk populations; to the Committee on Education and Labor.

By Ms. MOORE of Wisconsin (for herself, Mr. ROGERS of Kentucky, and Ms. KAPTUR):

H.R. 1491. A bill to amend the Small Business Investment Act of 1958 to reauthorize and expand the New Markets Venture Capital Program, and for other purposes; to the Committee on Small Business.

By Mr. PATRICK J. MURPHY of Pennsylvania (for himself and Mr. WELCH):

H.R. 1492. A bill to establish a pilot program to provide assistance for partnerships supporting applied sciences in renewable energy; to the Committee on Education and Labor.

By Mr. PAUL (for himself and Mr. PRICE of Georgia):

H.R. 1493. A bill to ensure and foster continued patient safety and quality of care by exempting health care professionals from the Federal antitrust laws in their negotiations with health plans and health insurance issuers; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 1494. A bill to ensure that a private for-profit nursing home affected by a major disaster receives the same reimbursement as a public nursing home affected by a major disaster; to the Committee on Transportation and Infrastructure.

By Mr. PAUL:

H.R. 1495. A bill to amend the Internal Revenue Code of 1986 to make health care coverage more accessible and affordable; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 1496. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for medical expenses for dependents; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 1497. A bill to amend the Internal Revenue Code of 1986 to allow medical care providers a credit against income tax for uncompensated emergency medical care and to allow hospitals a deduction for such care; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 1498. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for the cost of insurance against negative outcomes from surgery, including against malpractice of a physician; to the Committee on Ways and Means.

By Mr. PERLMUTTER:

H.R. 1499. A bill to direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national voluntary consensus standards and any barriers to achieving compliance with such standards, and for other purposes; to the Committee on Science and Technology.

By Mr. PETERS:

H.R. 1500. A bill to amend the Internal Revenue Code of 1986 to increase and make refundable the dependent care credit; to the Committee on Ways and Means.

By Mr. PIERLUISI (for himself, Mr. SERRANO, Ms. VELÁZQUEZ, and Mr. GUTIERREZ):

H.R. 1501. A bill to amend title XVIII of the Social Security Act to increase inpatient hospital payments under the Medicare Program to Puerto Rico hospitals; to the Committee on Ways and Means.

By Mr. PIERLUISI (for himself, Mr. SERRANO, Ms. VELÁZQUEZ, and Mr. GUTIERREZ):

H.R. 1502. A bill to amend title XVIII of the Social Security Act to provide for equity in the calculation of Medicare disproportionate share hospital payments for hospitals in Puerto Rico; to the Committee on Ways and Means.

By Mr. POSEY:

H.R. 1503. A bill to amend the Federal Election Campaign Act of 1971 to require the principal campaign committee of a candidate for election to the office of President to include with the committee's statement of organization a copy of the candidate's birth certificate, together with such other documentation as may be necessary to establish that the candidate meets the qualifications for eligibility to the Office of President under the Constitution; to the Committee on House Administration.

By Mr. RANGEL:

H.R. 1504. A bill to require that, in the questionnaires used in the taking of any decennial census of population, a checkbox or other similar option be included so that respondents may indicate Dominican extraction or descent; to the Committee on Oversight and Government Reform.

By Mrs. SCHMIDT (for herself and Mr. OBERSTAR):

H.R. 1505. A bill to authorize the Secretary of Health and Human Services to provide services for birth parents who have placed a child for adoption, and for other purposes; to the Committee on Education and Labor.

By Ms. SLAUGHTER (for herself and Mr. BURTON of Indiana):

H.R. 1506. A bill to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances; to the Committee on Oversight and Government Reform.

By Mr. VAN HOLLEN (for himself, Mr. WAXMAN, Mr. TOWNS, Mr. BRALEY of Iowa, and Mr. PLATTS):

H.R. 1507. A bill to amend chapter 23 of title 5, United States Code, relating to disclosures of information protected from prohibited personnel practices, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEXLER (for himself and Mr. NADLER of New York):

H.R. 1508. A bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes; to the Committee on the Judiciary.

By Mr. BACA:

H.J. Res. 40. A joint resolution to honor the achievements and contributions of Native Americans to the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. REHBERG:

H. Con. Res. 71. Concurrent resolution expressing the Sense of the Congress that the Federal Government should not create a national database tracking firearm owners or firearm purchases; to the Committee on the Judiciary.

By Mr. FORBES (for himself and Ms. BORDALLO):

H. Con. Res. 72. Concurrent resolution condemning any action of the PRC that could unnecessarily escalate tensions between our two countries, including the actions taken on March 8, 2009 relating to the USNS Impeccable and the subsequent rejection of United States protests to the incident; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut:

H. Res. 237. A resolution Electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Ms. ROS-LEHTINEN (for herself, Mr. ROYCE, Mr. SMITH of New Jersey, Mr. MCCOTTER, Mr. BURTON of Indiana, Mr. ROHRABACHER, Mr. FLAKE, Mr. INGLIS, Mr. BILIRAKIS, and Mr. WOLF):

H. Res. 238. A resolution recognizing the threat to international security and basic human dignity posed by the catastrophic decline of economic, humanitarian, and human rights conditions in the Republic of Zimbabwe; to the Committee on Foreign Affairs.

By Mr. CHILDERS (for himself, Mr. THOMPSON of Mississippi, Mr. HARPER, and Mr. TAYLOR):

H. Res. 239. A resolution honoring the 125th anniversary of Mississippi University for Women; to the Committee on Education and Labor.

By Ms. SHEA-PORTER (for herself, Mr. TOWNS, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. YARMUTH, Mr. COHEN, Ms. SCHAKOWSKY, Mr. KENNEDY, Mr. FILNER, Mr. MOORE of Kansas, Mr. LOEBSACK, Ms. BALDWIN, Ms. MOORE of Wisconsin, Mr. MCDERMOTT, Ms. HIRONO, Mrs. DAVIS of California, Mrs. DAHLKEMPER, Mr. BARROW, Mr. MITCHELL, Ms. TSONGAS, Ms. MATSUI, Mr. COURTNEY, Mr. HARE, Ms. DEGETTE, Mr. JONES, Mr. BROWN of South Carolina, Mrs. MCCARTHY of New York, Ms. SUTTON, and Mr. RODRIGUEZ):

H. Res. 240. A resolution to support the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on Education and Labor.

By Mr. HASTINGS of Florida (for himself, Mr. PALLONE, Ms. JACKSON-LEE of Texas, Mr. OLVER, Mr. WOLF, Mr. HONDA, Ms. MOORE of Wisconsin, Ms. LEE of California, Mr. MORAN of Virginia, Mr. MCCAUL, Mr. CAPUANO, and Mr. PERRIELLO):

H. Res. 241. A resolution commending the International Criminal Court for issuing a warrant for the arrest of Omar Hassan Ahmad al-Bashir, President of the Republic of the Sudan, for war crimes and crimes against humanity, and expressing the hope that this will be a significant step in the long road towards achieving peace and stability in the Darfur region; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida (for himself, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. FALEOMAVAEGA, Mr. MEEKS of New York, Ms. LEE of California, Mr. CLAY, Mr. MEEK of Florida, Mr. BUTTERFIELD, Mr. AL GREEN of Texas, and Ms. FUDGE):

H. Res. 242. A resolution recognizing the apology offered by the Government of Australia to the aboriginal people and its significance as a gesture of healing for this proud nation; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KANJORSKI:

H. Res. 243. A resolution recognizing and promoting awareness of Chiari malformation; to the Committee on Energy and Commerce.

By Mr. MITCHELL (for himself and Ms. ROS-LEHTINEN):

H. Res. 244. A resolution expressing the support of the House of Representatives for the generous charitable donations made by Americans; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. SNYDER, Mr. BURGESS, Ms. JACKSON-LEE of Texas, Mr. CARDOZA, Mrs. KIRKPATRICK of Arizona, Mr. PRICE of North Carolina, Mrs. NAPOLITANO, Mr. FLEMING, Mr. RODRIGUEZ, Mr. LANGEVIN, Mr. YARMUTH, Mr. MARIO DIAZ-BALART of Florida, Ms. JENKINS, Mr. ORTIZ, and Mr. BERMAN.

H.R. 23: Ms. CORRINE BROWN of Florida.

H.R. 24: Mr. HALL of Texas, Ms. SUTTON, Mr. HENSARLING, Mr. CASSIDY, Mr. GARRETT of New Jersey, Mr. COSTELLO, Mr. TIM MURPHY of Pennsylvania, Mr. CAPUANO, Mr. WOLF, Mr. BURGESS, Mr. AKIN, Ms. FOXX, Mr. MICHAUD, Mr. MCGOVERN, Mr. ORTIZ, Mr. ROHRABACHER, Mr. MACK, Mr. TIERNEY, Mr. HARE, and Mr. LANGEVIN.

H.R. 25: Mr. WAMP, Mr. BISHOP of Utah, Mr. KLINE of Minnesota, and Mr. FLEMING.

H.R. 31: Mr. CARNAHAN, Mr. MOLLOHAN, Mr. MORAN of Kansas, Mr. WALDEN, and Mr. MEEK of Florida.

H.R. 40: Mr. WATT.

H.R. 79: Mr. DAVIS of Tennessee.

H.R. 111: Mr. SIRES, Mr. LEE of New York, Mr. ARCURI, and Mr. MASSA.

H.R. 116: Mr. SOUDER.

H.R. 144: Mr. JACKSON of Illinois.

H.R. 156: Mr. TIBERI.

H.R. 179: Ms. PINGREE of Maine and Ms. SPEIER.

H.R. 181: Mr. MICHAUD.

H.R. 186: Mr. FALEOMAVAEGA and Ms. NORTON.

H.R. 206: Mr. MARSHALL.

H.R. 208: Mr. KLINE of Minnesota.

H.R. 211: Mr. KUCINICH, Mr. DONNELLY of Indiana, Mr. CAO, Mr. KENNEDY, Ms. SPEIER, and Mr. CUMMINGS.

H.R. 235: Mr. LATTA, Mr. MCGOVERN, Ms. JENKINS, Mr. KLINE of Minnesota, Mr. TIAHRT, Ms. ROS-LEHTINEN, Mr. ELLSWORTH, Mr. CARTER, and Ms. GIFFORDS.

H.R. 272: Mr. SESTAK and Mr. JONES.

H.R. 302: Mr. LEE of New York.

H.R. 336: Mr. SIRES.

H.R. 370: Mr. SIRES.

H.R. 391: Mr. MCCLINTOCK.
H.R. 404: Mr. CARNAHAN.
H.R. 413: Mr. MCHUGH, Mr. HOLT, Mr. PALLONE, Mr. DAVIS of Tennessee, Mr. BISHOP of Georgia, Ms. KAPTUR, Mr. MATHESON, Mr. HARE, Mr. COHEN, Mr. DENT, Mr. COSTELLO, Mr. RYAN of Ohio, Ms. JACKSON-LEE of Texas, Mr. SPACE, Mr. SCOTT of Georgia, Mr. LOBIONDO, Mr. PLATTS, Mr. TIM MURPHY of Pennsylvania, and Mr. CONNOLLY of Virginia.
H.R. 422: Mr. DAVIS of Illinois and Mr. REICHERT.
H.R. 424: Mr. COHEN.
H.R. 464: Mr. COLE.
H.R. 503: Mr. ARCURI and Mr. ENGEL.
H.R. 510: Mr. MICHAUD and Mr. STUPAK.
H.R. 555: Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. NADLER of New York.
H.R. 574: Ms. KAPTUR and Ms. GINNY BROWN-WAITE of Florida.
H.R. 616: Mr. MCHENRY, Mr. LOBIONDO, Mr. PETRI, Mr. CONNOLLY of Virginia, Mr. LUETKEMEYER, Mr. REHBERG, and Mr. DUNCAN.
H.R. 626: Mr. AL GREEN of Texas.
H.R. 627: Mr. ARCURI, Mr. LANGEVIN, Mr. HALL of New York, Mr. DAVIS of Illinois, and Mr. ABERCROMBIE.
H.R. 630: Mr. WESTMORELAND, Mr. POSEY, Mr. CULBERSON, Mr. CHAFFETZ, Mr. SHADEGG, Mr. OLSON, and Mr. LATTA.
H.R. 678: Mr. CASSIDY and Mr. GOODLATTE.
H.R. 684: Mr. CONNOLLY of Virginia.
H.R. 745: Mr. CRENSHAW, Mr. KING of Iowa, Mrs. CAPITO, Mrs. BIGGERT, Mrs. MILLER of Michigan, Ms. ROS-LEHTINEN, Mr. YOUNG of Florida, Mr. BOOZMAN, Mrs. EMERSON, Mr. REICHERT, Mr. SULLIVAN, Mr. GOODLATTE, Mr. OBERSTAR, and Mr. TURNER.
H.R. 753: Ms. WOOLSEY, Mr. SESTAK, Mr. MCMAHON, and Mr. HONDA.
H.R. 758: Mr. GRIFFITH.
H.R. 764: Mr. ROGERS of Kentucky.
H.R. 774: Mr. TONKO.
H.R. 816: Mrs. EMERSON, Mr. BURGESS, Mr. MINNICK, and Mr. PAUL.
H.R. 832: Mr. WAXMAN, Ms. SCHAKOWSKY, and Mr. SIRES.
H.R. 836: Mr. GRIJALVA, Mr. MACK, Mr. MICA, Mr. SHUSTER, Mr. ROHRABACHER, Mr. ROYCE, Mr. MANZULLO, Mr. BURTON of Indiana, Mr. KAGEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. AKIN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ROGERS of Michigan, Mr. ABERCROMBIE, Ms. LINDA T. SÁNCHEZ of California, and Mr. ROTHMAN of New Jersey.
H.R. 847: Mr. SESTAK.
H.R. 868: Mr. MORAN of Kansas and Mr. KILDEE.
H.R. 873: Mr. ENGEL and Mr. SPACE.
H.R. 877: Mr. CRENSHAW.
H.R. 890: Mr. VAN HOLLEN, Mr. HEINRICH, Mr. WELCH, Mr. LUJAN, Mr. CASTLE, Mr. CONNOLLY of Virginia, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. DEFAZIO, Ms. SCHAKOWSKY, Mr. EHLERS, Mr. BERMAN, Mr. FRANK of Massachusetts, Mrs. MALONEY, Mr. HODES, Mr. MCGOVERN, Mr. PALLONE, Ms. HARMAN, Mr. CARSON of Indiana, Mr. POLIS, Mr. LOEBSACK, Mrs. CHRISTENSEN, Mr. INSLEE, Mrs. CAPPS, Mr. MCNERNEY, Mr. LOBIONDO, and Mr. TONKO.
H.R. 914: Mr. PLATTS, Mr. ALEXANDER, Mr. JONES, Mr. SESSIONS, Ms. NORTON, and Mr. WHITFIELD.
H.R. 930: Mr. REYES.
H.R. 958: Mr. PASTOR of Arizona, Ms. CORRINE BROWN of Florida, Mr. CONYERS, Ms. KAPTUR, and Mr. COURTNEY.
H.R. 963: Mr. COHEN.
H.R. 980: Mr. HARE and Ms. SLAUGHTER.
H.R. 984: Mr. HOLT.
H.R. 985: Mr. CLAY.
H.R. 988: Mr. ELLISON, Mr. PITTS, Mr. CLEAVER, Mr. YOUNG of Alaska, Mr. RAHALL, Mr. TERRY, and Mr. MORAN of Kansas.
H.R. 997: Mr. MCCARTHY of California and Ms. JENKINS.
H.R. 1016: Mr. MORAN of Kansas and Ms. PINGREE of Maine.
H.R. 1024: Mr. PASTOR of Arizona and Mr. BAIRD.
H.R. 1032: Ms. TITUS and Mr. LYNCH.
H.R. 1044: Ms. MATSUI, Mr. THOMPSON of California, and Mrs. CAPPS.
H.R. 1050: Mr. ROGERS of Kentucky, Mr. HARPER, Mr. LINDER, and Mr. MORAN of Kansas.
H.R. 1053: Mr. SARBANES.
H.R. 1059: Mr. GORDON of Tennessee.
H.R. 1067: Mr. KANJORSKI.
H.R. 1068: Ms. KAPTUR and Ms. SLAUGHTER.
H.R. 1083: Ms. JACKSON-LEE of Texas.
H.R. 1085: Mrs. NAPOLITANO, Mr. YOUNG of Florida, and Mr. PASTOR of Arizona.
H.R. 1086: Mr. CALVERT, Mr. CULBERSON, Mr. FORBES, Mr. KIRK, and Mr. HASTINGS of Washington.
H.R. 1092: Mr. NADLER of New York and Ms. SHEA-PORTER.
H.R. 1095: Mr. HARE.
H.R. 1132: Mr. SHUSTER, Mr. BRALEY of Iowa, Mr. COLE, Mr. MARSHALL, Mr. YARMUTH, Mr. LATHAM, and Mr. ROE of Tennessee.
H.R. 1136: Mr. MASSA.
H.R. 1142: Mr. RYAN of Ohio.
H.R. 1156: Mr. SESTAK.
H.R. 1158: Mr. FORTENBERRY.
H.R. 1189: Mr. BARTON of Texas.
H.R. 1191: Mr. CONNOLLY of Virginia and Mr. LARSEN of Washington.
H.R. 1203: Mr. LOEBSACK, Mr. BRADY of Pennsylvania, Mr. BARROW, Mrs. NAPOLITANO, Mr. SULLIVAN, Mr. ISRAEL, Mrs. TAUSCHER, Mr. CONYERS, Mr. FARR, Mr. YOUNG of Alaska, Mr. FORBES, Mr. PALLONE, Mr. TEAGUE, Mrs. BIGGERT, Mr. LOBIONDO, Mr. ROTHMAN of New Jersey, Mr. GORDON of Tennessee, Mr. LATOURETTE, Mr. WU, Mr. WITTMAN, Mr. HOLDEN, Mr. ACKERMAN, Mr. BURTON of Indiana, Mr. TIAHRT, Mr. MARSHALL, Mr. MOORE of Kansas, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. ROGERS of Kentucky, Mr. BOSWELL, Mr. KRATOVIL, Mr. FRELINGHUYSEN, Mrs. LUMMIS, Mr. GOHMERT, Mr. SCOTT of Georgia, Ms. GIFFORDS, Mr. LEWIS of Georgia, and Mr. GOODLATTE.
H.R. 1205: Ms. CORRINE BROWN of Florida, Ms. BORDALLO, and Ms. BERKLEY.
H.R. 1209: Mr. LEWIS of California, Mr. MCKEON, and Mr. YOUNG of Alaska.
H.R. 1210: Mr. PAYNE, Mr. ABERCROMBIE, Ms. WATSON, Mr. TIERNEY, Mr. CONNOLLY of Virginia, and Mr. OBERSTAR.
H.R. 1222: Mr. PETERSON.
H.R. 1238: Mrs. SCHMIDT and Mr. SMITH of Texas.
H.R. 1240: Mr. KENNEDY and Mr. GORDON of Tennessee.
H.R. 1242: Mr. HODES.
H.R. 1245: Mr. TIBERI, Mr. MCKEON, Mr. DREIER, Mr. LEWIS of California, Mr. BILBRAY, Mr. HUNTER, Mr. NUNES, and Mr. MCCARTHY of California.
H.R. 1250: Mr. CONAWAY.
H.R. 1261: Mr. PETERSON.
H.R. 1277: Mr. BLUNT, Mr. MARCHANT, Mr. RADANOVICH, Mr. LATTA, Ms. FOXX, Mr. HERGER, Mr. SCALISE, Mr. MANZULLO, Mr. CULBERSON, Mr. GINGREY of Georgia, Mrs. SCHMIDT, Mr. MCCLINTOCK, Mr. BARTLETT, Mr. BRADY of Texas, Mr. PITTS, Mr. FLEMING, Mr. OLSON, and Mr. DANIEL E. LUNGREN of California.
H.R. 1283: Mr. BAIRD and Mr. SNYDER.
H.R. 1285: Mr. MINNICK.
H.R. 1294: Mr. CUELLAR, Mr. CHAFFETZ, Mr. SHIMKUS, Mr. STEARNS, and Mr. LAMBORN.
H.R. 1310: Mr. LARSON of Connecticut, Mr. COURTNEY, Mr. KISSELL, Mr. SCOTT of Virginia, and Mr. ARCURI.
H.R. 1313: Ms. CORRINE BROWN of Florida, Mr. KIND, and Mr. BOOZMAN.
H.R. 1317: Mr. CARNEY.
H.R. 1326: Mr. SESTAK and Mr. LARSON of Connecticut.
H.R. 1329: Ms. SCHWARTZ.
H.R. 1330: Mr. SESTAK.
H.R. 1334: Mr. CUMMINGS.
H.R. 1346: Mr. LANGEVIN and Ms. KILROY.
H.R. 1351: Mr. YARMUTH, Mr. LEWIS of Georgia, Mr. CANTOR, and Ms. SCHWARTZ.
H.R. 1362: Mr. BOUCHER, Mr. MORAN of Virginia, Ms. BORDALLO, Ms. HIRONO, Mr. MCGOVERN, Mr. FARR, Mr. DEFAZIO, and Mr. SIRES.
H.R. 1385: Mr. ABERCROMBIE.
H.R. 1388: Ms. CLARKE, Ms. SHEA-PORTER, Mr. ALTMIRE, Mr. KLINE of Minnesota, Mr. PAYNE, Mr. HOLT, Mrs. MALONEY, Ms. WOOLSEY, Mr. KUCINICH, Mr. FATTAH, Mr. VAN HOLLEN, Mr. WELCH, and Mr. RANGEL.
H.R. 1389: Mrs. MALONEY and Mrs. LOWEY.
H.R. 1401: Mr. GRIJALVA.
H.R. 1410: Mr. FARR and Mr. SIRES.
H.R. 1412: Mr. AL GREEN of Texas and Mr. CLAY.
H.R. 1416: Mr. ADLER of New Jersey.
H.R. 1437: Mr. RODRIGUEZ and Mr. CONAWAY.
H.R. 1440: Mr. MICA.
H.R. 1441: Mr. YARMUTH.
H.J. Res. 1: Mr. AUSTRIA and Mr. MICA.
H.J. Res. 26: Mr. DUNCAN.
H. Con. Res. 34: Mr. HERGER.
H. Con. Res. 36: Mr. INGLIS.
H. Con. Res. 55: Mr. ORTIZ, Mr. MICHAUD, Mr. SAM JOHNSON of Texas, Mr. DUNCAN, Mr. FRANKS of Arizona, Mrs. SCHMIDT, Mr. FLEMING, Mr. MCHENRY, Mr, LATTA, Mr. SMITH of Texas, Mr. AKIN, Mrs. LUMMIS, Mr. POSEY, Mr. THOMPSON of Pennsylvania, Mr. BROUN of Georgia, Ms. LINDA T. SÁNCHEZ of California, Mr. CANTOR, Ms. TITUS, and Mr. CLEAVER.
H. Con. Res. 60: Mr. CARTER, Mr. MARCHANT, Mr. SMITH of Texas, Mr. BARTON of Texas, Mr. SESSIONS, Mr. BURGESS, Mr. CULBERSON, Mr. GOHMERT, Mr. HALL of Texas, Mr. MCCAUL, Mr. BRADY of Texas, Mr. CONAWAY, and Mr. NEUGEBAUER.
H. Res. 69: Ms. ROYBAL-ALLARD.
H. Res. 109: Mr. MCGOVERN.
H. Res. 130: Mr. BRALEY of Iowa, Ms. KAPTUR, Ms. ZOE LOFGREN of California, and Mr. STUPAK.
H. Res. 156: Mr. INGLIS.
H. Res. 164: Ms. HARMAN.
H. Res. 175: Mr. SCHOCK, Mr. BILBRAY, Mr. INGLIS, Mrs. TAUSCHER, and Mr. DAVIS of Illinois.
H. Res. 200: Mr. INGLIS.
H. Res. 204: Mr. LAMBORN, Mr. SPACE, Mr. SMITH of New Jersey, Ms. KILROY, and Mr. KENNEDY.
H. Res. 208: Mr. KING of New York and Mr. BARRETT of South Carolina.
H. Res. 209: Mr. WILSON of South Carolina.
H. Res. 211: Ms. TITUS and Mr. SERRANO.
H. Res. 217: Mr. CHANDLER, Mr. BARROW, Mr. GRIJALVA, Mr. HINOJOSA, and Ms. KAPTUR.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 31: Mr. MANZULLO.