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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:

We confess, Lord God Almighty, that we often accept countless blessings in life and forget to give You thanks. Faithfully surrounded with the support of family and friends, we do not always remember to be grateful. We enjoy food on our tables and cherish freedom, yet we can easily neglect those around this land and other parts of the world who have neither.

Fulfilling our daily duties and responsibilities on Capitol Hill can make such a difference in this world and provide a sense of personal satisfaction because each day grants us great opportunities. Remind us, ever-present God, to be grateful and gracious. Help us to find ways to show our appreciation by sharing our many blessings with others and never forgetting to offer thanksgiving to You each day for every day.

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 pro tempore (Mrs. TAUSCHER). Will the gentlewoman from Massachusetts (Ms. TSONGAS) come forward and lead the House in the Pledge of Allegiance.

Ms. TSONGAS 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

REMEMBERING JOHN HENNING

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

Ms. PELOSI. Madam Speaker, I rise today to pay tribute to a leader for working men and women, a distinguished diplomat and a great American John Henning, known to us as Jack, who passed away on June 4, 2009. Jack Henning will be long remembered for his distinguished career on the front lines of the labor movement, fighting passionately for justice, equality, human rights and jobs in California, across America and throughout the world.

A native San Franciscan, Jack began his career working for the Association of Catholic Unionists. He joined his first union, the United Federal Workers of the CIO, after graduation from college. Jack served for decades as a dedicated leader of working people, rising to be the president of the California Labor Federation. In that role, Jack represented millions of California's workers with great distinction. Not only union members, but millions of Americans who never belonged to a union enjoy better wages, safer workplaces, greater rights and more secure retirements because of the battles waged by union leaders such as Jack Henning.

Jack was a close ally of legendary farm worker organizers Cesar Chavez and Dolores Huerta. He cited among his proudest accomplishments the passage in 1975 of the landmark Agricultural Labor Relations Act, which our colleague Mr. HOWARD BERMAN was so much a part of, and provided tough labor protections for those who have been abused and mistreated for decades in California's pastures of plenty.

Jack Henning ended his farewell speech from the California Labor Federation in 1996 with, And if by a suspension of the laws of nature I were young again, I would follow no other course, no other flag, but the flag of America and the flag of labor. The labor movement was blessed to have him as a leader.

As distinguished as he was on behalf of workers, Jack made many other contributions to his State and this Nation for which we are all grateful. Before taking the presidency of the California Federation of Labor, Jack served Presidents Kennedy and Johnson as Under Secretary of Labor and was appointed by President Johnson as Ambassador to New Zealand in 1967. Jack was also a distinguished regent at the University of California for a dozen years during which he helped lead the fight for expanded opportunities for minority students and demanded that the university divest its investments in apartheid South Africa. That divestment initiative helped bring about the peaceful end of apartheid and the new day of majority rule in South Africa.

We will all miss Jack greatly, but none more than his sons Brian, Daniel, John Jr., Patrick and Thomas; his daughters Mary and Nancy; his 12 grandchildren and his great-grandchildren. We also remember his beloved wife Betty, who preceded him in death. I hope it is a comfort to his family that so many people mourn their loss and are praying for them at this sad time.

Jack Henning was a proud American, a devout Catholic, passionate about his Irish roots and a great friend and mentor to many of us. Mr. Speaker, I join Jack Henning's family, friends and workers worldwide to honor his legacy, celebrate his life and remember his illustrious contributions to the State of California and to our great Nation.

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Later today, thousands of people will gather in California to do just that, celebrate his life and pay tribute to him.

PROTECTING PRIVATE HEALTH INSURANCE

(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. Many Americans don't have access to affordable health care, and we can and need to do better for all Americans. I support a system that gives Americans more affordable health care choices so they can pick the coverage that best fits their needs. The core part of the Democrat proposal is a new government-run program that will not only put bureaucrats between you and your doctor but would force more than 100 million people, Americans, out of the health coverage they currently receive through their jobs.

We need a plan that really does let Americans who like their health care coverage keep it, a plan that doesn't add new taxes or new mandates or drive up costs or drive people out of health care. We must give all Americans the freedom to choose their health plan, not force them into a government-run, one-size-fits-all plan. Private plans are great. Let's protect them.

INTRODUCTION OF THE SAFETY IN DEFENSE CONTRACTING ACT OF 2009

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

Ms. SHEA-PORTER. Madam Speaker, today I am introducing the Safety in Defense Contracting Act of 2009. When our servicemembers or civilian personnel put their lives at risk while deployed overseas, they should not have to worry about the safety of their living and working quarters. Unfortunately, due to shoddy contractor work, they do. American personnel have been injured or killed by electric shocks. That same deficient work has resulted in hundreds of fires, one which destroyed the largest dining hall in Iraq. Gross negligence by contractors is unacceptable.

That is why I am introducing the Safety in Defense Contracting Act to protect our military and civilian personnel by debarring grossly negligent or reckless defense contractors found guilty of causing death or injury to our personnel. Such contractors do not deserve further government contracts worth millions of dollars for performing the same work.

To make matters worse, defense contractors who are guilty of dangerously deficient work have been receiving award and incentive fees. My bill denies them these fees. They should no longer be rewarded for poor performance at the expense of the taxpayers. It will take time to rebuild our contractor oversight capabilities, but I ask my colleagues to join me in this bill.

CLEAN ENERGY—NUCLEAR POWER

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

Mr. POE of Texas. Madam Speaker, many countries, including China and European nations, are continuing to move to clean energy, such as nuclear power. The United States, the nuclear power pioneer, lags far behind in the development of new generating plants. The United States could and should move to the licensing and development of more nuclear power plants.

Nuclear power is an efficient and a cheaper way of providing clean energy to America's manufacturing sector. We should streamline the long cumbersome process of power plant applications that use safe reactor designs, designs that have already been approved by the Nuclear Regulatory Commission.

Progress, safety and costs have advanced to a state that America can safely store spent nuclear fuel rods and also recycle fuel. One of America's most impressive plants is the North Anna Nuclear Station here in nearby Virginia. Nuclear power is responsible for 20 percent of our energy, but in France 80 percent of their energy comes from nuclear energy. Nuclear power will keep jobs in America and help free us from the shackles of foreign control of our energy.

And that's just the way it is.

OUR CLEAN AND SUSTAINABLE ENERGY FUTURE

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

Ms. TSONGAS. Madam Speaker, global warming is no longer an academic question for scientists to ponder. It's a very real crisis that requires our leadership. This is not a political issue. This is a critical generational responsibility that will take a commitment from Congress and from every person in our society. We have a real opportunity this year to prove our commitment by voting for H.R. 2454, the American Energy and Security Act.

The renewable technologies to reduce greenhouse gas emissions exist. The societal will and desire to go clean have been demonstrated, and the political climate to finally create sound public policy is now present. The cost of inaction on this critical challenge is unacceptable and the price too high. A recent study concluded that unchecked effects of climate change could result in a cost of $271 billion per year by 2025. Failure to act is intolerable when considering the economic and job creation opportunities a clean energy economy presents. The American Energy and Security Act provides a path that leads us to a clean, sustainable energy future.

THE REPUBLICAN ANSWER TO THE ENERGY CHALLENGES WE FACE

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

Mr. PENCE. The American economy is hurting. Gasoline prices are on the rise. Utility rates threaten to go higher, imposing even greater hardship on working families. The American people are looking for answers in these times to the challenges we face in energy. The Democrat answer you have just heard is a national energy tax that will lead to higher energy prices and massive job losses for the American people.

The President said it best a year ago when he said, if the cap-and-trade plan were to pass, utility rates—his words now—would, quote, necessarily skyrocket.

Some estimates suggest job losses between 1.8 and 7 million. Well, Republicans have a better plan, the American Energy Act. It's an all-of-the-above plan that offers energy independence, more jobs and a cleaner environment without imposing a national energy tax. Our energy solution focuses on more domestic exploration for oil and natural gas, a renewed commitment to build 100 nuclear power plants in the next 20 years, investments in renewables, alternative energy technologies and creating incentives for conservation. You can read all about it on the editorial page of the Wall Street Journal today.

The American people want energy independence and a cleaner environment without a national energy tax. The American Energy Act offered by House Republicans is the answer the American people are looking for.

EXPRESSING OUTRAGE FOR THE MURDER OF OFFICER STEPHEN T. JOHNS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Madam Speaker, as an advisory board member of the Holocaust Museum of Houston, I rise with a deep sense of sympathy and outrage for the terrible tragic incident that happened, as The Washington Post reported, at a monument of sorrow and also a standing edifice for peace.

I offer my deepest sympathy to the family of Security Officer Stephen T. Johns. As a believer and an advocate of our Constitution and our First Amendment rights, I stand here in outrage to express my opposition to the idea that protected speech equals protected violence. This was a dastardly act, and we don't know how many other targets this hateful-minded person might have been engaged in.

We must continue to stand against hate. We must continue to promote the

passage of the hate crimes legislation; but frankly, we must say to those who we mourn, by putting forward a Holocaust Museum, many across the Nation and in my town of Houston, that we stand with them in solidarity.

To my good friend Peter Berkowitz and Fred Zeidman, who chairs the Holocaust Museum here in Washington, a Houstonian, you have my deepest sympathy, my respect, and I stand in solidarity with you.

□ 1015

PAYING TRIBUTE TO THE STATE CHAMPION NEEDVILLE BLUE JAYS GIRLS HIGH SCHOOL SOFTBALL TEAM

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

Mr. OLSON. Madam Speaker, I rise today to pay tribute to the Needville Blue Jays, who defeated the Celina Bobcats 3–1 at McCombs Field in Austin to win the Texas class 3A girls high school championship last week.

The Blue Jays played their hearts out and have made all Texas proud. Only 3 years ago, six members of the Needville team played in the 2006 Junior Softball World Series, where they finished third overall. This State championship victory was the result of exceptional teamwork and years of practice and dedication.

The Blue Jays' defense was superb in the finals. Celina had five hits, but Needville made no errors and kept the Bobcats' base runners in check.

I would also like to compliment the coach of the Blue Jays, C.J. Mazac. The best teams are always the result of exceptional coaching, and Coach Mazac has clearly inspired and motivated his players.

I would like to send a big congratulations to the graduating seniors, and I would also like to recognize all of the team members who made this victory possible. Great job to each of you.

The Blue Jays' final record for the season was an impressive 34–8. All residents of Needville and Fort Bend County, Texas, are extremely proud of our Blue Jays, and I extend my congratulations to these talented young athletes.

SOLVING THE CRISIS IN AMERICAN MEDICINE

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

Mr. BLUMENAUER. Forty-nine years ago, the 1960 October Harpers Magazine cover story was ''The Crisis in American Medicine.'' Well, we are still in crisis, but change is in the air.

The facts are clear: High costs, more procedures, tests, and hospitalization is not better care; it is a symptom of poor care. Every major Nation spends less, and most have better outcomes than the United States.

Getting 50 million Americans health insurance and giving the rest of Americans with insurance, stability, will cost more, but about half of this cost can be achieved by reforming the system, and having the government pay the balance will cost far less for business and people with insurance over the next 10 years than business as usual.

With a President who gets it, a Congress listening to what the people want and a public plan to keep the system honest, it means that there won't be a cover story 50 years from now about American medicine still in crisis.

A LACK OF BIPARTISANSHIP IN HEALTH CARE REFORM

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, an overhaul of our Nation's health care system is under way, and I am glad that people in my district are engaged in this critical issue. Unfortunately, the Democrats have shared very few details of the plan, except that there will be a public plan, which I have to tell you most people are frightened of.

While I realize that we are in the minority party, I still have nearly 1 million constituents to represent, including more Medicare beneficiaries than any other Member of Congress. My Republican colleagues and I have made numerous attempts to reach across the aisle to share our ideas on how to improve the health care system and make it more affordable. So we are drafting our own bill.

When President Obama invites Members of Congress to the White House to craft health care bills, he invites only Democrats. He has met with industry representatives but never with Republicans. Recently, the President sent a letter saying he expects a bureaucratic-run health system to be included in the final option, but again, he sent the letter only to Democrats. Hardly a gesture of bipartisanship.

THE NEED FOR PASSING HATE CRIMES LEGISLATION

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

Mr. COHEN. Madam Speaker, like Representative JACKSON-Lee before me, I was shocked at hearing of the shooting at the Holocaust Museum yesterday. Indeed, it is a place of special reverence and a place where you wouldn't think violence would occur, but deranged minds do deranged things, and the man who did the shooting had a history of hate towards African Americans and toward Jews and toward our government, it appears, even though he served in our Armed Forces.

It reminds me of the need for passing hate crimes legislation because hate today still exists in people's hearts, and when people hate any group, they generally hate all different minorities. They don't understand the America of tolerance and inclusion that we celebrate and upon which we were founded.

It also reminds me of the need to have a COPS bill passed to have more protection, and the cops that were approved in the ARRA protect our society from these types of attacks.

Yesterday there was to be a play debuted at the Holocaust Museum by Janet Langhart Cohen, wife of former Secretary of Defense Bill Cohen, about an imaginary conversation between Emmett Till and Anne Frank. It will debut on Friday at George Washington University and talk about tolerance and peace and the results of hate.

SUPPORT AN ALL-OF-THE-ABOVE ENERGY PLAN

(Mr. BROWN of South Carolina asked and was given permission to revise and extend his remarks.)

Mr. BROWN of South Carolina. Madam Speaker, for years my Republican colleagues and I have focused on implementing an all-of-the-above energy plan to cut the ties of foreign oil and create affordable American energy. However, the Democrat cap-and-tax plan will actually serve as a national energy tax, resulting in fewer jobs and more government control.

More than $3,100 will be added to the annual energy costs of American families, a financial hardship that will greatly impact the poor, who spend a large part of their income on energy. These taxes will directly impact farmers in South Carolina as everyday costs of fuel and fertilizer become too expensive for them to afford.

Additionally, our State's clean-energy production will be excessively taxed, forcing companies to move to countries with less stringent standards, resulting in little progress towards protecting our environment. The relocation of these businesses could result in the loss of up to 7 million jobs, increasing unemployment and placing further economic strains on the American families, all for a policy that won't even achieve its initial goal of reducing carbon emissions.

Americans are sick of this energy roller coaster. I encourage my colleagues to support an all-of-the-above energy plan that will not tax us to death.

COMMENDING HODGDON YACHTS OF EAST BOOTHBAY, MAINE

(Ms. PINGREE of Maine asked and was given permission to revise and extend her remarks.)

Ms. PINGREE of Maine. Madam Speaker, I want to talk to you this morning about Hodgdon Yachts of East Boothbay, Maine. Hodgdon Brothers opened for business in 1816 and is the oldest continually operated shipyard in the United States. Tim Hodgdon is a fifth-generation boat builder, continuing a long and proud tradition.

Hodgdon has taken Maine's tradition of world-class craftsmanship and combined it with new technology and advances in composites to build their business and create good paying, sustainable jobs in our State.

For example, in the small town of Richmond, Maine, Hodgdon has created a facility to build boat interiors. Between 60 and 70 new jobs have been created there in the last 6 months alone, and Hodgdon believes they can double the size of that operation in the next year.

And just this week, Hodgdon was given a Maine Technology Institute grant for nearly $4 million to take the first steps towards building a 30,000-square-foot facility that would create hundreds of more jobs building high-speed patrol boats of the future.

Hodgdon Yachts is just one example of the innovative companies doing business in Maine, aggressively using new technology to create good, quality jobs that can't be exported.

CAP-AND-TRADE

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

Mr. PITTS. Madam Speaker, in a couple of weeks the House is going to consider the cap-and-trade legislation that has enormous implications for our economy. This 926-page bill, as introduced and considered by the committee, has 50 pages on lightbulbs and two sentences on nuclear power.

Recently, I saw a Rasmussen poll of likely voters that indicates 30 percent of likely voters have no idea what cap-and-trade means. Twenty-nine percent of them also thought it was some sort of Wall Street regulation, and 17 percent thought it had to something to do with health care. Only 24 percent had any idea of what it was.

Cap-and-trade puts a cap or a limit on greenhouse gas emissions, including CO_2, carbon dioxide. When you breath in, that is oxygen. When you breathe out, that is carbon dioxide, CO_2.

According to this legislation, CO_2 is pollution. According to the bill, if foreign countries don't cap emissions, their goods can be hit with tariffs which they call ''border adjustments.'' The loss of jobs that will go overseas as a result of this bill is being called ''leakage.''

Breathing as pollution, border adjustments, leakage—this bill is a massive, bureaucratic, regulatory taxation scheme on energy, linguistic obfuscation to cover up the harmful impacts it will have on our economy.

LEADERSHIP CHANGES IN HENDERSON, NEVADA

(Ms. TITUS asked and was given permission to revise and extend her remarks.)

Ms. TITUS. Madam Speaker, I rise today to recognize Henderson Mayor Jim Gibson who, after 12 years of excellent service to our community, led his final city council meeting on Tuesday night. I also want to thank Jack Clark, who has served not only as a Henderson council member for the past 16 years, but also as a member of the Las Vegas Metropolitan Police Department.

Jim Gibson guided Henderson during a critical time in its history when it experienced unprecedented growth. Under his leadership, the city met the challenges and the opportunities that growth brings.

Mayor Gibson provided a vision and a plan for the city that promoted development while also preserving valuable open space and recreation areas. In addition, he was instrumental in bringing Nevada State College to Henderson.

As the City of Henderson turns a page after more than a decade of leadership from these two outstanding public servants, I want to congratulate our new mayor, Andy Hafen, and new City Councilwoman Kathleen Boutin. I look forward to working closely with them and wish them all the best in their new positions.

THE WAR SUPPLEMENTAL BILL

(Mr. COFFMAN of Colorado asked and was given permission to revise and extend his remarks.)

Mr. COFFMAN of Colorado. Madam Speaker, I rise today to share my concerns about H.R. 2346, the war supplemental bill. Our troops deserve nothing less than a clean war supplemental bill, free from unrelated spending. We must give our troops the resources necessary to ensure victory in Iraq and Afghanistan.

I visited Iraq over the Memorial Day recess, my first trip back since having served there with the United States Marine Corps in al Anbar province. I cannot, with that trip still fresh in my memory, allow the needed support for our troops to be used as the hook to carry unneeded and distasteful spending.

The bill now requires the United States to borrow money that we don't have to loan it to the International Monetary Fund. The International Monetary Fund can then loan this money to nations like Iran and Venezuela.

Madam Speaker, it is inappropriate to use our troops to cram through overseas bailouts. I will vote against this and ask my colleagues to join me.

BRINGING DOWN HEALTH CARE COSTS

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

Mr. ALTMIRE. Madam Speaker, this week, both Houses of Congress put forward the initial draft of a long-overdue effort to cut health care costs in this country. And while we still have to come to agreement on all the details, there can be no doubt that the American people expect us to act to bring down health care costs.

The cost of health care affects every business and every family in this country. It is one of the leading drivers of our long-term deficit, it makes our businesses less globally competitive, and it adds uncertainty to millions of American families who are one accident, illness or job loss away from losing everything. And while we debate how best to fix what doesn't work in our health care system, we must preserve what works and build upon the best aspects of our uniquely American system.

We will spend the summer debating the details of the plan, but one thing is certain: the American people will not accept the status quo as health care costs continue to skyrocket. ''No'' is not an answer.

MEDIA GIVING PRESIDENT OBAMA PASS ON ECONOMY

(Mr. SMITH of Texas asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, the national media have given President Obama a free pass on the economy. Earlier this year, the Obama administration said Congress needed to pass the President's stimulus package to keep the unemployment rate below 8 percent. Since Congress has passed the President's nonstimulus stimulus, the economy has lost more than 1.5 million jobs, and unemployment has jumped to 9.4 percent.

Despite the massive layoffs, the President claimed this week that the stimulus has saved jobs. The national media have allowed the Obama administration to get away with spinning jobs lost as jobs saved, and the national media have continued to ignore the Congressional Budget Office's conclusion that the stimulus bill actually would reduce output—reduce output.

The media should scrutinize the President's words and actions, not give him a free pass.

□ 1030

RESEARCH AND DEVELOPMENT

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

Mr. TONKO. Madam Speaker, we make great strides towards solving our future energy needs by focusing on a process that has been virtually ignored for the past 8 years, research and development. Time and again, our economy has been pushed forward by a spirit of innovation. It has been pushed forward by a spirit that a century ago ignited an energy revolution started right in the heart of the 21st Congressional District with General Electric. Less than half a century ago, President Kennedy announced the space race in response to Sputnik. We now have that opportunity again. But when one considers the global context, it's easy to see that

the United States is falling woefully behind.

The House of Representatives is considering the American Clean Energy and Security Act, which would create millions of clean energy jobs, put America on the path to energy independence, and cut global warming pollution. China is investing $12.6 million every hour towards clean energy. With this kind of deficit, we stand to lose our place in the world as it relates to our energy security, and that is a finished product we simply cannot afford to import.

QUALITY HEALTH CARE COVERAGE

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

Mr. BLUNT. Madam Speaker, earlier this week I talked about the principles that we need to follow for Americans to have a better health care system. The first of those principles was to make quality health care coverage affordable and accessible for every American, regardless of preexisting conditions.

Today I want to talk for a minute, now less than a minute, about why we need to protect our system from a government-run health care alternative. What that alternative would do would eliminate coverage for more than 100 million Americans who currently receive their coverage through their job. It would limit your choice of doctors and medical treatment options, and it would result in the Federal Government taking control of health care.

Yesterday, the American Medical Association embraced all of those reasons not to have a public option, not to have a government-run option, not to have a government takeover of health care.

APPOINTMENT OF MEMBERS TO HOUSE DEMOCRACY ASSISTANCE COMMISSION

The SPEAKER pro tempore. Pursuant to section 4(b) of House Resolution 5, 111th Congress, and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the House Democracy Assistance Commission:

Mr. PRICE, North Carolina, Chairman
Mrs. CAPPS, California
Mr. HOLT, New Jersey
Mr. SCHIFF, California
Ms. SCHWARTZ, Pennsylvania
Mr. PAYNE, New Jersey
Mr. POMEROY, North Dakota
Mr. FARR, California
Mr. ELLISON, Minnesota
Ms. HIRONO, Hawaii
Ms. ROYBAL-ALLARD, California

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, DC, June 4, 2009.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to section 4(b) of House Resolution 5, 111th Congress, I am pleased to appoint the following Members to the House Democracy Assistance Commission.

The Honorable David Dreier of California.
The Honorable John Boozman of Arkansas.
The Honorable Jeff Fortenberry of Nebraska.
The Honorable Judy Biggert of Illinois.
The Honorable Bill Shuster of Pennsylvania.
The Honorable Kay Granger of Texas.
The Honorable Charles W. Boustany, Jr. of Louisiana.
The Honorable K. Michael Conaway of Texas.
The Honorable Vern Buchanan of Florida.

All Members have expressed interest in serving in this capacity and I am pleased to fulfill their requests.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

MOTION TO INSTRUCT CONFEREES ON H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009

Mr. OBEY. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2346) making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

Mr. LEWIS of California. Madam Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Lewis of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2346 be instructed as follows:

(1) To agree, within the scope of conference, to funding levels that will result in a total funding level in the conference report that does not exceed the total funding level provided in the Senate amendment.

(2) To insist on the House funding levels for each account under title I of the House bill (related to defense matters).

(3) To insist on the House funding levels for each account under chapter 9 of title II of the House bill (related to military construction).

(4) To recede to section 1305 of the Senate amendment (related to detainee photographic records protection).

(5) To not record their approval of the final conference agreement (within the meaning of clause 12(a)(4) of House rule XXII) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 48 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, let me begin my remarks by saying that I'm pleased that until last week, we appeared to be following regular order by actually having an open meeting of House and Senate conferees.

As I and the vast majority of Republicans have suggested several times through this process, we want this troop funding bill to be an up-and-down vote and, ideally, a bipartisan vote.

I want to commend my colleagues, Chairman OBEY and Chairman MURTHA, for producing a bill that accurately reflected the real needs and priorities of the troops deployed in Iraq and Afghanistan. While the House-passed bill wasn't perfect, it did garner bipartisan support, including that of 168 Republican Members.

Unfortunately, what I'm hearing and reading about, the final ''deal'' that was struck between Chairman OBEY and Senator INOUYE leads me to believe that the final package will not enjoy the same bipartisan support. As reported, the deal struck by the two Appropriations chairmen would do the following:

First, cut over $4.6 billion from Defense and MilCon from the House-passed levels.

Further, it would increase foreign operations funding by $5.2 billion over the House-passed levels, and $2.6 billion over the Senate-passed bill.

Further, it would include $5 billion in funding for the IMF to secure a whopping $108 billion of loans; in essence, the IMF would be funded at levels some $30 billion above the troop funding level. So we have troop funding, on the one hand, that has been reduced, and we've got a sizable expansion of foreign aid.

Further, the bill includes $1 billion of new spending for what we have been calling ''Cash for Clunkers'' on the floor. That amount was not in the bill as it passed the House either.

Now, let me shift gears and briefly explain the motion before us. It's a straightforward motion that insists on the House funding levels of $84.5 billion for the defense and military construction portions of the supplemental.

Further, it also insists on the lower top line for overall funding levels of $91.3 billion contained in the Senate-passed bill for the entire supplemental.

Further, it requires the text of the conference agreement be available in an electronic, downloadable and searchable form for 48 hours prior to consideration by the House. This language is identical to the motion unanimously adopted and subsequently ignored by my friends in the majority

when considering our massive stimulus bill.

Finally, this motion insists on the Senate position regarding prohibition on the release of detainee photos sponsored by Senators GRAHAM and LIEBERMAN.

Clearly, the focus of this supplemental funding bill should be on the troops, not IMF, not foreign aid funding, not Cash for Clunkers, or just using the emergency circumstances to buy down fiscal year 2010 spending.

Madam Speaker, I urge the adoption of the motion.

I reserve my time.

Mr. OBEY. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, I don't particularly care how people vote on this motion. Motions to instruct conferees are notorious, and they have been for many years, for simply being a device by which we either make political statements around here or express first preferences. I don't really have any objection to either. I think it's a legitimate thing to do in a legislative body.

I intend to vote ''no'' on the amendment, but I don't have any problem with any Member who decides that there are certain pieces of this motion that they would like to send a message to the conferees on. And so, as far as I'm concerned, people can vote any way they want.

Mr. LEWIS of California. Would the gentleman yield?

Mr. OBEY. Sure.

Mr. LEWIS of California. In view of your delightful mood today, we could probably bypass all this discussion and, as you've said, expedite the schedule. I do want to recognize my friend, Mr. LUNGREN, but if you want to, you know——

Mr. OBEY. I think that would be a very good idea. It would give us more time to do our real work, which is to prepare for the conference this afternoon.

Mr. LEWIS of California. You've got the floor, Mr. Chairman.

Mr. OBEY. I thank the gentleman for his very wise comments.

Let me simply say that I don't have any objection to several provisions in this motion. I do have to say one thing, however. The effect of this motion would be to substantially increase the likely amount of money approved by the conference for the Defense Department, and to substantially reduce the amount of money provided for the State Department.

I have always had difficulty understanding why people are willing to spend hundreds of billions of dollars to wage war but are resistant to spending a tiny amount in comparison in order to prevent war or to extricate ourselves from war. In fact, the conference report that is likely to come back will probably exceed the numbers in this motion for bringing State Department personnel more immediately into Iraq, into Afghanistan and into Pakistan. We are trying to convert that operation from, essentially, a military operation to a much more balanced operation, which includes much greater effort on the diplomatic side to extricate ourselves from that war. That requires money. It requires facilities. As many military experts have said, you cannot win this if you just deal with it militarily.

So, with that one point, I would simply say, Madam Speaker, that I would reserve the balance of my time until the gentleman is ready to close.

Mr. LEWIS of California. Madam Speaker, I am pleased to recognize the gentleman from California, DAN LUNGREN, for 4 minutes.

Mr. DANIEL E. LUNGREN of California. I thank my ranking member.

Madam Speaker, I rise in support of this motion to instruct for the reasons articulated by the gentleman from California.

□ 1045

But let me talk about another subject that is covered in this bill and one that is of extreme importance. It goes to the question of how we handle those who are at Guantanamo at the present time.

This issue has erupted around this country because people are beginning to understand the ramifications of closing Guantanamo and bringing people here to the United States whose only connection to the United States is that they were caught on the battlefield with the intention of killing Americans. Now, why is it important whether or not we keep Guantanamo open or whether we bring these people to the United States?

We got a little bit of an insight into why it's important by the report by a colleague of ours, Mr. ROGERS from Michigan, who, when he was in Afghanistan recently and visited our base there, went to the prison there where we are holding people who we actually captured on the battlefield. He observed the fact that now we have FBI agents Mirandizing, that is, giving Miranda rights statements to those we have found on the battlefield.

In other words, Madam Speaker, what we have done is we have transposed the universe in which these people are being detained from one of a combat atmosphere to one of a criminal proceeding in the United States.

Now, why is that important? It's important because this is happening for the first time in the history of the United States. We did not do this, obviously, during the Revolutionary War. We did not do it during any war we fought, not the Civil War, not World War I, not World War II. If we had followed this same thinking in World War II, our courts would have been overwhelmed. People forget we have had 2 million POWs that we held during World War II, over 400,000 of them in the United States. Never was it thought that they had all of the rights under the Constitution.

But this question has basically been treated by Federal courts in the past with this perspective: the connection you have to the United States is what determines your coverage under the Constitution. That's why someone coming over the border illegally doesn't have the right to all of the constitutional protections because the only connection to the United States is trying to get in illegally.

Here we have people sitting at Guantanamo whose only connection to the United States is that we have reason to believe that they wanted to kill Americans anywhere in the world. So now what we're saying is if we take them from Guantanamo and put them in the United States, they have a connection to the United States. They were brought here involuntarily. And the legal arguments that for years have presented a barrier from their obtaining all constitutional rights, that barrier is pulled down.

So while this bill has language in it, this conference report, as it's being worked on, has language in it with respect to Guantanamo, I don't think we have focused in on what this means. Yes, there's a concern about the threat they may pose to Americans, and that arises out of the fact that some say, well, they could escape from the prisons and then we're told, oh, we've got these prisons they can't escape from.

But it is more than that. It is that they may be released at the direction of Federal judges, and the only reason they would be released is that they somehow now have access to all of our constitutional rights.

So the American people need to understand that we may have a President who says, no, we don't want to release them. We have an Attorney General who testified, no, we're going to make sure they're not released based on everything we do.

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

Mr. LEWIS of California. Madam Speaker, I yield the gentleman another 2 minutes.

Mr. DANIEL E. LUNGREN of California. The Attorney General can testify before our committee, as he did 2 weeks ago, that they're going to take all steps to make sure people aren't released in the United States who are suspected terrorists. They cannot promise that. Once they bring them to the United States and the judgment of the Federal courts is they are now under the protection of all constitutional rights, we are no longer talking about them as illegal enemy combatants, who never before have gotten the protection of the Geneva Convention. The Geneva Convention, in part, says you will have these protections so long as you act under the laws that have been recognized for warfare. One of them is wear a uniform. One of them is don't attack innocent civilians as a particular strategy and tactic.

So what we're doing is we're turning it all upside down and we're saying somehow we are protecting our values by doing something we have never done

before. We are jeopardizing the national security interests of the United States. We are putting Americans, innocent Americans, at risk by doing this.

Mr. LEWIS of California. Will the gentleman yield?

Mr. DANIEL E. LUNGREN of California. I will be happy to yield.

Mr. LEWIS of California. I very much appreciate the point that the gentleman is making. It's an important one. The issue, per se, has almost been denied by the other side when we had these discussions in committee and otherwise.

It should be known by your public and my public that four of these people were released to Bermuda just this morning, we've learned. Now, that's a British entity. But, indeed, what's next? Our territories? And indeed further, we know that Ghailani was sent to New York for trial. So these people, very dangerous people, could be in serial released in the United States.

Madam Speaker, I would be glad to yield the gentleman 1 additional minute.

Mr. DANIEL E. LUNGREN of California. I appreciate that.

And here's what people have to understand. There is a difference between holding someone to try them for war crimes or any other crime, and then you do have them within a criminal justice system. In the past it's been a military tribunal. Remember what happened when Abraham Lincoln was assassinated. We established a military tribunal here in the District of Columbia that actually tried those individuals, and they were executed. That was a military tribunal. For what? Murdering a President of the United States in time of war. Now what we are saying is those rights were not sufficient. If that were to happen today, suddenly we would say we have to do it now within the context of the full panoply of constitutional rights, and we are directing that by voluntarily saying we're going to close down Guantanamo.

If anybody has looked at the prisons and jail systems across the United States and compared it with Guantanamo, it is of the highest standard of any of our incarceration units there is. Guantanamo happens to be a place that is not sovereign American territory. That's the important distinction.

I thank the gentleman for his time.

Mr. LEWIS of California. Madam Speaker, it's my intention to yield to Mr. FRELINGHUYSEN, but I would like to make this point to the Speaker as well as to the Members: the words just spoken were the words of the former Attorney General of California, DAN LUNGREN. I would suggest that all of us read them with care in the CONGRESSIONAL RECORD.

Madam Speaker, I am proud to yield 4 minutes to my colleague RODNEY FRELINGHUYSEN of New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of the motion to instruct conferees providing for supplemental appropriations for ongoing operations in Afghanistan and Iraq.

I support the portion of these instructions that would require the Secretary of Defense to certify if the release of photographs of detainees would endanger citizens of the U.S. or members of the armed services. We send our soldiers, sailors, marines, and airmen abroad to protect our security. We owe it to them to make sure that we do not do anything that puts them in needless jeopardy.

And I also strongly support the notion that we need to endorse the higher House funding levels for defense and military construction. Absolutely needed. If we are going to believe the administration and congressional leadership, this will be the last supplemental bill to fund the needs of our soldiers in Iraq and, may I add, their mission, those soldiers' mission, expanded mission, in Afghanistan. Personally, I find that hard to believe.

This supplemental should not be considered in a vacuum. What should not be lost in all of this is that our President is proposing a defense budget that barely keeps up with inflation and specifically contains a significant cut in our ballistic missile program, at a time when North Korea and Iran are testing their capabilities and, quite honestly, testing our resolve.

And, lastly, Madam Speaker, I have concerns about the expanded spending authority of the International Monetary Fund, who would be eligible to tap that fund in terms of drawing rights. And what's more bizarre is that under the recent agreements that we've been reading about, the United States of America now is eligible, shall we say, like other Third World countries, to have its own drawing rights, which is totally bizarre and inappropriate.

Madam Speaker, our first responsibility as Members is to protect our constituents, including those in the military. This motion to instruct helps achieve that mission and other important missions.

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

Mr. LEWIS of California. Madam Speaker, I am pleased to yield 3 minutes to my colleague from the committee, JACK KINGSTON.

Mr. KINGSTON. I thank the gentleman for yielding.

Madam Speaker, I stand in support of this amendment and certainly appreciate the gentleman for introducing it. But I wanted to talk specifically about the Guantanamo Bay prison and why that's important because I strongly believe that if we did not have it, we would need to invent it. It is that important to American security. Mr. LUNGREN has talked about it a little bit.

We have had about 500 prisoners there who have been processed and released and sent back to their countries either to be detained in their countries or to be watched by host countries. Twelve percent of those have actually gone back into combat, which is disturbing. But we have had 500 prisoners move in and out. We have got about 240 left, and they're the worst of the worst. These are folks who were basically caught in an act of war trying to kill American citizens.

Our foreign allies, particularly those in Europe, who have given so much criticism about closing Guantanamo Bay, none of them have opened up their doors and said, hey, we'll take these Sunday school teachers and Boy Scouts, because they know that they're not Sunday school teachers and Boy Scouts. So I think that not closing down Guantanamo Bay is the right thing to do. But I also wanted to talk about the points Mr. LUNGREN made about the Miranda rights of prisoners.

Prior to 9/11, America generally treated acts of terrorism as breaking the law. Case in point: the 1993 bombing of the World Trade Center and the USS Cole. These were not seen as acts of war. Therefore, the perpetrators of those crimes got lawyers. They had Miranda rights. They had all the courtesies of the U.S. Government, the U.S. justice system. That is not what we need to be doing right now. After 9/11 we realized that these acts of terrorism weren't just tactical but strategic acts of war, and therefore we have moved over to let's treat soldiers as they are, war criminals.

Mr. LUNGREN had mentioned that the assassins of Abraham Lincoln were tried by a military tribunal. It's the same situation when President Roosevelt was President: we found six Nazi spies on Long Island, and I believe five of them were actually executed, the sixth one cooperated, but it was all through a military tribunal. So what is it that President Obama sees that President Lincoln and President Roosevelt and really all our entire U.S. judicial history, all the judges have signed off on it? Why is it that suddenly we want to go over to Afghanistan and Iraq and give Miranda rights to prisoners of war?

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

Mr. LEWIS of California. Madam Speaker, I am glad to yield the gentleman 1 additional minute.

Mr. KINGSTON. I thank the chairman.

Therefore, the first thing they're going to be trying to say is, I am not going to say anything until you give me a lawyer. And then they're going to come home to America and they're going to be all lawyered up. It's going to cost taxpayers money. It's going to hurt our investigations and interrogations. We're not going to be able to get the intelligence that we need, the background information that will prevent future terrorist attacks.

There was a lot of criticism by this administration about the Bush-Cheney administration, but I will say one thing about it: during 9/11, and I think those of us on the floor, most of us, were here then, we felt assured that we

would have another attack on American soil. That did not happen. And I remember those dark days. We all felt like there would be another domestic attack. That was prevented, in part, because of what we were able to find out from prisoners who were being held and detainees at Guantanamo Bay.

So I wanted to make those points, Madam Speaker, and I thank the gentleman for yielding the floor.

Mr. LEWIS of California. Madam Speaker, I am proud to yield 3 minutes to my colleague from Missouri, ROY BLUNT.

□ 1100

Mr. BLUNT. I thank the gentleman for yielding.

Madam Speaker, I certainly want to talk about the comments that have already been made on Guantanamo. It's a facility that should be kept open. Clearly, a campaign promise is easier to make than is the reality of the world we live in. Nobody wants these people. Nobody in my State, nobody in any neighboring State. Other countries don't want these people. They are dangerous. They are enemies of the United States. They are not people who have a right, with the actions they've taken, to have the protections that have already been so well-discussed by Mr. KINGSTON, by Mr. LUNGREN and by others. Frankly, the fact that there is not money in this supplemental, at least as I understand at this point, to close that facility is a good thing. I'm glad the chairman and the others worked to see that that was not in there. This is a debate that suddenly is a lot harder, from the administration's point of view, than it was during the campaign.

Troops in the field need our support. The House acted quickly. It was a large bipartisan vote to support the troops in the field. Where is that bill now? That bill is in a committee somewhere. They're trying to figure out what else can be added to a bill designed to support our troops. People talking on those topics understand that Members of Congress have a history of supporting our troops in the field—our troops in Iraq, our troops in Afghanistan.

So, suddenly, well, maybe, we could also put more money in the International Monetary Fund, a fund in which we would put that money by increasing our debt. We all know that one of the sources of that debt right now is foreign borrowing, borrowing from foreign countries. Some of those countries we borrow from, like China, actually would then qualify to get the money back under the IMF. To borrow money from China to give it to China is not what we ought to be doing. If we were even going to talk about that, it shouldn't be in a military supplemental. It should be in a bill focused on that specific promise that the President apparently has recently made, and it deserves a debate of its own.

I hope it does not come back to the floor as part of this bill. I hope we get the job done of supporting our troops.

Mr. LEWIS of California. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Thank you. I appreciate that.

Madam Speaker, I want to speak briefly about the narrow aspect of the motion to instruct that would require us to recede to the Senate language in the Senate amendment that would restrict access to the photographs of detainees that have been swept up in the field of battle since 2001. These photographs are of a sensational nature. They will be used to spur actions by radical jihadists that will be dangerous to our troops.

If you will remember back recently, there was a cartoon that was very disrespectful to Mohammed. The reaction to that cartoon was irrational given the nature of what went on. How much worse would the reaction be to these actual photographs of the detainees and of their being treated however they were treated? Our own commanders on the ground, General Petraeus and General Odierno, have both said, in their professional judgment, that the release of these photographs will help recruit additional terrorists—additional jihadists—to the team and that the release of these photographs will be used to spur actions against our military and against our troops in the field, who might not otherwise be there. So I don't think it's too much of a stretch to say that the release of these photographs, in all likelihood, will result in additional deaths and injuries to American troops that don't have to occur.

The Senate language would restrict access to these photographs, which is the right issue, and the White House has agreed that these photographs should not be released. I encourage my colleagues on both sides of the aisle to support our motion to instruct because it does make sense not to release these photographs.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, I would like to touch on the issue of Gitmo as well. I've been there a couple of times. Those people are well-treated, particularly when you consider that they are enemy combatants, that they are part of a group that has declared war on this country. Throughout the history of mankind, when a group declares war on another group and the group on which they've declared war is humane enough to take prisoners, then they are held until the group of which they're a part says that we're no longer at war.

Here, there are people in this country and in the administration who do not understand that these people still want to kill us. Look at the pleading of Khalid Sheikh Mohammed. In his words: We are terrorists to the bone.

You release those people. You bring them into the United States. We've already heard that the Supreme Court majority is wanting to give them rights to which they're not or should not be entitled. That is why Justice Scalia said in his dissent, This opinion will cost American lives. That was a bold statement by Scalia, but he is right. We should not allow this to hurt American soldiers and American people and put innocent lives at risk even though it may get some applause overseas from people who would not mind seeing America disappear.

I want to touch very quickly on the photographs. We believe in America that guilty people should be punished and that people who torture prisoners inhumanely have been punished and are being punished; but if those photographs are released, there will be blood on this administration's hands for punishing innocent soldiers who had nothing to do with it, and we should not have or allow this administration to hurt innocent soldiers.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to a member of the Appropriations Committee, the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Madam Speaker, I appreciate the opportunity to speak on the supplemental. It's actually something that I voted on not so long ago, but things have changed. Things have changed radically. In fact, it seems that the Obama administration has included in this supplemental a request for $108 billion, taking money away from defense and putting it into the International Monetary Fund. Now, they call that the IMF. A lot of people don't know what the IMF is, but here we are taking money away from our defense spending, away from our soldiers and away from our taxpayers, and we're going to put it into this International Monetary Fund.

Exactly what does that do?

Well, that allows some of our good friends, like Iran and Venezuela, to access this money to build their country and their programs and to use it according to the dictates of the way they run their countries. These are not only our competitors, but they are the countries that do the most they can to cause us trouble. So why in the world do we want to levy more taxes on our taxpayers, take the money that was for defense and give it away to our enemies? It doesn't make any sense.

This should not be included in the defense supplemental. This should be about taking care of our men and women in uniform. It should be about taking care of their equipment, their needs, their education, and the training that they need, not about giving money away to the international community to be used in who knows what way by who knows what country.

So as strong as I am on defense—and I've always been a strong defender. I've been on the Armed Services Committee for 9 years. I have three sons who've graduated from the Naval Academy. This will not stand. I will not vote for a supplemental that is giving money to some foreign country, money that should go to our soldiers.

GENERAL LEAVE

Mr. LEWIS of California. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the motion to instruct.

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

There was no objection.

Mr. LEWIS of California. Madam Speaker, if I could inquire of my colleague: Do you have any additional speakers?

Mr. OBEY. Just one briefly, myself.

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

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

Madam Speaker, I had not wanted to take a lot of time here today, but I am moved to take a couple of minutes to respond to a couple of things that I've heard on the floor today.

We have heard several lectures about the President's fiscal policy and about his economic policy and about his international economic policy. I find it kind of difficult to take economic lectures from the same folks who have driven this country's economy into the ditch.

The President has inherited a very dicey situation both internationally and domestically. It is always hard in life to clean up other people's messes. It is especially hard to do that when you have the responsibilities as heavy as those that weigh on the shoulders of the President of the United States.

I don't understand why he should be expected to take lectures from the people who helped put the economy into the ditch or, for that matter, to take lectures from the same people who brought us the most unnecessary war in America's history, the people who took $6 trillion in projected budget surpluses and turned them into the largest deficits in the history of the Republic, the people who are now sniping at virtually everything that the President does to try to deal with both his international challenges and his domestic challenges.

I don't think anybody wants to see any of those prisoners at Guantanamo ''released'' into the United States. I do think we have a legitimate question about where they should be tried and about where they should be imprisoned after they are found guilty. Because we wanted to have more specific answers from the administration on that score, this committee has already removed all of the money that could be used to close Guantanamo until we do get a specific plan from the administration.

Having said that, I would suggest that the average American family is much more in danger of being hit by the flu pandemic than they are of actually being hit by any person who would be imprisoned in a maximum security prison here in the United States. I, frankly, would be kind of interested to see some of those terrorists exposed to the wonderful ''charms'' of some of our prison inmates in our own prisons. I don't think they would like the experience very much; but nonetheless, that is not what is at issue here.

What is at issue is simply whether or not we will go about our business of going to conference and of producing a supplemental appropriation bill that will meet the basic needs of our troops and that will meet our basic diplomatic necessities as well. That's why I think there is a problem with this motion.

This motion, by the time it sets aside money for military construction and defense, would not leave us with enough money on the table to respond sufficiently to the pandemic flu problem. It would not leave us with enough money on the table to deal with the necessity to provide assistance to Mexico in order to deal with the drug problem there, which is certainly a national security threat to us, and it certainly would not leave us with sufficient funds to strengthen and buttress our political and diplomatic activities in Afghanistan and in Pakistan. It would not leave us with enough money, for instance, to fully fund the funding for the new Embassy in Pakistan, which is desperately needed given the fact that we just had a bombing in Peshawar of the Pearl Hotel where most of the American diplomats stayed. We need to protect diplomats just as much as we need to protect soldiers. That's what the conference will try to do if we can ever get to it.

So I would simply say, Madam Speaker, as I said earlier, I intend to vote against this motion, but I am not going to be particularly bothered if other people want to vote for it because they supported one piece or another of this proposal. I, myself, would probably support two of the provisions in here but not all of them. So Members are certainly free to vote however they prefer. This is a place where we like to state our first preferences as often as possible, but sooner or later, we have to compromise. That means most of us, including the ranking member and the Chair, will not be able to get all of the first preferences that we would prefer.

So, if the gentleman is prepared to close, I will yield back my time.

□ 1115

Mr. LEWIS of California. Madam Speaker, I, for one, am looking forward to a number of celebrations. One of those celebrations that I hope to very much participate in in the near future will involve the gentlelady who happens to be the Speaker at this moment.

But having talked about celebrations, I think it would be most interesting when we reach the point where the leadership on the other side of the aisle, including my own committee, would stop presuming that every problem in the world can easily be set aside because you can blame the past President about this. As I remember, I think we had a vote in the House in which there was broadly based bipartisan support, for example, for the incursion of Iraq in support of the then-President.

I must say we have had a lot of conversation about items that are not directly in this bill today having to do with Guantanamo. If I'm not mistaken, that issue would not be before us if the current President had not decided that he was going, and publicly committed, to his closing of Guantanamo. That's creating this horrendous problem.

Setting all that aside as I close, Madam Speaker, the bill before us or the item before us is an item that involves the conference that's about to take place between the Senate and the House having to do with the supplemental funding that was designed originally to give support for our efforts in Afghanistan and Iraq and, indeed, a very bipartisan support here in the House.

My consternation is that it appears as though we've set aside that bipartisan support for the convenience of the leadership and, indeed, will have a conference with the Senate that involves two things: a significant reduction of about $5 billion in the money available to support our troops; and, above and beyond that, for all intents and purposes, about that sum of money is transferred for foreign aid, for funding for IMF, for providing access to all kinds of countries who are not friendly to the United States by way of funding that would be supported by our taxpayers.

Mr. VAN HOLLEN. Madam Speaker, I rise today in support of the President's decision not to make these photographs public for the reasons he has already expressed. Namely, the publication of these photos would not provide us with any additional benefit and may inflame anti-American sentiment and endanger our troops. However, the proper mechanism for this is through the courts or by issuing a Presidential Executive order, not through Congress.

The Freedom of Information Act (FOIA) has been an essential tool for promoting a more open, transparent, and accountable government. The Congress should not be addressing each separate FOIA request on an ad hoc basis. Amending FOIA through the legislative process sets an unwise precedent. I would urge my colleagues to allow the courts to rule on this very important matter.

Mr. LEWIS of California. With that, Madam Speaker, I yield back the balance of my time.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. LEWIS).

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

Mr. LEWIS of California. Madam Speaker, I object to the vote on the ground that a quorum is not present

and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 18 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1155

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALTMIRE) at 11 o'clock and 55 minutes a.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order: motion to instruct on H.R. 2346, and motion to suspend on H.R. 1687.

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

MOTION TO INSTRUCT CONFEREES ON H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct on H.R. 2346, offered by the gentleman from California (Mr. LEWIS) which the Chair will put de novo.

The Clerk will designate the motion.

The Clerk designated the motion.

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

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

Mr. MILLER of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 267, nays 152, not voting 14, as follows:

[Roll No. 329]

YEAS—267

Abercrombie
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Cardoza
Carney
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Courtney
Crenshaw
Cuellar
Culberson
Dahlkemper
Davis (AL)
Davis (KY)
Davis (TN)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Edwards (TX)
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Gordon (TN)
Granger
Graves
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hinojosa
Hodes
Hoekstra
Holden
Hunter
Inglis
Issa
Jenkins
Johnson (GA)
Johnson, Sam
Jordan (OH)
Kaptur
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Marshall
Massa
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Neugebauer
Nunes
Nye
Olson
Ortiz
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rahall
Rehberg
Reichert
Reyes
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (OH)
Ryan (WI)
Salazar
Scalise
Schauer
Schmidt
Schock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Space
Spratt
Stearns
Tanner
Taylor
Teague
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Turner
Upton
Walden
Walz
Wamp
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—152

Ackerman
Andrews
Baird
Baldwin
Becerra
Berkley
Berman
Blumenauer
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Doyle
Duncan
Edwards (MD)
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (IL)
Johnson, E. B.
Jones
Kanjorski
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey (MA)
Matsui
McCollum
McDermott
McGovern
Meeks (NY)
Michaud
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rangel
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sestak
Sherman
Sires
Slaughter
Snyder
Speier
Stupak
Sutton
Tauscher
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

NOT VOTING—14

Baca
Boswell
Delahunt
Ellison
Hill
Himes
Kagen
Kennedy
Lewis (GA)
Radanovich
Richardson
Sánchez, Linda T.
Stark
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1223

Messrs. KILDEE, CUMMINGS, PAYNE, SCOTT of Virginia, RUPPERSBERGER, BLUMENAUER, BECERRA, AL GREEN of Texas, ROTHMAN, CLEAVER, CROWLEY, TOWNS, GUTIERREZ, FATTAH, PALLONE, NADLER of New York, LARSON of Connecticut, JONES, ENGEL, ACKERMAN, Ms. MCCOLLUM, Mrs. MALONEY, Ms. VELÁZQUEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WASSERMAN SCHULTZ, Ms. FUDGE, and Ms. ESHOO changed their vote from ''yea'' to ''nay.''

Messrs. WITTMAN, ALTMIRE, WALZ, SALAZAR, BROUN of Georgia, RAHALL, Mrs. HALVORSON, and Ms. CORRINE BROWN of Florida changed their vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in

the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

ANNOUNCEMENT BY THE SPEAKER

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

There was no objection.

RALPH REGULA FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1687, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio (Mr. BOCCIERI) that the House suspend the rules and pass the bill, H.R. 1687, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 18, as follows:

[Roll No. 330]

YEAS—416

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

NOT VOTING—18

Baca
Boswell
Braley (IA)
Delahunt
Garrett (NJ)
Hensarling
Hill
Himes
Kagen
Kennedy
Lewis (GA)
McHenry
Radanovich
Richardson
Sánchez, Linda T.
Sherman
Slaughter
Sullivan

□ 1232

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the 'Ralph Regula Federal Building and United States Courthouse'.''.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009

The SPEAKER pro tempore (Mr. JACKSON of Illinois). Without objection, the Chair appoints the following conferees on H.R. 2346:

Messrs. OBEY, MURTHA, Ms. DELAURO, Mrs. LOWEY, Messrs. EDWARDS of Texas, LEWIS of California, YOUNG of Florida, and Ms. GRANGER.

PAKISTAN ENDURING ASSISTANCE AND COOPERATION ENHANCEMENT ACT OF 2009

Mr. BERMAN. Mr. Speaker, pursuant to House Resolution 522, I call up the bill (H.R. 1886) to authorize democratic, economic, and social development assistance for Pakistan, to authorize security assistance for Pakistan, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 522, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House report 111–143, is adopted and the bill, as amended, is considered read.

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

H.R. 1886

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009'' or the ''PEACE Act of 2009''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Definitions.
Sec. 3. Findings.
Sec. 4. Declaration of principles.

TITLE I—DEMOCRATIC, ECONOMIC, AND SOCIAL DEVELOPMENT ASSISTANCE FOR PAKISTAN

Sec. 101. Purposes of assistance.
Sec. 102. Authorization of assistance.
Sec. 103. Multilateral support for Pakistan.
Sec. 104. Pakistan Democracy and Prosperity Fund.
Sec. 105. Authorization of appropriations.

TITLE II—SECURITY ASSISTANCE FOR PAKISTAN

Sec. 201. Sense of Congress.
Sec. 202. Purposes of assistance.
Sec. 203. Authorization of assistance.
Sec. 204. Pakistan Counterinsurgency Capabilities Fund.

Sec. 205. Exchange program between military and civilian personnel of Pakistan and certain other countries.
Sec. 206. Limitation on United States military assistance to Pakistan.
Sec. 207. Authorization of appropriations.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Comprehensive regional security strategy.
Sec. 302. Monitoring and evaluation of assistance.
Sec. 303. Auditing.
Sec. 304. Requirements for civilian control of United States assistance for Pakistan.
Sec. 305. Sense of Congress.
Sec. 306. Reports.
Sec. 307. Sunset.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Except as otherwise provided in this Act, the term ''appropriate congressional committees'' means the Committees on Appropriations and Foreign Affairs of the House of Representatives and the Committees on Appropriations and Foreign Relations of the Senate.

(2) COUNTERINSURGENCY.—The term ''counterinsurgency'' means efforts to defeat organized movements that seek to overthrow the duly constituted Governments of Pakistan and Afghanistan through the use of subversion and armed conflict.

(3) COUNTERTERRORISM.—The term ''counterterrorism'' means efforts to combat—

(A) al Qaeda; and

(B) other terrorist organizations, as such term is defined in section 212(a)(3)(B)(vi) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)).

(4) FATA.—The term ''FATA'' means the Federally Administered Tribal Areas of Pakistan.

(5) FCR.—The term ''FCR'' means the Frontier Crimes Regulation, codified under British law in 1901, and applicable to the FATA.

(6) NWFP.—The term ''NWFP'' means the North West Frontier Province of Pakistan, which has Peshawar as its provincial capital.

SEC. 3. FINDINGS.

Congress finds the following:

(1) The Islamic Republic of Pakistan has been a critical ally of the United States for more than 4 decades.

(2) With the free and fair election of February 18, 2008, Pakistan returned to civilian rule after almost 9 years under a military dictatorship.

(3) After the September 11, 2001, terrorist attacks against the United States, Pakistan chose to partner with the United States in the fight against al Qaeda, the Taliban, and other extremist and terrorist groups.

(4) Since 2001, the United States has contributed more than $12,000,000,000 to Pakistan to strengthen Pakistan's governance, economy, education system, healthcare services, and military, so as to bring freedom and opportunities to the people of Pakistan while helping to combat terrorism and to counter a domestic insurgency.

(5) The United States requires a balanced, integrated, countrywide strategy that provides assistance throughout Pakistan and does not disproportionately focus on military assistance or one particular area or province.

(6) Despite killing or capturing hundreds of al Qaeda operatives and other terrorists—including major al Qaeda leaders, such as Khalid Sheikh Muhammad, Ramzi bin al-Shibh, and Abu Faraj al-Libi—Pakistan's FATA, parts of the NWFP, Quetta in Balochistan, and Muridke in Punjab remain a sanctuary for al Qaeda, the Afghan Taliban, and affiliated groups from which these groups organize terrorist actions against Pakistan and other countries.

(7) Pakistan's security forces have recently begun taking concerted action against those who threaten Pakistan's security and stability, with military operations in the Bajour agency in the FATA and in the Swat, Buner, and Dir districts in the NWFP.

(8) The displacement of over 1,000,000 Pakistanis poses a grave humanitarian crisis and requires the immediate attention of the United Nations, and the strong support of donor nations, to provide food, water, shelter, medicine, sanitation and other emergency services and supplies to the displaced, along with longer-term development assistance. The humanitarian crisis highlights the need for Pakistan to develop an effective national counterinsurgency strategy, in order to mitigate such displacement.

SEC. 4. DECLARATION OF PRINCIPLES.

Congress declares that the relationship between the United States and Pakistan should be based on the following principles:

(1) Pakistan is a critical friend and ally to the United States, both in times of strife and in times of peace, and the two countries share many common goals, including combating terrorism and violent radicalism, solidifying democracy and rule of law in Pakistan, and promoting the social and material well-being of the people of Pakistan.

(2) United States assistance to Pakistan is intended to supplement, not supplant, Pakistan's own efforts in building a stable, secure, and prosperous Pakistan, and United States assistance will be wholly ineffective without Pakistan's own serious efforts to improve the health, education, and living standards of its population, including maintaining or increasing the financial resources devoted to such efforts.

(3) The United States supports Pakistan's struggle against extremist elements and recognizes the profound sacrifice made by Pakistan in the fight against terrorism, including the loss of more than 1,600 soldiers since 2001 in combat with al Qaeda, the Taliban, and other extremist and terrorist groups.

(4) The United States intends to work with the Government of Pakistan—

(A) to build mutual trust and confidence by actively and consistently pursuing a sustained, long-term, multifaceted relationship between the two countries, devoted to strengthening the mutual security, stability, and prosperity of both countries;

(B) to support the people of Pakistan and their democratic government in their efforts to consolidate democracy, through strengthening Pakistan's parliament, helping Pakistan reestablish an independent and transparent judicial system, and working to extend the rule of law in all areas in Pakistan;

(C) to promote long-term development and infrastructure projects, including in healthcare, water management, and energy programs, in all areas of Pakistan, that are sustained and supported by each successive democratic government in Pakistan;

(D) to encourage sustainable economic development in Pakistan and the integration of Pakistan into the global economy in order to improve the living conditions of the people of Pakistan;

(E) to ensure that the people of Pakistan, including those living in areas governed by the FCR, have access to public, modernized education and vocational training to enable them to provide for themselves, for their families, and for a more prosperous future for their children;

(F) to expand people-to-people engagement between the two countries, through increased educational, technical, and cultural exchanges and other methods;

(G) to ensure transparency of and provide effective accountability for all United States assistance and reimbursements provided to Pakistan;

(H) to take steps to improve Pakistan's counterterrorism financing and anti-money laundering laws to comply with international standards, to include applying for ''Financial Action Task Force'' observer status and adhering to the United Nations International Convention for the Suppression of the Financing of Terrorism;

(I) to establish a counterinsurgency and counterterrorism strategy to prevent any territory of Pakistan from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere, and ensure that madrasas in Pakistan are not used to incite terrorism;

(J) to ensure that Pakistan has strong and effective law enforcement and national defense forces, under civilian leadership, with sufficient and appropriate security equipment and training to effectively defend Pakistan against internal and external threats;

(K) to ensure access of United States investigators to individuals suspected of engaging in worldwide proliferation of nuclear materials, as necessary, and restrict such individuals from travel or any other activity that could result in further proliferation;

(L) to help Pakistan meet its commitment to not support any person or group that conducts violence, sabotage, or other activities meant to instill fear or terror in Pakistan's neighboring countries; and

(M) to help Pakistan gain control of its undergoverned areas and stop any support, direction, guidance to, or acquiescence in the activities of, any person or group that engages in acts of violence or intimidation against civilians, civilian groups, or governmental entities.

TITLE I—DEMOCRATIC, ECONOMIC, AND SOCIAL DEVELOPMENT ASSISTANCE FOR PAKISTAN

SEC. 101. PURPOSES OF ASSISTANCE.

The purposes of assistance under this title are—

(1) to demonstrate unequivocally the long-term commitment of the United States to the people of Pakistan and Pakistan's democratic institutions;

(2) to support the consolidation of democracy, good governance, and the rule of law in Pakistan;

(3) to help build the capacity of law enforcement forces in Pakistan to combat terrorism and violent militancy and expeditiously investigate, arrest, and prosecute alleged criminals, consistent with the rule of law and due process;

(4) to further the sustainable and effective economic and social development of Pakistan and the improvement of the living conditions of the people of Pakistan, especially in areas of direct interest and importance to their daily lives;

(5) to strengthen regional ties between Pakistan and its neighbors by offering concrete nonmilitary assistance for issues of mutual economic and social concern;

(6) to strengthen Pakistan's public education system, increase literacy, expand opportunities for vocational training, and help create an appropriate national curriculum for all schools in Pakistan;

(7) to expand people-to-people engagement between the United States and Pakistan, through increased educational, technical, and cultural exchanges and other methods;

(8) to strengthen respect for internationally recognized human rights in efforts to stabilize the security environment in Pakistan; and

(9) to promote the rights and empowerment of women and girls in Pakistan, including efforts to increase access to basic healthcare services to address Pakistan's high maternal mortality rate and to increase girls' and women's access to education.

SEC. 102. AUTHORIZATION OF ASSISTANCE.

(a) IN GENERAL.—To carry out the purposes of section 101, the President is authorized to provide assistance for Pakistan to support the activities described in subsection (b).

(b) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (a) include the following:

(1) FORTIFYING DEMOCRATIC INSTITUTIONS.—To support, notwithstanding any other provision of law, democratic institutions in Pakistan in order to strengthen civilian rule and long-term stability, including assistance such as—

(A) support for efforts to strengthen the National Parliament of Pakistan, including—

(i) assistance to parliamentary committees to enhance the capacity to conduct public hearings and oversee government activities, including national security issues and the military budget, to solicit input on key public policy issues, and to oversee the conduct of elections;

(ii) support for the establishment of constituency offices and otherwise promote the responsibility of members of parliament to respond to constituents; and

(iii) strengthening of the role of parliamentary leadership;

(B) support for voter education and civil society training, including training with grassroots organizations to enhance the capacity of the organizations to advocate for the development of public policy;

(C) support for political parties, including increasing their capacity and protecting their right to carry out political activities without restriction (other than reasonable administrative requirements commonly applied in democratic countries) and fostering the responsiveness of such parties to the needs of the people of Pakistan;

(D) support for strengthening the capacity of the civilian Government of Pakistan to carry out its responsibilities, including supporting the establishment of frameworks that promote government transparency and criminalize corruption in both the government and private sector, audit offices, inspectors general offices, third party monitoring of government procurement processes, whistle-blower protections, and anticorruption agencies; and

(E) in particular, support for efforts by the Government of Pakistan to promote governance reforms in the FATA, including—

(i) extension of the Political Parties Act;

(ii) local experimentation with methods to transition from the FCR; and

(iii) long-term development of durable and responsive political institutions.

(2) ENHANCEMENT AND STRENGTHENING OF THE JUDICIAL SYSTEM AND LAW ENFORCEMENT.—To support, notwithstanding any other provision of law, Pakistan's efforts to expand the rule of law and build the capacity, transparency, and trust in government institutions, at the national, provincial, and local levels, including assistance such as—

(A) support for the rule of law and systemic improvement of judicial and criminal justice institutions, including—

(i) management of courts;

(ii) enhanced career opportunities and professional training for judges, public defenders, and prosecutors; and

(iii) efforts to enhance the rule of law to all areas in Pakistan where the writ of the government is under heightened challenge by terrorists and militants, including through innovations in the delivery of judicial services that enhance the legitimacy of state institutions;

(B) support for professionalization of the police, including—

(i) training regarding use of force;

(ii) education and training regarding human rights;

(iii) training regarding evidence preservation and chain of custody; and

(iv) training regarding community policing;

(C) support for independent law enforcement agencies, such as the Intelligence Bureau of the Ministry of Interior, responsive to civilian control, including—

(i) enhanced coordination with judicial processes;

(ii) enhancement of forensics capabilities;

(iii) data collection and analyses;

(iv) case tracking and management;

(v) financial intelligence functions; and

(vi) maintenance of data systems to track terrorist of criminal activity; and

(D) strengthening the capacity of the police and other civilian law enforcement agencies to provide a robust response to threats from extremists and terrorists along the frontier and elsewhere in Pakistan, including—

(i) the development of an elite rapid reaction force which could be deployed on short notice to secure areas that are threatened by militancy; and

(ii) facilitating improved counterterrorism and counterinsurgency coordination between local government officials, the police, paramilitary, and military leaders.

(3) SUPPORT FOR BROAD-BASED AND SUSTAINABLE ECONOMIC DEVELOPMENT.—To support economic development in Pakistan by—

(A) promoting energy sector reform and development;

(B) expanding assistance for agricultural and rural development, including farm-to-market roads, systems to prevent spoilage and waste, and other small-scale infrastructure improvements that will enhance supply and distribution networks;

(C) increasing employment opportunities, including support to small and medium enterprises, microfinance and microenterprise activities, and in particular programs to improve the lives of women and girls;

(D) preventing youth from turning to extremism and militancy, and promoting the renunciation of such tactics and extremist ideologies, by providing economic, social, educational, and vocational opportunities and life-skills training to at-risk youth; and

(E) increasing investment in infrastructure, including construction of roads, water resource management systems, irrigation channels, and continued development of a national aviation industry and aviation infrastructure.

(4) SUPPORT TO INCREASE LOCAL CAPACITY.—To increase the capacity and improve the sustainability of Pakistan's national, provincial, and local governmental and nongovernmental institutions, including assistance to—

(A) increase and improve the capacity of Pakistan's national, provincial, and local governmental institutions by—

(i) providing technical assistance to all ministries to improve transparency and ability to respond to the needs of the people of Pakistan; and

(ii) promoting the implementation of fiscal and personnel management, including revenue tracking and expenditure systems; and

(B) enhance the capacity of Pakistan's nongovernmental and civil society organizations to respond to the needs of the people of Pakistan by—

(i) increasing support for local nongovernmental organizations with demonstrated experience in delivering services to the people of Pakistan, particularly to women, children, and other vulnerable populations in Pakistan;

(ii) providing training and education to local nongovernmental and civil society organizations on ways to identify and improve the delivery of services to the people of Pakistan; and

(iii) promoting local ownership and participation, including encouraging communities to contribute a percentage of the value of United States projects or activities carried out under this title in the form of labor, in-kind materials, or other provisions.

(5) SUPPORT FOR PUBLIC EDUCATION SYSTEM.—To support Pakistan's public education system, including—

(A) implementation of a national education strategy, to include both primary and secondary education, focused on literacy and civic education, including—

(i) programs to assist development of modern, nationwide school curriculums for public, private, and religious schools that incorporate relevant subjects, such as math, science, literature, and human rights awareness, in addition to agricultural education and training;

(ii) enhancement of civic education programs focused on political participation, democratic institutions, and tolerance of diverse ethnic and religious groups; and

(iii) support for the proper oversight of all educational institutions, including madrasas, as required by Pakistani law, including registration with the Ministry of Education and regular monitoring of curriculum by the Ministry of Education to ensure students in Pakistan receive a comprehensive education;

(B) initiatives to enhance the access to education for women and girls, and to increase women's literacy, with special emphasis on helping girls stay in school;

(C) funding to the Government of Pakistan to use to increase immediately teacher salaries and to recruit and train teachers and administrators, as well as develop formalized salary scales with merit-based pay increases;

(D) establishment of vocational and technical programs to enhance employment opportunities;

(E) encouragement of United States and Pakistani public-private partnerships to increase investment in higher education and technical training opportunities;

(F) construction and maintenance of libraries and public schools, including water sanitation, perimeter walls, and recreation areas;

(G) provision of textbooks and other learning materials and food assistance for student meals; and

(H) provision of software to educational institutions and students at the lowest possible cost, specifically targeting universities that specialize in information technology, and women's colleges and women's secondary schools.

(6) SUPPORT FOR HUMAN RIGHTS.—To promote respect for and compliance with internationally recognized human rights, including assistance such as—

(A) programs to strengthen civil society organizations that promote internationally recognized human rights, including religious freedom, freedom of expression, and freedom of association, and that support human rights monitoring;

(B) promotion of education regarding internationally recognized human rights;

(C) programs designed to end traditional practices and punishments that are inconsistent with internationally recognized human rights norms and protections, such as honor killings and other forms of cruel and unusual punishments;

(D) promotion of freedom of religion and religious tolerance, protection of religious minorities, and promotion of freedom of expression and association, including support for responsible independent media;

(E) promotion of nongovernmental organizations that focus on the protection of women and girls, including women-led organizations and programs that support the participation of women in the national, provincial, and local political process, and programs to end violence against women, including rape;

(F) technical, legal, and law enforcement assistance for the investigation of past disappearances of individuals in Pakistan and the development of a national data base of such individuals; and

(G) programs in support and protection of the rights of ethnic minorities in Pakistan, including Baluchis, Sindhis, and Pashtuns, to preserve their language, culture, traditional areas of inhabitancy, and to fight any direct or indirect discrimination.

(7) SUPPORT FOR REFUGEES AND INTERNALLY DISPLACED PERSONS.—It is the sense of Congress that—

(A) counterinsurgency operations being carried out by the Government of Pakistan should be designed to minimize civilian casualties and collateral damage to the people of Pakistan and to provide security for the delivery of humanitarian assistance to the affected civilian population;

(B) the United States should continue to provide robust assistance to the people of Pakistan who have been displaced as a result of ongoing conflict and violence;

(C) the United States should support international efforts to coordinate assistance to refugees and internally displaced persons in Pakistan, including by providing support to international and nongovernmental organizations for this purpose;

(D) the Administrator of the United States Agency for International Development should support the development objectives of the Refugee Affected and Host Areas (RAHA) Initiative in Pakistan to address livelihoods, heath, education, infrastructure development, and environmental restoration in identified parts of the country where Afghan refugees have lived; and

(E) the Administrator of the United States Agency for International Development should evaluate the effectiveness of the livelihoods projects in the FATA in order to determine whether systems need to be put into place to improve programming in this key sector.

(8) SUPPORT FOR HEALTHCARE EFFORTS.—To provide urgently needed healthcare assistance to the people of Pakistan, including assistance to supplement the Government of Pakistan's efforts to eliminate diseases, including hepatitis, and to reduce the nation's high maternal and under-five mortality rates, including—

(A) support for repairing and building healthcare infrastructure, including purchase of equipment and training of health professionals, to ensure adequate access to healthcare for Pakistan's population, especially among its rural, poor, marginalized and disadvantaged segments; and

(B) promotion of efforts by the Government of Pakistan to reduce maternal mortality, including through the provision of maternal and newborn health services and development of community-based skilled birth attendants.

(9) SUPPORT FOR PUBLIC DIPLOMACY.—To implement a more effective public diplomacy strategy in Pakistan in order to ensure that the Pakistani public recognizes that it is in Pakistan's own interest to partner with the United States and other like-minded countries to combat militant extremism, as well as to promote a better understanding of the United States, including through the following:

(A) Partnering with the Government of Pakistan to highlight the negative behavior of insurgent groups and to encourage civil society, respected scholars, and other leaders to speak out against militancy and violence.

(B) Providing technical assistance to the Government of Pakistan to both disrupt and provide alternatives to the illegal FM radio stations used by insurgent groups in the FATA and adjacent districts of the NWFP.

(C) Expanded exchange activities under the Fulbright Program, the International Visitor Leadership Program, the Youth Exchange and Study Program, and related programs administered by the Department of State designed to promote mutual understanding and interfaith dialogue.

(D) Expansion of sister institution programs between United States and Pakistani schools and universities, towns and cities, and other organizations in such fields as medicine and healthcare, business management, environmental protection, information technology, and agriculture.

(E) Additional scholarships to enable students to study in the United States.

SEC. 103. MULTILATERAL SUPPORT FOR PAKISTAN.

To the extent that Pakistan continues to evolve toward civilian control of the government and to develop and implement comprehensive economic reform programs, the President should do the following:

(1) MULTILATERAL SUPPORT.—Take the lead in mobilizing international financial institutions, in particular the International Monetary Fund and affiliated institutions in the World Bank group, to provide timely and appropriate resources to help Pakistan.

(2) STABILIZATION ASSISTANCE.—In conjunction with other governments and international financial institutions (including the International Monetary Fund), support the implementation of a plan of the Government of Pakistan to attack structural economic problems, address pressing social problems, carry out comprehensive economic reform, and relieve immediate and urgent balance of payments requirements in Pakistan.

(3) CURRENCY STABILIZATION LOANS.—Provide leadership in supporting multilateral agreements to provide government-to-government loans for currency stabilization in Pakistan if the loans can reduce inflation and thereby foster conditions necessary for the effective implementation of economic reforms.

SEC. 104. PAKISTAN DEMOCRACY AND PROSPERITY FUND.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the ''Pakistan Democracy and Prosperity Fund'' (hereinafter in this section referred to as the ''Fund''), consisting of such amounts as may be appropriated or transferred to the Fund as provided in this section and which may be used for purposes of this title.

(b) TRANSFERS TO FUND.—The Fund shall consist of the following:

(1) Amounts appropriated to carry out this title.

(2) Amounts appropriated on or after the date of the enactment of this Act for ''Development Assistance'', ''Global Health and Child Survival'', and the ''Economic Support Fund'' for assistance for Pakistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) that are transferred by the President to the Fund pursuant to subsection (d).

(3) To the extent or in the amounts provided in advance in appropriations Acts, amounts accepted by the President under subsection (c) that are transferred by the President to the Fund pursuant to subsection (d).

(c) ACCEPTANCE OF AMOUNTS FROM OUTSIDE SOURCES.—The President may accept funds from non-United States Government sources, including foreign governments, nongovernmental organizations, private business entities, and private individuals, for purposes of carrying out this title.

(d) STATUS OF AVAILABILITY OF AMOUNTS IN FUND.—The President is authorized to transfer to the Fund amounts under paragraphs (2) and (3) of subsection (b). Such amounts shall be merged with and shall be available for any purpose for which any of the amounts so transferred are available.

(e) REPORT.—The President shall transmit to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until September 30, 2018, a report on programs, projects, and activities carried out using amounts obligated and expended from the Fund.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the President to carry out this title $1,500,000,000 for each of the fiscal years 2010 through 2013.

(b) AVAILABILITY.—Amounts authorized to be appropriated to carry out this title for a fiscal year are—

(1) authorized to remain available until September 30 of the succeeding fiscal year; and

(2) in addition to amounts otherwise available for such purposes.

(c) SENSE OF THE CONGRESS.—It is the sense of Congress that United States assistance provided under this title should be made available on a proportional and equitable basis between the FATA and other regions of Pakistan.

TITLE II—SECURITY ASSISTANCE FOR PAKISTAN

SEC. 201. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) United States security assistance for Pakistan should be used to improve relationships between United States military and Pakistani military personnel, including outreach to the ''lost generation'' of Pakistan's officers who did not attend United States-sponsored training as a result of restrictions placed on United States assistance for Pakistan due to Pakistan's possession of a nuclear device; and

(2) United States security assistance for Pakistan should be fully accountable, should be contingent on Pakistan ending support for terrorist groups, and should meet the national security needs of Pakistan.

SEC. 202. PURPOSES OF ASSISTANCE.

The purposes of assistance under this title are—

(1) to support Pakistan's paramount national security need to fight and win the ongoing counterinsurgency within its borders;

(2) to work with the Government of Pakistan to protect and secure Pakistan's borders and prevent any Pakistani territory from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere;

(3) to work in close cooperation with the Government of Pakistan to coordinate action against extremist and terrorist targets; and

(4) to develop knowledge of and appreciation for democratic governance and a military that is controlled by and responsible to democratically elected civilian leadership.

SEC. 203. AUTHORIZATION OF ASSISTANCE.

(a) INTERNATIONAL MILITARY EDUCATION AND TRAINING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated to carry out this title not less than $4,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2013 are authorized to be made available for assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training) for Pakistan, including expanded international military education and training (commonly known as ''E–IMET'').

(2) USE OF FUNDS.—Not less than 30 percent of the amount made available to carry out this subsection for a fiscal year may be used to pay for courses of study and training in counterinsurgency and civil-military relations.

(b) FOREIGN MILITARY FINANCING PROGRAM.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated to carry out this title, not less than $300,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2013 are authorized to be made available for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program) for the purchase of defense articles, defense services, and military education and training for Pakistan.

(2) USE OF FUNDS.—Not less than 75 percent of the amount made available to carry out this subsection for a fiscal year may be used for the purchase of defense articles, defense services, and military education and training for activities relating to counterinsurgency and counterterrorism operations in Pakistan. Such articles, services, and military education and training may include the following:

(A) Aviation maintenance and logistics support for United States-origin and United States-supported rotary wing aircraft and upgrades to such aircraft to include modern night vision and targeting capabilities.

(B) Intelligence, surveillance, and reconnaissance (ISR) ground and air manned and unmanned platforms, including sustainment.

(C) Command and control capabilities.

(D) Force protection and counter improvised explosive device capabilities, including protection of vehicles.

(E) Protective equipment, such as body armor and helmets, night vision goggles, and other individual equipment, including load-bearing equipment, individual and unit level first aid

equipment, ballistic eye protection, and cold weather equipment.

(F) Appropriate individual and unit level medical services and articles for the Pakistan Army, the Pakistan Frontier Corps, and other appropriate security forces.

(G) Assistance to enable the Pakistani military to distribute humanitarian assistance and establish a tactical civil-military operations capability, including a civil affairs directorate.

(3) RESTRICTION RELATING TO F–16 PROGRAM.—

(A) CONGRESSIONAL FINDING.—In accordance with the Letters of Offer and Acceptance signed between the United States and Pakistan in 2006, Congress finds that the Government of Pakistan is responsible for making the remaining payments on the 2006 sales relating to F–16 fighter aircraft and associated equipment with its own national funds, including the mid-life updates and munitions for such aircraft included in such Letters of Offer and Acceptance.

(B) RESTRICTION.—Subject to subparagraph (C), amounts authorized to be made available under this subsection for a fiscal year may not be used for the purchase of, or upgrade to, F–16 fighter aircraft or munitions for such aircraft.

(C) EXCEPTION.—Amounts authorized to be made available under this subsection for a fiscal year are authorized to be used for military construction pursuant to the security plan contained in the Letters of Offer and Acceptance signed between the United States and Pakistan in 2006.

(D) WAIVER.—The President may waive the restriction under subparagraph (B) with respect to amounts authorized to be made available under this subsection for a fiscal year, other than amounts authorized to be made available under paragraph (2) of this subsection, if the President certifies to the appropriate congressional committees not later than 15 days prior to exercising the authority of this subparagraph that the waiver is important to the national security interests of the United States.

(4) SECURITY ASSISTANCE PLAN.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a plan for the proposed use of amounts authorized to be made available under this subsection for each of the fiscal years 2010 through 2013. Such plan shall include an assessment of how the use of such amounts complements or otherwise is related to amounts described in section 204.

(5) ADDITIONAL AUTHORITY.—Except as provided in section 3(a)(2) of the Arms Export Control Act and except as otherwise provided in this title, amounts authorized to be made available to carry out paragraph (2) for fiscal years 2010 and 2011 are authorized to be made available notwithstanding any other provision of law.

(6) DEFINITIONS.—In this section, the terms ''defense articles'', ''defense services'', and ''military education and training'' have the meaning given such terms in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should facilitate Pakistan's establishment of a program to enable the Pakistani military to provide reconstruction assistance in areas damaged by combat operations.

SEC. 204. PAKISTAN COUNTERINSURGENCY CAPABILITY FUND.

(a) FOR FISCAL YEAR 2010.—

(1) IN GENERAL.—For fiscal year 2010, the Department of State's Pakistan Counterinsurgency Capability Fund, hereinafter in this section referred to as the ''Fund'', shall consist of the following:

(A) Amounts appropriated to carry out this subsection.

(B) Amounts otherwise available to the Secretary of State to carry out this subsection.

(2) PURPOSES OF FUND.—Amounts in the Fund made available to carry out this subsection for any fiscal year are authorized to be used by the Secretary of State, with the concurrence of the Secretary of Defense, to build and maintain the counterinsurgency capability of Pakistan under the same terms and conditions (except as otherwise provided in this subsection) that are applicable to amounts made available under the Fund for fiscal year 2009.

(3) TRANSFER AUTHORITY.—

(A) IN GENERAL.—The Secretary of State is authorized to transfer amounts in the Fund made available to carry out this subsection for any fiscal year to the Department of Defense's Pakistan Counterinsurgency Fund.

(B) TREATMENT OF TRANSFERRED FUNDS.—Subject to the requirements of paragraph (4), transfers from the Fund under the authority of subparagraph (A) shall be merged with and be available for the same purposes and for the same time period as amounts in the Department of Defense's Pakistan Counterinsurgency Fund.

(C) RELATION TO OTHER AUTHORITIES.—The authority to make transfers from the Fund under subparagraph (A) is in addition to any other transfer of funds authority of the Department of State. The authority to provide assistance under this subsection is in addition to any other authority to provide assistance to foreign countries.

(D) NOTIFICATION.—The Secretary of State shall, not less than 15 days prior to making transfers from the Fund under subparagraph (A), notify the appropriate congressional committees in writing of the details of any such transfer.

(4) RESTRICTION.—

(A) IN GENERAL.—Subject to subparagraph (B), amounts in the Fund made available to carry out this subsection for any fiscal year may not be used to purchase F–16 fighter aircraft, to purchase mid-life updates for such aircraft, or to make payments on the sales of F–16 fighter aircraft and associated equipment described in section 203(b)(3)(A).

(B) EXCEPTION.—Amounts in the Fund made available to carry out this subsection for any fiscal year are authorized to be used for military construction activities.

(C) WAIVER.—The President may waive the restriction under subparagraph (A) with respect to amounts described in subparagraph (A) if the President certifies to the appropriate congressional committees not later than 15 days prior to exercising the authority of this subparagraph that the waiver is important to the national security interests of the United States.

(5) AUTHORIZATION OF APPROPRIATIONS.—For fiscal year 2010, $300,000,000 is hereby authorized to be appropriated to carry out this subsection.

(b) SUBMISSION OF NOTIFICATIONS.—Any notification required by this section shall be submitted in classified form, but may include a unclassified annex if necessary.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

SEC. 205. EXCHANGE PROGRAM BETWEEN MILITARY AND CIVILIAN PERSONNEL OF PAKISTAN AND CERTAIN OTHER COUNTRIES.

(a) IN GENERAL.—The Secretary of State is authorized to establish an exchange program between—

(1) military and civilian personnel of Pakistan, and

(2)(A) military and civilian personnel of countries determined by the Secretary of State to be in transition to democracy, or

(B) military and civilian personnel of North Atlantic Treaty Organization member countries, in order to foster greater respect for and understanding of the principle of civilian rule of Pakistan's military. The program established under this subsection shall be known as the ''Pakistan Military Transition Program''.

(b) ELEMENTS OF PROGRAM.—The program authorized under subsection (a) may include—

(1) conferences, seminars, and other events;

(2) distribution of publications; and

(3) reimbursement of expenses of foreign military personnel participating in the program, including transportation expenses, translation services expenses, and administrative expenses relating to the program.

(c) ROLE OF NONGOVERNMENTAL ORGANIZATIONS.—Amounts authorized to be appropriated to carry out this title for a fiscal year are authorized to be made available for nongovernmental organizations to facilitate the implementation of the program authorized under subsection (a).

SEC. 206. LIMITATION ON UNITED STATES MILITARY ASSISTANCE TO PAKISTAN.

(a) PROHIBITION ON USE OF FUNDS.—None of the funds authorized to be appropriated for military assistance to Pakistan for fiscal year 2011 and each fiscal year thereafter may be obligated or expended if the President has not made the determinations described in subsection (b) for such fiscal year.

(b) DETERMINATIONS REGARDING ENHANCED COOPERATION BETWEEN THE UNITED STATES AND PAKISTAN.—The determinations referred to in subsection (a) are—

(1) a determination by the President at the beginning of each fiscal year that the Government of Pakistan is continuing to cooperate with the United States in efforts to dismantle supplier networks relating to the acquisition of nuclear weapons-related materials, including, as necessary, providing direct access to Pakistani nationals associated with such networks; and

(2) a determination by the President at the beginning of each fiscal year that the Government of Pakistan during the preceding fiscal year has demonstrated a sustained commitment to and making progress towards combating terrorist groups, including taking into account the progress the Government of Pakistan has made with regard to—

(A) ceasing support, including by any elements within the Pakistan military or its intelligence agency, to extremist and terrorist groups, particularly to any group that has conducted attacks against United States or coalition forces in Afghanistan, or against the territory or people of neighboring countries;

(B) closing terrorist camps in the FATA, dismantling terrorist bases of operations in other parts of the country, including Quetta and Muridke, and taking action when provided with intelligence about high-level terrorist targets;

(C) preventing cross-border attacks into neighboring countries; and

(D) strengthening counter-terrorism and anti-money laundering laws.

(c) WAIVER.—The President may waive the restriction under subsection (a) for any fiscal year if the President certifies to the appropriate congressional committees 15 days before the President exercises the authority of this subsection that the provision of military assistance to Pakistan is important to the national security interests of the United States.

(d) CONSULTATION AND WRITTEN JUSTIFICATION.—Not later than 5 days prior to making a determination described in subsection (b), the President shall consult with the appropriate congressional committees and, upon making such determination, shall submit to the appropriate congressional committees a written justification that specifies the basis upon which the President made such a determination, including an acknowledgment of the extent to which the Government of Pakistan has made progress with regard to subsection (b)(2). The justification shall be unclassified but may include a classified annex.

(e) GAO ANALYSIS AND REPORT.—Not later than 120 days after the President makes the determinations described in subsection (b), the

Comptroller General of the United States shall conduct an independent analysis of each of the determinations under subsection (b) and written justifications for such determinations under subsection (d) and shall submit to the appropriate congressional committees a report containing the results of the independent analysis.

(f) DEFINITIONS.—For purposes of this section—

(1) the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the term ''military assistance''—

(A) means assistance authorized under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program), including assistance authorized under section 203(b) of this Act and assistance authorized under part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.), other than assistance authorized under chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.); but

(B) does not include assistance authorized under any provision of law that is funded from accounts within budget function 050 (National Defense).

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the President to carry out this title, other than section 204, $400,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2013.

(b) RELATION TO OTHER AVAILABLE FUNDS.—Amounts authorized to be appropriated to carry out this title for a fiscal year are in addition to amounts otherwise available for such purposes.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. COMPREHENSIVE REGIONAL SECURITY STRATEGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the achievement of United States national security goals to eliminate terrorist threats and close safe havens in Pakistan requires the development of a comprehensive plan that utilizes all elements of national power, including in coordination and cooperation with other concerned governments, and that it is critical to Pakistan's long-term prosperity and security to strengthen regional relationships among India, Pakistan, and Afghanistan.

(b) COMPREHENSIVE REGIONAL SECURITY STRATEGY.—The President shall develop a comprehensive regional security strategy to eliminate terrorist threats and close safe havens in Pakistan, including by working with the Government of Pakistan and other relevant governments and organizations in the region and elsewhere, as appropriate, to best implement effective counterinsurgency and counterterrorism efforts in and near the border areas of Pakistan and Afghanistan, including the FATA, NWFP, parts of Balochistan, and parts of Punjab.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on the comprehensive regional security strategy required under subsection (b).

(2) CONTENTS.—The report shall include a copy of the comprehensive regional security strategy, including specifications of goals, and proposed timelines and budgets for implementation of the strategy.

(d) DEFINITION.—For purposes of this section, the term ''appropriate congressional committees'' means the Committees on Foreign Affairs and Armed Services of the House of Representatives and the Committees on Foreign Relations and Armed Services of the Senate.

SEC. 302. MONITORING AND EVALUATION OF ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) IMPACT EVALUATION RESEARCH.—The term ''impact evaluation research'' means the application of research methods and statistical analysis to measure the extent to which change in a population-based outcome can be attributed to program intervention instead of other environmental factors.

(2) OPERATIONS RESEARCH.—The term ''operations research'' means the application of social science research methods, statistical analysis, and other appropriate scientific methods to judge, compare, and improve policies and program outcomes, from the earliest stages of defining and designing programs through their development and implementation, with the objective of the rapid dissemination of conclusions and concrete impact on programming.

(3) PROGRAM MONITORING.—The term ''program monitoring'' means the collection, analysis, and use of routine program data to determine how well a program is carried out and how much the program costs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to successfully enhance democracy and the rule of law in Pakistan, defeat extremist elements, and ensure the protection of human rights, the President should establish a program to conduct impact evaluation research, operations research, and program monitoring to ensure effectiveness of assistance provided under title I of this Act;

(2) long-term solutions to Pakistan's security problems depend on increasing the effectiveness and responsiveness of civilian institutions in Pakistan, including the parliament and judicial system;

(3) a specific program of impact evaluation research, operations research, and program monitoring, established at the inception of the program, is required to permit assessment of the operational effectiveness of impact of United States assistance towards these goals; and

(4) the President, in developing performance measurement methods under the impact evaluation research, operations research, and program monitoring, should consult with the appropriate congressional committees as well as the Government of Pakistan.

(c) IMPACT EVALUATION RESEARCH, OPERATIONS RESEARCH AND PROGRAM MONITORING OF ASSISTANCE.—The President shall establish and implement a program to assess the effectiveness of assistance provided under title I of this Act through impact evaluation research on a selected set of programmatic interventions, operations research in areas to ensure efficiency and effectiveness of program implementation, and monitoring to ensure timely and transparent delivery of assistance.

(d) REQUIREMENTS.—The program required under subsection (c) shall include—

(1) a delineation of key impact evaluation research and operations research questions for main components of assistance provided under title I of this Act;

(2) an identification of measurable performance goals for each of the main components of assistance provided under title I of this Act to be expressed in an objective and quantifiable form at the inception of the program;

(3) the use of appropriate methods, based on rigorous social science tools, to measure program impact and operational efficiency; and

(4) adherence to a high standard of evidence in developing recommendations for adjustments to the assistance to enhance the impact of the assistance.

(e) ASSISTANCE TO ENHANCE THE CAPACITY OF PAKISTAN.—In carrying out the program required under subsection (c), the President is authorized to provide assistance to enhance the capacity of the Government of Pakistan to monitor and evaluate programs carried out by the national, provincial, and local governments in Pakistan in order to maximize the long-term sustainable development impact of such programs.

(f) CONSULTATION WITH CONGRESS.—Not later than 120 days after the date of the enactment of this Act, the President shall brief and consult with the appropriate congressional committees regarding the progress in establishing and implementing the program required under subsection (c).

(g) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 105 for each of the fiscal years 2010 through 2013, up to 5 percent of such amounts for such fiscal year is authorized to be made available to carry out this section for the fiscal year.

SEC. 303. AUDITING.

(a) ASSISTANCE AUTHORIZED.—The Inspector General of the Department of State and the Inspector General of the United States Agency for International Development shall audit, investigate, and oversee the obligation and expenditure of funds to carry out title I of this Act.

(b) REQUIREMENT FOR IN-COUNTRY PRESENCE.—The Inspector General of the Department of State and the Inspector General of the United States Agency for International Development, after consultation with the Secretary of State and the Administrator of the United States Agency for International Development, are authorized to establish field offices in Pakistan with sufficient staff from each of the Offices of the Inspector General in Pakistan respectively to carry out subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated under section 105 for each of the fiscal years 2010 through 2013, not less than $2,000,000 for each fiscal year is authorized to be made available to the Office of the Inspector General of the Department of State and not less than $2,000,000 for each fiscal year is authorized to be made available to the Office of the Inspector General of the United States Agency for International Development to carry out this section.

(2) RELATION TO OTHER AVAILABLE FUNDS.—Amounts made available under paragraph (1) are in addition to amounts otherwise available for such purposes.

SEC. 304. REQUIREMENTS FOR CIVILIAN CONTROL OF UNITED STATES ASSISTANCE FOR PAKISTAN.

(a) REQUIREMENTS.—Any direct assistance provided or payments made on or after January 1, 2010, by the United States to the Government of Pakistan, and any information required by the United States prior to providing the assistance or making the payments, may only be provided or made to, or received from, civilian authorities of a government of Pakistan constituted through a free and fair election. For purposes of this subsection, a government of Pakistan constituted through a free and fair election is a government that is determined by the President to have been elected in a free and fair manner, taking into account the laws and constitution of Pakistan and internationally recognized standards.

(b) WAIVER.—The President may waive—

(1) the requirements under subsection (a), or

(2) the requirements under any other provision of law that restricts assistance to the government of any country whose duly elected head of government is deposed by military coup or decree, as such provision of law applies with respect to the Government of Pakistan,

if the President certifies to the appropriate congressional committees that the waiver is important to the national security interests of the United States.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall apply with respect to any activities subject to reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

(d) DEFINITION.—In this section, the term ''appropriate congressional committees'' means

the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate.

SEC. 305. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Secretary of State, with the concurrence of the Secretary of Defense, should establish a coordinated, strategic communications strategy to engage the people of Pakistan—one that is fully funded, staffed, and implemented—to help ensure the success of the measures authorized by this Act; and

(2) the strategy should have clear and achievable objectives, based on available resources, and should be overseen by the United States Chief of Mission in Pakistan.

SEC. 306. REPORTS.

(a) REPORT BY PRESIDENT.—

(1) IN GENERAL.—The President shall transmit to the appropriate congressional committees a report on assistance provided under titles I and II of this Act during the preceding fiscal year. The first report shall be transmitted not later than 180 days after the date of the enactment of this Act and subsequent reports shall be transmitted not later than December 31 of each year thereafter.

(2) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(A) A detailed description of the assistance by program, project, and activity, as well as by geographic area.

(B) A general description of the performance goals established under section 302 and the progress made in meeting the goals.

(C) An evaluation of efforts undertaken by the Government of Pakistan to—

(i) disrupt, dismantle, and defeat al Qaeda, the Taliban, and other extremist and terrorist groups in the FATA and settled areas;

(ii) close terrorist camps, including those of Jamaat-ud-Dawa, Lashkar-e-Taiba, and Jaish-e-Mohammed;

(iii) cease all support for extremist and terrorist groups;

(iv) prevent cross-border attacks;

(v) increase oversight over curriculum in madrasas, including closing madrasas with direct links to the Taliban or other extremist and terrorist groups; and

(vi) improve counter-terrorism financing and anti-money laundering laws, apply for observer status for the Financial Action Task Force, and steps taken to adhere to the United Nations International Convention for the Suppression of Financing of Terrorism.

(D) A detailed description of Pakistan's efforts to prevent proliferation of nuclear-related material and expertise.

(E) An assessment of whether assistance provided to Pakistan pursuant to this Act has directly or indirectly aided the expansion of Pakistan's nuclear weapons program, whether by the diversion of United States assistance or the reallocation of Pakistan financial resources that would otherwise be spent for programs and activities unrelated to its nuclear weapons program.

(F) A description of the transfer or purchase of military equipment pursuant to title II of this Act, including—

(i) a list of equipment provided; and

(ii) a detailed description of the extent to which funds obligated and expended pursuant to section 203(b) meet the requirements of such section.

(G) An analysis of a suitable replacement for the AH–1F and AH–1S Cobra attack helicopters, which includes recommendations for sustainment, training, and any other matters determined to be appropriate.

(H) An assessment of the extent to which the Government of Pakistan exercises effective civilian control of the military, including a description of the extent to which civilian executive leaders and parliament exercise oversight and approval of military budgets, the chain of command, the process of promotion for senior military leaders, civilian involvement in strategic guidance and planning, and military involvement in civil administration.

(b) REPORT BY COMPTROLLER GENERAL.—

(1) IN GENERAL.—Not later than April 1, 2011, the Comptroller General of the United States shall submit to the appropriate congressional committees a report evaluating the effectiveness of security assistance provided to Pakistan under title II of this Act during fiscal years 2010 and 2011.

(2) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(A) A detailed description of the expenditures made by Pakistan pursuant to grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program).

(B) An assessment of the impact of the assistance on the security and stability of Pakistan.

(C) An evaluation of any issues of financial impropriety on behalf of personnel implementing the assistance.

(D) An assessment of the extent to which civilian authorities are involved in administration of the assistance provided by the United States.

SEC. 307. SUNSET.

The authority of this Act, other than section 104 and title IV of this Act, shall expire after September 30, 2013.

TITLE IV—DUTY-FREE TREATMENT FOR CERTAIN GOODS FROM RECONSTRUCTION OPPORTUNITY ZONES IN AFGHANISTAN AND PAKISTAN

SEC. 401. SHORT TITLE.

This title may be cited as the ''Afghanistan-Pakistan Security and Prosperity Enhancement Act''.

SEC. 402. DEFINITIONS; PURPOSES.

(a) DEFINITIONS.—In this title:

(1) AGREEMENT ON TEXTILES AND CLOTHING.—The term ''Agreement on Textiles and Clothing'' means the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)).

(2) CATEGORY; TEXTILE AND APPAREL CATEGORY NUMBER.—The terms ''category'' and ''textile and apparel category number'' mean the number assigned under the U.S. Textile and Apparel Category System of the Office of Textiles and Apparel of the Department of Commerce, as listed in the HTS under the applicable heading or subheading (as in effect on September 1, 2007).

(3) CORE LABOR STANDARDS.—The term ''core labor standards'' means—

(A) freedom of association;

(B) the effective recognition of the right to bargain collectively;

(C) the elimination of all forms of compulsory or forced labor;

(D) the effective abolition of child labor and a prohibition on the worst forms of child labor; and

(E) the elimination of discrimination in respect of employment and occupation.

(4) ENTERED.—The term ''entered'' means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(5) ENTITY.—The term ''entity'' means—

(A) a natural person, corporation, company, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, whether or not for profit;

(B) any governmental entity or instrumentality of a government; and

(C) any successor, subunit, or subsidiary of any entity described in subparagraph (A) or (B).

(6) HTS.—The term ''HTS'' means the Harmonized Tariff Schedule of the United States.

(7) NAFTA.—The term ''NAFTA'' means the North American Free Trade Agreement concluded between the United States, Mexico, and Canada on December 17, 1992.

(8) RECONSTRUCTION OPPORTUNITY ZONE.—The term ''Reconstruction Opportunity Zone'' means any area that—

(A) solely encompasses portions of the territory of—

(i) Afghanistan; or

(ii) 1 or more of the following areas of Pakistan:

(I) the Federally Administered Tribal Areas;

(II) areas of Pakistan-administered Kashmir that the President determines were harmed by the earthquake of October 8, 2005;

(III) areas of Baluchistan that are within 100 miles of Pakistan's border with Afghanistan; and

(IV) the North West Frontier Province;

(B) has been designated by the competent authorities in Afghanistan or Pakistan, as the case may be, as an area in which merchandise may be introduced without payment of duty or excise tax; and

(C) has been designated by the President as a Reconstruction Opportunity Zone pursuant to section 403(a).

(b) PURPOSES.—The purposes of this title are—

(1) to stimulate economic activity and development in Afghanistan and the border region of Pakistan, critical fronts in the struggle against violent extremism;

(2) to reflect the strong support that the United States has pledged to Afghanistan and Pakistan for their sustained commitment in the global war on terrorism;

(3) to support the 3-pronged United States strategy in Afghanistan and the border region of Pakistan that leverages political, military, and economic tools, with Reconstruction Opportunity Zones as a critical part of the economic component of that strategy; and

(4) to offer a vital opportunity to improve livelihoods of indigenous populations of Reconstruction Opportunity Zones, promote good governance, improve economic and commercial ties between the people of Afghanistan and Pakistan, and strengthen the Governments of Afghanistan and Pakistan.

SEC. 403. DESIGNATION OF RECONSTRUCTION OPPORTUNITY ZONES.

(a) AUTHORITY TO DESIGNATE.—The President is authorized to designate an area within Afghanistan or Pakistan described in section 402(a)(8) (A) and (B) as a Reconstruction Opportunity Zone if the President determines that—

(1) Afghanistan or Pakistan, as the case may be, meets the eligibility criteria set forth in subsection (b);

(2) Afghanistan or Pakistan, as the case may be, meets the eligibility criteria set forth in subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462(c)) for designation as a beneficiary developing country under that section and is not ineligible under subsection (b) of such section; and

(3) designation of the area as a Reconstruction Opportunity Zone is appropriate taking into account the factors listed in subsection (c).

(b) ELIGIBILITY CRITERIA.—Afghanistan or Pakistan, as the case may be, meets the eligibility criteria set forth in this subsection if that country—

(1) has established, or is making continual progress toward establishing—

(A) a market-based economy that protects private property rights, incorporates an open rules-based trading system, and minimizes government interference in the economy through measures such as price controls, subsidies, and government ownership of economic assets;

(B) the rule of law, political pluralism, and the right to due process, a fair trial, and equal protection under the law;

(C) economic policies to—

(i) reduce poverty;

(ii) increase the availability of health care and educational opportunities;

(iii) expand physical infrastructure;

(iv) promote the development of private enterprise; and

(v) encourage the formation of capital markets through microcredit or other programs;

(D) a system to combat corruption and bribery, such as ratifying and implementing the United Nations Convention Against Corruption; and

(E) protection of core labor standards and acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety;

(2) is eliminating or has eliminated barriers to trade and investment, including by—

(A) providing national treatment and measures to create an environment conducive to domestic and foreign investment;

(B) protecting intellectual property; and

(C) resolving bilateral trade and investment disputes;

(3) does not engage in activities that undermine United States national security or foreign policy interests;

(4) does not engage in gross violations of internationally recognized human rights;

(5) does not provide support for acts of international terrorism; and

(6) cooperates in international efforts to eliminate human rights violations and terrorist activities.

(c) ADDITIONAL FACTORS.—In determining whether to designate an area in Afghanistan or Pakistan as a Reconstruction Opportunity Zone, the President shall take into account—

(1) an expression by the government of the country of its desire to have a particular area designated as a Reconstruction Opportunity Zone under this title;

(2) the capability of the country to establish a program in the area meeting the requirements of section 407(d)(3) based on assessments undertaken by the Secretary of Labor and the government of the country of such factors as—

(A) the geographical suitability of the area for such a program;

(B) the nature of the labor market in the area;

(C) skills requirements and infrastructure needs for operation of such a program in the area; and

(D) all other relevant information;

(3) whether the government of the country has provided the United States with a monitoring and enforcement plan outlining specific steps the country will take to cooperate with the United States to—

(A) facilitate legitimate cross-border commerce;

(B) ensure that articles for which duty-free treatment is sought pursuant to this title satisfy the applicable rules of origin described in section 404 (c) and (d) or section 405 (c) and (d), whichever is applicable; and

(C) prevent unlawful transshipment, as described in section 406(b)(4);

(4) the potential for such designation to create local employment and to promote local and regional economic development;

(5) the physical security of the proposed Reconstruction Opportunity Zone;

(6) the economic viability of the proposed Reconstruction Opportunity Zone, including—

(A) whether there are commitments to finance economic activity proposed for the Reconstruction Opportunity Zone; and

(B) whether there is existing or planned infrastructure for power, water, transportation, and communications in the area;

(7) whether such designation would be compatible with and contribute to the foreign policy and national security objectives of the United States, taking into account the information provided under subsection (d); and

(8) the views of interested persons submitted pursuant to subsection (e).

(d) INFORMATION RELATING TO COMPATIBILITY WITH AND CONTRIBUTION TO FOREIGN POLICY AND NATIONAL SECURITY OBJECTIVES OF THE UNITED STATES.—In determining whether designation of a Reconstruction Opportunity Zone would be compatible with and contribute to the foreign policy and national security objectives of the United States in accordance with subsection (c)(7), the President shall take into account whether Afghanistan or Pakistan, as the case may be, has provided the United States with a plan outlining specific steps it will take to verify the ownership and nature of the activities of entities to be located in the proposed Reconstruction Opportunity Zone. The specific steps outlined in a country's plan shall include a mechanism to annually register each entity by a competent authority of the country and—

(1) to collect from each entity operating in, or proposing to operate in, a Reconstruction Opportunity Zone, information including—

(A) the name and address of the entity;

(B) the name and location of all facilities owned or operated by the entity that are operating in or proposed to be operating in a Reconstruction Opportunity Zone;

(C) the name, nationality, date and place of birth, and position title of each person who is an owner, director, or officer of the entity; and

(D) the nature of the activities of each entity;

(2) to update the information required under paragraph (1) as changes occur; and

(3) to provide such information promptly to the Secretary of State.

(e) OPPORTUNITY FOR PUBLIC COMMENT.—Before the President designates an area as a Reconstruction Opportunity Zone pursuant to subsection (a), the President shall afford an opportunity for interested persons to submit their views concerning the designation.

(f) NOTIFICATION TO CONGRESS.—Before the President designates an area as a Reconstruction Opportunity Zone pursuant to subsection (a), the President shall notify Congress of the President's intention to make the designation, together with the reasons for making the designation.

SEC. 404. DUTY-FREE TREATMENT FOR CERTAIN NONTEXTILE AND NONAPPAREL ARTICLES.

(a) IN GENERAL.—The President is authorized to proclaim duty-free treatment for—

(1) any article from a Reconstruction Opportunity Zone that the President has designated as an eligible article under section 503(a)(1)(A) of the Trade Act of 1974 (19 U.S.C. 2463(a)(1)(A));

(2) any article from a Reconstruction Opportunity Zone located in Afghanistan that the President has designated as an eligible article under section 503(a)(1)(B) of the Trade Act of 1974 (19 U.S.C. 2463(a)(1)(B)); or

(3) any article from a Reconstruction Opportunity Zone that is not a textile or apparel article, regardless of whether the article has been designated as an eligible article under section 503(a)(1)(A) or (B) of the Trade Act of 1974 (19 U.S.C. 2463(a)(1) (A) or (B)), if, after receiving the advice of the International Trade Commission pursuant to subsection (b), the President determines that such article is not import-sensitive in the context of imports from a Reconstruction Opportunity Zone.

(b) ADVICE CONCERNING CERTAIN ELIGIBLE ARTICLES.—Before proclaiming duty-free treatment for an article pursuant to subsection (a)(3), the President shall publish in the Federal Register and provide the International Trade Commission a list of articles which may be considered for such treatment. The provisions of sections 131 through 134 of the Trade Act of 1974 (19 U.S.C. 2151 through 2154) shall apply to any designation under subsection (a)(3) in the same manner as such sections apply to action taken under section 123 of the Trade Act of 1974 (19 U.S.C. 2133) regarding a proposed trade agreement.

(c) GENERAL RULES OF ORIGIN.—

(1) IN GENERAL.—The duty-free treatment proclaimed with respect to an article described in paragraph (1) or (3) of subsection (a) shall apply to any article subject to such proclamation which is the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones if—

(A) that article is imported directly from a Reconstruction Opportunity Zone into the customs territory of the United States; and

(B)(i) with respect to an article that is an article of a Reconstruction Opportunity Zone in Pakistan, the sum of—

(I) the cost or value of the materials produced in 1 or more Reconstruction Opportunity Zones in Pakistan or Afghanistan,

(II) the direct costs of processing operations performed in 1 or more Reconstruction Opportunity Zones in Pakistan or Afghanistan, and

(III) the cost or value of materials produced in the United States, determined in accordance with paragraph (2),

is not less than 35 percent of the appraised value of the article at the time it is entered into the United States; or

(ii) with respect to an article that is an article of a Reconstruction Opportunity Zone in Afghanistan, the sum of—

(I) the cost or value of the materials produced in 1 or more Reconstruction Opportunity Zones in Pakistan or Afghanistan,

(II) the cost or value of the materials produced in 1 or more countries that are members of the South Asian Association for Regional Cooperation,

(III) the direct costs of processing operations performed in 1 or more Reconstruction Opportunity Zones in Pakistan or Afghanistan, and

(IV) the cost or value of materials produced in the United States, determined in accordance with paragraph (2),

is not less than 35 percent of the appraised value of the article at the time it is entered into the United States.

(2) DETERMINATION OF 35 PERCENT FOR ARTICLES FROM RECONSTRUCTION OPPORTUNITY ZONES IN PAKISTAN AND AFGHANISTAN.—If the cost or value of materials produced in the customs territory of the United States is included with respect to an article described in paragraph (1)(B), for purposes of determining the 35-percent appraised value requirement under clause (i) or (ii) of paragraph (1)(B), not more than 15 percent of the appraised value of the article at the time the article is entered into the United States may be attributable to the cost or value of such United States materials.

(d) RULES OF ORIGIN FOR CERTAIN ARTICLES OF RECONSTRUCTION OPPORTUNITY ZONES IN AFGHANISTAN.—

(1) IN GENERAL.—The duty-free treatment proclaimed with respect to an article described in paragraph (2) of subsection (a) shall apply to any article subject to such proclamation which is the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones in Afghanistan if—

(A) that article is imported directly from a Reconstruction Opportunity Zone in Afghanistan into the customs territory of the United States; and

(B) with respect to that article, the sum of—

(i) the cost or value of the materials produced in 1 or more Reconstruction Opportunity Zones in Afghanistan,

(ii) the cost or value of the materials produced in 1 or more countries that are members of the South Asian Association for Regional Cooperation,

(iii) the direct costs of processing operations performed in 1 or more Reconstruction Opportunity Zones in Afghanistan, and

(iv) the cost or value of materials produced in the United States, determined in accordance with paragraph (2),

is not less than 35 percent of the appraised value of the product at the time it is entered into the United States.

(2) DETERMINATION OF 35 PERCENT FOR ARTICLES FROM RECONSTRUCTION OPPORTUNITY

ZONES IN PAKISTAN AND AFGHANISTAN.—If the cost or value of materials produced in the customs territory of the United States is included with respect to an article described in paragraph (1)(B), for purposes of determining the 35-percent appraised value requirement under paragraph (1)(B), not more than 15 percent of the appraised value of the article at the time the article is entered into the United States may be attributable to the cost or value of such United States materials.

(e) EXCLUSIONS.—An article shall not be treated as the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones, and no material shall be included for purposes of determining the 35-percent appraised value requirement under subsection (c)(1) or (d)(1), by virtue of having merely undergone—

(1) simple combining or packaging operations; or

(2) mere dilution with water or with another substance that does not materially alter the characteristics of the article or material.

(f) DIRECT COSTS OF PROCESSING OPERATIONS.—

(1) IN GENERAL.—As used in subsections (c)(1)(B)(i)(II), (c)(1)(B)(ii)(III), and (d)(1)(B)(iii), the term ''direct costs of processing operations'' includes, but is not limited to—

(A) all actual labor costs involved in the growth, production, manufacture, or assembly of the article, including—

(i) fringe benefits;

(ii) on-the-job training; and

(iii) costs of engineering, supervisory, quality control, and similar personnel; and

(B) dies, molds, tooling, and depreciation on machinery and equipment which are allocable to the article.

(2) EXCLUDED COSTS.—As used in subsections (c)(1)(B)(i)(II), (c)(1)(B)(ii)(III), and (d)(1)(B)(iii), the term ''direct costs of processing operations'' does not include costs which are not directly attributable to the article or are not costs of manufacturing the article, such as—

(A) profit; and

(B) general expenses of doing business which are either not allocable to the article or are not related to the growth, production, manufacture, or assembly of the article, such as administrative salaries, casualty and liability insurance, advertising, and salesmen's salaries, commissions, or expenses.

(g) REGULATIONS.—The Secretary of the Treasury, after consultation with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this section. The regulations may provide that, in order for an article to be eligible for duty-free treatment under this section, the article—

(1) shall be wholly the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones; or

(2) shall be a new or different article of commerce which has been grown, produced, or manufactured in 1 or more Reconstruction Opportunity Zones.

SEC. 405. DUTY-FREE TREATMENT FOR CERTAIN TEXTILE AND APPAREL ARTICLES.

(a) DUTY-FREE TREATMENT.—The President is authorized to proclaim duty-free treatment for any textile or apparel article described in subsection (b), if—

(1) the article is a covered article described in subsection (b); and

(2) the President determines that the country in which the Reconstruction Opportunity Zone is located has satisfied the requirements set forth in section 406.

(b) COVERED ARTICLES.—A covered article described in this subsection is an article in 1 of the following categories:

(1) ARTICLES OF RECONSTRUCTION OPPORTUNITY ZONES.—An article that is the product of 1 or more Reconstruction Opportunity Zones and falls within the scope of 1 of the following textile and apparel category numbers, as set forth in the HTS (as in effect on September 1, 2007):

237	641	751
330	642	752
331	643	758
333	644	759
334	650	831
335	651	832
336	653	833
341	654	834
342	665	835
350	669	836
351	733	838
353	734	839
354	735	840
360	736	842
361	738	843
362	739	844
363	740	845
369	741	846
465	742	850
469	743	851
630	744	852
631	745	858
633	746	859
634	747	863
635	748	899
636	750	

(2) ARTICLES OF RECONSTRUCTION OPPORTUNITY ZONES IN AFGHANISTAN.—The article is the product of 1 or more Reconstruction Opportunity Zones in Afghanistan and falls within the scope of 1 of the following textile and apparel category numbers, as set forth in the HTS (as in effect on September 1, 2007):

201	439	459
414	440	464
431	442	670
433	444	800
434	445	810
435	446	870
436	448	871
438		

(3) CERTAIN OTHER TEXTILE AND APPAREL ARTICLES.—The article is the product of 1 or more Reconstruction Opportunity Zones and falls within the scope of 1 of the following textile and apparel category numbers as set forth in the HTS (as in effect on September 1, 2007) and is covered by the corresponding description for such category:

(A) CATEGORY 239.—An article in category 239 (relating to cotton and man-made fiber babies' garments) except for baby socks and baby booties described in subheading 6111.20.6050, 6111.30.5050, or 6111.90.5050 of the HTS.

(B) CATEGORY 338.—An article in category 338 (relating to men's and boys' cotton knit shirts) if the article is a certain knit-to-shape garment that meets the definition included in Statistical Note 6 to Chapter 61 of the HTS, and is provided for in subheading 6110.20.1026, 6110.20.2067 or 6110.90.9067 of the HTS.

(C) CATEGORY 339.—An article in category 339 (relating to women's and girls' cotton knit shirts and blouses) if the article is a knit-to-shape garment that meets the definition included in Statistical Note 6 to Chapter 61 of the HTS, and is provided for in subheading 6110.20.1031, 6110.20.2077, or 6110.90.9071 of the HTS.

(D) CATEGORY 359.—An article in category 359 (relating to other cotton apparel) except swimwear provided for in subheading 6112.39.0010, 6112.49.0010, 6211.11.8010, 6211.11.8020, 6211.12.8010, or 6211.12.8020 of the HTS.

(E) CATEGORY 632.—An article in category 632 (relating to man-made fiber hosiery) if the article is panty hose provided for in subheading 6115.21.0020 of the HTS.

(F) CATEGORY 638.—An article in category 638 (relating to men's and boys' man-made fiber knit shirts) if the article is a knit-to-shape garment that meets the definition included in Statistical Note 6 to Chapter 61 of the HTS, and is provided for in subheading 6110.30.2051, 6110.30.3051, or 6110.90.9079 of the HTS.

(G) CATEGORY 639.—An article in category 639 (relating to women's and girls' man-made fiber knit shirts and blouses) if the article is a knit-to-shape garment that meets the definition included in Statistical Note 6 to Chapter 61 of the HTS, and is provided for in subheading 6110.30.2061, 6110.30.3057, or 6110.90.9081 of the HTS.

(H) CATEGORY 647.—An article in category 647 (relating to men's and boys' man-made fiber trousers) if the article is ski/snowboard pants that meets the definition included in Statistical Note 4 to Chapter 62 of the HTS, and is provided for in subheading 6203.43.3510, 6210.40.5031, or 6211.20.1525 of the HTS.

(I) CATEGORY 648.—An article in category 648 (relating to women's and girls' man-made fiber trousers) if the article is ski/snowboard pants that meets the definition included in Statistical Note 4 to Chapter 62 of the HTS, and is provided for in subheading 6204.63.3010, 6210.50.5031, or 6211.20.1555 of the HTS.

(J) CATEGORY 659.—An article in category 659 (relating to other man-made fiber apparel) except for swimwear provided for in subheading 6112.31.0010, 6112.31.0020, 6112.41.0010, 6112.41.0020, 6112.41.0030, 6112.41.0040, 6211.11.1010, 6211.11.1020, 6211.12.1010, or 6211.12.1020 of the HTS.

(K) CATEGORY 666.—An article in category 666 (relating to other man-made fiber furnishings) except for window shades and window blinds provided for in subheading 6303.12.0010 or 6303.92.2030 of the HTS.

(4) CERTAIN OTHER ARTICLES.—The article is the product of 1 or more Reconstruction Opportunity Zones and falls within the scope of 1 of the following statistical reporting numbers of the HTS (as in effect on September 1, 2007):

4202.12.8010	6210.20.3000	6304.99.1000
4202.12.8050	6210.20.7000	6304.99.2500
4202.22.4010	6210.30.3000	6304.99.4000
4202.22.7000	6210.30.7000	6304.99.6030
4202.22.8070	6210.40.3000	6306.22.9010
4202.92.3010	6210.40.7000	6306.29.1100
4202.92.6010	6210.50.3000	6306.29.2100
4202.92.9010	6210.50.7000	6306.40.4100
4202.92.9015	6211.20.0810	6306.40.4900
5601.29.0010	6211.20.0820	6306.91.0000
5702.39.2090	6211.32.0003	6306.99.0000
5702.49.2000	6211.33.0003	6307.10.2030
5702.50.5900	6211.42.0003	6307.20.0000
5702.99.2000	6211.43.0003	6307.90.7200
5703.90.0000	6212.10.3000	6307.90.7500
5705.00.2090	6212.10.7000	6307.90.8500
6108.22.1000	6212.90.0050	6307.90.8950
6111.90.7000	6213.90.0500	6307.90.8985
6113.00.1005	6214.10.1000	6310.90.1000
6113.00.1010	6216.00.0800	6406.99.1580
6113.00.1012	6216.00.1300	6501.00.6000
6115.29.4000	6216.00.1900	6502.00.2000
6115.30.1000	6216.00.2600	6502.00.4000
6115.99.4000	6216.00.3100	6502.00.9060
6116.10.0800	6216.00.3500	6504.00.3000
6116.10.1300	6216.00.4600	6504.00.6000
6116.10.4400	6217.10.1010	6504.00.9045
6116.10.6500	6217.10.8500	6504.00.9075
6116.10.9500	6301.90.0020	6505.10.0000
6116.92.0800	6302.29.0010	6505.90.8015
6116.93.0800	6302.39.0020	6505.90.9050
6116.99.3500	6302.59.3010	6505.90.9076
6117.10.4000	6302.99.1000	9404.90.2000
6117.80.3010	6303.99.0030	9404.90.8523
6117.80.8500	6304.19.3030	9404.90.9523
6210.10.2000	6304.91.0060	9404.90.9570
6210.10.7000		

(c) RULES OF ORIGIN FOR CERTAIN COVERED ARTICLES.—

(1) GENERAL RULES.—Except with respect to an article listed in paragraph (2) of subsection (b), duty-free treatment may be proclaimed for an article listed in subsection (b) only if the article is imported directly into the customs territory of the United States from a Reconstruction Opportunity Zone and—

(A) the article is wholly the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones;

(B) the article is a yarn, thread, twine, cordage, rope, cable, or braiding, and—

(i) the constituent staple fibers are spun in, or

(ii) the continuous filament fiber is extruded in,

1 or more Reconstruction Opportunity Zones;

(C) the article is a fabric, including a fabric classifiable under chapter 59 of the HTS, and the constituent fibers, filaments, or yarns are woven, knitted, needled, tufted, felted, entangled, or transformed by any other fabric-making process in 1 or more Reconstruction Opportunity Zones; or

(D) the article is any other textile or apparel article that is cut (or knit-to-shape) and sewn or otherwise assembled in 1 or more Reconstruction Opportunity Zones from its component pieces.

(2) SPECIAL RULES.—

(A) CERTAIN MADE-UP ARTICLES, TEXTILE ARTICLES IN THE PIECE, AND CERTAIN OTHER TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, subparagraph (A), (B), or (C) of paragraph (1), as appropriate, shall determine whether a good that is classifiable under 1 of the following headings or subheadings of the HTS shall be considered to meet the rules of origin of this subsection: 5609, 5807, 5811, 6209.20.50.40, 6213, 6214, 6301, 6302, 6303, 6304, 6305, 6306, 6307.10, 6307.90, 6308, and 9404.90.

(B) CERTAIN KNIT-TO-SHAPE TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, a textile or apparel article that is wholly formed on seamless knitting machines or by hand-knitting in 1 or more Reconstruction Opportunity Zones shall be considered to meet the rules of origin of this subsection.

(C) CERTAIN DYED AND PRINTED TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D), an article classifiable under subheading 6117.10, 6213.00, 6214.00, 6302.22, 6302.29, 6302.52, 6302.53, 6302.59, 6302.92, 6302.93, 6302.99, 6303.92, 6303.99, 6304.19, 6304.93, 6304.99, 9404.90.85, or 9404.90.95 of the HTS, except for an article classifiable under 1 of such subheadings as of cotton or of wool or consisting of fiber blends containing 16 percent or more by weight of cotton, shall be considered to meet the rules of origin of this subsection if the fabric in the article is both dyed and printed in 1 or more Reconstruction Opportunity Zones, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(D) FABRICS OF SILK, COTTON, MAN-MADE FIBER, OR VEGETABLE FIBER.—Notwithstanding paragraph (1)(C), a fabric classifiable under the HTS as of silk, cotton, man-made fiber, or vegetable fiber shall be considered to meet the rules of origin of this subsection if the fabric is both dyed and printed in 1 or more Reconstruction Opportunity Zones, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(d) RULES OF ORIGIN FOR COVERED ARTICLES THAT ARE PRODUCTS OF 1 OR MORE RECONSTRUCTION OPPORTUNITY ZONES IN AFGHANISTAN.—

(1) GENERAL RULES.—Duty-free treatment may be proclaimed for an article listed in paragraph (2) of subsection (b) only if the article is imported directly into the customs territory of the United States from a Reconstruction Opportunity Zone in Afghanistan and—

(A) the article is wholly the growth, product, or manufacture of 1 or more Reconstruction Opportunity Zones in Afghanistan,

(B) the article is a yarn, thread, twine, cordage, rope, cable, or braiding, and—

(i) the constituent staple fibers are spun in, or

(ii) the continuous filament fiber is extruded in,

1 or more Reconstruction Opportunity Zones in Afghanistan;

(C) the article is a fabric, including a fabric classifiable under chapter 59 of the HTS, and the constituent fibers, filaments, or yarns are woven, knitted, needled, tufted, felted, entangled, or transformed by any other fabric-making process in 1 or more Reconstruction Opportunity Zones in Afghanistan; or

(D) the article is any other textile or apparel article that is cut (or knit-to-shape) and sewn or otherwise assembled in 1 or more Reconstruction Opportunity Zones in Afghanistan from its component pieces.

(2) SPECIAL RULES.—

(A) CERTAIN MADE-UP ARTICLES, TEXTILE ARTICLES IN THE PIECE, AND CERTAIN OTHER TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, subparagraph (A), (B), or (C) of paragraph (1), as appropriate, shall determine whether a good that is classifiable under 1 of the following headings or subheadings of the HTS shall be considered to meet the rules of origin of this subsection: 5609, 5807, 5811, 6209.20.50.40, 6213, 6214, 6301, 6302, 6303, 6304, 6305, 6306, 6307.10, 6307.90, 6308, and 9404.90.

(B) CERTAIN KNIT-TO-SHAPE TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D) and except as provided in subparagraphs (C) and (D) of this paragraph, a textile or apparel article that is wholly formed on seamless knitting machines or by hand-knitting in 1 or more Reconstruction Opportunity Zones in Afghanistan shall be considered to meet the rules of origin of this subsection.

(C) CERTAIN DYED AND PRINTED TEXTILES AND TEXTILE ARTICLES.—Notwithstanding paragraph (1)(D), an article classifiable under subheading 6117.10, 6213.00, 6214.00, 6302.22, 6302.29, 6302.52, 6302.53, 6302.59, 6302.92, 6302.93, 6302.99, 6303.92, 6303.99, 6304.19, 6304.93, 6304.99, 9404.90.85, or 9404.90.95 of the HTS, except for an article classifiable under 1 of such subheadings as of cotton or of wool or consisting of fiber blends containing 16 percent or more by weight of cotton, shall be considered to meet the rules of origin of this subsection if the fabric in the article is both dyed and printed in 1 or more Reconstruction Opportunity Zones in Afghanistan, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(D) FABRICS OF SILK, COTTON, MAN-MADE FIBER OR VEGETABLE FIBER.—Notwithstanding paragraph (1)(C), a fabric classifiable under the HTS as of silk, cotton, man-made fiber, or vegetable fiber shall be considered to meet the rules of origin of this subsection if the fabric is both dyed and printed in 1 or more Reconstruction Opportunity Zones in Afghanistan, and such dyeing and printing is accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

(e) REGULATIONS.—The Secretary of the Treasury, after consultation with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this section.

SEC. 406. PROTECTIONS AGAINST UNLAWFUL TRANSSHIPMENT.

(a) DUTY-FREE TREATMENT CONDITIONED ON ENFORCEMENT MEASURES.—

(1) IN GENERAL.—The duty-free treatment described in section 405 shall not be provided to covered articles that are imported from a Reconstruction Opportunity Zone in a country unless the President determines that country meets the following criteria:

(A) The country has adopted—

(i) an effective visa or electronic certification system; and

(ii) domestic laws and enforcement procedures applicable to covered articles to prevent unlawful transshipment of the articles and the use of false documents relating to the importation of the articles into the United States.

(B) The country has enacted legislation or promulgated regulations that would permit U.S. Customs and Border Protection verification teams to have the access necessary to investigate thoroughly allegations of unlawful transshipment through such country.

(C) The country agrees to provide U.S. Customs and Border Protection with a monthly report on shipments of covered articles from each producer of those articles in a Reconstruction Opportunity Zone in that country.

(D) The country will cooperate fully with the United States to address and take action necessary to prevent circumvention, as described in Article 5 of the Agreement on Textiles and Clothing.

(E) The country agrees to require each producer of a covered article in a Reconstruction Opportunity Zone in that country to register with the competent government authority, to provide that authority with the following information, and to update that information as changes occur:

(i) The name and address of the producer, including the location of all textile or apparel facilities owned or operated by that producer in Afghanistan or Pakistan.

(ii) The telephone number, facsimile number, and electronic mail address of the producer.

(iii) The names and nationalities of the producer's owners, directors, and corporate officers, and their positions.

(iv) The number of employees the producer employs and their occupations.

(v) A general description of the covered articles of the producer and the producer's production capacity.

(vi) The number and type of machines the producer uses to produce textile or apparel articles at each facility.

(vii) The approximate number of hours the machines operate per week.

(viii) The identity of any supplier to the producer of textile or apparel goods, or fabrics, yarns, or fibers used in the production of textile or apparel goods.

(ix) The name of, and contact information for, each of the producer's customers in the United States.

(F) The country agrees to provide to U.S. Customs and Border Protection on a timely basis all of the information received by the competent government authority in accordance with subparagraph (E) and to provide U.S. Customs and Border Protection with an annual update of that information.

(G) The country agrees to require that all producers and exporters of covered articles in a Reconstruction Opportunity Zone in that country maintain complete records of the production and the export of covered articles, including materials used in the production, for at least 5 years after the production or export (as the case may be).

(H) The country agrees to provide, on a timely basis, at the request of U.S. Customs and Border Protection, documentation establishing the eligibility of covered articles for duty-free treatment under section 405.

(2) DOCUMENTATION ESTABLISHING ELIGIBILITY OF ARTICLES FOR DUTY-FREE TREATMENT.—For purposes of paragraph (1)(H), documentation establishing the eligibility of a covered article for duty-free treatment under section 405 includes documentation such as production records, information relating to the place of production, the number and identification of the types of machinery used in production, the number of workers employed in production, and certification from both the producer and the exporter.

(b) CUSTOMS PROCEDURES AND ENFORCEMENT.—

(1) IN GENERAL.—

(A) REGULATIONS.—The Secretary of the Treasury, after consultation with the United States Trade Representative, shall promulgate regulations setting forth customs procedures similar in all material respects to the requirements of article 502(1) of the NAFTA as implemented pursuant to United States law, which shall apply to any importer that claims duty-free treatment for an article under section 405.

(B) DETERMINATION.—In order for articles produced in a Reconstruction Opportunity Zone to qualify for the duty-free treatment under section 405, there shall be in effect a determination by the President that Afghanistan or Pakistan, as the case may be—

(i) has implemented and follows, or

(ii) is making substantial progress toward implementing and following,

procedures and requirements similar in all material respects to the relevant procedures and requirements under chapter 5 of the NAFTA.

(2) CERTIFICATE OF ORIGIN.—A certificate of origin that otherwise would be required pursuant to the provisions of paragraph (1) shall not be required in the case of an article imported under section 405 if such certificate of origin would not be required under article 503 of the NAFTA, as implemented pursuant to United States law, if the article were imported from Mexico.

(3) PENALTIES.—If the President determines, based on sufficient evidence, that an entity has engaged in unlawful transshipment described in paragraph (4), the President shall deny for a period of 5 years beginning on the date of the determination all benefits under section 405 to the entity, any successor of the entity, and any other entity owned, operated, or controlled by the principals of the entity.

(4) UNLAWFUL TRANSSHIPMENT DESCRIBED.—For purposes of this section, unlawful transshipment occurs when duty-free treatment for a covered article has been claimed on the basis of material false information concerning the country of origin, manufacture, processing, or assembly of the article or any of its components. For purposes of the preceding sentence, false information is material if disclosure of the true information would mean or would have meant that the article is or was ineligible for duty-free treatment under section 405.

(5) MONITORING AND REPORTS TO CONGRESS.—U.S. Customs and Border Protection shall monitor and the Commissioner responsible for U.S. Customs and Border Protection shall submit to Congress, not later than March 31 of each year, a report on the effectiveness of the visa or electronic certification systems and the implementation of legislation and regulations described in subsection (a) and on measures taken by Afghanistan and Pakistan to prevent circumvention as described in article 5 of the Agreement on Textile and Clothing.

(c) ADDITIONAL CUSTOMS ENFORCEMENT.—U.S. Customs and Border Protection shall—

(1) make available technical assistance to Afghanistan and Pakistan—

(A) in the development and implementation of visa or electronic certification systems, legislation, and regulations described in subsection (a)(1)(A) and (B); and

(B) to train their officials in anti-transshipment enforcement;

(2) send production verification teams to Afghanistan and Pakistan as necessary; and

(3) to the extent feasible, place Afghanistan and Pakistan on a relevant e-certification program.

(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out subsection (c), there are authorized to be appropriated to U.S. Customs and Border Protection $10,000,000 for each of the fiscal years 2010 through 2023.

SEC. 407. TECHNICAL ASSISTANCE, CAPACITY BUILDING, COMPLIANCE ASSESSMENT, AND REMEDIATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Finance and the Committee on Armed Services of the Senate; and

(B) the Committee on Ways and Means and the Committee on Armed Services of the House of Representatives.

(2) TEXTILE OR APPAREL PRODUCER.—The term ''textile or apparel producer'' means a producer of a covered article described in section 405(b) that is located in a Reconstruction Opportunity Zone.

(b) ELIGIBILITY.—

(1) PRESIDENTIAL CERTIFICATION OF COMPLIANCE BY AFGHANISTAN OR PAKISTAN WITH REQUIREMENTS.—Upon the expiration of the 16-month period beginning on the date on which the President designates an area within Afghanistan or Pakistan, as the case may be, as a Reconstruction Opportunity Zone under section 403(a), duty-free treatment proclaimed under section 404(a) or 405(a) for articles from such Reconstruction Opportunity Zone may remain in effect only if the President determines and certifies to Congress that Afghanistan or Pakistan, as the case may be—

(A) has implemented the requirements set forth in subsections (c) and (d) with respect to such Reconstruction Opportunity Zone; and

(B) has agreed to require textile or apparel producers in such Reconstruction Opportunity Zone to participate in the program described in subsection (d) and has developed a system to ensure participation in such program by such producers, including by developing and maintaining the registry described in subsection (c)(2)(A).

(2) EXTENSION.—

(A) INITIAL EXTENSION.—The President may extend the period for compliance by Afghanistan or Pakistan under paragraph (1) for an initial 6-month period if the President—

(i) determines that Afghanistan or Pakistan, as the case may be, has made a good faith effort toward implementing the requirements set forth in paragraph (1) (A) and (B) and has agreed to take additional steps towards implementing such requirements that are satisfactory to the President; and

(ii) provides to the appropriate congressional committees, not later than 30 days before the last day of the 16-month period specified in paragraph (1), a report identifying the additional steps that Afghanistan or Pakistan, as the case may be, has agreed to take as described in clause (i).

(B) SUBSEQUENT EXTENSIONS.—The President may extend the period for compliance by Afghanistan or Pakistan under paragraph (1) for subsequent 6-month periods if, with respect to each such extension, the President—

(i) provides an opportunity for public comment and a public hearing on the possible extension not later than 45 days before the last day of the existing 6-month extension;

(ii) consults with the Secretary of Labor and the appropriate congressional committees with respect to the possible extension not later than 45 days before the last day of the existing 6-month extension;

(iii) determines, taking into account any public comments and input received during the public hearing described in clause (i) and the consultations described in clause (ii), that extraordinary circumstances exist that preclude Afghanistan or Pakistan, as the case may be, from meeting the requirements set forth in paragraph (1) (A) and (B); and

(iv) publishes in the Federal Register a notice that describes—

(I) the extraordinary circumstances described in clause (iii);

(II) the reasons why the extraordinary circumstances preclude Afghanistan or Pakistan, as the case may be, from meeting the requirements set forth in paragraph (1) (A) and (B); and

(III) the steps Afghanistan or Pakistan, as the case may be, will take during the 6-month period of the extension to implement the requirements set forth in paragraph (1) (A) and (B).

(3) CONTINUING COMPLIANCE.—

(A) TERMINATION OF DUTY-FREE TREATMENT.—If, after making a certification under paragraph (1), the President determines that Afghanistan or Pakistan is no longer meeting the requirements set forth in paragraph (1) (A) and (B), the President shall terminate the duty-free treatment proclaimed under section 404(a) or 405(a).

(B) CONTINUATION OF DUTY-FREE TREATMENT NOTWITHSTANDING NONCOMPLIANCE.—

(i) INITIAL 6-MONTH CONTINUATION.—Notwithstanding subparagraph (A), if, after making a certification under paragraph (1), the President determines that Afghanistan or Pakistan is no longer meeting the requirements set forth in paragraph (1) (A) and (B), the President may extend the duty-free treatment proclaimed under section 404(a) or 405(a) for an initial 6-month period if the President—

(I) determines, after consultation with the Secretary of Labor and the appropriate congressional committees, that extraordinary circumstances exist that preclude Afghanistan or Pakistan, as the case may be, from continuing to meet the requirements set forth in paragraph (1) (A) and (B); and

(II) publishes in the Federal Register a notice, not later than 30 days after making the determination under subclause (I), that describes—

(aa) the extraordinary circumstances described in subclause (I); and

(bb) the reasons why the extraordinary circumstances preclude Afghanistan or Pakistan, as the case may be, from continuing to meet the requirements set forth in paragraph (1) (A) and (B).

(ii) SUBSEQUENT 6-MONTH CONTINUATION.—The President may extend the duty-free treatment proclaimed under section 404(a) or 405(a) for a subsequent 6-month period if, with respect to such extension, the President makes a determination that meets the requirements of clause (i)(I) and publishes in the Federal Register a notice that meets the requirements of clause (i)(II).

(C) SUBSEQUENT COMPLIANCE.—If the President, after terminating duty-free treatment under subparagraph (A), determines that Afghanistan or Pakistan, as the case may be, is implementing the requirements set forth in paragraph (1) (A) and (B) and meets the requirements of section 403, the President shall reinstate the application of duty-free treatment proclaimed under section 404(a) or 405(a).

(c) LABOR OFFICIAL.—

(1) IN GENERAL.—The requirement under this subsection is that Afghanistan or Pakistan, as the case may be, has designated a labor official within the national government that—

(A) reports directly to the President of Afghanistan or Pakistan, as the case may be;

(B) is chosen by the President of Afghanistan or Pakistan, as the case may be, in consultation with labor unions and industry associations; and

(C) is vested with the authority to perform the functions described in paragraph (2).

(2) FUNCTIONS.—The functions of the labor official shall include—

(A) developing and maintaining a registry of textile or apparel producers, and developing, in consultation and coordination with any other appropriate officials of the Government of Afghanistan or Pakistan, as the case may be, a system to ensure participation by such producers in the program described in subsection (d);

(B) overseeing the implementation of the program described in subsection (d);

(C) receiving and investigating comments from any interested party regarding the conditions

described in subsection (d)(2) in facilities of textile or apparel producers listed in the registry described in subparagraph (A) and, where appropriate, referring such comments or the result of such investigations to the appropriate authorities of Afghanistan or Pakistan, as the case may be, and to the entity operating the program described in subsection (d);

(D) assisting, in consultation and coordination with any other appropriate authorities of Afghanistan or Pakistan, as the case may be, textile or apparel producers listed in the registry described in subparagraph (A) in meeting the conditions set forth in subsection (d)(2); and

(E) coordinating, with the assistance of the entity operating the program described in subsection (d), a tripartite committee comprised of appropriate representatives of government agencies, employers, and workers, as well as other relevant interested parties, for the purposes of evaluating progress in implementing the program described in subsection (d), and consulting on improving core labor standards and working conditions in the textile and apparel sector in Afghanistan or Pakistan, as the case may be, and on other matters of common concern relating to such core labor standards and working conditions.

(d) TECHNICAL ASSISTANCE, CAPACITY BUILDING, COMPLIANCE ASSESSMENT, AND REMEDIATION PROGRAM.—

(1) IN GENERAL.—The requirement under this subsection is that Afghanistan or Pakistan, as the case may be, in cooperation with the entity designated by the Secretary of Labor under paragraph (3)(A)(i), has established a program meeting the requirements under paragraph (3)—

(A) to assess compliance by textile or apparel producers listed in the registry described in subsection (c)(2)(A) with the conditions set forth in paragraph (2) and to assist such producers in meeting such conditions; and

(B) to provide assistance to improve the capacity of the Government of Afghanistan or Pakistan, as the case may be—

(i) to inspect facilities of textile or apparel producers listed in the registry described in subsection (c)(2)(A); and

(ii) to enforce national labor laws and resolve labor disputes, including through measures described in paragraph (5).

(2) CONDITIONS DESCRIBED.—The conditions referred to in paragraph (1) are—

(A) compliance with core labor standards; and

(B) compliance with the labor laws of Afghanistan or Pakistan, as the case may be, that relate directly to core labor standards and to ensuring acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety.

(3) REQUIREMENTS.—The requirements for the program are that the program—

(A) is operated by an entity that—

(i) is designated by the Secretary of Labor, in consultation with appropriate officials of the Government of Afghanistan or Pakistan, as the case may be;

(ii) operates independently of the Government of Afghanistan or Pakistan, as the case may be;

(iii) has expertise relating to monitoring of core labor standards;

(iv) if the entity designated under clause (i) is an entity other than the International Labor Organization, is subject to evaluation by the International Labor Organization at the request of the Secretary of Labor, including—

(I) annual review of the operation of the program; and

(II) annual recommendations to the entity operating the program, the Government of Afghanistan or Pakistan, as the case may be, and the Secretary of Labor to improve the operation of the program;

(v) prepares the annual report described in paragraph (4);

(B) is developed through a participatory process that includes the labor official described in subsection (c) of Afghanistan or Pakistan, as the case may be, and appropriate representatives of government agencies, employers, and workers;

(C) assess compliance by each textile or apparel producer listed in the registry described in subsection (c)(2)(A) with the conditions set forth in paragraph (2) and identify any deficiencies by such producer with respect to meeting such conditions, including by—

(i) conducting site visits to facilities of the producer;

(ii) conducting confidential interviews with workers and management of the facilities of the producer; and

(iii) providing to management and workers, and where applicable, worker organizations of the producer, on a confidential basis—

(I) the results of the assessment carried out under this subparagraph; and

(II) specific suggestions for remediating any such deficiencies;

(D) assist the textile or apparel producer in remediating any deficiencies identified under subparagraph (C);

(E) conduct prompt follow-up site visits to the facilities of the textile or apparel producer to assess progress on remediation of any deficiencies identified under subparagraph (C); and

(F) provide training to workers and management of the textile or apparel producer, and where appropriate, to other persons or entities, to promote compliance with paragraph (2).

(4) ANNUAL REPORT.—The annual report referred to in paragraph (3)(A)(v) is a report, by the entity operating the program, that is published (and available to the public in a readily accessible manner) on an annual basis, beginning 1 year after Afghanistan or Pakistan, as the case may be, has implemented a program under this subsection, covering the preceding 1-year period, and that includes the following:

(A) The name of each textile or apparel producer listed in the registry described in subsection (c)(2)(A) that has been in operation in the Reconstruction Opportunity Zone for at least 1 year and has been identified as having met the conditions under paragraph (2).

(B) The name of each textile or apparel producer listed in the registry described in subsection (c)(2)(A) that has been in operation in the Reconstruction Opportunity Zone for at least 1 year and has been identified as having deficiencies with respect to the conditions under paragraph (2), and has failed to remedy such deficiencies.

(C) For each textile or apparel producer listed under subparagraph (B)—

(i) a description of the deficiencies found to exist and the specific suggestions for remediating such deficiencies made by the entity operating the program;

(ii) a description of the efforts by the producer to remediate the deficiencies, including a description of assistance provided by any entity to assist in such remediation; and

(iii) with respect to deficiencies that have not been remediated, the amount of time that has elapsed since the deficiencies were first identified in a report under this subparagraph.

(D) For each textile or apparel producer identified as having deficiencies with respect to the conditions described under paragraph (2) in a prior report under this paragraph, a description of the progress made in remediating such deficiencies since the submission of the prior report, and an assessment of whether any aspect of such deficiencies persists.

(5) CAPACITY BUILDING.—The assistance to the Government of Afghanistan or Pakistan referred to in paragraph (1)(B) shall include programs—

(A) to review the labor laws and regulations of Afghanistan or Pakistan, as the case may be, and to develop and implement strategies for improving such labor laws and regulations;

(B) to develop additional strategies for protecting core labor standards and providing acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health, including through legal, regulatory, and institutional reform;

(C) to increase awareness of core labor standards and national labor laws;

(D) to promote consultation and cooperation between government representatives, employers, worker representatives, and United States importers on matters relating to core labor standards and national labor laws;

(E) to assist the labor official of Afghanistan or Pakistan, as the case may be, designated pursuant to subsection (c) in establishing and coordinating operation of the committee described in subsection (c)(2)(E);

(F) to assist worker representatives in more fully and effectively advocating on behalf of their members; and

(G) to provide on-the-job training and technical assistance to labor inspectors, judicial officers, and other relevant personnel to build their capacity to enforce national labor laws and resolve labor disputes.

(e) COMPLIANCE WITH ELIGIBILITY CRITERIA.—

(1) COUNTRY COMPLIANCE WITH CORE LABOR STANDARDS ELIGIBILITY CRITERIA.—In making a determination of whether Afghanistan or Pakistan is meeting the eligibility requirement set forth in section 403(b)(1)(E) relating to core labor standards, the President shall consider any reports produced under subsection (d)(4) and acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety.

(2) PRODUCER ELIGIBILITY.—

(A) IDENTIFICATION OF PRODUCERS.—

(i) IN GENERAL.—Except as provided in clause (ii), beginning 2 years after the President makes the certification under subsection (b)(1), the President shall identify on a biennial basis whether a textile or apparel producer listed in the registry described in subsection (c)(2)(A) and in operation for at least 1 year has failed to comply with core labor standards and with the labor laws of Afghanistan or Pakistan, as the case may be, that directly relate to and are consistent with core labor standards.

(ii) EXCEPTION.— The President may identify a textile or apparel producer at any time under clause (i) if the evidence warrants such a review.

(B) ASSISTANCE TO PRODUCERS; WITHDRAWAL, ETC., OF DUTY-FREE TREATMENT.—For each textile or apparel producer that the President identifies under subparagraph (A), the President shall seek to assist such producer in coming into compliance with core labor standards and with the labor laws of Afghanistan or Pakistan, as the case may be, that directly relate to and are consistent with core labor standards. If, within a reasonable period of time, such efforts fail, the President shall withdraw, suspend, or limit the application of duty-free treatment to textile and apparel covered articles of such producer.

(C) REINSTATING DUTY-FREE TREATMENT.—If the President, after withdrawing, suspending, or limiting the application of duty-free treatment under subparagraph (B) to articles of a textile or apparel producer, determines that such producer is complying with core labor standards and with the labor laws of Afghanistan or Pakistan, as the case may be, that directly relate to and are consistent with core labor standards, the President shall reinstate the application of duty-free treatment under section 405 to the textile and apparel covered articles of such producer.

(D) CONSIDERATION OF REPORTS.—In making the identification under subparagraph (A) and the determination under subparagraph (C), the President shall consider the reports made available under subsection (d)(4).

(f) REPORTS BY THE PRESIDENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall transmit to the appropriate congressional committees a report on the implementation of this section during the preceding 1-year period.

(2) MATTERS TO BE INCLUDED.—Each report required by paragraph (1) shall include the following:

(A) An explanation of the efforts of Afghanistan and Pakistan, the President, and entity designated by the Secretary of Labor to carry out this section.

(B) A summary of each report produced under subsection (d)(4) during the preceding 1-year period and a summary of the findings contained in such report.

(C) Identifications made under subsection (e)(2)(A) and determinations made under subsection (e)(2)(C).

(g) EVALUATION AND REPORT BY SECRETARY OF LABOR.—

(1) EVALUATION.—The Secretary of Labor shall evaluate the monitoring program established under this section to determine ways to improve adoption and adherence to core labor standards and acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety. To the extent that producers of nontextile or nonapparel articles described in section 404 have established operations in Reconstruction Opportunity Zones, the report shall also evaluate options for expanding the program to include such producers.

(2) REPORT.—Not later than 1 year after the date on which Afghanistan or Pakistan, as the case may be, has implemented a program under this section, the Secretary of Labor shall submit to the appropriate congressional committees a report that contains the results of the evaluation required under paragraph (1) and recommendations to improve the program under this section and, if applicable, to expand the program to include producers of nontextile or nonapparel articles.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Labor such sums as may be necessary to carry out this subsection.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section (other than subsection (g)) $20,000,000 for the period beginning on October 1, 2009, and ending on September 30, 2023.

SEC. 408. PETITION PROCESS.

Any interested party may file a request to have the status of Afghanistan or Pakistan reviewed with respect to the eligibility requirements listed in this title, and the President shall provide for this purpose the same procedures as those that are provided for reviewing the status of eligible beneficiary developing countries with respect to the designation criteria listed in subsections (b) and (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462 (b) and (c)).

SEC. 409. LIMITATIONS ON PROVIDING DUTY-FREE TREATMENT.

(a) IN GENERAL.—

(1) PROCLAMATION.—Except as provided in paragraph (2), and subject to subsection (b) and the conditions described in sections 403 through 407, the President shall exercise the President's authority under this title, and the President shall proclaim any duty-free treatment pursuant to that authority.

(2) WAIVER.—The President may waive the application of this title if the President determines that providing such treatment is inconsistent with the national interests of the United States. In making such determination, the President shall consider—

(A) obligations of the United States under international agreements;

(B) the national economic interests of the United States; and

(C) the foreign policy interests of the United States, including the economic development of Afghanistan and the border region of Pakistan.

(b) WITHDRAWAL, SUSPENSION, OR LIMITATION OF DUTY-FREE TREATMENT.—The President may withdraw, suspend, or limit the application of the duty-free treatment proclaimed under this title upon consideration of the factors set forth in section 403 (b) and (c) of this Act, and section 502 (b) and (c) of the Trade Act of 1974 (19 U.S.C. 2462 (b) and (c)). In taking any action to withdraw, suspend, or limit duty-free treatment with respect to producers receiving benefits under section 404 or 405, the President shall consider the information described in section 403(d) relating to verification of the ownership and nature of the activities of such producers and any other relevant information the President determines to be appropriate.

(c) NOTICE TO CONGRESS.—The President shall advise Congress—

(1) of any action the President takes to waive, withdraw, suspend, or limit the application of duty-free treatment with respect to Reconstruction Opportunity Zones in Afghanistan or Pakistan or enterprises receiving benefits under section 404 or 405; and

(2) if either Afghanistan or Pakistan fails to adequately take the actions described in section 403 (b) and (c) of this Act or section 502 (b) and (c) of the Trade Act of 1974 (19 U.S.C. 2462 (b) and (c)).

SEC. 410. TERMINATION OF BENEFITS.

Duty-free treatment provided under this title shall remain in effect through September 30, 2024.

SEC. 411. CUSTOMS USER FEES.

(a) IN GENERAL.—The Secretary of the Treasury shall increase the amount of fees charged and collected under section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)) for the provision of customs services in connection with imports and travel from Afghanistan and Pakistan as necessary to meet the requirements of subsection (b).

(b) MINIMUM AMOUNT.—The amount of the increase in fees charged and collected under the authority of subsection (a)—

(1) shall not be less than $12,000,000 for the period beginning on the date of the enactment of this Act and ending at the close of September 30, 2014; and

(2) shall not be less than $105,000,000 for the period beginning on the date of the enactment of this Act and ending at the close of September 30, 2019.

(c) RULE OF CONSTRUCTION.—The amount of the increase in fees charged and collected under the authority of subsection (a) shall be in addition to the amount of fees that would otherwise be charged and collected under section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)) for the provision of customs services in connection with imports and travel from Afghanistan and Pakistan.

(d) TERMINATION OF AUTHORITY.—The authority provided under subsection (a) terminates at the close of the date on which the aggregate amount of the increase in fees charged and collected under the authority of subsection (a) equals $105,000,000.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the amendment in the nature of a substitute printed in part B of the report, if offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) or her designee, which shall be considered read, and shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 30 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 1886.

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

There was no objection.

Mr. BERMAN. Mr. Speaker, at this time I would like, for purposes of opening general debate, to yield to the chairman of the House Armed Services Committee, whom we have worked very closely with in putting together a bill that we can now bring to the floor, a very good bill. His help and the help of his staff, working with our staff, has really been just indispensable to the progress of this effort.

I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON), the chairman of the House Armed Services Committee.

Mr. SKELTON. I thank the gentleman for yielding.

Mr. Speaker, this measure before the House today is very well one of the most important pieces of legislation that we will pass regarding national security.

I first must compliment the chairman, compliment his staff, as well as the staff of the Armed Services Committee, who worked diligently to craft this piece of legislation. It's very important because Pakistan is very important. Pakistan is important to the Middle East and our intentions there. Their cooperation, of course, is so very, very important. This legislation gives economic and democratic development assistance to that country.

What is, of course, of great interest to me is the security assistance that we have given Pakistan, some $400 million. I will leave it to the chairman, the very able chairman, to go into the details, but I must say that it not only provides for training and financing, one part that seems to be overlooked so often is the part that deals with the international military education, which has for a period of time missed out with this country of Pakistan, which again is back on our radar, and hopefully will be of great benefit to them as well as to us. It requires certain milestones to be met.

Under the able leadership of this chairman, this is an excellent bill. I wholly endorse it. I certainly hope that we will get a very, very strong vote because the future of Pakistan is a centerpiece that we need to be successful for our efforts in that part of the world.

With that, I again thank the chairman and compliment him, as well as all those who worked on it.

Mr. BERMAN. Mr. Speaker, I thank the gentleman from Missouri, the chairman of the committee, for his kind comments, and I yield myself 3 minutes.

Mr. Speaker, the United States has an enormous stake in the security and stability of Pakistan. We can't allow al Qaeda or any other terrorist group that threatens our national security to operate with impunity in the tribal regions or any other part of Pakistan.

Nor can we permit the Pakistani state and its nuclear arsenal to be taken over by the Taliban.

To help prevent this nightmare scenario, we need to forge a true strategic partnership with Pakistan and its people, strengthen Pakistan's democrat government, and work to make Pakistan a source of stability in a volatile region. H.R. 1886 is designed to help achieve these critical goals.

This legislation would significantly expand democratic, economic, and social development assistance to help lay the foundation for a stronger, more stable Pakistan. The bill provides funding to strengthen the capacity of Pakistan's democratic institutions including its Parliament, judicial system, and law enforcement agencies. It calls for increased assistance for Pakistan's public education system, emphasis on access for women and girls. To help ensure that U.S. assistance actually reaches the Pakistani people, it requires increased auditing, greater monitoring, and better evaluation.

H.R. 1886 also provides critical security assistance to help the government of Pakistan in its fight against the extremists that threaten the national security of both Pakistan and the United States. To strengthen civilian control of the military, H.R. 1886 requires that all assistance flow through the Pakistan's elected civilian government. And to support the administration's request for additional flexibility to address Pakistan's urgent security needs, the bill authorizes funds for the Pakistan Counterinsurgency Capability Fund, or PCCF. The legislation includes some important accountability provisions to ensure that Pakistan is using our security assistance in a manner consistent with U.S. national security interests. An annual Presidential determination is required that determines whether or not Pakistan is cooperating with the United States on nonproliferation, is meeting its commitment to combat terrorist groups, and has made progress towards that end.

Contrary to what some have suggested, these are not rigid or inflexible conditions that severely constrain the military. We appreciate the urgency of the situation in Pakistan and the need for appropriate flexibility. We are simply asking Pakistan to follow through with the commitments it has already made. If their President is unable to make these determinations, then we should be asking ourselves much deeper questions about what we really hope to achieve in Pakistan.

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

Mr. BERMAN. I yield myself 1 additional minute.

If their President is unable to make these determinations, as I mentioned, we should be asking the deeper question of why are we doing this. By including these accountability provisions in this bill, we lay down an important marker that Congress will no longer provide a blank check. We've had extensive conversation with the administration, with the Armed Services Committee, as I mentioned earlier, and have made a number of changes to make this legislation and this effort work better.

I want to re-enforce the notion this is not a partisan product. This is a bipartisan bill. We are honored to have two of the most thoughtful and experienced Members from the minority side, Mr. ROYCE and Mr. KIRK, as original cosponsors of this legislation, and we hope that their actions and this debate will persuade a majority of both parties that this is an effort worth supporting.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in opposition to H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009, and I yield myself such time as I may consume.

Mr. Speaker, at the beginning of this debate, it's important to emphasize that Congress and the administration are united in our goals toward Pakistan. We want a long-term partnership with a modern, a prosperous, a democratic Pakistan that is at peace with itself and at peace with its neighbors. And we want a Pakistan that does not provide safe haven to al Qaeda, the Taliban, and other militant extremist groups.

□ 1245

Mr. Speaker, I appreciate the hard work that has gone into my good friend Chairman BERMAN's bill. I also recognize that both amendments in committee, as well as the manager's amendment, have made this a somewhat less objectionable instrument than it was at the outset, but it is still worthy of being objected to.

However, concerns remain, and these are not just my concerns, but they are concerns that, I understand, the White House, the Defense Department and our own intelligence agencies continue to have with H.R. 1886. These concerns are particularly acute in light of the current Pakistani military offensive against the Taliban and against other extremists in the North-West Frontier Province as well as the fact that the new policy is still evolving.

Rather than a forward-looking bill that addresses the current leadership and the current dynamics in Pakistan, this bill before us, H.R. 1886, focuses on past actions and failures attributed to the Pakistani Government, punishing the new leadership for the sins of its predecessors. That is why I will be offering a comprehensive substitute which parallels the results of the administration's strategic review and which fully funds its request for critical nonmilitary and certain military assistance to Pakistan.

Unlike the underlying bill, our measure provides the necessary flexibility for all U.S. agencies to respond quickly and to respond effectively to rapidly unfolding developments on the ground while still retaining robust accountability and congressional oversight of these programs.

As Members will recall, on March 27, the President announced a new strategy to guide U.S. policy in Afghanistan and Pakistan. This strategy focused our efforts, the U.S. efforts, toward meeting a core goal: to disrupt, to dismantle and to defeat al Qaeda and its safe havens in Pakistan, and to prevent their return to Afghanistan or Pakistan.

As our intelligence agencies have made clear, the threats emanating from al Qaeda and from their allies in Pakistan directly endanger our homeland security, the survival of Pakistan as a modern nation-state and the security of our friends and allies around the world.

The President as well as all of his top advisers, including Secretary of State Clinton and Secretary of Defense Gates, insist that this new strategy is intended to be a framework, not a straitjacket, for U.S. policy. That is why Secretary Clinton has emphasized that the democratically-elected government in Pakistan shares our goals with respect to tackling militancy, and that is why she urged that Congress not legislate onerous conditionality that might undercut our efforts to work with Pakistanis who share the interests of the United States. That is also why Ambassador Holbrooke noted before our committee this May that certain legislative conditionality could prove seriously counterproductive.

While the authors of H.R. 1886 may have sought to empower our Pakistani partners to undertake the formidable task of fighting and winning against violent extremists, it does the opposite. Further, accountability measures for Afghanistan and Pakistan must be tightly linked to the new U.S. strategy for the region rather than outdated assessments of the situation in Pakistan and preconceived notions about the response from our Pakistani partners.

Mr. Speaker, we have gone down this road before. I recall during the Iraq debate in the last Congress Members expressed great distrust for the judgment of General Petraeus, and they sought to prejudge the surge strategy before it could even be implemented. Let us hope that this will not be repeated with respect to Pakistan and Afghanistan, as General Petraeus is now the chief of Central Command, leading the efforts of the Department of Defense in these countries and, in fact, in the broader theater.

Why does the executive branch need great flexibility in trying to execute a strategy in Pakistan? Look what is happening on the ground right now. Six weeks of fighting between the Pakistani troops and the Taliban insurgencies have forced 2 million people from their homes in the Swat Valley and in other northwestern areas.

According to Islamabad, since the operation began on April 26, 1,305 militants have been killed; 120 have been arrested; 105 soldiers have died; and 306 have been injured. In response, the extremists have launched a wave of suicide bombings and other attacks in Lahore and elsewhere across the country.

As one Pakistani writer noted, ''The terrorist backlash is principally aimed at draining public support from the army's offensive in Swat and to rattle the political and military establishments, weaken national resolve and erode public support for the anti-militancy campaign.''

Fortunately, Pakistan's democratic government has responded with firmness and with new resolve to persevere and to succeed in our mission. Perhaps even more importantly, anti-Taliban sentiment among the Pakistani people appears to be increasing in response to the mayhem that has been unleashed by the militants. But these gains are fragile, Mr. Speaker. Winning the peace could yet prove elusive. There could be little doubt that the political and military challenges ahead for the government and for the people of Pakistan are, indeed, profound.

That is why it is so important to provide this administration with flexible authorities to carry out its new strategy for Afghanistan and Pakistan, focusing on the strategic importance of Pakistan to the United States and to the world and focusing on the need for increased security, for increased governance and for development assistance to help us meet these vitally important goals.

Finally, the rule for this bill made in order a self-executing mechanism whereby House Resolution 1318, a bill to provide duty-free treatment for certain goods from designated Reconstruction Opportunity Zones, ROZs, in Afghanistan and Pakistan, will be incorporated into the text of H.R. 1886 even though that legislation has never even been marked up in committee.

While I support the concept of ROZs, this highly irregular maneuver is not the appropriate approach to take on this serious matter. Although we share the majority's goal, we believe that the Republican substitute that I will offer later in this debate affords the best means for the United States Congress and for the U.S. administration to work together to develop an integrated and effective assistance plan to advance our mutual interests in a democratic, stable and prosperous Pakistan that is a strong partner in the struggle against extremism and that maintains responsible controls over its nuclear weapons technology.

With that, Mr. Speaker, I reserve the balance of our time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 3 minutes to the chairman of the Middle East and South Asia Subcommittee, the gentleman with whom I just traveled to Pakistan, the gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of the legislation before us. I want to thank Chairman BERMAN for allowing me to work closely with him on this bill and, more importantly, for his producing such an excellent piece of legislation.

Some may be surprised that I am an enthusiastic supporter of this bill to assist Pakistan. Over the years, I have been, unashamedly, one of the most persistent and aggressive critics of Pakistan's government and of the previous administration's policies for dealing with it. I remain deeply concerned about much of Islamabad's behavior, ranging from its cozy relations with native terrorist groups to its obsessive belief that India intends to devour Pakistan. None of Pakistan's governments have demonstrated a persuasive commitment to internal political or economic reform or to anything approaching real acceptance of the rule of law.

Pakistan has been, at best, an obstreperous partner on the subject of proliferation, and like many, I fail to understand what possible reason they could have that could justify the stonewalling we've faced regarding the A.Q. Khan proliferation network. I continue to believe that Pakistan's interest in F–16 aircraft is akin to a fetish.

Nevertheless, I am a strong supporter of the bill. Why? Very simply, it is time our partnership with Pakistan connects directly to the Pakistani people. Our previous strategy of depending wholly upon the government of Pakistan to fight a war most of its people detest is not sustainable, and I believe it has contributed significantly to the political instability in that country.

This bill sets the stage for the United States to work with Pakistan to promote long-term development and infrastructure projects in all areas of Pakistan, to establish a real counterinsurgency and counterterrorism strategy and to ensure U.S. access to individuals suspected of engaging in nuclear proliferation. This legislation will help Pakistan gain control of its under-governed areas, and it will ensure accountability for all U.S. assistance to Pakistan.

In addition to requiring the President to develop a real security strategy and to regularly report back to Congress on the effectiveness of our military assistance, the act prohibits such assistance until Pakistan demonstrates its commitment to shared security goals. There are also strong oversight and audit requirements for the State Department and for USAID, and there is a requirement for the U.S. Comptroller General to report independently on the effectiveness of our security assistance.

This bill is a tremendous step forward for us in our efforts to bring peace and stability to South Asia. I would hope that every Member would support this legislation. I thank the chairman.

Ms. ROS-LEHTINEN. Mr. Speaker, at this time, I am pleased to yield 5 minutes to the gentleman from Indiana (Mr. BURTON), the ranking member of the Subcommittee on the Middle East and South Asia.

(Mr. BURTON of Indiana asked and was given permission to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, first of all, let me congratulate our chairman on crafting a bill that, in large part, is very good. It increases aid to Pakistan by triple in some areas, and I think it's very positive. It deals with economic and humanitarian assistance that will help Pakistan build schools, roads and hospitals, and it will help Pakistan's economic infrastructure. All of that is good. I know that the President and the administration support that as well.

But unfortunately—here comes the ''but'' part—unfortunately, the chairman and our Democrat colleagues decided to load this bill up with ill-conceived provisions to micromanage U.S. security assistance to Pakistan, as the ranking member just said. This is not just my opinion. The Secretary of Defense, Mr. Gates, and the chairman of the Joint Chiefs of Staff, Mr. Mullen, wrote the Armed Services Committee last month. Here is what they said:

''The degree of conditionality and limitations on security assistance to Pakistan'' in H.R. 1886 ''severely constrains the flexibility necessary for the executive branch and the Department of Defense given the fluid and dynamic environment that exists in Pakistan.''

Mr. BERMAN. Will the gentleman yield? After yesterday, why wouldn't you?

Mr. BURTON of Indiana. I will in a minute. Do you remember last night when I asked you to yield? But that's okay. I will yield to you in a minute just to show you what kind of a guy I am.

Anyhow, this is a very difficult time over there. I would like to say to my chairman, if he could see this—Mr. Chairman, I hope that you can see this. It's very important that we look at the situation on the ground in Pakistan right now.

The green area is the area that the government controls. The brown area is the area that the Taliban controls. The tan area is where there is a strong Taliban presence. The yellow is where there are federally supported tribal areas. Of course, up here in the north is the blue North-West Frontier Province.

If we lose this, if we lose this here, you've got a heck of a problem in Afghanistan. That's the entire border with Afghanistan. If you lose that, then the President's goal to stabilize and to win the war in Afghanistan is going to go right down the tubes, and this micromanaging that you're doing in this bill is not going to be helpful.

Now, in the past, I have not agreed with Senator KERRY. In fact, I can't remember ever agreeing with Senator KERRY. But just to let you know that there is some bipartisan opposition, I want to read to you what he said. Senate Foreign Relations Chairman JOHN

KERRY, Democrat of Massachusetts, the author of similar Senate legislation, Senate bill 962, said, it's ''overly restrictive'' and ''counterproductive.''

''It sends a message in the Pakistani body politic that the people of Pakistan say, 'Well . . . we're just doing their (U.S.) bidding, we're their lackeys, we're not in control.' ''

I think that's counter to the kind of message that we want to send to Pakistan right now.

□ 1300

This is a very difficult time. This is not just a debate between the chairman and the ranking member and me. This is war and peace. It's the survivability of Pakistan as an independent country. It's winning or losing the war in Afghanistan. And we have to remember that Pakistan is a nuclear power. If the Taliban is successful in this area, not only will Afghanistan go down the tubes, but in likelihood, they will have control of some nuclear weapons. I know we've got precautions that are being taken to stop that. But in the event this takes place and we lose control of those nuclear weapons, we've got a real possible conflagration for the whole area in that part of the world.

So I would like to say to the chairman, and I hope in conference committee this is changed, that this micromanaging that you're doing to try the tell the Pakistani Government how to conduct its military operations in Pakistan, that that is limited or stopped.

Mr. BERMAN. Will the gentleman yield?

Mr. BURTON of Indiana. I will be happy to yield.

Mr. BERMAN. This isn't for a polemic. It's really just to take what you said.

Number one, I agree completely with the urgency of it. If I didn't—we don't have a lot of money—we would not be authorizing these sums. We share your sense of the urgency of the situation.

Secondly, the letter you cite is correct. The letter is not correct, but the existence of the letter is correct. But it was addressed to a bill that had been introduced. Since the introduction of the bill, we have gone through elaborate negotiations with the House Armed Services Committee. To deal with some of the issues that letter was concerned about, we have worked through, both in the supplemental and in the authorizing committee——

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

Ms. ROS-LEHTINEN. I will give the gentleman an additional 1 minute because we do want to clarify Senator KERRY's statements.

Mr. BURTON of Indiana. Let me just say to my colleague that there is an unnecessary limitation relating to Pakistan's F–16 program that could be dealt with by nonlegislative means, which you're dealing with that in this bill. It shows that there is no trust: a limitation on State Department-funded assistance unless Pakistan meets certain conditions relating to nonproliferation, counterterrorism, and other issues.

Mr. BERMAN. Good things.

Mr. BURTON of Indiana. I don't understand you.

Mr. BERMAN. Ensuring that the mission that we are equipping and training for is committed to a counterinsurgency, not an arms race in South Asia.

Mr. BURTON of Indiana. All I can say, if you read the bill and you listen to the debate and listen to even what Senator KERRY says, with whom I don't agree with very much, you see that there is too much micromanaging in this bill.

This is a war over there, and we should be supporting our ally in every way possible so the Taliban isn't victorious.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield to someone who, like the previous speaker, the gentleman from Indiana, has spent a great deal of time in Pakistan looking at the situation. She chairs the Pakistan Caucus. She joined our congressional delegation in Pakistan in the month of April and speaks with great knowledge and experience on this subject, the gentlelady from Texas, Ms. SHEILA JACKSON-LEE, for 3 minutes.

Ms. JACKSON-LEE of Texas. I thank very much the distinguished chairman of the full committee for both his insight and his leadership, and my good friend, the subcommittee chairman, Mr. ACKERMAN, and my doubly good friend, Mr. BURTON, who was just on the floor of the House who shares with me this commitment to Pakistan.

Mr. Speaker, the reason why we must go forward today is for the very reason that our colleagues have been addressing themselves to our colleagues, if you will. We have a crisis, a dire crisis in Pakistan. There is no time for us to quarrel over what really are minimal differences, if you will. Right now, as we speak, 2½ million people are homeless. They are fleeing the conflicts in the Swat area that has been initiated by the Pakistani Government that is standing not for America, but is standing for the freedom of her people. And we must applaud these actions.

We must look to the leadership of the President, the leadership of the Secretary of State, who has a strong commitment to Pakistan, the policies of this new government. Our government is to recognize Pakistan as an ally. And so 1886 is a bill that recognizes comprehensively that we have an equal ally that is fighting against terrorism within their borders.

I have been to Peshawar, Islamabad, and any number of the sites visiting with leaders around the Nation. I have been to the schools that are trying to replace the madrasas. And in this legislation, we have, for example, a Pakistan development and prosperity fund.

Just 3 weeks ago, a hundred-plus members of the Pakistani community met in New York to talk about how they can provide social services to that nation. As we speak, there are medical doctors from the Pakistani-American community that are leaving their homes here in the United States to go to Pakistan to help these refugees.

So let us look at the big picture that this legislation provides. The prosperity fund, yes, there are conditionalities, but I would suggest that they are refrained from the issues that the distinguished Member in the other body spoke to, and we're going to work even further.

But if our colleagues appreciate the fact that there are dire conditions that the Pakistan military is fighting the terrorists, they will help us pass 1886. This bill refers, itself, to the nuclear materials and requires the protecting of those materials. Do we want to leave that willy-nilly?

This particular legislation also, in essence, helps to protect women and girls, to provide more resources for women and girls. It helps to deradicalize the youth. This legislation is a stopgap to the crisis and the emergency.

I ask my colleagues to read it. This bill should be passed.

I urge you to support H.R. 1886, The Pakistan Enduring Assistance and Cooperation Enhancement Act. H.R. 1886 establishes a new, more positive framework for U.S.-Pakistan relations. The legislation establishes a set of principles that should govern the U.S.-Pakistan relationship, including the actions that the two countries should take to maintain a robust, relevant and lasting relationship. The bill is comprised of three titles.

The first title provides Economic, Social and Democratic Development Assistance for Pakistan; the second title provides Security Assistance for Pakistan; and the third title requires the President to develop a regional security strategy; provides for enhanced monitoring, evaluation, and auditing of U.S. assistance; requires a Presidential report on Pakistan, including an evaluation on Pakistan's progress in counterterrorism and an assessment of whether assistance provided to Pakistan is in any way facilitating the expansion of Pakistan's nuclear weapons program; and requires that all assistance to Pakistan be provided through a civilian government in Pakistan established by free and fair elections.

Pakistan is a critical ally of the United States. For too long, however, our relationship with Pakistan has been one of fits and starts, depending on events in the region and who happens to be in power in Pakistan. It is time for us the United States to forge a truly strategic partnership with Pakistan, one that goes beyond our mutual interest today in counterinsurgency and counterterrorism and speaks to the everyday needs of the average Pakistani.

H.R. 1886 accomplishes these objectives. The legislation would significantly expand economic, social and democracy assistance to help lay the foundation for a stronger, more stable Pakistan. In particular, the bill authorizes a Pakistan Democracy and Prosperity Fund, a permanent fund in the U.S. Treasury for which the United States, along with other interested nations, nongovernmental organizations and even private citizens, can contribute

to the prosperous future of Pakistan. The fund also provides additional flexibility to the State Department in order to provide such assistance, thereby responding to the ever dynamic situation Pakistan faces with its on going efforts to counter a domestic insurgency and provide humanitarian care for its displaced people.

As much as we must focus on the internal conflicts in Pakistan, we must not forget the external issues affecting the region as a whole and the need for stabilization.

Over the years, U.S. assistance to Pakistan has fluctuate with political events, sending mixed messages and leading most Pakistanis to question both our intentions and our staying power. Today, many Pakistanis believe the United States will cut and run when it serves our purpose, a belief which undermines our longterm efforts to defeat extremists, foster democratic change, and support transparent and accountable institutions that promote security and stability in Pakistan.

However, the status quo is not working: many in the United States believe we are paying too much and getting too little—and most Pakistanis believe exactly the opposite. Without changing this baseline, there is little likelihood of drying up popular tolerance for anti-U.S. terrorist groups or persuading Pakistani leaders to devote the political capital necessary to deny such groups sanctuary and covert material support.

The bill helps bridge a sustainable U.S.-Pakistan partnership through an increased focus on public diplomacy and engagement. H.R. 1886 authorizes a new exchange program for Pakistani civil servants and military officers in order to foster greater respect for and understanding of the principle of civilian rule in Pakistan's military. By building bridges to Pakistan and its people, the legislation is intended to provide a new, more positive framework for U.S.-Pakistan relations. Finally, the bill authorizes an extensive increase in military assistance to help Pakistan wage an effective counterinsurgency campaign against those forces that threaten Pakistan's national security.

This legislation establishes a new, more positive framework for U.S.-Pakistan relations. The legislation establishes a set of principles that should govern the U.S.-Pakistan relationship, including the actions that the two countries should take to maintain a robust, relevant and lasting relationship.

RECONSTRUCTION OPPORTUNITY ZONES

It is important to note that the rule incorporated into this bill a modified version of H.R. 1318, Afghanistan-Pakistan Security and Prosperity Enhancement Act. These provisions create Reconstruction Opportunity Zones (ROZs) in Afghanistan and Pakistan, where non-tradesensitve exports would be permitted to enter the U.S. duty-free.

From a broader foreign policy perspective, the ROZ initiative constitutes an affirmation of the importance of the United States attaches to Pakistan and Afghanistan via a long term effective economic program that is directly aimed at improving the lives of its people. ROZs work toward achieving counterinsurgency policy goals, as job creation in these areas would counter al-Qaeda and Taliban recruitment efforts by offering alternatives to joining the insurgency. Such job creation and will serve as positive reinforcement for young people on a path toward building a solid future in Pakistan where these young people would otherwise turn to extremism as their way of life.

Moreover, it should be noted that the AFL–CIO does not oppose ROZs, as these zones assist in achieving the delicate balance of helping Pakistan establish a better economy, while simultaneously respecting trade restrictions here in the United States. On the premise of a new friendship between the United States and Pakistan, we need to support H.R. 1886. The ROZ initiative open avenues for employment and job growth in Afghanistan and Pakistan, and its impact will help shut down paths that lead to terrorism, warlords and the drug trade. Additionally, I was a co-sponsor of the original ROZ bill and maintain its importance.

AMENDMENT LANGUAGE

I have worked tirelessly with Chairman BERMAN to include several key provisions in this important legislation. First, I am pleased that the Chairman has included language from my past amendments in the legislation which states that the United States recognizes the recent major efforts that Pakistan has taken in the SWAT area. Second, my language included in the former manager's amendment includes language on page 40 in section 206 which states that any limitations on the dispensation of military funds to Pakistan should be modified or reconsidered if Pakistan has made rapid compliance with the objectives contained in the section (i.e., those objectives that lead to cooperation with the United States). Additionally, the legislation includes important language on page 19 that funding for education must be used for the education of school girls between the ages of 10–20 and that the money should be used to make sure that these girls stay in school.

I have also worked closely on the Manager's Amendment to H.R. 1886, which includes important language that funding for rehabilitation programs is designed to deter military insurgence. It is imperative that United States security assistance for Pakistan should be used for the creation of militant rehabilitation programs designed to rehabilitate insurgents and to prevent youth from turning to militancy from the onset. Such militant rehabilitation programs shall be implemented by moderate Islamic clerics, in keeping with Islamic tradition. United States security assistance for Pakistan should further be used to create incentives for steering insurgents away from militancy by providing financial support and job assistance for those militants who effectively renounce their subscription to militancy. I would urge that my colleagues support the Manager's Amendment. I believe that it contains language that would be of benefit to the Pakistani people.

CODELS TO PAKISTAN

I have been to Pakistan many times. My belief in this country and its relationship with the United States drove me to co-chair the Pakistan Caucus. This year alone, I have participated in two Congressional Delegation Trips to Pakistan, and I am very passionate about diplomatic relations between our two countries.

Benazir Bhutto, shortly before her death, said that "The next few months are critical to Pakistan's future direction as a democratic state committed to promoting peace, fighting terrorism and working for social justice. Democracy is necessary to peace and to undermining the forces of terrorism." I had the pleasure of knowing the late Benazir Bhutto and losing her in death was truly a tragedy felt beyond Pakistan. She made this statement over two years ago, yet is relevant today more than ever.

On May 19, 2009, Secretary of State Hillary Clinton announced $110 million in emergency assistance for the South Asia nation of Pakistan, including aid for civilians fleeing a military offensive against Taliban militants in the northwest. The United Nations refugee agency issued a report stating that more than 1.4 million people in the North West Frontier Province (NWFP) have been registered as displaced since May 2, describing the flood as the largest and swiftest to take place anywhere in the world in recent years.

The newly-registered internally displaced persons (IDP) took the total number of those who have fled their homes in the SWAT valley and surrounding areas to 2 million.

I am hopeful that the $110 million in emergency assistance will get to the people on the ground and will be of assistance to them. It is important that the people of Pakistan see that the aid is coming from America to give a face to this aid. It is essential t global security and the security of the United States.

The surge of IDPs followed the launch of a military offensive in late April. President Asif Ali Zardari acted after U.S. officials stepped up warnings that Islamabad's willingness to tolerate and negotiate peace deals with the militants was endangering both Pakistan and the wider region. The Taliban fighting spread to NWFP districts and SWAT.

President Obama's new approach to Pakistan is different than anything that has been tried before. America has expressed that it will support the democratically-elected government and it will have a clear and transparent relationship.

In conclusion, I urge you to support H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act, which seeks to and effectively establishes a new, more positive and enduring framework for U.S.-Pakistan relations.

Ms. ROS-LEHTINEN. Before yielding time to my distinguished friend from Florida, I would like to clarify that Senator KERRY was indeed referring to the bill as amended to the text we're considering today. And further, much reference has been made to the Armed Services Committee, as the gentleman knows from Florida, but the Armed Services minority did not sign off on the bill before us due to pending concerns.

And with that, I am proud to yield 5 minutes to the gentleman from Florida (Mr. MILLER), the ranking member on the Armed Services Subcommittee on Terrorism and Unconventional Threats.

Mr. MILLER of Florida. I thank the ranking member, and I appreciate you bringing up the fact that our friends on the majority are, again, talking about the bipartisan efforts that have been made with the Armed Services Committee, all of the extensive negotiations that have taken place. I serve on the Armed Services Committee. I am the ranking member, as Ms. ROS-

LEHTINEN just said. There has been absolutely no negotiation with any member of the minority side of the House Armed Services Committee.

You know, it sounds like a great thing to support when you look at the bill, at least the title of the bill, but when you start looking at it, reading it, listening to the people who it actually is going to affect, like General David Petraeus who I met at CENTCOM last week and had an opportunity to talk to him about these specific issues, he said it is going to tie their hands, not allow us to do what we need to do and the military needs to do to train and assist in this very important issue.

Nobody, I think, has any qualms or quarrels with the majority side saying this is something that needs to be done. The issue is a jurisdictional problem with regards to whether State or DOD has input or actually controls what goes on in this program.

Look, I've been to Pakistan and Afghanistan three times in the last year. I understand what's going on there. I know how hard the Pakistanis are fighting to control what's going on in their country. We need to do what we can do to help with the counterinsurgency problem. But it's my understanding that the President does not support this particular piece of legislation and, as has already been said on the floor today, that Senator KERRY does not support this particular piece of legislation.

So those are the facts. Others may not want to necessarily address those facts and say that they are, in fact, true, but they are. And I heard a Member on the floor of the House yesterday trying desperately to get Members to understand and believe that Foreign Service members, as a whole, are actually on the front lines.

Look, the State Department cannot compel any State Department employee to go into a combat zone. This is a DOD issue. This is a counterinsurgency issue. It needs to be in the basket, if you will, of the Department of Defense. The majority's tendency to use diplomacy for every single thing should not result in a career State Department bureaucrat running a military counterinsurgency operation. It just shouldn't be so.

Look, as I said, they can't legally compel their people to go into a combat zone, but what they do is they use money for programs to fly Muslim people from the United States of America to Sweden to talk about issues in regards to Islamic outreach, which I have serious concerns with that particular program, but that's the State Department and that's what they want to do. I think they probably would have thought that the diplomatic efforts that Pakistan made in the Swat Valley was the thing that we should have done. It was not something that should have been done, and we know the Taliban broke the truce real quickly after that was done.

But look, the Department of State should not be taking the lead in this vital issue. It should be the Department of Defense. And I think that, ultimately, Members of this body on both sides of the aisle understand that.

So I urge a defeat of this flawed particular piece of legislation.

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. ACKERMAN) may control the time of the gentleman from California (Mr. BERMAN).

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentlelady from California (Ms. WATSON.)

Ms. WATSON. I rise today in support of H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act, called PEACE, of 2009.

Since President Barack Obama took the reins of our Nation, he has begun to lead us in a new era of foreign policy based on the theme: listen, learn, then lead.

This bill introduced by Chairman BERMAN is the beginning of this new era of American foreign policy which will give the President the tools he needs to bring peace and long-lasting stability to Pakistan. The PEACE Act authorizes the President to provide assistance for Pakistan to enhance economic development, human rights, cultural and educational programs, the judicial system, and democratic institutions in order to strengthen civilian rule and long-term stability.

This bill does not allow Pakistan to use any of this assistance to upgrade or buy new F–16s or upgrade its nuclear arsenal. The reporting requirements in the PEACE Act provide the necessary oversight provisions which require Pakistan's government and the Obama administration to inform Congress on the progress and uses of our assistance.

I urge my colleagues to support H.R. 1886.

Ms. ROS-LEHTINEN. I reserve the balance of our time.

Mr. ACKERMAN. Mr. Speaker, I am pleased at this time to yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my colleague, Mr. Speaker, and I rise in support of H.R. 1886, the Pakistan Enduring Assistance Cooperation Act, and I congratulate our chairman, Mr. BERMAN, for his leadership.

This bill is a national security bill. It authorizes military assistance to help Pakistan disrupt and defeat al Qaeda and insurgent elements, including the Taliban, and requires that the majority of such assistance be focused on critical counterinsurgency and counterterrorism efforts.

□ 1315

Additionally, the bill requires that all military assistance flow through the democratically elected Government of Pakistan.

The legislation includes accountability measures for military assistance, including a requirement that the Government of Pakistan demonstrate a sustained commitment to combating terrorism. The bill aligns Pakistan's defense goals with ours by conditioning military aid. Specifically, the bill provides $400 million a year in military aid on the condition that Pakistan cooperate in dismantling nuclear supply networks and fighting terrorist groups. The bill will not provide funding for Pakistan to build its forces on the eastern border with India, as the real threat lies on the western border. To this end, the bill would bar the use of foreign military financing to buy or upgrade F–16 fighter jets with the exception of money to finish a 2006 deal.

I understand the concerns about Pakistan's commitment to fighting terrorism. I myself have concerns about Pakistan's nuclear arsenal and its past history of proliferation. This is why, at my request, the report language accompanying this bill specifically mentions the A.Q. Khan proliferation network as a source of concern in the United States and that representatives of the United States must have access to him because they have not interviewed him.

Pakistan, Mr. Speaker, is a key partner in South Asian security. Clearly, recent events in the Swat Valley demonstrate that stability in the region is not just an American concern. We must move ahead with clear expectations and goals, as this bill enumerates, to ensure that U.S. aid is being used in the most effective manner possible. Ultimately, this will benefit both the Pakistani people and U.S. strategic interests. This bill, H.R. 1886, does that; and I urge my colleagues to support it.

Ms. ROS-LEHTINEN. Mr. Speaker, before yielding to my good friend from Texas, I would like to point out, as the previous speaker noted, this is supposed to be a national security bill, yet the majority tagged on a trade bill to it, and then, under the rule, attaches it to the State bill.

I am proud to yield 2 minutes to the gentleman from Texas (Mr. BRADY), the ranking member on the Ways and Means Subcommittee on Trade.

Mr. BRADY of Texas. Mr. Speaker, I rise in opposition to this bill due to the last-minute addition of the Pakistan Afghanistan Recovery Opportunity Zone bill.

While I commend Congressman VAN HOLLEN for his hard work and his strong commitment to this very important legislation, I am concerned the bill fails to encourage significant investment in the Afghan and Pakistan regions under the new trade program. And I say that as someone who believes that trade can be a powerful tool to help developing countries lift themselves up out of poverty. Unfortunately, I believe this bill will discourage economic development and investment because it includes some dangerous eligibility criteria that will drive away investment and require each firm, including U.S. firms, there

to meet labor standards that could exceed U.S. law in such a way that will create a dangerous precedent that could be applied to our own free-trade agreements, making U.S. labor laws vulnerable to challenge from foreign countries.

And the scope of the eligible products in the bill, unfortunately, have been whittled down—I know there have been difficult negotiations to try and broaden that—and it imposes fees on certain Pakistan products in return for sales of others; again, sort of, I think, a tradeoff that has been difficult to swallow.

I am concerned that this measure, despite its excellent intentions—and again, very hard work from Congressman VAN HOLLEN—will fall short of its objectives to bring economic stability to this very difficult region.

I would point out, too, we are doing a lot to open up America to foreign countries. We've had six votes to open up America to foreign sales, but no votes to open up other countries to what we sell. It's not enough to buy American; we need to sell American products throughout the world. And in this economic recession, we have three pending trade agreements that would allow us to sell $11 billion of American products around the world to create jobs here in the United States that are being held up, not brought to a vote on the floor. We need to get our priorities right. As we help lift countries up, let's lift American jobs up as well.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. BERMAN) reclaims his time from the gentleman from New York (Mr. ACKERMAN).

There was no objection.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 3 minutes to the ranking member of the Terrorism Nonproliferation and Trade Subcommittee of the Foreign Affairs Committee, a cosponsor of the legislation and another member of the congressional delegation that went to Pakistan last month. In fact, everybody who went to Pakistan with me is supporting this bill. I should have taken more people. But I yield to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. I rise in support of this very important legislation, and I think there are a few points that we should keep in mind.

The first is that Pakistan is a tinderbox; its government is very weak, and social and economic trends are moving in the wrong direction and that is fostering extremism. The Pakistan Government has killed many militants over the last few weeks, but the insurgency remains potent. And, clearly, Pakistan is going to be troubled for some time.

Second, this region is the center of international terrorism. And most importantly, Pakistan has a growing nuclear arsenal. Now, we can either stay engaged and try to shape events, or go to the sidelines and see a bad situation become a possible disaster.

Third, to date, Pakistan has taken us for a ride. Since 9/11, we have provided Pakistan with some $12.3 billion. We spent billions before that. I've been to Pakistan a number of times; I have seen what has happened without conditions. I have also seen the need there. A school that I visited in the North-West Frontier has now been blown up, and madrasas now educate kids there in jihad. I have been to Peshawar. I've been to the regions where this militancy has to be confronted.

Little has improved without conditions, and there has been significant waste and corruption. So this legislation is the proposal we have with the best conditions. It best conditions that aid. It takes the position that while we must work with the Pakistani Government, our experience demands greater accountability from that government. No blank checks. That the Pakistan Government denounces this bill's conditions, frankly, should be a selling point.

I do, however, have one significant reservation. The trade provision that the Rules Committee majority added to this bill is sheer window dressing. As this bill goes to conference with the Senate, as the process continues, this trade provision must be liberalized. Increasing trade should be an important goal.

In short, the situation in Pakistan is dire, and with its nuclear arsenal, the stakes could not be any higher. We need all the accountability we can get. And that's why I support this bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so proud to yield 3 minutes to the gentleman from Michigan (Mr. CAMP), the ranking member on the Committee on Ways and Means.

Mr. CAMP. I thank the gentlewoman for yielding.

I strongly oppose H.R. 1886, in particular, language inserted at the Rules Committee to create a new, but poorly designed, trade preference program for Afghanistan and Pakistan.

While I would support a well-designed program to create jobs and spur economic development, this legislation is deeply flawed. First, it brings virtually no economic benefit because the product mix is stingy—an economic fig leaf that should fool no one.

My second objection is even more fundamental. While the bill is light on commercial benefits, it is heavy on intrusive, impractical labor requirements that could exceed U.S. law. Now, I very much support improving labor conditions; but these new, unnecessarily onerous labor criteria would impede investment and won't improve labor conditions.

Specifically, this legislation requires the Secretary of Labor to designate any entity to conduct firm-level inspections in Afghanistan and Pakistan to ensure compliance with ''core labor standards,'' even an NGO hostile to trade. This vague language subjects firms to arbitrary standards that could exceed U.S. law—I repeat, that could exceed U.S. law. Given the dire security situation there, having inspectors go from door to door, even cottage to cottage, to enforce such standards strains credibility.

Moreover, this standard exceeds the labor provisions in other preference programs and even our trade agreements negotiated under the bipartisan May 10 standard for FTAs both lauded by the Speaker and Chairman RANGEL. It could be viewed as a precedent to justify the inclusion of similar language, not only in new trade agreements, but perhaps even in efforts to revise existing ones, which would, of course, apply to us as well, leaving the United States vulnerable to challenges that our labor laws don't meet this standard.

I am also concerned about the payfor. For every dollar of duty relief that reconstruction opportunity zone exports from these countries receive, other Pakistani and Afghan exports have to pay at least that amount in increased fees, making these countries potentially worse off than they are right now.

Lastly, I am disappointed that this is my first opportunity to explain my concerns. This bill was not even considered by the Ways and Means Committee, which, again, it's not about the committee but again this denies the American people their voice. This is not the return to regular order we were promised by the Speaker. And I fear this is not the last time this month I will be on the floor raising that concern.

The provision also subverts the prerogatives out of the House by turning an aid bill into a revenue measure, ripe for mischief when it gets to the other side of the Capitol.

Because of all of this, I strongly oppose the legislation in its current form. I urge my colleagues to vote against the measure.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the principal cosponsor of the legislation, the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. I thank the chairman.

I want to praise the chairman and his team for putting together a bipartisan bill regarding our assistance to Pakistan. This is a very critical region for the United States and assistance is authorized under this legislation, and necessary. But as was stated before, when Colin Powell called the President of Pakistan right after September 11, he offered a choice: you're either with us or against us. And President Musharraf picked well. Under that arrangement, we did provide $12 billion to Pakistan but largely without strings attached. And the Pakistani effort against the militants, especially in the frontier autonomous region, was initially aggressive but then petered out. The United States was providing $16 million a month to the Pakistani military but after 2005 was receiving little benefit.

Under the new government, that is, unquestionably, a democratic government, I think we have a more stable partner to deal with in the war on terror, specifically in what the Pentagon would call the ''al Qaeda core.'' With this new government really representing the essence of the Pakistani middle class, we now take on their true aspirations in which the central issue for the long term is not nuclear competition with India, but how quickly Pakistan is falling behind India's rising economic growth.

In that view, then, a bunch of radicals ruining the economic and business climate of Pakistan is a mortal danger to the future income of Pakistanis. On that basis, a war on terror is solidly grounded in democracy, in the Pakistani middle class, and the joint interest to the United States. But this bill reflects what we have learned over the last 5 years, that strings should be attached, that benchmarks should be established, that we should have accountability in that very difficult part of the world.

I will also praise this bill because it is probably the only free trade bill this Congress will adopt, and it represents a true bipartisan will that will help add to the employment of Pakistan and stability of that country.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 2 minutes to the vice Chair of the Subcommittee on Terrorism, Nuclear Nonproliferation, and International Trade of the Foreign Affairs Committee, the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Chairman, thank you very much.

This is really the most critical, the most important piece of legislation facing us right now. The situation in Pakistan is very tenuous; it is very critical. We have before us a very significant piece of legislation that has been expertly crafted. Yes, trade is a part of it because trade is important at this time to make sure that we are able to help sustain the economy of Pakistan at this very critical time.

Pakistan is in a fragile situation. Military aid is in here, yes, because Pakistan needs this. But we have the safeguards here because, let me just say, the other side mentioned something a little while back about the Department of Defense and their role. Let us go back for an example in Afghanistan.

In Afghanistan, we do not want another repeat of the very significant problem that the Department of Defense had in Afghanistan with losing—yes, losing—significant military equipment to the Taliban.

□ 1330

The U.S. taxpayers deserve better, and in this bill we are giving them better. We are giving the oversight. In essence, we are making sure that aid that we give to Pakistan is properly used, that oversight is in place, that benchmarks are in place. We're making sure that any entity that is being used, whether it's military or certainly their nuclear weapons, do not fall into terrorists' hands or into other hands. We've made sure, under the leadership of Ms. LEE, who's on this committee, with the chairman's manager's amendment, that we have safeguards in here to make sure that none of these funds are used to even expand their nuclear capacity.

This is an extraordinary bill at an extraordinary time. It is heavily bipartisan, and I commend the chairman on an excellent piece of legislation.

The SPEAKER pro tempore. The gentleman from California has 7½ minutes remaining. The gentlewoman from Florida has 6½ minutes remaining.

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

Mr. Speaker, as we have noted here on the floor, too often the relationship between the United States and Pakistan has been characterized by mutual frustration engendered by a growing trust gap. And while the leaderships of the two countries place a high value on our relationship, their publics and their legislatures have viewed each other with suspicion and depicted each other as unreliable allies. But with the advent of a new administration, both in Pakistan and in the United States, we're offered a window of opportunity to redefine, to recalibrate relations.

Both sides need to guard against unrealistic expectations but be prepared to engage in an honest dialogue; and therein lies the rub, Mr. Speaker. As a Pakistani civil society leader and a close confidant of the late Benazir Bhutto has said, ''Conditioning aid turns on its head the very rationale for assistance to stabilize Pakistan and empower it to deal more effectively with security challenges. An approach that treats Pakistan from the paradigm of 'hired help' rather than 'valued ally' is deeply counterproductive. It only reinforces the transactional nature of ties that are so resented by Pakistanis.''

Mr. Speaker, our overarching goal should and, indeed, must be—do no harm. Unfortunately, the bill before us could hamper, rather than help, vital U.S. security and strategic objectives regarding Pakistan and Afghanistan.

With that, I reserve the balance of my time.

Mr. BERMAN. Mr. Chairman, I am very pleased to yield 2 minutes to a member of the committee, my friend from California, the gentlewoman BARBARA LEE.

Ms. LEE of California. Mr. Speaker, first let me thank the chairman for his very effective work on this bill and for your leadership and for really bringing this forward to the committee so that all of us could have an opportunity to weigh in, and talk about, and amend, and include many of the provisions that we believe allowed us to come to this floor today to support this bill.

I believe, like many believe, that addressing Pakistan, rather than an escalation of the war in Afghanistan, is a much more effective way to address terrorism and our national security. I'm greatly encouraged by the goals of this legislation, which aims to put United States ''smart power'' to work, which many of us have been talking about for many years. The smart power. This helps to reshape our relationship with Pakistan based on a long-term commitment to social, economic and political development. The legislation integrates key benchmarks and limitations absent in previous aid packages which resulted in really $10 billion in United States aid since 2001, yielding little or no results or progress on many fronts in Pakistan. So you can imagine why some of us initially were very skeptical of this.

This legislation also seeks to reshape the U.S.-Pakistan relationship by shifting unconditional United States military assistance away from this historical trend of exclusively unconditional military assistance. I want to make that point very clear. This is not unconditional. This is conditional. And it also provides a two-to-one ratio in terms of the development assistance, economic assistance, social and democratic priorities, which we all believe we should support.

Simply put, this bill really reflects the sentiments shared by many of my colleagues, that the national security of our Nation hinges upon much more than military might. Instead, it hinges upon the success of diplomatic and development efforts around the globe.

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

Mr. BERMAN. I yield the gentlewoman 30 additional seconds.

Ms. LEE of California. Let me just say that as a supporter of nonproliferation efforts all of my life, I am very pleased and want to thank Chairman BERMAN for working with myself and other members of the committee to address the concerns regarding the potential expansion of Pakistan's nuclear program. I wanted to make sure that the possible fungibility of these funds was not a factor. In President Obama's bold and brilliant speech in Cairo last week, he strongly reaffirmed America's commitment to seek a world in which no nation holds nuclear weapons. So we wanted to make sure that that was the case here with Pakistan in this bill and that we minimized any type of fungibility of funds.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm pleased to yield 1 minute to the gentleman from California (Mr. ROHRABACHER), the ranking member of the Subcommittee on International Organizations, Human Rights and Oversight.

Mr. ROHRABACHER. I rise in opposition to this effort to send billions of more dollars to Pakistan. I have reached my threshold with Pakistan. We have sent them billions upon billions of dollars, and we still have an anti-American sentiment all the way through that government. They were

our friends during the Cold War. Yes, they sided with us against the Soviet Union. The Cold War is over. It is long over. And since that time, the leaders of Pakistan have allied themselves with the most radical elements of Islam who hate the United States; and the Pakistani officials and the ISI, their CIA, have been working in conjunction with these radical Islamicists in Saudi Arabia and elsewhere ever since. We should not be sending them billions and billions of more dollars. We should be seeking, instead, to start relying on relationships with India, Russia and other countries that will be more reliable allies. I'm sorry that I'm having to say that we should be writing off a country like this. Let's focus on Afghanistan and quit sending billions of dollars to Pakistanis.

Mr. BERMAN. Mr. Speaker, I yield myself 15 seconds.

Just remember, a decision at this point to give up on Pakistan, it is Pakistan that is providing sanctuary for the people who are fighting us in Afghanistan. It is Pakistan who has nuclear weapons.

I now yield 2 minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Thank you, Mr. Chairman.

I'm supporting this legislation because it addresses both war and peace. And if I may, I'd like to focus on the peace initiative because, truth be told, the great issue of our time is not whether a superpower can police the world. A superpower can police the world. The great issue of our time is whether a superpower can bring peace to the world.

This piece of legislation helps us not only with war but also with peace because it helps us with economic development. It helps us to give people the opportunity to take care of themselves and sustain themselves, but it also helps us with education. The wealth of a nation is the education of its people. It helps us to bring the peace and stability that will be needed when the war is over. War can help us to provide a certain degree of security, but it won't provide the salvation that we need to have the peace.

I support this bill because it helps us when the war is over to have the peace and stability that Pakistan will need. I thank you, Mr. Chairman. It's a great piece of legislation.

The SPEAKER pro tempore. The gentlewoman from Florida has 3½ minutes remaining.

Ms. ROS-LEHTINEN. At this point I am very pleased to yield 2 minutes to Mr. HUNTER of California.

Mr. HUNTER. Mr. Speaker, let me say this: I have served in Iraq two times as a United States Marine, and I served in Afghanistan once. When I was over there in 2007, I was fighting, and in October of 2007, word came across from here in the States that said several hundred State Department employees expressed their resentment over a policy that could force them to serve in Iraq or they might lose their jobs. They actually called going over to Iraq and Afghanistan a potential death sentence. So these are State Department employees, diplomats—the same ones we're asking to go to Pakistan and Afghanistan, which is arguably the most dangerous area right now in the entire world. We're asking them to go over, the exact same people who called going over to Iraq a potential death sentence.

I would equate this to sending diplomats to Katrina-destroyed New Orleans in 2005 instead of the National Guard. We're going to send diplomats to Louisiana. We aren't going to send the National Guard. We aren't going to send emergency services. We're going to send diplomats. So as opposed to giving General Petraeus, as the President asked for, funding to help out in Pakistan and Afghanistan, we're going to send diplomats so they can talk to the Taliban and they can talk to al Qaeda. They can talk to the mad men who cut off people's heads. That's what the State Department is going to do.

This is the wrong move. The Republicans have it right this time. Give the President full authority, Let him come up with a plan, and let General Petraeus implement that. The Republican substitute is the right way to go. We need to make sure that Pakistan is fighting for Pakistan and that Pakistan doesn't think it's only fighting for American dollars. That's what we need to do.

Once more, as a United States Marine that saw State Department ineptness and cowardice while I was in Afghanistan, it's almost personally insulting that we're going to pull the funding from General Petraeus and give it to those State Department cronies.

The SPEAKER pro tempore. The gentlewoman from Florida has 1½ minutes remaining. The gentleman from California has 3¼ minutes remaining.

Mr. BERMAN. Mr. Chairman, I am very pleased to yield 2 minutes to the gentlewoman who has made a significant contribution to this legislative effort, the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Mr. Speaker, I want to thank Chairman BERMAN for working with me so closely to include provisions in H.R. 1886 to ensure that the empowerment, protection and human rights of women are an important purpose for our aid to Pakistan and to help address the high rate of maternal mortality in Pakistan.

As Secretary of State Clinton noted earlier this year, the status of women and girls is a key indicator of whether or not progress is even possible in a society. We simply can't solve the global problems confronting us—from the worldwide financial crisis to the risk of climate change, chronic hunger, disease, poverty—when the energies and talents of hundreds of millions of people, half the world's population is left behind.

According to the World Health Organization, maternal mortality is an indicator of disparity and inequity between men and women and reflects a woman's so-called place in society and their ultimate access to social health, nutritional services and to economic opportunities. In this case, Pakistan's maternal mortality rate speaks of the great challenges facing Pakistani women.

□ 1345

Over 400 women die per 100,000 live births in Pakistan, and, for comparison, that is compared to 11 per 100,000 in the United States.

It is the aim of my amendment to make clear that the U.S. aid authorized in this bill addresses this challenge. We need to make it unmistakably clear, Mr. Speaker, that addressing that nation's high child and maternal mortality rates is a key part of our assistance to Pakistan. We know that these interventions will save these women's lives and ultimately save the nation.

Again, I thank the chairman for his support.

The SPEAKER pro tempore. The gentleman from California (Mr. BERMAN) has 1¼ minutes remaining and the right to close, and the gentlewoman from Florida (Ms. ROS-LEHTINEN) has 1½ minutes remaining.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I feel like I am experiencing deja vu. The seemingly same arguments that opponents of General Petraeus and his Iraq surge strategy used just under 2 years ago about Iraqis and the Iraqi government and their commitment to fighting extremist groups, they are making an appearance today in this Chamber with respect to Pakistan.

U.S. commanders have just begun to assess the situation on the ground to determine the need to implement that new strategy, and some of the speakers today are already tying the U.S.' hands while prejudging the response of Pakistan. We should be focusing on success, on prevailing against al Qaeda, prevailing against the Taliban, not anticipating failure.

While the authors of this bill seek to empower our Pakistani partners to confront insurgency and militarism, I feel that this bill will actually inadvertently have a counterproductive impact by potentially making the Pakistani government appear subservient to the United States, as Senator KERRY suggested. This bill could weaken Pakistani democracy as well as could potentially fuel paranoia, wild conspiracy theories that help give rise to that country's visceral and deep-seated anti-American feelings.

So I urge my colleagues to look at this bill, examine carefully what we are doing to our military, what we are doing to this new administration, and come to the correct conclusion that they should oppose this bill.

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

Mr. Speaker, just a few points. There was reference here to the F–16s. There is nothing in this bill that prohibits the Pakistanis from deciding to buy more F–16s. Two years ago they signed a contract indicating that that is what they were going to do. What this legislation does is say other than some specific adjustments particularly to deal with utilizing the F–16s they already have, in the counterinsurgency, we are not going to give our taxpayer dollars for a weapons system, an airplane, whose counterinsurgency interests are far less important than other equipment or training we could be providing.

Secondly, Admiral Mullen came to see me about the problems of utilizing the traditional security assistance program for providing the kind of equipment that is needed for the counterinsurgency in Pakistan. As a result of the case he made, we have created and worked with the Armed Services Committee to create an entire fund that waives every provision of law in the foreign military financing program so that we can get this equipment and training to the Pakistanis.

Pakistan is an urgent problem, but doing it right, not just doing it carelessly, is the way to go. I urge that this bill be supported.

Ms. JACKSON-LEE of Texas. Mr. Speaker, thank you for affording me this opportunity to address the Rules Committee and explain my amendment to H.R. 1886, the ''Pakistan Enduring Assistance and Cooperation Act''.

My amendment is a simple but important addition to this important legislation, which I believe can be supported by every member of this Committee.

My amendment would foster counterterrorism efforts in Pakistan with the creation of militant rehabilitation programs designed to rehabilitate insurgents and to prevent youth from turning to militancy from the onset. Financial support and job opportunities will be provided to graduates of the rehabilitation programs as incentives for steering insurgents away from militancy.

H.R. 1886 establishes a new, more positive framework for U.S.-Pakistan relations. The legislation establishes a set of principles that should govern the U.S.-Pakistan relationship, including the actions that the two countries should take to maintain a robust, relevant and lasting relationship. The bill is comprised of three titles.

The first Title provides Economic, Social and Democratic Development Assistance for Pakistan; the second Title provides Security Assistance for Pakistan; and the third Title requires the President to develop a regional security strategy; provides for enhanced monitoring, evaluation, and auditing of U.S. assistance; requires a Presidential report on Pakistan, including an evaluation on Pakistan's progress in counterterrorism and an assessment of whether assistance provided to Pakistan is in any way facilitating the expansion of Pakistan's nuclear weapons program; and requires that all assistance to Pakistan be provided through a civilian government in Pakistan established by free and fair elections.

I urge you to support my amendment.

Mr. DRIER. Mr. Speaker, this week we are considering a number of foreign policy bills that affect critically important issues. Yesterday we considered H.R. 2410, the State Department Reauthorization Act. Today we are considering two proposals, which have been joined together in one bill, H.R. 1886, to provide assistance to Pakistan. The first proposal provides funding to help Pakistan develop its institutions and provide economic development for its people, in order to help combat the growing terrorist threat that is within its borders and that fuels the conflict in Afghanistan. The second proposal also seeks to bolster development in Pakistan, as well as Afghanistan, by creating duty-free zones along their shared border to encourage new investment and provide access to the U.S. market.

These are all very worthy ideas. Foreign assistance, particularly capacity building, plays a critical role in bolstering our national security, when it is done right. By helping our partners in the developing world to strengthen the rule of law, build transparent and accountable institutions, and spur the kind of economic development that improves standards of living, we help to tear down the foundations of terrorism and tyranny and combat the radicalism that threatens the safety of all Americans.

Our efforts in Pakistan are particularly important, not only because of the implications for the war in Afghanistan, where our troops are in harm's way, but because it is a nuclear-armed state. The stakes couldn't be higher. If Pakistan's democratically elected government were to be taken over by the terrorists in their midst, the consequences would be almost unthinkable. Creating economic opportunity and real alternatives to terrorism in Pakistan and elsewhere in the developing world is a vital national security concern. Unfortunately, the bills that we are considering this week are fundamentally flawed. The State Department Reauthorization bill, rather than pursuing meaningful reform to make our foreign assistance more effective, simply expanded government spending and bureaucracy at an untenable rate. It also included a number of highly controversial provisions, yet the rule did not provide for debate or consideration of amendments on those issues. As a result, I could not support this bill.

The two proposals on Pakistan before us today are even more problematic. The first, while providing vital funding in a key region, ties the hands of our military and attempts to micromanage interagency efforts from 7000 miles away. This is a counterproductive and potentially fatal error to make. The second proposal, which proposes new duty-free zones for textile and household products, is counterproductive as well.

While the idea behind it is a very good one, the actual program proposed has three key flaws—it excludes the top products that are made in Pakistan, rendering the program ineffective; it imposes such restrictive and unworkable labor provisions that it undermines the proposed program and sets a very bad precedent for future trade preference bills; and finally, it imposes new tariffs on the very Pakistani businesses that we are trying to help, in order to pay for the elimination of tariffs in other categories of products. This bill would take with one hand while it attempts to appear to give with the other. This is not a workable proposal. It will not spur development in Pakistan, and could actually hurt those companies that are currently creating the only economic opportunity that exists in Pakistan. It would also set a very dangerous precedent for future attempts to spur development and poison our efforts to create opportunity elsewhere in the developing world.

All three foreign policy proposals before us this week represent nothing more than three very unfortunate missed opportunities. I am truly disappointed that we have not had the opportunity to get these bills right, as they deal with such critically important issues. I hope very much that in the future, we can have an open, bipartisan process that allows us to effectively and appropriately deal with the key national security issue of foreign assistance.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in support of the Afghanistan-Pakistan Security and Prosperity Enhancement Act. The legislation, originally introduced as H.R. 1318, was subsequently incorporated into H.R. 1886, to authorize Democratic, Economic and Social Development Assistance for Pakistan, introduced by Congressman BERMAN, the Chairman of the Committee on Foreign Affairs. This legislation is aimed at protecting our homeland and those of our allies in the fight against Al-Qa'ida and the Taliban in Afghanistan and Pakistan by providing tools for economic development.

We worked with the Bush Administration to craft the framework of this legislation. This initiative was subsequently embraced by President Obama who specifically incorporated it into his counterinsurgency strategy for Pakistan and Afghanistan. This bill authorizes the President of the United States to designate specific trade zones, known as Reconstruction Opportunity Zones (ROZs), in Afghanistan and in certain regions of Pakistan to create economic opportunities.

These ROZs will allow qualified businesses duty-free access into U.S. markets for designated products, thereby providing significant employment opportunities where few currently exist. A ROZ program could go a long way to bolster economic development in this critical region of the world where extremists have tried to exploit the lack of economic opportunities to gain recruits for their radical agenda.

Enhanced security efforts by the United States, as well as a strong foreign and military assistance program, are needed to disrupt and weaken Al-Qa'ida and the Taliban. These extremist groups exploit the poor socio-economic conditions, such as high unemployment, in the border areas, to gain adherents to their nefarious causes. With no meaningful alternatives, young men in particular are vulnerable to their entreaties.

This legislation was endorsed by the Washington Post in an editorial on March 22, 2009. Moreover, in a letter to the Speaker this week, Ambassador Richard Holbrooke, the State Department, Special Representative for Afghanistan and Pakistan, reiterated the Administration's support and noted that ''ROZs are an important component of the President's comprehensive national security strategy in Afghanistan and Pakistan, and we need enactment of ROZ legislation as quickly as possible to help facilitate success.''

I urge all Members of the House to support this valuable program and vote for this bill today. I ask unanimous consent to insert, into the RECORD, the speech of President Obama, the letter of Ambassador Holbrooke and the Washington Post editorial with my statement.

DEPARTMENT OF STATE,
Washington, DC, June 10, 2009.

Hon. NANCY PELOSI,
Speaker, House of Representatives.

DEAR MADAM SPEAKER: Thank you for giving me the opportunity on Monday to discuss legislation creating Reconstruction Opportunity Zones (ROZs) in Afghanistan and Pakistan, and to reiterate the Administration's support. As you know, the House version (H.R. 1318) of this bipartisan legislation is sponsored by Representative Chris Van Hollen. Allow me to reaffirm, in writing, the key points, in the hope they will be useful as you proceed.

First, let me emphasize that ROZs are a vital component of our policy toward Pakistan in a moment of great challenge, indeed crisis, for that critically important nation. Pakistan's stability and security are directly related to our own national security and the ROZ legislation addresses issues central to the very area in which, at present, there are well over 2 million internal refugees and in which the Taliban and al-Qaeda are operating.

Military power alone cannot bring peace to Afghanistan and Pakistan. ROZs are an important component of the President's comprehensive national security strategy in Afghanistan and Pakistan, and we need enactment of ROZ legislation as quickly as possible to help facilitate success. As the President put it earlier this year in calling for Congress to enact this bipartisan bill, ROZs will ''develop the economy [in the border regions] and bring hope to places plagued by violence.''

By spurring economic growth and job creation, ROZs will provide legitimate job opportunities in high-unemployment, high-poverty areas in Pakistan and Afghanistan where livelihood choices are extremely limited. We need ROZs now—economic opportunities must be expanded to quickly follow up military operations with economic development to prove to populations in critical targeted areas that there are benefits to defeating the militants. Simply put, ROZs are crucial to the ''build'' part of our ''clear-hold-build'' counterinsurgency efforts and will help us to assist the Governments of Pakistan and Afghanistan to create conditions on the ground that will help marginalize the insurgents.

ROZs will enhance our ''whole of government'' strategy and will be a highly visible example of U.S. commitment to the long-term prosperity of the Afghan and Pakistani peoples. On my trips to Pakistan and Afghanistan, I hear a constant refrain from all quarters in these societies about the importance of this legislation, including the signal its passage would send about the strength of the long-term relationships between our peoples.

Thank you again for your leadership. I am committed to working with you and other Congressional leaders to quickly enact Pakistan and Afghanistan ROZs into law.

Sincerely,

RICHARD C. HOLBROOKE,
Special Representative for Afghanistan and Pakistan.

[From the Washington Post, Mar. 22, 2009]

PLOWSHARES FOR PEACE

As the Obama administration formulates its strategy for Pakistan and Afghanistan, pretty much everyone agrees that spurring the economy in both countries—creating jobs—is key to defusing militancy. The usual prescription is more foreign aid, which is sure to figure in any new plan. But what doesn't always get acknowledged in these discussions is that such aid often doesn't do much good. The United States wasted billions of dollars in Iraqi reconstruction aid, and given the dangerous environment—which discourages inspection and monitoring—you can expect a rerun in Afghanistan and Pakistan. A more effective way to boost both economies would be to allow them to export their products tariff-free into the United States. But that idea arouses the enmity of U.S. labor unions, which means that it's not going to get far in a Democratic Congress.

Enter Rep. Chris Van Hollen, Montgomery County Democrat and member of the House leadership, with a practical alternative. Mr. Van Hollen, with co-sponsors, has introduced legislation to create ''reconstruction opportunity zones'' within both countries. Certain products, including some (not all) textiles, produced within the zones would enjoy duty-free access to the U.S. market for 15 years. This would encourage investment by local businessmen, who best know the terrain, and create jobs. There's no better formula for discouraging Taliban recruitment.

It's not a magic formula, of course. The investment areas have to be drawn widely enough to make the prospect of investment realistic; if you limit them to the most intense battle zones, you're not going to see many jobs created. The bigger they are, though, the likelier the bill will arouse union opposition, so the politics are tricky. Mr. Van Hollen and his co-sponsors—including Reps. Sander M. Levin (D–Mich), Peter Hoekstra (R–Mich.) and Mark Steven Kirk (R–Ill.)—have tried to find the sweet spot, and their bill also insists that any factories in the zones meet core international standards in their treatment of workers.

Maybe the strongest argument for the opportunity zones is that there is no down side; the worst that could possibly happen is they don't trigger much investment. But they would immediately provide a signal of U.S. commitment—the governments of both countries strongly support the idea—and they could have a substantial positive effect reasonably quickly, at almost no cost to the U.S. Treasury. Congress and the administration should get behind this idea.

OBAMA ANNOUNCES NEW AFGHANISTAN, PAKISTAN STRATEGIES

President BARACK OBAMA. Good morning. Please be seated.

Before I begin today, let me acknowledge, first of all, Your Excellencies, all the ambassadors who are in attendance. I also want to acknowledge both the civilians and our military personnel that are about to be deployed to the region. And I am very grateful to all of you for your extraordinary work.

I want to acknowledge General David Petraeus, who's here, and has been doing an outstanding job at CENTCOM. We appreciate him. I want to thank Bruce Riedel. Bruce is down at the end here, who has worked extensively on our strategic review.

I want to acknowledge Carl Eikenberry, who's here, and is our ambassador designate to Afghanistan, and to my national security team. Thanks for their outstanding work.

Today, I'm announcing a comprehensive new strategy for Afghanistan Pakistan. And this marks the conclusion of careful policy review led by Bruce that I ordered as soon as I took office. My administration has heard from our military commanders as well as our diplomats. We consulted with the Afghan and Pakistani governments, with our partners, and our NATO allies and with other donors and international organizations. We've also worked closely with members of Congress here at home.

And now I'd like to speak clearly and candidly to the American people. The situation is increasingly perilous. It's been more than seven years since the Taliban was removed from power yet war rages on and insurgents control parts of Afghanistan and Pakistan. Attacks against our troops, our NATO allies, and the Afghanistan government has risen steadily.

And, most painfully, 2008 was the deadliest year of the war for American forces. Many people in the United States and many in partner country that have sacrifices so much have a simple question. What is our purpose in Afghanistan? Of so many years, they ask why do our men and women still fight and die there? They deserve a straightforward answer.

So let me be clear. Al Qaida and its allies, the terrorists who planned and supported the 9/11 attacks are in Pakistan and Afghanistan. Multiple intelligence estimates have warned that Al Qaida is actively planning attacks on the United States homeland from its safe haven in Pakistan. And if the Afghan government falls to the Taliban or allows Al Qaida to go unchallenged, that country will again be a base for terrorists who want to kill as many of our people as they possibly can.

The future of Afghanistan is inextricably linked to the future of its neighbor Pakistan. In the nearly eight years since 9/11, Al Qaida and its extremist allies have moved across the border to remote areas of the Pakistani frontier. This almost certainly includes Al Qaida's leadership, Osama bin Laden and Ayman al-Zawahiri. They have used this mountainous terrain as a safe haven to hide, to train terrorists, and communicate with followers, to plot attacks, and to send fighters to support the insurgency in Afghanistan.

For the American people, this border region has become the most dangerous place in the world. But this is not simply an American problem, far from it. It is, instead, international security challenge of the highest order.

Terrorist attacks in London, in Bali were tied to Al Qaida and its allies in Pakistan as were attacks in North Africa and the Middle East, in Islamabad and in Kabul. If there is a major attack on an Asian, European, or African city it, too, is likely to have ties to Al Qaida leadership in Pakistan.

The safety of people around the world is at stake. For the Afghan people, the return to Taliban rule would condemn their country to brutal governance, international isolation, a paralyzed economy, and the denial of basic human rights to the Afghan people, especially, women and girls.

A return in force of Al Qaida terrorists who would accompany the core Taliban leadership would cast Afghanistan under the shadow of perpetual violence.

Obama: As president, my greatest responsibility is to protect the American people. We are not in Afghanistan to control that country or to dictate its future. We are in Afghanistan to confront a common enemy that threatens the United States, our friends, and our allies and the people of Afghanistan and Pakistan who have suffered the most at the hands of violent extremists.

So I want the American people to understand that we have a clear and focused goal to disrupt, dismantle, and defeat Al Qaida in Pakistan and Afghanistan and to prevent their return to either country in the future. That's the goal that must be achieved. That is a cause that could not be more just.

And to the terrorists who oppose us, my message is the same. We will defeat you.

To achieve our goals, we need a stronger, smarter, and comprehensive strategy. To focus on the greatest threat to our people, America must no longer deny resources to Afghanistan because of the war in Iraq. To enhance the military, governance, and economic capacity of Afghanistan and Pakistan,

we have to marshal international support. And to defeat an enemy that heeds no border or laws of war, we must recognize the fundamental connection between of future of Afghanistan and Pakistan which is why I've appointed Ambassador Richard Holbrooke, who is here, to serve as special representative from both countries and work closely with General Petraeus to integrate our civilian and military efforts.

Let me start by addressing the way forward in Pakistan. The United States has great respect for the Pakistani people. They have a rich history and have struggled against long odds to sustain their democracy. The people of Pakistan want the same things that we want. An end to terror, access to basic services, the opportunity to live their dreams and the security that can only come with the rule of law. The single greatest threat to that future comes from Al Qaida and their extremist allies. And that is why we must stand together.

The terrorist within Pakistan's border are not simply enemies of America or Afghanistan. They are a grave and urgent danger to the people of Pakistan. Al Qaida and other violent extremists have killed several thousand Pakistanis since 9/11. They've killed many Pakistani soldiers and police. They assassinated Benazir Bhutto. They've blown up buildings, derailed foreign investment, and threatened the stability of the state.

So make no mistake, Al Qaida and its extremist allies are a cancer that risks killing Pakistan from within.

It's important for the American people to understand that Pakistan needs our help in going after Al Qaida. This is no simple task. The tribal regions are vast, they are rugged, and they are often ungoverned. And that's why we must focus on military assistance on the tools, training, and support that Pakistan needs to root out the terrorists.

And after years of mixed results, we will not and cannot provide a blank check. Pakistan must demonstrate its commitment to rooting out Al Qaida and the violent extremists within its borders.

We will insist that action be taken, one way or another, when we have intelligence about high-level terrorist targets. The government's ability to destroy these safe havens is tied to its own strength and security. To help Pakistan weather the economic crisis, we must continue to work with the IMF, the World Bank, and other international partners.

To lessen tensions between two nuclear-armed nations that too often teeter on the edge of escalation and confrontation, we must pursue constructive diplomacy with both India and Pakistan. To avoid the mistakes of the past, we must make clear that our relationship with Pakistan is grounded in support for Pakistan's democratic institutions and the Pakistani people.

And to demonstrate through deeds as well as words a commitment that is enduring, we must stand for lasting opportunity.

Now a campaign against extremism will not succeed with bullets or bombs alone. Al Qaida offers the people of Pakistan nothing but destruction. We stand for something from the time.

So, today, I'm calling upon Congress to pass a bipartisan bill co-sponsored by John Kerry and Richard Lugar that authorizes $1.5 billion in direct support to the Pakistani people every year over the next five years, resources that will build schools, roads, and hospitals, and strengthen Pakistan's democracy.

I'm also calling on Congress to pass a bipartisan bill co-sponsored by Maria Cantwell and Chris Van Hollen and Peter Hoekstra that creates opportunity zones in the border regions to develop the economy and bring hope to places plagued with violence.

And we will ask our friends and allies to do their part, including, at the donors' conference in Tokyo next month.

Obama: I don't ask for this support lightly. These are challenging times. Resources are stretched. But the American people must understand that this is a down payment on our own future because the security of American and Pakistan is shared. Pakistan's government must be a stronger partner in destroying these safe havens, and we must isolate Al Qaida from the Pakistani people.

These steps in Pakistan are also indispensable to our efforts in Afghanistan which will see no end to violence if insurgents move freely back and forth across the border. Security demands a new sense of shared responsibility, and that's why we will launch a standing, trilateral dialogue among the United States, Afghanistan, and Pakistan.

Our nations will meet regularly with Secretaries Clinton and Secretary Gates leading our effort. Together, we must enhance intelligence sharing and military cooperation along the border while addressing issues of common certain like trade, energy, and economic development.

This is just one part of a comprehensive strategy to prevent Afghanistan from becoming the Al Qaida safe haven that it was before 9/11. To succeed, we and our friends and allies must reverse the Taliban's gains and promote a more capable and accountable Afghan government.

Our troops have fought bravely against a ruthless enemy. Our civilians have made great sacrifices. Our allies have born a heavy burden. Afghans have suffered and sacrifices for their future. But for six years, Afghanistan has been denied the resources that it demands because of the war in Iraq.

Now, we must make a commitment that can accomplish our goals. I've already ordered the deployment of 17,000 troops that have been requested by General McKiernan for many months. These soldiers and Marines will take the fight to the Taliban in the south and the east and give us a great capacity to partner with Afghan security forces and to go after insurgents along the border.

This push will also help provide security in advance of the important presidential elections in Afghanistan in August. At the same time, we will shift the emphasis of our mission to training and increasing the size of Afghan security forces so that they can eventually take the lead in securing their country.

Mr. STARK. Mr. Speaker, I rise today in opposition to the Pakistan Enduring Assistance and Cooperation Enhancement Act (H.R. 1886). I do commend the strong funding levels for development assistance, education, and health care contained in the legislation and if the bill consisted only of this type of humanitarian support I would gladly vote for it. I cannot, however, support authorizing over $1 billion per year in military aid to a nation that has already suffered under a military dictatorship and continues to experience daily violence.

The people of Pakistan do need our help to strengthen their democratic institutions, educate their citizens, and provide social and economic opportunity. What they do not need is an influx of guns, tanks, and other weapons that will lead to further destabilization and violence.

I urge all of my colleagues to stand for peace and vote against this legislation.

Mr. LARSON of Connecticut. Mr. Speaker, today we will vote on a historic piece of legislation that will refocus American foreign policy and forge a true partnership with Pakistan and its people. H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009, will triple U.S. economic assistance to Pakistan, with a focus on the rights of women and religious minorities, strengthening democratic institutions, and improving Pakistan's public education system.

I am especially proud to pass this bill because of its focus on public education. The Enduring Assistance and Cooperation Enhancement Act will help Pakistan develop a national curriculum for public, private and religious schools and will expand educational opportunities for women and girls. I recently read a very important book; Three Cups of Tea is an inspirational story about a journey to Pakistan and the feats of one of the most inspirational people of our generation: Greg Mortenson. Upon my visit to Afghanistan several months ago, I saw the truth in Mortenson's message: that the poverty and lack of opportunity in countries like Pakistan and Afghanistan can incite hatred against the United States and lead to acts of terrorism. That is why I am proud of my colleagues for realizing that sticks, alone, will not fight terrorism. We can also fight terrorism by building schools, buying books, and helping children—especially girls—increase life's prospects through education. I commend Chairman BERMAN for introducing this important bill and urge my colleagues to join me in passing it and helping bring peace, stability, and opportunity to Pakistan's people.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MS. ROS-LEHTINEN

Ms. ROS-LEHTINEN. Mr. Speaker, I have a substitute amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment in the nature of a substitute offered by Ms. ROS-LEHTINEN:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States-Pakistan Security and Stability Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress supports the following elements outlined in the President's White Paper of the Interagency Policy Group's Report on United States Policy Toward Afghanistan and Pakistan:

(A) The core goal of the United States must be to disrupt, dismantle, and defeat al Qaeda and its affiliated networks and their safe havens in Pakistan.

(B) The threat that al Qaeda poses to the United States and its allies in Pakistan—including the possibility of extremists obtaining fissile material—is all too real.

(C) The United States must overcome its trust deficit with Pakistan and demonstrate that it is a reliable, long-term partner.

(2) The Government of Pakistan is facing significant security and socio-economic challenges that set the conditions for greater radicalization and may threaten Pakistan's viability. Such challenges include the following:

(A) Al Qaeda's and other extremist groups' campaign of violent attacks throughout Pakistan, including the Red Mosque incident, the assassination of Benazir Bhutto, and the bombing of the Marriott Hotel in Islamabad.

(B) Pakistan's population growth at a rate of approximately 2 percent a year, with nearly half of its 172 million residents illiterate, under the age of 20, and living near or below the poverty line.

(3) Security and stability to Pakistan is further complicated given the prevalence of ungoverned spaces between Pakistan and Afghanistan in which state control has not been fully exercised given ethnic and tribal affiliations.

(4) The security and stability of Pakistan is vital to the national security of the United States, and the consequences of failure poses a grave threat to the security of the American people, the region, and United States allies.

(5) The objectives of United States policy toward Pakistan are to empower and enable Pakistan to—

(A) develop into a prosperous and democratic state that is at peace with itself and with its neighbors;

(B) actively confront, and deny safe haven to, al Qaeda, the Taliban, and other extremists;

(C) implement the economic, legal, and social reforms required to create an environment that discourages violent Islamic extremism; and

(D) maintain robust command and control over its nuclear weapons technology.

SEC. 3. COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR PAKISTAN.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the Supplemental Appropriations Act of 2009, the President shall develop and transmit to the appropriate congressional committees a comprehensive interagency strategy and implementation plan for long-term security and stability in Pakistan which shall be composed of the elements specified in subsection (b).

(b) ELEMENTS.—The comprehensive interagency strategy and implementation plan required by subsection (a) shall contain at least the following elements:

(1) A description of how United States assistance described in section 4 will be used to achieve the objectives of United States policy toward Pakistan.

(2) Progress toward the following:

(A) Assisting efforts to enhance civilian control and a stable constitutional government in Pakistan and promote bilateral and regional trade and economic growth.

(B) Developing and operationally enabling Pakistani security forces so they are capable of succeeding in sustained counter-insurgency and counter-terror operations.

(C) Shutting down Pakistani safe havens for extremists.

(D) Improving Pakistan's capacity and capability to ''hold'' and ''build'' areas cleared of insurgents to prevent their return.

(E) Developing and strengthening mechanisms for Pakistan-Afghanistan cooperation.

(3) A financial plan and description of the resources, programming, and management of United States foreign assistance to Pakistan, including the criteria used to determine their prioritization.

(4) A complete description of both the evaluation process for reviewing and adjusting the strategy and implementation as necessary, and measures of effectiveness for the implementation of the strategy.

(c) INTELLIGENCE SUPPORT.—The President, after consultation with the Director of National Intelligence, shall provide intelligence support to the development of the comprehensive interagency strategy and implementation plan required by subsection (a).

(d) UPDATES OF STRATEGY.—The President shall transmit in writing to the appropriate congressional committees any updates of the comprehensive interagency strategy and implementation plan required by subsection (a), as necessary.

SEC. 4. AUTHORIZATION OF ASSISTANCE FOR PAKISTAN.

(a) FOREIGN ASSISTANCE ACT OF 1961.—There is authorized to be appropriated to the President, for the purposes of providing assistance to Pakistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), $1,500,000,000 or such sums as may be necessary for each of the fiscal years 2010 through 2013.

(b) PAKISTAN COUNTERINSURGENCY CAPABILITY FUND.—There is authorized to be appropriated to the President, for the purposes of building a more effective counterinsurgency capability in Pakistan's security forces, up to $700,000,000 for the Pakistan Counterinsurgency Capability Fund, for fiscal year 2010.

(c) USE OF FUNDS.—Amounts authorized to be appropriated under this section or otherwise made available to carry out this Act shall be used to the maximum extent practicable as direct expenditures for programs, projects, and activities, subject to existing reporting and notification requirements.

SEC. 5. CONGRESSIONAL BRIEFING AND NOTIFICATION REQUIREMENTS.

(a) BRIEFING.—Not later than 30 days after the date of the transmission of the comprehensive interagency strategy and implementation plan required by section 3, and quarterly thereafter through December 1, 2013, the President, acting through the Secretary of State and the Secretary of Defense, shall brief the appropriate congressional committees on the status of the comprehensive interagency strategy and implementation plan.

(b) NOTIFICATION.—The President shall notify the appropriate congressional committees not later than 30 days prior to obligating any assistance described in section 4 as budgetary support to the Government of Pakistan or to any persons, agencies, instrumentalities, or elements of the Government of Pakistan and shall describe the purpose and conditions attached to any such budgetary support assistance. The President shall notify the appropriate congressional committees not later than 30 days prior to obligating any other type of assistance described in section 4.

SEC. 6. DEFINITION.

In this Act, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

Amend the title so as to read: ''A bill to require the President to develop a comprehensive interagency strategy and implementation plan for long-term security and stability in Pakistan, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to House Resolution 522, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from Florida.

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

Mr. Speaker, the substitute amendment reflects input from, and was drafted in coordination with, the ranking members of the Committees on Appropriations, on Armed Services, on Homeland Security and Intelligence. In so doing, this approach emulated to some degree the administration's interagency strategic review.

The substitute recognizes that of all the foreign policy challenges facing the United States, stabilizing and reforming Pakistan may be one of the most daunting. Given the enormous complexities and the ever-changing nature of the situation in Pakistan, we believe that it is critical at this stage that the administration retain the necessary flexibility to craft policies that offer the best chance of successfully partnering with the people of Pakistan, with the government of Pakistan, and with the military of Pakistan to defeat violent extremism.

At the same time, the substitute requires an ongoing policy dialogue between the administration and the Congress regarding U.S. policy toward Pakistan, as well as robust legislative oversight of our strategy, of our implementation plan, as well as allocation and expenditure of U.S. assistance.

The Republican substitute requires that not later than 30 days after the enactment of the Supplemental Appropriations Act for 2009, the President submit to Congress a comprehensive interagency strategy and implementation plan for U.S. efforts to eliminate safe havens and help toward the long-term security and stability in Pakistan.

Let me repeat that again, Mr. Speaker. Thirty days after enactment of the current supplemental under discussion, the President is required to produce a comprehensive interagency strategy and implementation plan. This is more timely than what is in the underlying bill, and it seeks to address immediate as well as evolving dynamics.

The Republican substitute relies on the President's leadership and his commitment in providing the strategy and implementation plan to the Congress, but does require that plan to include a description of how the U.S. assistance will be used in order to achieve our U.S. foreign policy objectives.

What does that include? Enhancing stable democratic governments, making sure that we have economic growth, developing Pakistani counter-insurgency capabilities, success in shutting down safe havens for extremists, improving the capacity and capability of Pakistan to hold and build areas cleared of insurgents to prevent their return, and developing and strengthening mechanisms for Pakistan-Afghanistan cooperation, for they cannot be separated.

The substitute also requires that the report include a detailed financial plan of the resources, of the programming and of the management of U.S. assistance to Pakistan and the criteria used to determine their need and value in advancing our U.S. objectives.

This substitute seeks to ensure that congressional oversight and notification keeps pace with changing conditions on the ground, and in turn, changes in strategy and their implementation.

The Republican substitute also fully funds the administration's request for the critically important new Pakistan counterinsurgency capability fund.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I claim the time in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from California is recognized for 15 minutes.

Mr. BERMAN. Mr. Speaker, I would like to yield 2 minutes to the gentlewoman from California, the author of her own legislation on security assistance and the question of the proliferation network in Pakistan.

Ms. HARMAN. I thank the chairman for yielding to me and I rise in strong opposition to this Republican substitute, and in strong support of the underlying bill, H.R. 1886, to provide long-term nonmilitary aid to a country in the crosshairs of the effort by the Taliban to expand its reach in South Asia.

H.R. 1886 will help persuade the Pakistani people that their future lies with a stable and moderate democratic government and not with an authoritarian, theocratic terrorist organization. But a key to doing this is important language in the bill ensuring access of U.S. investigators to persons suspected of engaging in nuclear proliferation. This issue is critical, this language must become law, and I disagree strongly with some in this House and in the other Chamber who say these requirements are overly restrictive and counterproductive.

Pakistan's history of nuclear weapons development has contributed to instability in South Asia and paved the way for A.Q. Khan's insidious and highly profitable proliferation network. Additional and substantial nonmilitary support provided by the U.S. must assure that the security threat to the U.S., which is represented by this network, is minimized.

For at least a decade, A.Q. Khan's illicit network was the most attractive shortcut for nations and rogue organizations interested in acquiring the materials and know-how to build a nuclear device. After illegally securing the capability for Pakistan, which made him a hero at home and a pariah abroad, Khan and his network sold it to Iran, Libya and North Korea. Despite billions of U.S. dollars in aid, former Pakistani President Musharraf pardoned Khan, and earlier this year the Islamabad High Court released him from house arrest.

H.R. 1886, but not the Republican substitute, declares that the U.S. will work with Pakistan to ensure our investigators access to suspected proliferators and to restrict proliferators from travel or other activity that could result in further proliferation. It also incorporates, as the chairman said, language from a bill introduced by several of us to require a presidential assessment and restrict military aid in the future.

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

Mr. BERMAN. I yield the gentlewoman 30 additional seconds.

Ms. HARMAN. I thank the gentleman.

It will restrict military aid in the future unless Pakistan cooperates in efforts to dismantle its nuclear weapons supplier networks.

It is the right thing to do, and I thank the committee for doing it. The world cannot afford another Libya, Iran or North Korea, and we certainly don't want a new nuclear power called al Qaeda.

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

Mr. Speaker, the Republican substitute, as I was saying, also fully funds the administration's request for the critically important new Pakistan Counterinsurgency Capability Fund, PCCF. Forging an effective partnership with Pakistan's military and intelligence apparatus has not been a straightforward affair. Although the United States has enjoyed some success, our efforts have also been hampered by a series of exceptionally difficult problems.

One is a matter of a threat perception and divergent strategic priorities, with Pakistan almost obsessively focused on their traditional rival in India.

Another problem is the legacy of mistrust on both sides, a trust deficit, as I discussed earlier, that continues to greatly complicate our bilateral relations.

A third problem is a limited Pakistani ability to conduct modern counterinsurgency, and to some degree counterterrorism operations, against al Qaeda and their allies in the tribal areas. There is no question, for example, that Pakistan needs to fully cooperate with New Delhi in holding accountable all of those responsible for the brutal assault in Mumbai as well as work with the U.S. and others on critical nonproliferation concerns.

We do not disagree with the overarching goals and the strategic priorities that we want to achieve in relation to Pakistan. Our disagreement is that at this juncture we believe that the best way to achieve critical interests is to give the administration the scope to develop intensive, multiple approaches to rebuild, to strengthen relationships with Pakistan, and address threats common to both of our nations.

We believe the Republican substitute is a more workable basis than the underlying bill for being a partner with Pakistan at this critical time.

□ 1400

The substitute heeds the concerns raised by Secretary Gates and the Joint Chiefs Chairman, Admiral Mullen, who wrote about this underlying bill.

The Department is concerned about aspects of this bill, in particular, those provisions that impose conditions on the furnishing of military assistance that may undermine current administration authorities such as the Global Train and Equip authority. And furthermore, this will allow the Department to use the funds expeditiously and effectively without these purse strings, as evolving circumstance may warrant, in an effort to implement the President's strategy for the region most effectively.

And I think that this Republican substitute gets to what the Department of Defense wishes to do, what the Obama administration wants to achieve, what our democratic allies in Pakistan and here, our strong military in the U.S., wants to achieve; a robust, free and democratic Pakistan upon which we can build that level of trust again.

I hope our colleagues support our Republican substitute.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. MORAN), very knowledgeable on issues affecting Pakistan and U.S.-Pakistan relations.

Mr. MORAN of Virginia. Mr. Speaker, I rise in strong support of the underlying bill proposed by the International Relations Committee, and in opposition to the Republican substitute because, however you spin it, it's basically a continuation of the Republicans' blank check policy towards Pakistan. And what has that gotten us after 8 years of that policy?

Well, it's time to assess it. Twelve billion dollars of taxpayers' money has been spent, and we have nearly half a million Pakistani troops on the border with India, our ally, and one brigade fighting the Taliban and al Qaeda, our enemy. Their principal defense priority is F–16s, which is a combat aircraft. Our enemy doesn't have combat aircraft.

We don't want to be funding a nation to fight against another ally. We want them to fight with us against our enemy.

What this bill does is to enable the children of Pakistan to have a decent public education and not be forced to go to the madrasas where they learn violent extremism against India and against modernity. This enables the women of Pakistan, particularly the young girls, to grow up to be women of influence and power and consequence.

This enables Pakistan to develop economically, not to use its resources into a military posture against India, but to use its resources to become a full-fledged, first world nation.

Pakistan is our ally, and this bill will enable it to stand on its own two feet, not to be able to fight India, not to be able to engage in nuclear proliferation, but to help us fight against the forces of violent extremism.

Pakistan is a valued ally. This will give them the resources so that we can count on that ally to do the right thing.

And to continue the same blank check policy which has made matters worse rather than better, I think, is a terrible mistake.

I urge defeat of the amendment.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 5 minutes to the gentleman from Michigan (Mr. HOEKSTRA), the ranking member on the House Permanent Select Committee on Intelligence.

Mr. HOEKSTRA. Mr. Speaker, I would like to thank my colleague for yielding the time.

You know, Pakistan and Afghanistan are very difficult parts of the world. As we develop the strategies, I think many of us have the same goals and objectives in mind, but we need to take a look at exactly what we're doing today.

I'm proud to support the Republican amendment to the Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009. Interestingly, I believe that this substitute supports our current President's direction that he has outlined for Pakistan and Afghanistan. It supports President Obama's strategy to address the situation in Pakistan, to restore peace and stability to that region.

Maybe, once again, this is another foreign policy initiative where President Obama has decided that perhaps following some of the direction outlined under the Bush administration may not be a bad idea.

I'm one of many Republican ranking members to come forward today to express concern about the majority's bill and to urge support for the Republican substitute. The Democratic bill places too many restrictions on the ability of the President's advisors and the U.S. military to conduct diplomacy and military operations in the region.

In a letter to the Armed Services Committee, Secretary of Defense Gates and Chairman of the Joint Chiefs of Staff Mullen raised their concern about the majority's bill, noting that ''The degree of conditionality and limitations on security assistance to Pakistan'' in H.R. 1886 ''severely constrains the flexibility necessary for the executive branch and the Department of Defense given the fluid and dynamic environment that exists in Pakistan.''

But obviously, they're saying, our troops in Afghanistan and the military in Pakistan and our support of the military efforts in Pakistan require more flexibility than what this bill will allow.

From intelligence briefings, I understand how volatile the situation is in Pakistan. Just on Tuesday, there was a hotel bombing, 18 people killed. The Pakistan Army has been engaged in a battle in the Swat Valley against Taliban militants. Any legislation on Pakistan must give the administration both flexibility to react to the fast-paced developments and the opportunity to develop a plan on how it will implement its strategy for Pakistan and Afghanistan.

Instead of flexibility, this bill is full of restrictive and intrusive provisions that I'm not sure we'd even apply to the United States, where the Democrat majority is trying to dictate and micromanage the President's administration's Pakistan policy. Their bill even includes language to increase Pakistani teacher salaries. It goes into the detail of the level of assistance for student meals.

Wow. That doesn't sound like we're giving the Paks a whole lot of flexibility to even run their own country. This down-in-the-weeds language may represent a new low for congressional micromanagement, not to mention a distraction from the crucial issue of bringing peace and stability to the region.

We need to defeat al Qaeda and the Taliban in Pakistan. That is our goal. That is our mission. This Congress shouldn't be dictating to the Pakistanis teacher salaries and the level of assistance that it needs to provide students for meals in Pakistan.

Republicans have been unfairly criticized in the press as being the party of ''no.'' Not only are the Republicans being the party of ''yes'' on this bill, we're also being more supportive of the Obama administration's Pakistan policy than the Democrat majority.

We support President Obama's efforts in the region. We want them to succeed. I believe the Republican amendment presents the best way Congress can ensure and move toward success in Pakistan and, at the same time, make sure that we stay united on foreign policy, because this amendment, this substitute supports the President's Pakistan strategy.

So let's stand with the President. Let's move forward. Let's make sure that we're united, Republicans and Democrats, House, Senate and the administration, in supporting this President's direction for Pakistan.

I ask my colleagues to support the Republican substitute.

Mr. BERMAN. Mr. Speaker, I yield myself 15 seconds.

The gentleman from Michigan (Mr. HOEKSTRA) just spoke in behalf of the Republican substitute, but he's a major cosponsor of the Reconstruction Opportunity Zones. Unlike the bill in front of us, the Republican substitute does not contain the ROZs, the reconstruction zones. I'm wondering how the gentleman squares that with his position.

I now yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY), who has done remarkable work on the issue of how the $12 billion given to Pakistan over the past 7 years has been spent.

Mr. TIERNEY. Mr. Speaker, I sometimes wonder, listening to this particular substitute, whether some people here, whether it's the administration or whether it's our friends on the other side of the aisle, have been sleepwalking through history. If you want to see a repeat of the last 8 years then, fine, let's get rid of all the accountability.

A billion and a half dollars now for the next 5 years is going to be given to the Pakistanis on the civil side of things. In the past, there's been tens of billions of dollars since their independence. We have maybe a structure that's supposed to be a school or a structure that's supposed to be a clinic standing somewhere but no teachers, no nurses, no doctors, no systems that actually work because there's been a total lack of accountability. This substitute amendment would continue that lack of accountability.

On the security side of things, we have a situation where we have $6.2 billion given in the coalition support funds which, essentially, were a blank check to General Musharraf and the military over there. What we got in return, when we finally started doing some oversight in January of 2007 and afterwards, was a determination that some 40 percent of that had vaporized, cannot be accounted for. It was supposed to be going for things that are counterinsurgency, weaponry that would help fight a common problem of extremists in that country, and disappeared somewhere else.

This particular bill that the substitute is trying to undermine would put in place the accountability provisions. They are flexible enough. They simply say that you have to fight those extremists that are mutual problems. You have to make sure you stop people from going over the border to create problems in Afghanistan. You have to cooperate on nuclear nonproliferation, reasonable things.

The American people have a right to expect that their Representatives are going to be accountable for the billions of dollars. We are supposed to be having a partnership and a mature relationship with the Pakistanis. Then let's get over that notion that we're going to offend their sensibilities so that they won't actually cooperate with us if we want to put some conditions to make sure that our mutual problems are addressed with the billions of dollars of American citizens' money.

We've had 8-plus years of not having accountability on funds to that country and others. We've had times since 2002 where we had totally no accountability. Let's stop sleepwalking. Let's get the problem resolved. Let's make sure we have accountability.

I say vote against the substitute; vote for the underlying bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 1 additional minute to the ranking member on the Intelligence Committee, Mr. HOEKSTRA.

Mr. HOEKSTRA. I thank my colleague for yielding, but I felt I needed to respond as my name was brought up from my colleagues on the other side of the aisle.

You know, the ROZs in this rule process, regardless of the underlying bill, will be part of the final package that moves through. What happens with the Democrat base bill here is they undercut many of the things and put in a lot of restrictions that, as Congressman VAN HOLLEN and I tried to craft the bill together, we wanted to make sure that there was enough freedom for these programs to be successful. And the important thing here is you can vote for the substitute. The ROZs become part of the program when the substitute passes on final passage, after it replaces the underlying Democrat amendment.

So I thank you. I think I understand the rule, but to say that I was not supportive of the ROZs because I was supporting the substitute I don't believe is an accurate indication.

Mr. BERMAN. Mr. Speaker, I yield myself 15 seconds.

The gentleman's point is, I know, inadvertently and unintentionally incorrect.

The Republican substitute replaces the entire bill and, therefore, were the Republican substitute to pass, the ROZs the gentleman has fought for would not be part of the bill that was sent to the Senate.

□ 1415

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to a member of the committee, the delegate from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. I thank the chairman for yielding me time to speak on this important issue.

Mr. Speaker, I have tremendous respect for the gentlewoman from Florida, my dear friend. But on her proposal for this substitute, however, I must respectfully disagree with her on this issue.

I rise in opposition to the substitute version. While like the underlying bill, the substitute provides $1.5 billion in nonmilitary assistance to Pakistan for fiscal year 2010, regrettably the substitute requires no oversight, no accountability, and no meaningful role for Congress to play.

Like my colleagues, I'm appreciative that Pakistan has provided some support for the U.S.-led anti-terror coalition, and I believe Pakistan should be commended for assisting the U.S. in its efforts to hunt down al Qaeda and Taliban insurgents and for allowing the U.S. military to use bases within its country.

However, I do not believe we should provide billions in aid to Pakistan without some sort of accountability. H.R. 1886 includes robust monitoring, evaluations, and auditing provisions to ensure that assistance is actually reaching the Pakistani people and that U.S. taxpayer dollars are being spent wisely.

The SPEAKER pro tempore (Mr. WEINER). The time of the gentleman has expired.

Mr. BERMAN. I yield the gentleman an additional 10 seconds.

Mr. FALEOMAVAEGA. I urge my colleagues to oppose the substitute.

Unfortunately, the previous Administration spent the past 8 years writing blank checks to Pakistan and turned a blind eye, while A.Q. Khan transferred nuclear technology to rogue nations and while General Musharraf failed to keep good on his promises to hold free, fair and transparent elections.

By contrast, this Administration is committed to making Pakistan a success while holding Pakistan accountable. H.R. 1886 as offered by Chairman BERMAN is the way forward to making sure U.S. security assistance is spent in a manner consistent with our national security objectives.

I urge my colleagues to vote "no" on the Republican substitute and to vote "yes" for H.R. 1886, the Pakistan Enduring Assistance and Cooperation Act of 2009.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield on the Republican substitute 2 minutes to the chairman of the Subcommittee of the Middle East and South Asia, the vice chairman of the committee, Mr. ACKERMAN.

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

Mr. ACKERMAN. Mr. Speaker, the Ros-Lehtinen substitute is not just a step back in policy; it's a step back in time. It attempts to reinstate the failed Bush-Cheney-Rumsfeld model for managing the wars in Iraq and Afghanistan. Under this Congress, it gives the President a massive blank check and then walks away from its responsibility as a co-equal branch of government.

The Ros-Lehtinen substitute strips out all policy from the bill and has no provisions to encourage Pakistan to change its behavior; it has no provisions to ensure U.S. dollars are being effectively accounted for; it has no provisions for keeping Congress involved in the process; and it has no guidance whatsoever for the President about how taxpayer dollars ought to be spent. This is not legislation; this is abdication.

Is Pakistan cooperating with the U.S. to dismantle nuclear supplier networks? Apparently it doesn't matter in the Republican substitute. Is Pakistan ending its support to extremist groups and closing terrorist camps in the Fatah? Judging by the Republican substitute, who cares? Is Pakistan working to prevent cross-border attacks on its neighbors and strengthening its counterterrorism laws? If the Republican substitute is any guide, in the words of Jackie Mason, ''This is not my business.''

We have tried the minority approach. It is completely devoid of policy. It encourages abuse. It doesn't work. But it does have one advantage: it allows Members of Congress to avoid any responsibility for the war in Afghanistan.

Mr. Speaker, it's too late to go back to ''strategery.''

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 2 minutes on the Republican substitute to the Chair of the Pakistan Caucus, the gentlewoman from Texas, SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman for yielding.

We cannot wait, and I just suggest to my colleagues that they would look quickly at these pictures where the Pakistan military is fighting terrorism, and these are the activities that are happening in that area. People are fleeing terrorism and the people that are in these camps are suffering. We cannot wait for this legislation.

I oppose the Republican substitute because I want not an isolation of Pakistan, I want a regional response, a comprehensive regional strategy, including the role of countries outside the region in supporting Pakistan's efforts to combat al Qaeda and the Taliban, a global effort. The Republican substitute has a one-on-one effort. We need a global effort.

Let me also suggest that there is important language in this legislation because if we suggest that the Pentagon is not favorable, the Pentagon has indicated that they are aware of the counterinsurgency efforts that the Pakistan military is engaging in and they're satisfied with the structure of this legislation that would help them continue to fight terrorism. We can work out some of the kinks, but are we going to wait while people are suffering?

This legislation also has a recognition that we are establishing a new relationship with Pakistan and the United States, a friendship relationship. We are acknowledging the recent efforts of the Pakistan military in Swat, and we're also suggesting that if there are changes in Pakistan, we will reconsider some of the requirements or some of the structures that we put in place.

I would also say to my colleagues that I hope the Republicans who are so interested in Pakistan would be interested in making sure the International Monetary Fund is funded like the President would like it to be and that they will join in that support because they're so strongly in support of Pakistan, which got money from it in the last year.

In addition, there are issues dealing with trade, but the AFL–CIO is supporting it because of the way the structure is. We have an effective balance of helping them establish a better economy but at the same time respecting our trade requirements over here in the United States. This is the way to address this issue. But I can't imagine that my colleagues want to leave Pakistan and the people of Pakistan in these dire conditions.

Pakistan Americans recognize we are establishing a new friendship, and on that new friendship we need to oppose the Republican substitute and support H.R. 1886.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself 1 minute.

We fully agree with the chairman that much of the prior investment in Pakistan has failed to yield all of the results that we hoped for and that it is appropriate to require the administration to develop scientific, specific, meaningful performance-based measures.

Where we differ, Mr. Speaker, is that we do not mandate that the executive branch follow a specific new congressionally mandated methodology, which may not even be technically correct, even before the new administration has had time to operationalize their new South Asia strategy.

Our substitute, therefore, requires that as part of the comprehensive interagency strategy and implementation plan mandated by the legislation that the administration put forth a robust and detailed financial plan, a description of the resources, of the programming, of the management of the United States foreign assistance to Pakistan, including the criteria used to determine this prioritization. We believe that this is the correct approach.

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

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to take up the balance of my time.

Mr. Speaker, our Republican substitute will allow for the development of specific, credible measures of effectiveness that are tightly linked to the President's strategy for the region and are therefore preferable to those that stem from the legislation. And I would like to just briefly address, and I don't have much time, some of the issues raised in favor of the underlying bill and against my substitute.

First, some of the speakers are seeking to fuel distrust between Pakistan and India, and they use the Congress' strong support for the world's largest democracy, India, to create the impression that U.S. assistance has been and would be used against India. That is counterproductive. It is not correct. It is dangerous and disingenuous.

I urge my colleagues to adopt the Republican substitute and reject the underlying bill.

Mr. BERMAN. Mr. Speaker, I will include in the RECORD a letter from the Premier Pakistani American organization, the Pakistani American Leadership Center, endorsing H.R. 1886.

PAKISTANI AMERICAN LEADERSHIP CENTER,
Washington, DC, June 6, 2009.

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

DEAR CHAIRMAN BERMAN: On behalf of the Pakistani American Leadership Center (PAL-C) and other team members listed below, I am writing to express our strong support for H.R. 1886, the Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009. PAL-C was established in 2004 to mobilize the Pakistani-American community to be more conversant with the U.S political process and to promote greater understanding of Pakistan by building lasting ties with the U.S.

H.R. 1886 reflects our deep commitment to developing a strong U.S.-Pakistan relationship and will be instrumental in strengthening Pakistan's democratic government, promoting economic and social development for Pakistan's citizens, and creating the foundation for a stronger, more stable Pakistan.

We are particularly pleased that H.R. 1886 accentuates investments in Pakistan's healthcare, education, and infrastructure and includes a requirement that all U.S. security assistance be provided through the elected civilian government. PAL-C also applauds the requirements for enhanced monitoring, evaluation and auditing of U.S. economic assistance. These aspects of the bill will assure the most impactful application of the funds, create the greatest long term leverage from the assistance package, and establish the needed transparency in distribution of money.

We thank you for your hard work and visionary leadership on this critical legislation and hope that its passage will initiate the beginning of a new, more positive and enduring era in U.S.-Pakistan relations. We also stand ready to continue doing our part as proud Pakistani Americans in offering U.S. congress special insights into Pakistan, based on our deep rooted perspective.

Sincerely,

PERVAIZ LODHIE.

Pervaiz Lodhie, Founder/President, LEDtronics; Salim Adaya, Chairperson. IDS Real Estate Group; Muhammad Adaya, IDS Real Estate Group; Najeeb Ghauri, Chairman/CEO, Netsol; Dr. Satter Abbasi, Prof. Clinical Medicine, UCLA; Jamal Khawaja, Director, JFK Import & Export; Dr. Salman Nagvi, COS, Kindred Hospital OC; Adnan Khan, President, CIDP Inc.; Fiza Shah, Founder/CEO, DIL; Ghazala Khan, Principal, GK & Associates; Shezad Rokerya, Chairman, The Interlink Group; Taha Gaya, Exec. Dir., PAL–C; Jim Moody, Chairman AFHD/NCHD; Salman Ahmed, UN Goodwill Ambassador, Artist.

Mr. Speaker, I rise to strongly oppose the Republican substitute. I'm pleased to see that the substitute does support the President's request for $1.5 billion a year in nonmilitary assistance for Pakistan, the same amount as the underlying bill. But that's where the similarity ends.

With all due respect to my colleagues on the other side of the aisle, this substitute amounts to nothing more than a blank check. It requires no real oversight, no serious accountability, no congressional role beyond getting briefings on what we could ask for without any new law.

Since 9/11, I repeat again, we have poured more than $12 billion into Pakistan, with very little to show for it. This substitute is simply a continuation of the same failed policy.

H.R. 1886, on the other hand, expresses our sense of priorities for democratic, economic, and social development assistance without tying the President's hands. Unlike the substitute, our bill provides robust monitoring and evaluation to ensure that the assistance is reaching the Pakistani people. Why would you support another $1.5 billion in economic assistance unless you knew it wasn't just going for ghost schools and to disappear into unspecified budget support? You need the monitoring and evaluation kinds of provisions that we haven't had in the past and that our bill provides and the Republican substitute doesn't.

The Republican substitute treats Pakistan in virtual isolation with a brief mention of the Afghan-Pakistan cooperation. H.R. 1886 requires a comprehensive regional strategy, including the role of countries outside the region in supporting Pakistan's efforts to combat al Qaeda and the Taliban. A global effort is required to make Pakistan a success, and the substitute's failure to recognize this salient fact is another serious flaw.

Read the bill. Please read the bill. Our accountability provisions are not rigid. They're not inflexible. We state very clearly simply that we expect Pakistan to make progress in their fight against the extremists and to sustain their commitment. If the President can't tell us that Pakistan is meeting with that very minimal standard, we should be asking ourselves much deeper questions about what we're really trying to achieve here. The onus is on our minority colleagues to explain why, given Pakistan's recent history, we should provide more weapons without making sure the equipment is being used properly.

In this context I find it curious that the substitute is totally inconsistent with the arguments that my friends made just yesterday during debate on the State Department authorization bill. Then all the repeated arguments were more accountability, we need stricter accountability for critical foreign policy priorities. Here we have the most critical foreign policy priority and in the Republican substitute the absence of any provisions regarding accountability, evaluation, auditing, or monitoring.

This substitute begs the question, why does the minority support total flexibility for President Obama in Pakistan but everywhere else in the foreign policy or domestic sphere, they try to constrain him? This is at the top of our list of national security challenges. Our approach is the better approach.

I urge defeat of the substitute.

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

□ 1430

The SPEAKER pro tempore. Pursuant to House Resolution 522, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN).

The question is on the amendment offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN).

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

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 173, nays 246, not voting 14, as follows:

[Roll No. 331]

YEAS—173

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

NAYS—246

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Rodriguez
Rohrabacher
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—14

Baca
Bishop (UT)
Blunt
Brown, Corrine
Delahunt
Himes
Kagen
Kennedy
Lewis (GA)
Lucas
Oberstar
Richardson
Sánchez, Linda T.
Sullivan

□ 1453

Messrs. TEAGUE, SCHRADER, MOORE of Kansas, RUSH, SESTAK and Ms. SHEA-PORTER changed their vote from ''yea'' to ''nay.''

Mr. HALL of Texas changed his vote from ''nay'' to ''yea.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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.

MOTION TO RECOMMIT

Mr. ROGERS of Michigan. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. ROGERS of Michigan. Yes, I am.

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

The Clerk read as follows:

Mr. Rogers of Michigan moves to recommit the bill H.R. 1886 to the Committee on Foreign Affairs with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

TITLE I—COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR LONG-TERM SECURITY AND STABILITY IN PAKISTAN

SEC. 101. SHORT TITLE.

This title may be cited as the ''United States-Pakistan Security and Stability Act''.

SEC. 102. FINDINGS.

Congress finds the following:

(1) Congress supports the following elements outlined in the President's White Paper of the Interagency Policy Group's Report on United States Policy Toward Afghanistan and Pakistan:

(A) The core goal of the United States must be to disrupt, dismantle, and defeat al Qaeda and its affiliated networks and their safe havens in Pakistan.

(B) The threat that al Qaeda poses to the United States and its allies in Pakistan—including the possibility of extremists obtaining fissile material—is all too real.

(C) The United States must overcome its trust deficit with Pakistan and demonstrate that it is a reliable, long-term partner.

(2) The Government of Pakistan is facing significant security and socio-economic challenges that set the conditions for greater radicalization and may threaten Pakistan's viability. Such challenges include the following:

(A) Al Qaeda's and other extremist groups' campaign of violent attacks throughout Pakistan, including the Red Mosque incident, the assassination of Benazir Bhutto, and the bombing of the Marriott Hotel in Islamabad.

(B) Pakistan's population growth at a rate of approximately 2 percent a year, with nearly half of its 172 million residents illiterate, under the age of 20, and living near or below the poverty line.

(3) Security and stability to Pakistan is further complicated given the prevalence of ungoverned spaces between Pakistan and Afghanistan in which state control has not been fully exercised given ethnic and tribal affiliations.

(4) The security and stability of Pakistan is vital to the national security of the United States, and the consequences of failure poses a grave threat to the security of the American people, the region, and United States allies.

(5) The objectives of United States policy toward Pakistan are to empower and enable Pakistan to—

(A) develop into a prosperous and democratic state that is at peace with itself and with its neighbors;

(B) actively confront, and deny safe haven to, al Qaeda, the Taliban, and other extremists;

(C) implement the economic, legal, and social reforms required to create an environment that discourages violent Islamic extremism; and

(D) maintain robust command and control over its nuclear weapons technology.

SEC. 103. COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR PAKISTAN.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the Supplemental Appropriations Act of 2009, the President shall develop and transmit to the appropriate congressional committees a comprehensive interagency strategy and implementation plan for long-term security and stability in Pakistan which shall be composed of the elements specified in subsection (b).

(b) ELEMENTS.—The comprehensive interagency strategy and implementation plan required by subsection (a) shall contain at least the following elements:

(1) A description of how United States assistance described in section 104 will be used to achieve the objectives of United States policy toward Pakistan.

(2) Progress toward the following:

(A) Assisting efforts to enhance civilian control and a stable constitutional government in Pakistan and promote bilateral and regional trade and economic growth.

(B) Developing and operationally enabling Pakistani security forces so they are capable of succeeding in sustained counter-insurgency and counter-terror operations.

(C) Shutting down Pakistani safe havens for extremists.

(D) Improving Pakistan's capacity and capability to ''hold'' and ''build'' areas cleared of insurgents to prevent their return.

(E) Developing and strengthening mechanisms for Pakistan-Afghanistan cooperation.

(3) A financial plan and description of the resources, programming, and management of United States foreign assistance to Pakistan, including the criteria used to determine their prioritization.

(4) A complete description of both the evaluation process for reviewing and adjusting the strategy and implementation as necessary, and measures of effectiveness for the implementation of the strategy.

(c) INTELLIGENCE SUPPORT.—The President, in developing the comprehensive interagency strategy and implementation plan required by subsection (a), shall consult with the Director of National Intelligence.

(d) UPDATES OF STRATEGY.—The President shall transmit in writing to the appropriate congressional committees any updates of the comprehensive interagency strategy and implementation plan required by subsection (a), as necessary.

SEC. 104. AUTHORIZATION OF ASSISTANCE FOR PAKISTAN.

(a) FOREIGN ASSISTANCE ACT OF 1961.—There is authorized to be appropriated to the President, for the purposes of providing assistance to Pakistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), $1,500,000,000 or such sums as may be necessary for each of the fiscal years 2010 through 2013.

(b) PAKISTAN COUNTERINSURGENCY CAPABILITY FUND.—There is authorized to be appropriated to the President, for the purposes of building a more effective counterinsurgency capability in Pakistan's security forces, up to $700,000,000 for the Pakistan Counterinsurgency Capability Fund, for fiscal year 2010.

(c) USE OF FUNDS.—Amounts authorized to be appropriated under this section or otherwise made available to carry out this title shall be used to the maximum extent practicable as direct expenditures for programs, projects, and activities, subject to existing reporting and notification requirements.

SEC. 105. CONGRESSIONAL BRIEFING AND NOTIFICATION REQUIREMENTS.

(a) BRIEFING.—Not later than 30 days after the date of the transmission of the comprehensive interagency strategy and implementation plan required by section 103, and quarterly thereafter through December 1, 2013, the President, acting through the Secretary of State and the Secretary of Defense, shall brief the appropriate congressional committees on the status of the comprehensive interagency strategy and implementation plan.

(b) NOTIFICATION.—The President shall notify the appropriate congressional committees not later than 30 days prior to obligating any assistance described in section 104 as budgetary support to the Government of Pakistan or to any persons, agencies, instrumentalities, or elements of the Government of Pakistan and shall describe the purpose and conditions attached to any such budgetary support assistance. The President shall notify the appropriate congressional committees not later than 30 days prior to obligating any other type of assistance described in section 104.

SEC. 106. DEFINITION.

In this title, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

TITLE II—COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR LONG-TERM SECURITY AND STABILITY IN AFGHANISTAN

SEC. 201. SHORT TITLE.

This title may be cited as the ''United States-Afghanistan Security and Stability Act''.

SEC. 202. FINDINGS.

Congress finds the following:

(1) Congress supports the following elements outlined in the President's White Paper of the Interagency Policy Group's Report on United States Policy Toward Afghanistan and Pakistan:

(A) The United States has a vital national security interest in addressing the current and potential security threats posed by extremists in Afghanistan and Pakistan.

(B) The United States homeland, Pakistan, Afghanistan, India, Europe, Australia, and United States allies in the Middle East remain targets of al Qaeda and other extremist groups.

(C) At the same time, the Taliban and related organizations seek to reestablish their old sanctuaries in Afghanistan.

(2) Afghanistan is a central front in the global struggle against al Qaeda and other affiliated networks. A stable Afghanistan that is free from al Qaeda, the Taliban, and extremist influence and ideology will require a patient, long-term, integrated political, military, and economic strategy that is adequately resourced to accomplish its objectives.

(3) Allowing Afghanistan to revert to its pre-September 11, 2001, status of control by al Qaeda and the Taliban is not an option for United States policy.

(4) Security and stability in Afghanistan is further complicated given the prevalence of ungoverned space between Afghanistan and Pakistan in which state control has not been fully exercised given ethnic and tribal affiliations.

(5) The United States will continue to demonstrate its long-term commitment to the people of Afghanistan by—

(A) sustained civilian assistance and providing United States commanders with the troops and resources needed to conduct counterinsurgency operations with the support of the Government and people of Afghanistan; and

(B) continuing to engage the Afghan people in ways that demonstrate United States commitment to promoting a legitimate and capable Afghan government.

(6) The objectives of United States policy toward Afghanistan are to empower and enable Afghanistan to—

(A) develop into secure and stable state with a government that exercises full control and authority over all the country; and

(B) develop increasingly reliable and capable Afghan security forces that can actively confront, and deny safe haven to al Qaeda, the Taliban, and other extremists and eventually lead the counterinsurgency and counterterrorism fight with reduced United States assistance.

SEC. 203. COMPREHENSIVE INTERAGENCY STRATEGY AND IMPLEMENTATION PLAN FOR AFGHANISTAN.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the Supplemental Appropriations Act, 2009, the President shall develop and transmit to the appropriate congressional committees a comprehensive interagency strategy and implementation plan for long-term security and stability in Afghanistan which shall be composed of the elements specified in subsection (b).

(b) ELEMENTS.—The comprehensive interagency strategy and implementation plan required by subsection (a) shall contain at least the following elements:

(1) A description of how United States assistance described in section 204 will be used to achieve the objectives of United States policy toward Afghanistan.

(2) Progress toward the following:

(A) Executing and resourcing an integrated civilian-military counterinsurgency strategy in Afghanistan.

(B) Disrupting terrorist networks in Afghanistan and Pakistan to degrade any ability such networks have to plan and launch international terrorist attacks.

(C) Resourcing and prioritizing civilian assistance in Afghanistan.

(D) Promoting a more capable, accountable, and effective government in Afghanistan that serves the Afghan people.

(E) Expanding the Afghan National Security Forces and developing self-reliant security forces that can lead the counterinsurgency and counterterrorism fight with reduced United States assistance.

(F) Supporting Afghanistan in disrupting and dismantling narco-traffickers and breaking the narcotics-insurgency nexus.

(G) Ensuring that nations and various international organizations that have pledged to provide multilateral and bilateral assistance to support efforts to rebuild Afghanistan fulfill their commitment.

(H) Developing and strengthening mechanisms for Afghanistan-Pakistan cooperation.

(3) A financial plan and description of the resources, programming, and management of United States foreign assistance to Afghanistan, including the criteria used to determine their prioritization.

(4) A complete description of both the evaluation process for reviewing and adjusting the strategy and implementation as necessary, and measures of effectiveness for the implementation of the strategy.

(c) INTELLIGENCE SUPPORT.—The President, in developing the comprehensive interagency strategy and implementation plan required by subsection (a), shall consult with the Director of National Intelligence.

(d) UPDATES OF STRATEGY.—The President shall transmit in writing to the appropriate congressional committees any updates of the comprehensive interagency strategy and implementation plan required by subsection (a), as necessary.

SEC. 204. AUTHORIZATION OF ASSISTANCE FOR AFGHANISTAN.

(a) IN GENERAL.—There is authorized to be appropriated to the President, for the purposes of providing assistance to Afghanistan under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), $2,800,000,000 or such sums as may be necessary for each of the fiscal years 2010 through 2013.

(b) USE OF FUNDS.—Amounts authorized to be appropriated under this section or otherwise made available to carry out this title

shall be used to the maximum extent practicable as direct expenditures for programs, projects, and activities, subject to existing reporting and notification requirements.

SEC. 205. CONGRESSIONAL BRIEFING AND NOTIFICATION REQUIREMENTS.

(a) BRIEFING.—Not later than 30 days after the date of the transmission of the comprehensive interagency strategy and implementation plan required by section 203, and quarterly thereafter through December 1, 2013, the President, acting through the Secretary of State and the Secretary of Defense, shall brief the appropriate congressional committees on the status of the comprehensive interagency strategy and implementation plan.

(b) NOTIFICATION.—The President shall notify the appropriate congressional committees not later than 30 days before obligating any assistance described in section 204 as budgetary support to the Government of Afghanistan or to any persons, agencies, instrumentalities, or elements of the Government of Afghanistan and shall describe the purpose and conditions attached to any such budgetary support assistance. The President shall notify the appropriate congressional committees not later than 30 days before obligating any other type of assistance described in section 204.

SEC. 206. DEFINITION.

In this title, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

Mr. BERMAN (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. ROGERS) is recognized for 5 minutes in support of his motion.

Mr. ROGERS of Michigan. Mr. Speaker, I commend my friend, Mr. BERMAN, for his efforts on this bill, as I do Congresswoman ROS-LEHTINEN on her efforts on what I think is the most pressing national security issue we face today, Pakistan. And when you look at the troubles that they face and what a unique country it is, they are a nuclear-armed sovereign nation that has expressed concern about its eastern neighbors, the Indians, and all of the effort, both diplomatic, economic, militarily, intelligence, that they apply to what they view as a problem sect.

And to the west of that country, even in their Constitution, they treat differently. They give it special autonomy: the Federally Administered Tribal Areas. And that's the area that has caused Afghanistan and the United States untold misery, danger, something we ought to worry about.

And this bill in the most arrogant way says, You know what? We know better than you, Pakistan. We're going to make you set up a teachers' pay scale if you want our Federal money, if you want U.S. money to help us in the fight against terrorism that is ongoing today by people like Batula Masood, who are trying to kill Americans today and make further unstable the Pakistani Government, or Fazlullah, who has moved into the Swat area, the first time somebody from the tribal areas has taken this effort.

□ 1508

Fazlullah, for the first time, took some settled areas. It used to be a great area—as a matter of fact, a tourist area in Pakistan, the Swat Valley—and the military has had difficulty in trying to extract them from what is a settled area in Pakistan. That is real trouble.

Many of you have quoted ''The 60 Miles from Islamabad.'' That was the Swat Valley movement, and it was done by Fazlullah, 30-something years old, rabid Taliban leader, who was able to, in just a very short period of time, take over most of the police stations.

You have al Qaeda senior leadership moving freely with the Haqqani network supporting their abilities in the tribal areas of Pakistan. Batula Masood, as I said before, has been engaged in terrorist acts not only against us, but the Pakistanis.

Their government is at risk, their people are dying. This bill arrogantly says, listen, we want you to help us in terrorism, but let me tell you what's important, your teacher pay scales. Those are important.

This is a sovereign nation. As a matter of fact, Senator KERRY—we don't often agree with Senator KERRY—an interesting quote: ''Well''—I won't use all of his language—''we're just doing their bidding. We're their lackeys. We're not in control. You guys (the Pakistani Government) are an American puppet, blah, blah, blah.'' What he was saying is, don't put all these arbitrary caveats on this bill.

Let's support President Obama. He hasn't been there that long. He wants to implement his policy. He says he needs flexibility. I agree with him. This is one of the most complicated, complex problems we will face when it comes to national security.

You even, in this bill—and I don't think you're thinking about what the implications are—through your labor agreements in this bill, inspectors are to publish reports listing the names and locations of every firm in the program. This is a nation beleaguered by terrorists. Why would you give them a list of targets in Pakistan published by the United States Government? It makes no sense whatsoever.

You often talked about the arrogance of the previous administration telling people how they ought to live and telling them how they ought to govern. This is the most intrusive, most arrogant approach to providing someone assistance that is actually helping us fight terrorism in the most difficult area I can find in the world today.

I am going to ask you to please take a look at this motion to recommit. It puts a little common sense back in it and says, you know what, we'll get to the teacher pay scale and merit-based system that you would like to get to maybe another day, but today we are worried about the safety and security of our soldiers in Afghanistan who are under attack from Taliban leaders, headquartered the Shura Council in Quetta, Pakistan. We are worried about the Haqqani network, who is developing the logistical support that they need through arms and other things to help target our soldiers in Afghanistan. We are worried about Fazlullah's efforts in his first settled areas of Pakistan. That ought to be our watch today.

We are getting ready to send thousands and thousands of fresh United States troops to this region. Our focus has to be national security; it has to be their security. It has to say, Pakistan, we are a partner, not your mother. We are not going to hold your hand in this. We are going to be your equal partner in your fight on terror. Thank you for your commitment.

We're going to stand up for those folks.

I yield back the remainder of my time.

Mr. BERMAN. Mr. Speaker, I rise in opposition to the motion.

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

Mr. BERMAN. I made a mistake earlier. I objected to the reading of the motion to recommit. I should have asked for a reading of the bill. As much as I admire the gentleman, the one thing that is clear to me from his comments is he didn't read the bill.

We have absolutely no conditions or restrictions or efforts to earmark or tie up any of the economic assistance in this bill. Why you would say that is only because someone told you that. Because when you look at the bill, we have some principles, we have suggestions, we lay out things that need to be done to build democratic institutions in Pakistan, to build a school system.

We know that we are providing up to $12 billion, much of it in economic assistance for schools that have no teachers. We're providing money for teachers who have no education and don't know how to teach science and math. So we suggest in this bill some guidelines and tie no one's hands. We don't tie the Secretary's hands; we don't tie the Pakistanis' hands.

Now, the state of play is that when we put together our Pakistan bill, we went to the minority and said, let's work on a Pakistan/Afghanistan bill. They weren't interested. The problem with the minority's way to do a motion to recommit is the leadership meets in some office—they don't bring in the Republicans from the committee—and they come up with a motion to recommit, let's join Afghanistan with Pakistan. We've been trying to do that for 4 months in our committee, but the minority didn't want to do it that way.

And by the way, we just had a little vote. We had a vote on a Republican substitute that, on security assistance, had no monitoring provisions, no auditing provisions, no evaluation provisions. This is in the context of $12 billion that's been spent, a huge amount on reimbursements for which there are no receipts for money, that we cannot find what it went for. If you like what's been going on there, you're praising the right of Pakistan to do what it wants to do.

When Musharraf kept making appeasement agreements with different elements of the Taliban, was that a wise thing to be encouraging? I don't think so. The only thing we provide any benchmarks on is the security assistance. And what we say there is, Mr. President, look at how that money is being spent and make a determination whether or not Pakistan has a commitment—that they are now, by the way, demonstrating—to combating the insurgency and fighting the terrorists, and whether they're making progress. And are they cooperating in the efforts to dismantle the proliferation regime, and are they doing things to secure it? And, Mr. President, you make the determination and you make the decision.

We have worked with the leadership of the Armed Services Committee to make sure that the security assistance gets to the Pakistani military as quickly as possible, but not equipment that has nothing to do with the counterinsurgency. We want the equipment, the helicopters, the night-vision goggles, the training, the IMET programs to go as fast as they can. So in our bill, not in yours, but in our bill we waive all the traditions that now exist on traditional security assistance programs.

So this is a motion to recommit that includes an Afghan bill that says, continue as usual, where the lack of end-use monitoring has meant that we have been arming the Taliban because they steal the guns we provide and use them against our forces and the Afghan forces, and repeat in toto the Republican substitute we just rejected.

Let's vote against it. We did it once; let's do it again. Let's try to reestablish some sense of bipartisan collaboration. These differences aren't that great. We can work them out if the majority and the minority cooperate. I say, as the chairman of the committee with jurisdiction over these issues, I would love to put together a bipartisan approach. Maybe we can start working on that for the conference committee.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

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

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

RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 164, noes 245, not voting 24, as follows:

[Roll No. 332]

AYES—164

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

NOES—245

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baird
Baldwin
Barrow
Bean
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Rodriguez
Rohrabacher
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Towns
Tsongas
Van Hollen
Velázquez
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—24

Baca
Becerra
Blunt
Brown, Corrine
Cassidy
Delahunt
Goodlatte
Himes
Kagen
Kennedy
King (IA)
Lewis (GA)
Lucas
Luetkemeyer
McIntyre
Minnick
Peterson
Richardson
Sánchez, Linda T.
Schmidt
Slaughter
Sullivan
Tonko
Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they now have less than 2 minutes remaining.

□ 1523

Mr. WESTMORELAND changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. GOODLATTE. Mr. Speaker, on rollcall No. 332 I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 332 I was detained in the Committee on Agriculture during a question and answer exchange with Secretary of Agriculture Vilsack and was not able to reach the floor before the

vote was closed. Had I been present, I would have voted "aye."

Mr. CASSIDY. Mr. Speaker, on rollcall No. 332 I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. TONKO. Mr. Speaker, on rollcall No. 332 I was unable to vote due to the fact that I was meeting with constituents. Had I been present, I would have voted "no."

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 332 I was unable to vote due to the fact that I was meeting with constituents. Had I been present, I would have voted "no."

Mr. BECERRA. Mr. Speaker, I was unavoidably detained earlier today and missed rollcall vote 332. If present, I would have voted "no."

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

ANNOUNCING THE DEATH OF FORMER MEMBER CARL PURSELL OF MICHIGAN

Mr. UPTON. Mr. Speaker, as dean of the Michigan Republican delegation, I have the sad duty to relay the news that our former colleague Carl Pursell from Michigan passed away this morning. He was the ranking member on the Labor-HHS appropriations subcommittee for many years. He retired in 1993.

I would yield to Mr. MCCOTTER who represents Plymouth, Michigan.

Mr. MCCOTTER. I thank the gentleman.

I grew up in Carl's district. We watched as he went from a Wayne County commissioner to a Michigan State Senator and then into this illustrious body. As a young person growing up getting interested in politics, Carl's example was an inspiration. It showed that a fine and decent gentleman could come from the small town of Plymouth, retain his Main Street truths, and do the people's business in this, the people's House.

The last several years have not been kind to Carl. He is in a far better place, and we are all diminished. Our best goes out to his family, and we would appreciate it if you keep him in your prayers.

Mr. UPTON. Mr. Speaker, I would ask for a moment of silence.

The SPEAKER pro tempore. Members will rise for a moment of silence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 234, noes 185, not voting 14, as follows:

[Roll No. 333]

AYES—234

Ackerman
Adler (NJ)
Altmire
Andrews
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kanjorski
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirk
Kirkpatrick (AZ)
Klein (FL)
Kosmas
Kratovil
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—185

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

NOT VOTING—14

Baca
Blunt
Brown, Corrine
Delahunt
Himes
Johnson (IL)
Kagen
Kennedy
Lewis (GA)
Murphy (CT)
Napolitano
Richardson
Sánchez, Linda T.
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1534

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 333, H.R. 1886 would provide an element of stability in the troubled Middle East, but its cost, in these economic times, is excessive. As a result, I determined a "present" vote to be appropriate. I was present on the House floor for all votes prior to and after this vote on final passage; and due to a malfunction in the voting process, I was shown as "Not Voting." This explanation is filed due to the unusual nature of the substance of the issue, and my position and recordation of same.

The SPEAKER pro tempore. Without objection, H.R. 1886 is laid on the table.

There was no objection.

AUTHORIZING SPEAKER TO ENTERTAIN MOTION TO SUSPEND THE RULES ON TODAY

Mr. BERMAN (during consideration of H.R. 1886). Mr. Speaker, I ask unanimous consent that the Speaker be authorized on this legislative day to entertain motions that the House suspend the rules relating to House Resolution 529.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment a bill of the House of the following title:

H.R. 1256. An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes.

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

S. 407. An act to amend title 38, United States Code, to provide for an increase, effective December 1, 2009, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, to codify increases in the rates of such compensation that were effective as of December 1, 2008, and for other purposes.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2254

Mr. STEARNS. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of H.R. 2254.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 848

Ms. NORTON. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of H.R. 848, the Performance Rights Act.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

CONDEMNING SHOOTING AT U.S. HOLOCAUST MUSEUM

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 529) condemning the violent attack on the United States Holocaust Memorial Museum on June 10, 2009 and honoring the bravery and dedication of United States Holocaust Memorial Museum employees and security personnel.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 529

Whereas, on June 10, 2009, an armed assailant with ties to white supremacist organizations, a conviction for a violent crime and a history of anti-Semitic and racist activities opened fire at the U.S. Holocaust Memorial Museum;

Whereas, the gunman was a convicted felon and obtained a firearm in violation of Federal law;

Whereas, security personnel at the U.S. Holocaust Memorial Museum, U.S. Park Police, and other emergency responders, responded quickly and valiantly to ensure the safety of museum visitors and staff and other bystanders;

Whereas, Officer Stephen Tyrone Johns, who had worked at the Museum for six years, was fired upon by the gunman and later tragically succumbed to his wounds;

Whereas, the U.S. Holocaust Memorial Museum was established by the U.S. Holocaust Memorial Council, which was created by Congress in 1980 (Public Law 96–388) and mandated to create a permanent living memorial museum to the victims of the Holocaust;

Whereas, the U.S. Holocaust Memorial Museum was dedicated on April 22, 1993 and has since welcomed nearly 30 million visitors, including more than 8 million school children and 85 heads of state;

Whereas, the primary mission of the U.S. Holocaust Memorial Museum is ''to advance and disseminate knowledge about this unprecedented tragedy; to preserve the memory of those who suffered; and to encourage its visitors to reflect upon the moral and spiritual questions raised by the events of the Holocaust as well as their own responsibilities as citizens of a democracy.''

Whereas, the U.S. Holocaust Memorial Museum serves as one of the world's leading authorities on the Holocaust;

Whereas, the U.S. Holocaust Memorial Museum, created to remind us of what happened and what could happen when hatred turns into violence, has tragically become a target itself;

Whereas, the attack at the U.S. Holocaust Memorial Museum is a horrific reminder of the violence that can stem from anti-Semitism, racism, hatred, intolerance, and Holocaust denial;

Whereas, President Obama stated, ''This outrageous act reminds us that we must remain vigilant against anti-Semitism and prejudice in all its forms. No American institution is more important to this effort than the Holocaust Museum, and no act of violence will diminish our determination to honor those who were lost by building a more peaceful and tolerant world'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the violent attack on the U.S. Holocaust Memorial Museum on June 10, 2009;

(2) honors the bravery and dedication of the employees and security personnel at the United States Holocaust Memorial Museum and rededicates itself to the safety and the security of the Museum and its visitors;

(3) offers its condolences to the family of Officer Stephen Tyrone Johns who was killed in the line of duty;

(4) redoubles its commitment to advance the mission of the U.S. Holocaust Memorial Museum to educate people about the Holocaust and fight against anti-Semitism, racism, hatred and intolerance; and

(5) urges the American people to join the Hour of Representatives in condemning this act of hateful violence and intolerance.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

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

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

There was no objection.

Mr. RAHALL. Mr. Speaker, this resolution places this body on record as condemning yesterday's violent attack on the U.S. Holocaust Memorial Museum, while also praising the bravery and sacrifice of those who defended against this attack. The resolution further recognizes the powerful and vital role that the memorial museum plays in the world and rededicates this Congress to assisting wherever possible in helping the museum to accomplish its mission of education and enlightenment.

First and foremost, let me join my colleagues in expressing our deep sadness and heartfelt condolences to the family and friends of Security Officer Stephen Tyrone Johns. It is our hope that, despite what must be nearly unbearable grief, those who loved Officer Johns are also filled with enormous pride at the service he rendered during his distinguished career and the sacrifice he has now made.

Everyone involved in the tragic events of yesterday proved something about themselves. Officer Johns, along with the security and other emergency personnel who responded, proved that training, dedication and bravery in the face of life-threatening events can save lives.

Officer Johns in particular reminds us that there are those among us who volunteer to stand watch over us, even knowing that they are risking their own lives.

The perpetrator of yesterday's attack proved something as well. His actions demonstrate that ignorance and hatred still exist and too often lead to violence. By his actions, this man demonstrated that the very evil which led to the Holocaust, the very evil he had sought in the past to deny, still exists and still must be resisted vigilantly.

And going forward, the U.S. Holocaust Memorial Museum will prove something as well. There was a time when people with hatred in their hearts were powerful, a time when those who devalued others based on race or religion held in their hands the levers of power. Those days are over.

The museum has suffered a great loss, but the museum will continue in its important work. This attack has no power over the museum, its supporters or its mission.

Hatred can no longer beat back the forces of justice and equality. Whatever the dark aims of the attacker may have been, there is no question that he has failed, and those like him will always fail as long as organizations like the U.S. Holocaust Memorial Museum are standing.

I ask my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join with Chairman RAHALL to support this resolution to condemn the tragic shooting at the United States Holocaust Memorial Museum yesterday. Our prayers go out to the family of Security Officer Steven Tyrone Johns, an innocent victim of this outrage.

Mr. Speaker, that this violent act and needless death occurred at a memorial erected to peace and tolerance by reminding the world of the deaths and horrors of the Holocaust is, to me, simply unspeakable.

So, Mr. Speaker, I simply urge all of my colleagues to support this resolution.

I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I am honored to yield 2 minutes to the main sponsor of this resolution, the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. Mr. Speaker, I thank the gentleman from West Virginia.

Mr. Speaker, I rise today to urge my colleagues to support H. Res. 529, a bipartisan resolution that I authored with Mr. PENCE, Mr. WAXMAN, Mr. SMITH and Mr. ENGEL, and I thank the Speaker for promptly bringing it to the floor today with the input and guidance from many other Members of this Chamber, as well as the bipartisan Congressional Task Force Against Anti-Semitism.

I rise today in great sorrow as this Nation mourns the loss of Officer Stephen T. Johns, who was killed in the line of duty yesterday at the United States Holocaust Memorial Museum at the hands of a hateful white supremacist.

Today I offer condolences to the family of Officer Johns and condemn in the strongest possible way the vicious attack on the Holocaust Memorial Museum and all that it represents.

The museum is a place of reflection, an expression of the adage ''never again.'' The museum seeks a world without racism, anti-Semitism, Holocaust denial and intolerance.

The target may have been the museum and Jews, but this vicious attack hurt all Americans. A hate crime in every sense, this attack violates all of us. Acts of hatred and violence cannot and will not be tolerated in our country. Today, the lessons of the Holocaust are more relevant than ever before. Officer Johns died protecting those values, and he is a hero to all of us.

Americans stand today together to redouble our commitment to advance the mission of the United States Holocaust Memorial Museum, to advance Holocaust education and fight against anti-Semitism, racism, hatred and intolerance in the United States and throughout the world. Only by standing together can we begin to heal and fight against future acts of hatred.

I thank both the Democrat and Republican leadership of the House, Mr. RAHALL and Mr. HASTINGS, for their support. I urge my colleagues to support this resolution.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield such time as he may consume to the distinguished Republican Caucus Chair, the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of House Resolution 529, condemning the violent attack on the Holocaust Memorial Museum that occurred in shocking dimensions yesterday here in our Nation's Capital.

I want to single out my colleague in the majority, RON KLEIN of Florida, for his swift and thoughtful legislative work in bringing this resolution to the floor and for allowing me to coauthor this bipartisan resolution before the House today. It has been my distinct pleasure to serve together with Mr. KLEIN as the cochairman of the Bipartisan Congressional Task Force Against Anti-Semitism that was founded, I say with deep admiration, by the late Tom Lantos of California, who understood the importance of this body and this Nation speaking with one voice against the venom of anti-Semitism.

Today, we mourn the loss of Special Police Officer Steven Tyrone Johns, and I offer my personal condolences to his family. He lost his life while defending civilians, visitors and staff of the Holocaust Memorial Museum. Officer Johns died upon arrival at the George Washington Hospital after being shot by an assailant with strong ties to white supremacist organizations. Officer Johns died while bravely defending museum visitors from around the world, and I honor his service and courage and the sacrifice that he exemplified. He will be remembered.

We rise today to condemn the violent attacks of yesterday that ravaged Washington, D.C.'s, permanent living memorial to the victims of the Holocaust. For those who have visited, we know the U.S. Holocaust Memorial Museum serves as one of the world's leading authorities on the Holocaust. And let me say with no small measure of American pride, it has become an essential stop for every American visiting our Nation's Capital, with few exceptions.

It was dedicated on April 22, 1993, and has since welcomed nearly 30 million children, including 8 million schoolchildren and 85 heads of state.

The museum's mission is simply this: to ''advance and disseminate knowledge about this unprecedented tragedy; to preserve the memory of those who suffered; and to encourage its visitors to reflect upon the moral and spiritual questions raised by the events of the Holocaust as well as their own responsibilities as citizens of a democracy.'' Anyone who has wandered those solemn hallways knows that the United States Holocaust Memorial Museum accomplishes that mission.

□ 1545

This attack at the U.S. Holocaust Memorial Museum is a horrific reminder of the violence that can stem from unchecked hatred, intolerance, anti-Semitism, as well as the denial of history that is often manifested in that sentiment.

Let me be clear. No act of violence will ever diminish our determination to honor those who lost their lives in the Holocaust, and neither will yesterday.

And as we condemn intolerance and racism in our Capital City, we should ponder today, Mr. Speaker, what anti-Semitic hatred and rage could mean on the international stage. I say with a heavy heart today, with the deepest respect for the families affected by yesterday's tragic events, we would do well, as a Nation, to reflect, if one man can walk in the Holocaust museum with a rifle, motivated by anti-Semitic rage and bring about violence and death, what could a nation, armed with the same anti-Semitic rage, do with a nuclear weapon?

The American people deserve to know that the same hatred that drove this one, lonely and deranged man to open fire at the U.S. Holocaust Memorial Museum, I believe, resides in the hearts of some of the most powerful leaders in an ancient nation of the world. And I am confident that when the time comes, this Congress, this government, this Nation, and our cherished ally, will do what is necessary to prevent a global manifestation of anti-Semitic violence.

The best way to honor the lives of victims of hatred is to stand in the path of those who would continue the violence. Let Officer Johns' sacrifice be an example for each of us in our personal lives, and an example for this Nation in the exercise of courage and determination in the defense of liberty on the world stage.

Let us stand in the path of hatred, come together as a Congress and a Nation.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlelady from the District of Columbia, in whose district this terrible attack occurred, ELEANOR HOLMES NORTON.

Ms. NORTON. Mr. Speaker, on Tuesday the majority leader announced that he had not been able to muster enough votes to pass a civil rights bill, the District of Columbia Voting Rights Bill, which had a gun amendment which would wipe away the District's gun laws leaving us defenseless.

Yesterday, a brave young man, Stephen Tyrone Johns, a guard at the Holocaust Museum, one of our most popular museums because it is so moving, lost his life.

There are political considerations that keep us from moving directly against gun laws. I ask us to show that we are not defenseless to protect official Washington, not paralyzed when it comes to gun safety, by at least passing, but not allowing gun amendments to stop unrelated laws like the District of Columbia Voting Rights Act and opening the city to gun carnage of the kind we saw yesterday.

Let this be the last gun carnage of its kind. Let the District of Columbia Voting Rights Act pass this year.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I do appreciate the bringing of this resolution. This is a time when we should join our hearts and minds together in condemning the violent act that occurred at, of all places, the Holocaust museum, a place that I, with countless others, in my case, multiple occasions going to the museum, have been touched to tears to just try to get your mind around the inhumanity of man to man.

This is a Nation that was brought together as a Nation, fought hard, so that within this Nation we could have civility. And one of the Founding Fathers' favorite lines was often to quote Voltaire in saying, I disagree with what you say, but I will defend to the death your right to say it.

The criminal who invoked and created this violence in the Holocaust museum should be properly punished, and I am thankful that we have laws that will punish him. I wouldn't mind seeing a death penalty as a possibility in the case of such violence, but in this town that is, apparently, not an option. But violence of this nature within this country must not be tolerated.

But it also must not minimize the commitment, the love and devotion of Officer Stephen Tyrone Johns, who gave his life in doing his job in devotion to others and to this country and all it stands for.

So we thank Stephen Tyrone Johns. We thank his memory. We thank his family, and we will pray for their peace and healing during this very, very difficult time.

We condemn the attack, such a violent nature, encourage all to understand that in this Nation, in every State, in the District of Columbia, no matter how someone may disagree with someone else, provoking words are never a defense to violence. Violence must be condemned, no matter what someone deems to be the provocation in their own mind.

We must be and we must make this a Nation of civility. We can disagree. Disagreement is a good and healthy thing. When there's disagreement, it means we're not all useless. But we must never allow this kind of violence to go unaddressed.

So we pay tribute to the Johns family—our prayers will be with them—and condemn the violent attack at the Holocaust museum, of all places, and appreciate this resolution being brought forward.

Mr. RAHALL. Mr. Speaker, Officer Johns resided in the district of our next speaker, to whom I'm going to yield 2 minutes, the gentlelady from Maryland, Ms. DONNA EDWARDS.

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today in support of House Resolution 529.

Mr. Speaker, it's with great sadness that I rise today to honor the life and memory of Stephen Tyrone Johns, the security officer who courageously gave his life protecting the lives of others during yesterday's shooting at the Holocaust Memorial Museum.

Officer Johns' quick action and sacrifice may indeed have saved the lives of people at the Holocaust Memorial Museum yesterday and certainly enabled his fellow officers to secure the museum.

The armed assailant, who had connections with the white supremacist organizations and a long history of anti-Semitic and racist activities, walked into the Holocaust museum and opened fire, resulting in the tragic murder of Officer Stephen Tyrone Johns. This was a murder based on hate and malice, and took the life of a good man.

A security officer for 6 years at the Holocaust Memorial Museum and resident of Temple Hills, Maryland, which is the district which I represent, Officer Johns was beloved by his family and friends. Colleagues called Officer Johns ''Big John.'' He was known as a gentle giant, and remembered for his friendliness, soft-spoken nature and gentle demeanor.

This morning, I had the opportunity to speak to Officer Johns' mother and stepfather. The entire family is grieving this senseless loss. Above all, the family wanted America to know that Stephen was dedicated to his job and his family. His mother said he loved his job, and he took his duty at the Holocaust Memorial Museum very seriously, so seriously that he ended up paying the ultimate sacrifice.

As we join Officer Johns' family in struggling to find answers, the truth is that this was a senseless act and a senseless murder that has resulted in a great loss. Officer Johns' sacrifice is a stark reminder of the threat of hate and intolerance to our humanity.

I want the family of Officer Johns to know that I, along with my colleagues here in Congress, am grieving with them, and America is grieving with them.

In addition to his family and friends, Officer Johns leaves an 11-year-old son, Stephen Tyrone Johns, Jr., to mourn his loss. So it is with a heavy and sad heart that I offer my sincere condolences to the family of Officer Stephen Tyrone Johns. He will always be remembered as a dedicated and beloved hero.

Mr. HASTINGS of Washington. Mr. Speaker, could I inquire how much time is on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 10 minutes remaining, and the gentleman from West Virginia has 12½ minutes remaining.

Mr. HASTINGS of Washington. My understanding is my friend from West Virginia has more requests for time than I do, and I'd be more than happy to yield him 9 of those 10 minutes to dispense with as he sees fit, with the understanding, if I do get some Members, I can reclaim some of that time. And I ask unanimous consent that he control that 9 minutes.

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

There was no objection.

Mr. RAHALL. I thank the distinguished gentleman from Washington (Mr. HASTINGS).

I now yield 1 minute to the gentlewoman from Pennsylvania (Mrs. DAHLKEMPER).

Mrs. DAHLKEMPER. Mr. Speaker, I rise today profoundly troubled and deeply saddened by yesterday's senseless acts of violence that occurred at the United States Holocaust Memorial Museum in Washington.

My thoughts and prayers are with the family of Stephen T. Johns, the security officer whose life was taken in that tragic event. I am so grateful for his service and the service of all the security officers who work to keep us safe.

Yesterday's action was a shocking reminder of the progress we have yet to make against bigotry, ignorance and hate. The gunman's attack was not only against one man, but against an important idea of human dignity for all.

However, as a Nation, our resolve must remain strong, and our response must be very clear. There is no place for anti-Semitism and racism in the United States of America.

I urge my colleagues to join me in renewing our commitment to ending hatred and violence by supporting House Resolution 529.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlelady from California, Ms. BARBARA LEE.

Ms. LEE of California. Mr. Speaker, let me first say thank you to the gentleman from Florida for introducing this resolution, and I rise in strong support of it.

The Congressional Black Caucus extends our heartfelt condolences to the

family of Officer Stephen Johns. He was an American hero. He was an African American. He was slain in this senseless act of violence at the Holocaust museum, which preserves the memory of a period in the world, a period borne of violence, of hatred, of death, a period that must not be forgotten.

The death of Officer Johns reminds us, however, that racism and anti-Semitism in all its ugly forms must be condemned and fought at every, every turn.

We extend to Mr. Johns' family our deepest sympathy as you mourn the loss of your loved one. He will be a hero in all of our minds who we will remember and who will remind us of the unfinished business of our country. We offer our condolences and our assistance to the family, should the family need us during this time of need.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlelady from California, Ms. SUSAN DAVIS.

Mrs. DAVIS of California. Mr. Speaker, I join my colleagues in supporting this resolution.

The Holocaust museum offers more than an important education opportunity for so many people worldwide. It is a symbol of the need to continue our efforts to reduce intolerance, prejudice and hatred in the world.

It was over 15 years ago when I led a group of young people from San Diego to visit the newly opened museum, a group of high school students from all walks of life who were participating in a mentoring program. I was the executive director of that program and made it a point to put a visit to the Holocaust museum on our agenda.

□ 1600

It was such an emotional moment for many of these teenagers who until that day had never fully comprehended what the Holocaust meant.

So I want to add my voice in expressing heartfelt condolences to the family of museum guard Stephen Tyrone Johns. His courage and his sacrifice will not be forgotten in a place that we always say ''Never again.''

Also to be recognized and praised are the security guards who subdued the gunman and prevented a tragic incident from becoming even more tragic.

This incident hit me hard yesterday because I happened to be standing at the museum 2 days before the very time that this incident occurred, and it was so pleasing to see the people who were gathering there and who flock to it all the time.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from Georgia, Mr. HANK JOHNSON.

Mr. JOHNSON of Georgia. Mr. Speaker, yesterday a despicable act occurred. By now everyone knows what it was and why it was; so I won't belabor that, other than to say that hatred is something that leads to violence. So we should all be looking deeply within our hearts to remove hatred and to try to value humanity.

Officer Stephen Johns leaves an 11-year-old son, whom I saw on TV yesterday, and I don't think he could cry, he was so overwhelmed, and then his mother and his grandmother were too distraught to talk. So they need our prayers, and I send out my condolences to the family.

It happened yesterday that a black man, doing his duty at the U.S. Holocaust Memorial Museum, was killed. Our communities have worked so diligently in the past. We have such strong bonds, and so we are there for each other.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. DRIEHAUS).

Mr. DRIEHAUS. Mr. Speaker, I rise today to add my voice to this tragedy and to honor the family of Mr. Johns, who was tragically killed yesterday at the Holocaust museum.

When I come to the floor and when I think about this job and what we are trying to do, to send a message to our children across this country, it is a message of tolerance. It is a message of trying to wipe out hatred, trying to wipe out the hatred that exists against different races, different religions, different cultures. It is about learning to accept and appreciate the cultures.

The Holocaust museum stands as a tribute and helps us better understand the tragedies that occur when intolerance runs amok. I stand with my fellow colleagues and the people of this body in honor of Mr. Johns to say we believe in tolerance, we believe in acceptance, and we thank him and his family and we mourn with them.

Mr. RAHALL. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Nevada, Ms. SHELLEY BERKLEY.

Ms. BERKLEY. I thank the gentleman for yielding, and I thank my colleagues Mr. WAXMAN and Mr. KLEIN for putting this resolution together.

Mr. Speaker, the shooting at the United States Holocaust Memorial Museum is a sad reminder of how anti-Semitism, intolerance, and hatred can lead to senseless acts of violence and death.

My deepest condolences go out to the family of our security officials, Officer Johns, who was killed while defending the visitors and staff of the museum. His bravery and actions in the line of duty are to be commended and will long be remembered.

This disturbing attack on Washington's Holocaust Memorial Museum and the accompanying loss of life underscore the importance of teaching each new generation about the causes of the Holocaust and how we must work together to prevent the spread of intolerance and hatred based on religion, ethnicity, race, color, anything you choose. This shocking and horrific hate crime should be condemned by all Americans. We must speak with one voice that this is unacceptable and will not be tolerated in the United States of America.

This resolution is a worthy first step in this effort. I urge unanimous vote in favor of this resolution by my colleagues.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio, MARY JO KILROY.

Ms. KILROY. Mr. Speaker, to the grieving family of Stephen Tyrone Johns, I offer my deepest sympathy. You are in our thoughts and prayers.

And to the men and women in blue, especially those serving here on Capitol Hill, I offer my condolences at the loss of your brother officer and recognize the courage and devotion to duty he displayed at the cost of his life. I know that our Nation's police forces stand ready each and every day to serve and to protect.

This particular outrage is all the more heinous because of the place of the crime, our National Holocaust Memorial Museum, and because its perpetrator had a repeated history of public expressions of racism and anti-Semitism.

It is long past time for us to come together as a Nation and put an end to racism, to put an end to anti-Semitism, to put an end to homophobia, and to eliminate hate crimes; to come together and say that hatred and intolerance should not be allowed, that we should be able to end this as a community and come together in a Nation that respects each other for the true gift of the individual that each of us is.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. I thank the gentleman for yielding time.

Mr. Speaker, yesterday a terrible tragedy happened right here in Washington, D.C. It's sad when we see that there are people in this country that have so much hate in their hearts, and it's sad that this person went out to try to kill as many people as possible and being at the Holocaust museum.

Stephen Johns was there to protect the people in the museum, and he lost his life. He lost his life being a hero, by trying to save as many people there as possible.

Mr. Speaker, each and every day, there are killings; there is hatred that leads to these kinds of killings. It's got to stop. We can stop it here in Congress if the American people would actually put their voices a little bit higher and tell their Representatives the violence needs to stop. Violence on every level is totally wrong. Violence to innocent people is totally wrong. We need to do a better job in stopping the hate in this country.

I rise today in support of H. Res. 529, the resolution condemning the violent attack yesterday at the United States Holocaust Memorial Museum.

My heart goes out to the victim's family.

This innocent man was going about his workday and his life was taken in a despicable act of violence.

But Steven Johns' selflessness and heroism saved the lives of others who could have been caught up in the violence.

The U.S. Holocaust Memorial Museum serves as a powerful rebuke of the violence

and hatred that resulted in the loss of millions of lives during World War II.

Yesterday's events there serve as a painful reminder of the importance of combating violence in any form.

The U.S. Holocaust Memorial Museum has educated millions of Americans about the horrors and hate crimes of the Holocaust.

Sadly, yesterday, the Holocaust Museum became known for another tragic hate crime.

Hate crimes and hate groups are on the rise in our Nation.

Hate groups have terrorized too many Americans.

This horrible act also serves as another example of the need to end gun violence in the United States.

We need to make sure that we do everything we can to prevent similar tragedies in the future.

The suspect in this terrible crime was a convicted felon and should never have been able to get his hands on a gun.

Too many of the wrong people have access to guns.

We are seeing more and more of these senseless crimes take place.

The rate of gun violence in this country is totally unacceptable.

There is something that we can do.

We can pass sensible gun laws in this Nation that will save lives.

We need to keep guns out of the hands of the people that can do the most harm with them such as convicted felons and the mentally ill.

We also need to close the gun show loophole, which allows people to buy guns without any background check at all.

And Congress should pass my bill, the No Fly No Buy Act, which prohibits people who are on the TSA's "No Fly List" as known or suspected terrorists from purchasing guns.

We can never prevent every gun death in this country, but we do have tools that can limit gun violence and would be effective now.

I urge my colleagues to work together with me to make sure that we do everything we can to limit gun violence in this country.

Please support this resolution so that we can send a strong message that hate and violence will not be tolerated by this Congress.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, it's nearly a decade ago that in my district a hate-monger came with a gun and pointed it at young men and women, people, families who were leaving their synagogue at the beginning of the Sabbath. And when he wasn't able to kill anybody there, he drove down the street and saw an African American standing in front of his house with his children in Skokie, Illinois, and shot and killed Ricky Birdsong, a community leader and a beloved member of that community.

We've made some progress in extinguishing anti-Semitism and hatred. We have certainly worked toward it. And yet yesterday at the Holocaust museum, a place dedicated to remembering the lives of senselessly killed millions of people, another shooter was there.

But standing in his way was Officer Johns, Officer Stephen Tyrone Johns, who died in defense of tolerance in our country, against intolerance in our country, and saved probably the lives of many, many people in doing so because that shooter was going on to kill others.

We owe him and his family a debt of gratitude and send condolences to those who loved him.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the distinguished Speaker of the House, NANCY PELOSI.

Ms. PELOSI. I thank the gentleman for yielding, and I thank all of those who are involved, Mr. KLEIN of Florida and members of the House Anti-Semitism Caucus and others, certainly the chairman of the committee, Mr. RAHALL, and others for giving us an opportunity to speak on the floor to express our grief and our outrage over what happened yesterday.

When the news came to the Capitol of what had happened at the U.S. Holocaust Memorial Museum, we were shaken, shaken to the core that this could possibly happen.

The resolution today allows us to express some of the grief that we have and the strongest denunciation of the despicable hate crime perpetrated yesterday and to express our strong support for the work of the U.S. Holocaust Memorial Museum.

Some of us were there that rainy, rainy day when the Holocaust Memorial Museum was dedicated. Elie Wiesel spoke to us so profoundly about what it meant, not only in terms of memory and never forgetting what happened in the Holocaust, but what our responsibility is to the future. At the time the Bosnian crisis was happening. So while the Holocaust Memorial Museum is about something that happened in the past, it is a memorial and a reminder to us about ridding our societies of these kinds of attitudes.

So how ironic, how ironic that this person, this individual, would go into that museum with hate in his heart, a gun in his hand, and kill this beautiful man, Stephen Johns, who really gave his life. He guarded others with his life. And I would like to take a moment to pay special tribute to Stephen Johns, whose life was cruelly taken yesterday.

Stephen was known to his colleagues as "a soft-spoken, gentle giant." Stephen loved his hometown football team, the Redskins, and he loved to travel across the United States. Sad to say—well, it was a happy moment for him—but sad that it was such a short time ago he had married and moved to Temple Hills, Maryland, just 10 minutes away from his mother.

Stephen died in the line of duty, doing his job to protect those who came to the United States Holocaust Memorial Museum. We honor him today. We honor his sacrifice and his service.

In the U.S. Holocaust Memorial Museum, anyone who has visited there knows there is a flame that burns in remembrance to all who died in the Holocaust. It lights the room over a coffin of Earth gathered from the death camps, concentration camps, sites of mass execution and ghettos in Nazi-occupied Europe and from cemeteries of American and European soldiers who fought and died to defeat Nazi Germany.

Engraved above the flame, it says, from Deuteronomy 4:9: "Only guard yourself and guard your soul carefully, lest you forget the things your eyes saw, and lest these things depart your heart all the days of your life, and you shall make them known to your children, and your children's children."

Today we commit to telling our future generations the truth shared at the Holocaust museum. This heinous act was committed at the entrance to sacred ground to us, the Holocaust museum, as I described, where some of the Earth was gathered from. This is a severe blow to all of us who care about these issues, and I would include that to be everyone in the Congress of the United States and in our great country and those throughout the world who promise never to forget.

□ 1615

So we commit never to forget, and we commit to continue our work to build a world free of hatred.

Again, I thank our colleagues for giving us a time to publicly mourn this horrible, horrible event; to extend our condolences to the family of that brave guard and also to acknowledge, like Stephen Johns, our own Capitol Police and many others who make this area safer for people to visit from all over the world, who make it safer for us to do our jobs here, who make it safer for the press to cover us, who make it safer for our staffs to work, we express our deep gratitude to them. For us, the words Gibson and Chestnut are forever ablaze in our hearts—two of those committed to guard the Capitol whose lives were taken over 10 years ago. We will add to that list Stephen Johns and never forget the sacrifice he made and never forget our responsibility again to end the world of hatred.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to a valued member of our Committee on Natural Resources, the gentleman from American Samoa, Mr. ENI FALEOMAVAEGA.

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

Mr. FALEOMAVAEGA. I want to thank Chairman RAHALL and our ranking member, DOC HASTINGS, and the members of the committee for bringing this important resolution to the floor. I also want to commend both gentlemen, Congressman KLEIN and Congressman PENCE, as co-Chairs of our Caucus on anti-Semitism. Of course, the memory of Tom Lantos evokes all of the understanding that we have and appreciation for this important issue.

Mr. Speaker, I want to personally express my deepest condolences and sympathies to the family and friends of Officer Johns, who was killed unexpectedly yesterday as a result of a shooting

by a man who harbored so much hatred against members of our Jewish community.

Officer Johns, for some 6 years, served faithfully as a security officer there at the museum. He was doing his job. He made the ultimate sacrifice, and we are here to honor him and his life. He gave his life in order to save the lives of others.

Mr. Speaker, I hope that every person who visits our Nation's Capital makes it a point—a must—to visit the Holocaust Memorial Museum. This revered museum is a symbol of our Nation to the world that racism, bigotry, ignorance, and hatred have no place in our country. This museum reminds the world of the suffering of some 6 million Jews, and we should never forget that, if it happened to them, it could also happen to us.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from Illinois, Mr. JESSE JACKSON.

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Last night, Mr. Speaker, I tried to explain this horrific event to my daughter when she asked me why. I tried to tell her that African Americans fought for our country in World War II, and a Holocaust survivor once said and told the story of how survivors of the Holocaust knew they had been freed when African Americans showed up, knowing full well, because of their race, that they could not be Nazis even if some African Americans had to fight under a different flag.

African Americans and Jewish Americans banded together in many of our Nation's great campaigns for social justice. Martin Luther King, Jr., used to often quote Rabbi Abraham Heschel. Schwerner, Goodman, and Chaney—two Jews and a black killed for registering people to vote in Mississippi.

Stephen Tyrone Johns lost his life defending visitors at a Holocaust Museum in the hands of a white supremacist. As I believe President Lincoln would paraphrase: Their sacrifice as martyrs is far above our own ability to add or detract.

I would hope in this moment that we would recognize that the ties of human decency and dignity that bind us and the blood that unites us are stronger than the hatred and the demagoguery and the acts of violence that divide us. It is my sincere hope, Mr. Speaker, that we might find some shining moment in recognizing that we have more in common in working together than we do in fighting and in being apart.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlewoman from California, Ms. JANE HARMAN.

Ms. HARMAN. I thank the gentleman for yielding.

Mr. Speaker, less than a mile from this Chamber, a hate crime occurred yesterday. It occurred in a place of remembrance—a sanctuary. That sanctuary, the Holocaust Museum, has meaning for everyone here. It has special meaning for me because my father was a refugee from that Holocaust, and most of his family was killed in it. One exhibit in the Holocaust Museum is a wall of shoes taken from innocent men, women and children before they were gassed to death. Who were they? What lives would they have led? Would their children have ended up serving here as I have?

In the memory of Officer Johns and 6 million innocent Jews, it is time, past time, to end hate.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee, Mr. STEVE COHEN.

Mr. COHEN. Mr. Speaker, Mr. JACKSON expressed much of what I've thought about as to the events of yesterday.

People who hate—and this assailant hated Jews and blacks in particular—hate all people and minorities.

With that in mind, I think it's important that people reflect and do something positive with their children and with themselves in the future as an antidote to the type of hate that we saw. That is to bring your children to the Holocaust Museum. Let them learn about the horrors of the Nazis and of the camps. Come to Memphis to the Civil Rights Museum and learn about civil rights. Go to Atlanta where Dr. King is buried, and learn about Dr. King and nonviolence. Take steps to learn about ways to make the world better.

It's unfortunate what happened yesterday. It's so awful at that site, but it is awful that it happened anywhere and that Mr. Johns did lose his life. We must appreciate all the guards who protect American order and liberty.

The SPEAKER pro tempore (Mr. SERRANO). The Chair will note that the gentleman from West Virginia has 7 minutes remaining.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from Michigan, Mr. GARY PETERS.

Mr. PETERS. Mr. Speaker, my district is the home of the first free-standing Holocaust Museum in the United States of America. For 25 years, it has stood as a reminder of the horrific consequences of extremism and hate.

Just a few months ago, the founder of that museum, Rabbi Charles Rosenzvieg, passed away. Although he is gone, his life's work will educate future generations about the horrors of the Holocaust so that such senseless violence should never again be repeated. Last month, this body passed a resolution honoring his life and memory.

So it is with an especially heavy heart today that I come to the floor to urge the passage of Resolution 529, a resolution condemning the violent attack on the United States Holocaust Memorial Museum on June 10.

The Holocaust Museum exists as a place to reflect and to mourn murderous prejudice and hatred. Yet, yesterday, a senseless attack, motivated by the same prejudice and hatred, resulted in the tragic death of a security guard, Stephen T. Johns. It is a sad reminder that we must all remain vigilant in continuing the work of Rabbi Rosenzvieg—to purge discrimination and hatred from this world.

I thank Congressman KLEIN for sponsoring this important resolution.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Mr. Speaker, I rise today to add my voice to all of those who have denounced the hatred and violence in condemning yesterday's tragic attack at the U.S. Holocaust Museum and to extend my thoughts and prayers to the family and friends of Officer Stephen Johns.

Racism, anti-Semitism and other forms of hatred are not new. Sadly, they continue to impact too many people here and around the world. As a child of a Holocaust survivor, I know all too well the destruction and suffering that hate can bring. This same kind of intolerance that my mother faced in Austria in the 1930s still feeds the actions of foreign terrorists and domestic hate groups.

The United States Holocaust Memorial Museum is more than a museum—it feels like a sacred space. It is a place that enables us to acknowledge and remember the horror that was the Holocaust—and it is a place for reflection on the horrific consequences that hate can bring and a reminder that we must remain ever-vigilant against hate's many manifestations. Yesterday's despicable act reinforces the need for the important work done by the Holocaust Museum.

We all have a role to play in combating bigotry and intolerance wherever it may be, and it is a sad reminder of the work we still have to do that yesterday's tragic crime occurred so soon after President Obama's historic trip and his strong rebuttal of those who deny the Holocaust.

So it is with a heavy heart that I join my colleagues in offering my sympathies to the family of Officer Johns, and that I commend the work—the wonderful work, the important work—of the U.S. Holocaust Memorial Museum, and that I pledge to do my part in never forgetting.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota, Mr. KEITH ELLISON.

Mr. ELLISON. Mr. Speaker, I rise today to do two things: one, to offer condolences and thanks to the family of Officer Johns for his brave sacrifice and, also, to point out that Officer Johns dedicated his life to protecting the staff and visitors of an institution dedicated to remembering both the depths of human depravity and the heights of courage and bravery, as we must understand that the Holocaust Museum was not simply a place to remember loss, awful loss, but also courage in standing up to great adversity.

May we all celebrate the life of Officer Johns and of the 6 million Jews who were murdered and memorialized

in the Holocaust Museum by going to the Holocaust Museum, by supporting that museum and by showing defiantly that we will not be cowards and that we will not be deterred from standing up for what is right.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentlewoman from California, Ms. DIANE WATSON.

Ms. WATSON. Mr. Speaker, lest we forget, we must constantly be vigilant that we have people in this country who still harbor hate. As we go looking around the world for those who would do mass carnage, we need to look right inside of ourselves and see what is happening among too many of our people.

Officer Johns was there. I understand he opened the door for the person who shot him, but he represented a minority, and the shooter went to a place where he could show his anger, his hate, his hostility. As long as these kinds of people allow this to grow within them, we are all at risk. As long as we let guns go unregistered and let them out there and in the hands of these people, each and every one of us is at risk.

So it is now the time not only to give our condolences to the family of Officer Johns, but to take a step in the right direction for the right policy that will keep this in our minds every day of our lives.

Mr. Speaker, I rise today in support of House Resolution 529, condemning the violent attack on the United States Holocaust Memorial Museum on June 10, 2009, and honoring the bravery and dedication of United States Holocaust Memorial Museum employees and security personnel.

I express my deepest sympathy to the family, friends, and colleagues of Officer Stephen Tyrone Johns who lost his life as he stood guard at the museum. Officer Johns was only 39 years old; and standing six feet, six inches tall, was known as a "gentle giant". He was lovingly called "Little Stephen" by his family and "Big John" by his colleagues. Officer Johns must always be remembered in our hearts and minds as a hero.

Mr. Speaker, hatred must not be tolerated, and acts of violence must be prosecuted to the fullest extent of the law.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the gentleman from New York, Mr. ELIOT ENGEL.

Mr. ENGEL. I thank the gentleman, my friend from West Virginia, for yielding to me.

Mr. Speaker, I rise, of course, in support of this resolution. We are all shocked and saddened about what happened yesterday. The Holocaust Memorial Museum is a museum dedicated to victims of genocide, and to have any kind of hatred perpetrated in that museum is an absolute disgrace. My heart goes out to Officer Johns and to Officer Johns' family in that he was doing what so many wonderful people do—protect the public and protect us. His life should not have been taken.

Mr. Speaker, hatred is a terrible thing. The person who did the shooting reportedly has a long history of hating Jews, of hating African Americans, of hating Catholics—of just about hating everybody. We need to do something about that. We need to teach our children that hatred isn't a part of mainstream anything and that people need to respect our fellow human beings.

I also want to say something about guns, because we really need to deal with the problem of guns in this country. I would like to know why the assassin who served in prison for 6 years as a felon and who was a known hatemonger was able to get ahold of a gun. This is a problem, and we need to deal with it.

So I thank my friend, and I rise in support of this resolution.

Mr. RAHALL. Mr. Speaker, I would advise Mr. HASTINGS that I am prepared to close with one final speaker if he wishes to use the balance of his time.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Mr. Speaker, this is a good resolution, and it is responsive to what happened yesterday at a place where something like this should never happen. So I urge my colleagues to vote ''yes'' for the resolution.

I yield back the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield the remainder of my time to the sponsor of this resolution and commend him for the quickness with which he has brought this to the floor, the gentleman from Florida (Mr. KLEIN).

The SPEAKER pro tempore. The gentleman from Florida is recognized for 2 minutes.

□ 1630

Mr. KLEIN of Florida. I thank the gentleman from Washington and the gentleman from West Virginia for giving us the opportunity, as well as the Speaker, for allowing us to very promptly bring this to the attention of the House.

I thank the Members, the Democrat and Republican Members, who have all been here today, as well as the entire Chamber for reacting and acknowledging this horrific act. Again, we just acknowledge and extend our condolences to the family.

We rededicate ourselves to the necessity of teaching, of educating our public in the United States and around the world about what happens when racism and intolerance are allowed to fester from generation to generation, and we know that we will commit ourselves to continue that education process to the lessons of the Holocaust and the lessons of, unfortunately, what happened yesterday to make sure that it doesn't happen again.

Mr. LEVIN. Mr. Speaker, I stand with so many of my colleagues today in condemnation of yesterday's appalling attack at the U.S. Holocaust Memorial Museum and the tragic death of Officer Stephen Tyrone Johns, who was killed in the line of duty.

Bigotry, racism and intolerance must be condemned wherever they occur, but especially at a memorial to the Holocaust that challenges visitors to confront hatred and promote human dignity. The Holocaust Museum is a hollowed symbol of the cost of this type of hatred to all of humanity. The Museum teaches millions of people about the dangers of unchecked hatred. We do not need further examples of hate and prejudice within its walls—or anywhere else.

The events of yesterday serve as a reminder that the Museum, and all of us, have more work to do to confront hatred and intolerance in our society.

I urge all my colleagues to join me in voting for the resolution and also in expressing condolences to the family of Officer Johns.

Mr. MORAN of Kansas. Mr. Speaker, I am deeply saddened by the news of yesterday's shooting at the Holocaust Memorial Museum and express my condolences to the victim's family.

It is unfortunate that, even in today's world, there are still individuals who choose to deny the tragic events of the Holocaust. In the face of those who adhere to hatred, we must continue to stress the importance of knowledge over ignorance, with the hope that we can prevent future tragedies such as this.

And that is just what the Holocaust Museum strives to do. Each year, some 2 million people from around the world visit the museum where they are confronted with a record of the horrors of the Holocaust so that no one can deny its existence. The museum not only reminds us of the atrocities of the Holocaust, but it shows us what happens when hatred, intolerance, and ignorance are allowed to direct the actions of men. The museum calls each one of us to recognize the humanity in all people, regardless of our differences. Its role in educating visitors about the responsibilities each individual has and its efforts to promote tolerance, understanding, and acceptance continue to be needed.

I wish to express my condolences to the family, friends and coworkers of Stephen T. Johns. The outstanding courage demonstrated by Mr. Johns and all those who serve to protect citizens should not be taken for granted. My thoughts and prayers are with them.

Mr. MEEK of Florida. Mr. Speaker, it is with great sadness that I rise to pay tribute to Mr. Stephen T. Johns, an innocent man who lost his life while securing the countless people who stream into one of the national treasures in our capital city, the United States Holocaust Memorial Museum.

In the building that was erected to preserve the memory of the martyrs and heroes of the Holocaust, the ugly face of bigotry cast a dark shadow over the U.S. Holocaust Memorial Museum on June 10, 2009. The Museum is a place of stillness and personal reflection, and that calm was broken by a gunman who shattered that silence. People from around the country and the world come to that location to learn what the powerful phrase 'Never Again' really means. Visitors take that message to their home communities to serve as spokespeople against bigotry, racism and hatred. That message needs to resonate throughout this country even more so today.

Though this senseless and hateful act of violence is deplorable and has tainted the Museum's stance as a poignant reminder of the millions of innocent people who lost their lives in the Holocaust, it is my hope that the hate that continues to exist in our country will soon cease.

The heroic security officers who put themselves in harm's way to protect the lives of Museum staff and patrons should be commended. Their courageous actions within a building that is synonymous with remembrance and a monument to those millions who died victimized by irrational hatred, saved more lives from being lost to that very same hatred.

Mr. Speaker, I ask you and all the members of this esteemed legislative body to join me in extending heartfelt condolences to the family of Mr. Stephen T. Johns. His life, service and ultimate sacrifice will not be forgotten. Our nation must remain vigilant in our effort to defend against bigotry and heinous attacks such as this. I appreciate this opportunity to pay tribute before the United States House of Representatives.

Ms. MARKEY of Colorado. Mr. Speaker, Holocaust survivor Elie Wiesel once said, ''I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.'' I rise today to do my part to prevent that silence. I rise today to condemn the horrific attack on the United States Holocaust Memorial Museum and to extend my deepest thanks and sympathy to the family of Officer Stephen Johns and to all those at the Holocaust Museum. These men and women spend their days educating visitors from across the world about the tragic events of the Holocaust. The museum and its staff keep alive the memories of those lost and act as a reminder to our society's conscience of the devastating acts that humans are capable of. The events that occurred at the museum yesterday should only strengthen our resolve to combat anti-Semitism and the prejudices that still pervade our society. We must carry the memory of both the Holocaust and yesterday's events with us as we seek to form a more tolerant world. It is only in creating positive from the abhorrent that we can properly honor the lives of those who were lost.

Mr. POSEY. Mr. Speaker, I join my colleagues in condemning yesterday's shooting at the National Holocaust Museum which claimed the life of museum security guard Stephen Tyrone Johns. My thoughts and prayers are with Mr. Johns' family and friends during this difficult time.

Mr. Johns' bravery and self-sacrifice saved lives—many innocent lives. His actions prevented this unthinkable attack from further harming the many families, including many young children, who were visiting the museum yesterday.

Mr. Johns' successfully defended our Nation's most prominent monument built to religious and ethnic tolerance from the worst kind of hate and delusion. Anti-Semitism and harming innocent civilians have no place in a civilized society. He will be remembered always as an American hero and his family should be proud of his sacrifice for others.

Mr. HOYER. Mr. Speaker, I pause today to honor the memory of Stephen Tyrone Johns of Temple Hills, Maryland, who died yesterday defending the United States Holocaust Memorial Museum against an anti-Semitic gunman.

Although the gunman appears to have been a hardened denier of the Holocaust, his crime only brings home the high value of that museum of remembrance, which preserves the historical memory of a people whose communities and institutions have so often been the target of terroristic violence.

That memory is preserved, in ways large and small, by the dedication of people like Officer Johns.

In the wake of yesterday's killing, Mark Blumenthal, an on-line editor, shared the story of his wife's visit to the Holocaust Museum:

''She arrived at the end of a busy workday, in a rush, just a few minutes before closing time. Unfortunately, given the late hour, they had run out of the candles usually provided in the Hall of Remembrance for visitors to light and leave in the niches of the outer walls.

Already feeling emotional . . . she broke down sobbing. A staffer nearby immediately came to her assistance, asking if she needed help. She explained, and the gentleman asked her to wait. He soon returned with a candle, explaining with a conspiratorial wink that he kept his own special supply for such emergencies.''

In gestures as simple and kind as that, and acts as courageous as officer Johns's, we can find ways to carry on the duty of memory.

Yesterday's crime may have been intended to scare us away from the Holocaust Museum; may it fail.

May visitors return in force to bear witness to yesterday's loss and to the historical facts whose denial remains, in the words of President Obama, ''baseless . . . ignorant, and . . . hateful.''

Mr. WAXMAN. Mr. Speaker, the U.S. Holocaust Memorial Museum was created as a sanctuary for tolerance and understanding. It was established by Congress to memorialize the millions of Jews and others who perished during the Holocaust and to educate people about the hatred and intolerance that led to their murders. Yesterday, it was tragically the victim of those same evil impulses.

Today we mourn the death of Officer Stephen Tyrone Johns who was killed in the line of duty and extend our condolences to his family. He will be remembered not only as a protector of the staff and visitors who crossed his path, but also as a defender of the noble ideals the museum stands for.

What transpired yesterday is a horrific reminder of the violence that can stem from racism, anti-Semitism, and Holocaust denial. It was a hate crime in the truest sense—an attack fomented by hatred of Jews, African Americans, and all who seek to embrace diversity, tolerance and understanding.

The gunman who perpetrated this attack had a life-long obsession with his hateful views. We can and must do more to prevent future generations from falling victim to a life consumed by hate.

The most powerful response we can take is to reinforce the Museum's mission to educate and inspire people to fight prejudice in all its forms. With President Obama's recent visit to Buchenwald and the Pope's recent trip to Yad Vashem, we must emphasize the value of Holocaust education as a potent antidote to the vicious venom spread from Internet chat rooms and beyond.

Congress has been a partner of the U.S. Holocaust Museum from the very beginning. We will be forever committed to its safety and its success.

Mr. MARKEY of Massachusetts. Mr. Speaker, I rise today with great sadness to address the horrible attack which took place yesterday afternoon at the United States Holocaust Memorial Museum here in Washington. My thoughts and prayers are with the family of Officer Stephen Tyrone Johns, who was killed yesterday in the line of duty while heroically performing the job to which he had dedicated himself—protecting innocent people. The Museum is appropriately closed today in his honor, with flags flown at half mast in memory of this brave and selfless man.

We sometimes have a tendency to slip into a false sense of security and denial when we hear about violence and internecine strife around the world. ''That won't happen here'', we assure ourselves, ''We have moved beyond that.'' But every so often we are painfully reminded that even in this country of freedom and opportunity there are those who would seek to do harm to their neighbors, deny the Holocaust and spew hateful and racist speech designed to divide us.

Of course, our Jewish friends, family, and neighbors were stunned by yesterday's shooting, as it took place in the very hallowed space that our country has dedicated in memoriam to one of the greatest crimes in history, the Holocaust. It is especially saddening that this sacred place, a monument devoted to peace and the prevention of bigotry and crimes against humanity, was defiled in such a tragic manner.

For many Jewish Americans, yesterday's attacks surely summoned up thoughts about other crimes against Jews throughout history, both here in the United States and elsewhere. Of course, we can never forget that Israel itself has faced intense and continuing security threats since its inception over 60 years ago. American Jews are an integral part of the fabric of American society, and irrational actions such as yesterday's attack should serve as an opportunity to bring the American family closer together.

The man who opened fire yesterday at the Holocaust Museum reportedly has been a longtime adherent to a twisted white supremacist ideology. The perverse logic that says the human race is divided and segmented between superior and inferior genetic groups not only runs contrary to our founding concept—''all men are created equal''—it is in fact a cancer upon our society. Ideologies that would place one group of us above others are an affront to the core values that our society was created to defend.

At this moment in our history, when we are confronted by incredible difficulties, we are also filled with hope. We recently witnessed the election to our highest office a man whom at the time of our nation's founding would not even have been permitted to cast a vote. We have seen increasing numbers of women and minorities serving at the highest levels of our government. These developments give us hope, even in the dark moments such as yesterday's murderous attack.

I also would like to note that students from my home state of Massachusetts were in the Holocaust Museum yesterday when the gunman opened fire. I commend the Museum staff and the school chaperones for quickly shepherding the students to safety, ensuring that none was injured in the attack. The fact that millions of schoolchildren visit the Museum and learn the truth about the Holocaust is a rebuke to those, like the deranged killer, who seek to deny that the Holocaust occurred.

As Reverend Martin Luther King taught us, ''the arc of the moral universe is long but it

bends toward justice." We will continue to work to move our nation inexorably in the direction of justice and equality, because those are the values which tie us together. Yesterday, an immoral and evil act took the life of a brave officer. As we express our sadness and respect for Officer Johns, we also remain undeterred in our efforts to achieve and put into practice our nation's highest ideals—that all men and women are created equal, with inalienable rights that no person can abridge.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand here today to express my heartfelt condolences to the family of Officer Stephen Tyrone Johns, who fell victim to yesterday's fatal shooting at the United States Holocaust Memorial Museum in Washington, D.C. This tragic outburst of violence and hatred turned the Holocaust Memorial Museum, a "Monument of Sorrow" (reported in the Washington Post), into monumental sorrow as we mourn the senseless loss of a brave man who died because of the color of his skin. I sit on the Advisory Board of the Houston Holocaust Museum, and I understand that such a museum should be a dwelling of honor and respect, not a house of violence and hatred. It should be a place that mourns those who died in the horrific Holocaust, as well as a place that seeks to promote peace. This violent act can not be tolerated.

I would like to express my outrage at this racially-motivated killing, and my concern for Officer Johns' family, who is left to comprehend a void that will never again be filled. I would also like to express my concern to the patrons of the Holocaust Memorial Museum in our Nation's Capital, who were subject to baseless and tragic violence yesterday. Despite the strides the United States has made in the arena of Civil Rights, and the progress we continue to make with respect to tolerance, yesterday's hate crime indicates we have not come far enough. We always seek to protect speech, that is part of our American values, but we can not ignore and protect the violence that comes because Americans believe in the right of free speech.

Let this tragic loss be an alarm for the United States that we must do more to promote respect and understanding among the people of our diverse nation, rather than allow ignorance to manifest within our country. Let Officer Stephen Tyrone Johns' legacy be marked as a renewed commitment to fighting racism and bigotry. Let this time be one of new hope between the African-American, Jewish communities, and all communities, that together we shall weave a fabric of tolerance and peace, and that together we shall overcome hatred today. I urge passage of this important Resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and agree to the resolution, H. Res. 529.

The question was taken.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 21, as follows:

[Roll No. 334]

YEAS—413

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

NOT VOTING—21

Ackerman
Baca
Barrett (SC)
Blackburn
Blunt
Brown, Corrine
Childers
Delahunt
Himes
Hirono
Kagen
Kennedy
Lewis (GA)
Linder
Moran (VA)
Nunes
Poe (TX)
Richardson
Ruppersberger
Sánchez, Linda T.
Sullivan

□ 1655

Mr. HONDA and Ms. SPEIER changed their vote from "nay" to "yea."

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. BACA. Madam Speaker, If I would have been here, I would have voted in support of Motion to go to Conference on H.R. 2346—Supplemental Appropriations Act, 2009, H.R. 1886—Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009, H.R. 1687 and H. Res. 529.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1256, FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

Mr. POLIS, from the Committee on Rules, submitted a privileged report (Rept. No. 111–145) on the resolution (H.

Res. 532) providing for consideration of the Senate amendment to the bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONGRATULATING THE MOORESTOWN HIGH SCHOOL GIRLS LACROSSE TEAM

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

Mr. ADLER of New Jersey. Mr. Speaker, on behalf of all Burlington County residents, I rise today to congratulate the Moorestown High School girls' lacrosse team for winning their 10th straight New Jersey State Championship.

As a father of four boys, I understand the importance of having sports and extracurricular activities in a young person's life. It encourages teamwork, a sense of pride and accomplishment, and responsibility. The Moorestown High School girls lacrosse team embodies all those attributes.

Led by senior captains Karli Tobin and Alyssa Ogle, Moorestown High School beat Mountain Lakes High School 11–8. Junior Katrina Martinelli led the team in scoring with four goals and two assists, while Alyssa Ogle scored three goals, including the game winner.

Head coach Deanna Knobloch has been with the team for 18 years. Winning 10 straight championships is no easy task, and I applaud her and her assistants, KC Knobloch, Julie Catrambone, and Courtney Legath. This championship marks the 210th win over New Jersey opponents over a full 10 seasons.

Moorestown moves within one State title of tying the longest State championship winning streak. Again, congratulations to Moorestown High School girls lacrosse team, especially those seniors. I look forward to seeing you break that record.

Go Quakers.

□ 1700

INTRODUCTION OF REPEAL THE STIMULUS ACT

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

Mr. TIAHRT. Mr. Speaker, earlier this year the Obama administration told us the stimulus bill was the salvation to our economic woes. They predicted, if passed, unemployment would top out at 7 percent and claimed jobs would be created or saved immediately. It was passed, but yesterday's promises are in stark contrast to what we see today—unemployment is at 9.4 percent, and just this morning CNN reported that America saw $1.3 trillion of wealth vaporize in the first quarter of 2009.

Despite massive government spending, foreclosures continue, car dealerships are closing, layoffs continue, and the stock market and home values continue to decline. The government is borrowing money it does not have, inflating programs it does not need and making promises it cannot keep. Taxpayers don't understand why so much money is being wasted so quickly with nothing to show for it.

I understand. This week I offered a simple solution. Rescind unobligated money from the stimulus bill and save the taxpayers over $250 billion. That's money we won't have to borrow from the Chinese. Unfortunately, the amendment failed on a party-line vote.

Today I am introducing the Repeal the Stimulus Act of 2009, and I urge my colleagues to join with me to repeal the stimulus bill and the spending schemes of the current administration and cut back on the amount of money we have to borrow from China.

SUPPORTING LEGISLATION TO HELP AUTOMOBILE DEALERSHIPS STAY IN BUSINESS

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

Mr. PAULSEN. Mr. Speaker, the bankruptcy filings of both GM and Chrysler are threatening local auto dealers as both companies are able to bypass State franchise laws that are designed to protect small dealerships. Shutting the doors on these small businesses will mean more job losses at a time when we can ill afford them. It's incredible to many of us here in Congress that these decisions can be justified if it isn't saving a single job and is, in fact, eliminating jobs.

That's why I'm cosponsoring legislation that was introduced this week that would protect these jobs by restoring the franchise agreement between the auto dealerships and GM and Chrysler. Mr. Speaker, this would ensure that the dealers themselves, not the government or the big automakers that are controlled by the government, are able to decide the future of their operations. Let's pass this legislation and help local entrepreneurs keep the businesses they've worked so hard to build.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PETERS). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

SUPPORTING A SOLAR CARVE-OUT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Arizona (Ms. GIFFORDS) is recognized for 5 minutes.

Ms. GIFFORDS. Mr. Speaker, our Nation today is facing many great challenges, but there are three in particular that specifically I think are of great concern to the American people: Achieving energy independence, addressing climate change and stimulating our economy. These are all significant challenges, but they also present great opportunities. As we confront these issues, we have the chance to make our world stronger, safer and more prosperous.

One of the best ways to do this is by deploying renewable energy. Renewable energy sources, especially solar, our Nation's most abundant renewable energy source, offers a real solution to these challenges I just mentioned. Our solar resource is vast, it's domestic, and it's free. It is clean, and it generates electricity without greenhouse gas emissions. In addition, the solar power industry is growing and creating good-paying jobs. For all of these reasons, solar is important to America.

This is why I'm concerned about the way that solar power is treated in the energy and climate bill that recently emerged from the Energy and Commerce Committee. I commend Chairmen WAXMAN and MARKEY and their committee colleagues for their persistence and skill in moving the legislation forward. However, I have to express my deep concern that this bill does not do nearly enough to promote solar power, one of the best solutions for our Nation's energy and climate challenges. The current Waxman-Markey legislation would establish a Federal renewable electricity standard, or RES, of 20 percent by 2020, and that's a good goal. The State of Arizona is 15 percent by 2025. However, the bill fails to establish an carve-out for any specific type of renewable like solar; and in my view, this constitutes an enormous missed opportunity. The primary reason to establish a RES is to create an assured level of demand for renewable electricity. This assured demand allows renewable technologies to increase production, learn by doing and bring their prices down. This allows them to become cost competitive with traditional energy sources. However, without carve-outs for different resources, the RES will fall short of its own potential. Instead of creating demand for all renewables, it's going to give preference to those that cost the least, and currently that is wind and biomass. Without assured demand, solar will miss out on an opportunity that the RES was designed to create. It

will not grow as fast as it otherwise could, and it will not become as cost competitive as quickly as it needs to.

Now I have nothing against wind and biomass. But if we develop these resources at the expense of a more diverse portfolio, we will lose our opportunity to stimulate our domestic solar industry that can compete in a global marketplace. I understand the reluctance to pick technology winners and losers. In fact, I agree with that. But I'm not talking about picking a technology. I'm talking about picking a resource, and that is a big difference. It is impossible to imagine a future powered by renewables that does not include a significant amount of solar energy. We may not yet know what that best type of solar technology will ultimately be, but we do know and the rest of the world knows that we want it to come from the sun, and we want it to be solar. Therefore, it's in our national interest to ensure that the U.S. solar industry is the strongest in the world, and we should do so by continuing to promote and innovate. Solar power, yes, is in its infancy today; but we need to make sure that in the future it really drives America.

Thank you for the opportunity, Mr. Speaker. And as we work towards implementing solar technology in our legislation, I just want to thank my colleagues for spending time to learn about this important resource.

To do that, we should establish an effective incentive in the form of a 20 percent solar carve-out within the RES.

A couple weeks ago, researchers at the University of Arizona in my hometown of Tucson were awarded a $15 million grant to create an Energy Frontier Research Center. They are working to develop ultrathin solar panels that use dyes to create electricity from sunlight. This project is tremendously exciting, but as we invest in these technologies, we must ensure we are creating a market to use them.

In the race to become the global solar leader, the clock is ticking and the competition is fierce. America does not have time to waste with poorly designed policies. This is why I call on my colleagues to support a solar carve-out within the RES. It is a proven mechanism to develop a truly diverse renewable portfolio that includes solar power.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN 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. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

STATE OF THE UNION'S FINANCES: A CITIZEN'S GUIDE

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, in the past couple of weeks, two of our colleagues, FRANK WOLF of Virginia, a Republican, and JIM COOPER of Tennessee, a Democrat, sent this booklet around to all of the Members. We get a lot of correspondence and a lot of books and leaflets; but I would just like to say to my colleagues tonight, I hope you read this. It doesn't take very long, but it's extremely important because it deals with not only today but with our future and our kids' future and our posterity. What it talks about is the debt that we have in this country and where we're going.

In the last 10 years, we've gone from $5.5 trillion in debt to over $11 trillion in debt, and the debt is escalating at a very rapid rate. In fact, right now the projected deficit in the future is up to $56 trillion. The reason for expected expenditures is for the programs that have been proposed and have been passed into law by this body and the other body. Right now explicit liabilities include publicly held debt, military and civilian pensions, and retiree health benefits, plus other things, that's $12.2 trillion; $1.3 trillion is for Federal insurance loan guarantees, leases and so forth; and then the big one, $42.9 trillion, is Medicare hospital insurance, which is $12.7 trillion; Medicare outpatient, $15.7 trillion; Medicare prescription drugs, $7.9 trillion; and Social Security, $6.6 trillion, for a total of $56.4 trillion. And that does not include what's going on today. We're going into debt right now at about $1 to $2 trillion a year, and it's going to continue like that because of the programs we're talking about.

Over the past few months since this new administration has taken office, we have seen proposed a socialized medicine approach to health, a national health care program. Lord only knows how much that's going to cost, but it's going to be in the billions and billions and probably the trillions of dollars. Much of that will be added to the national debt because we don't have that money. The auto industry—there's been bailouts of the auto industry, and it hasn't really worked. They still had to file chapter 11, and over $50 billion went to the auto industry.

The banking and financial institutions. There was a big bailout of those in the TARP bill, I believe it was. And then the energy bill that they're talking about, the cap-and-trade, is going to cost a tremendous amount of money to the taxpayers not only from the tax money we get here, but also what they are going to have to spend in their homes for higher electric bills and everything else in the future.

Let me just say, Mr. Speaker, this is something my colleagues really ought to read. It talks about our future, our kids' futures and our grandkids' futures. If we continue down the path we're on, there's no doubt in my mind that this country will go bankrupt, and we'll go the way of great civilizations that we have seen in the past, like Rome. There's just no question about it in my mind. Right now the debt that's held by China, Japan, England and other countries is out of sight. They don't want to buy our debt anymore because the value of the dollar has been plummeting because we're printing so much money. Right now we're talking about printing trillions of dollars more because they won't buy our debt, and we don't have that money. When that printing press gets out of control like it is right now, down the road we're going to see very high inflation, very high taxes and an economy that's unsustainable.

So I hope my colleagues will read this. The book is called State of the Union's Finances: A Citizen's Guide, put out by my good friends FRANK WOLF and JIM COOPER, and it is from the Pete Peterson Foundation. It's on your desk. I hope all of you will read it.

ECONOMIC TROUBLES IN THE 17TH CONGRESSIONAL DISTRICT OF OHIO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. RYAN) is recognized for 5 minutes.

Mr. RYAN of Ohio. Mr. Speaker, I would like to rise today to speak about an issue that is important to our community in Northeast Ohio, specifically, the city of Warren and the city of Youngstown dealing with the auto task force and the bankruptcies that have been going on in the auto industry. The community that I come from has been adversely affected not just over the past few months or few years but really over the past 30 years. We've seen the loss of a tremendous amount of jobs. The home of Delphi, the original Delphi, the original Packard Electric, started many years ago by the Packard brothers; a General Motors plant in Lordstown; steel mills, all have been adversely affected over the past 30 years, but specifically over the past few months and few years, given the new problems in the auto industry.

And every day that we wake up, and we read The Warren Tribune or The Youngstown Vindicator, we've been getting bad news about layoffs—Severstal Steel goes idle, 1,000 jobs; General Motors plant takes off the third shift, takes off the second shift, few left on the first shift. Delphi went from 15,000 employees 20 or 30 years ago down to just a few today. A group that has also been adversely affected with maybe not as much attention as it should have been given are the Delphi salaried employees, who many have spent two-thirds of their careers working for Delphi, working under the General Motors umbrella; and helping with the engineering, the designing, the running of this company, have spent their lives, spent a lot of their time, missed a lot of baseball games, missed a lot of

kids' events over the course of their careers, dedicating their lives to this company.

□ 1715

They are now finding themselves in a very difficult position as we go through this restructuring to where many of them have taken a buyout and were promised a supplemental to get them to Social Security, and now through the restructuring they may not only lose their pensions, but they are also going to lose their supplemental. They are also losing their health care. And this is a group of people that contributed to this company, contributed to this country, for many, many years, and deserve to be heard.

Our community that has suffered all of these blows can only stand so much. And here are another 15,000 salaried workers across the country, but probably about 1,000 in our community, that have done the right thing, have paid their taxes, paid their property taxes to fund the schools and the libraries, supported the communities, did the right thing, and now are being extremely hurt by the situation.

So I, along with many others in the Ohio delegation, Senator BROWN and others, Representative BOCCIERI and Representative CHARLIE WILSON, MARCIA FUDGE, a lot of others, have been spending time trying to raise awareness and push the auto task force to consider these 15,000 people across this great country who have contributed in such a significant way to the auto industry, and we want to make sure that the auto task force recognizes that as these decisions are being made, some already are made, that they are made fairly and equitably; that these people who have served the company as significantly as others get the same kind of recognition, the same kind of support, and they are not asked to bear the brunt of the whole burden.

As the new GM tries to reinvent itself and get back up on its feet, it is important that they don't lose, and I think it is important for the auto task force to recognize this, Mr. Speaker, that they don't lose a core constituency of General Motors consumers. Former employees who have been loyal to the company, 15,000 of them, should not only be considered, but it is a basic tactic for marketing purposes. These are people who want to be loyal to General Motors, who want to be supportive of General Motors, and feel like they are being forced to bear a major brunt of this.

Again, I rise today because I have lived and worked here, and these are people who have coached me growing up and been involved in all of our lives and are such a critical component to our community. Many times I have risen on this House floor to talk about the workers and the unions and how the Amwells and the Youngstown Steel Doors and the UAW workers and the steelworkers have been hurt, but workers are workers, and these people deserve to be heard just as much as anyone else.

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 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 Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TOUGH LOVE FOR CALIFORNIA

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, the Governor of my home State of California has called for the Federal Government to underwrite as much as $15 billion of revenue anticipation notes that the State has to issue to avoid bankruptcy. I think that would be a colossal mistake. Such an act would not only put at risk billions of dollars that our country cannot afford, it would actually make California's fiscal condition worse.

Today, California faces a paradox. Despite record levels of spending and record levels of borrowing, it can no longer produce a decent road system or educate its kids or lock up its prisoners. Those who blame the recession for California's budget crisis profoundly misunderstand the nature of that crisis.

Even before California's revenue began to shrink, the State government was running a chronic $10 billion deficit and piling up unprecedented debt. The recession was merely the catalyst. The underlying cause is rampant mismanagement of the State's resources.

California spends about $43,000 to house a prisoner per year, while many States spend just half of that. California spends over $11,000 per pupil, but only a fraction of that ever reaches the classroom. California has one of the most expensive welfare systems in the country, and yet one of the worst records in moving people off of welfare.

That has never seemed to bother California's legislature or its Governor. They are like the shopkeeper who leased out too much space, ordered too much inventory, hired too many people and paid them too much. Every moment that shopkeeper covers his shortfalls with borrowing and bookkeeping tricks.

Ultimately he is going to reach a tipping point, where anything he does makes the situation worse. Borrowing costs are eating him alive and he is running out of credit. Raising prices causes his sales to decline and there is only so much discretionary spending that he can cut.

That is California's predicament in a nutshell. California's borrowing costs now exceed the budget of the entire University of California, and the reason for their loan guarantees is their credit is exhausted. They have just imposed the biggest tax increase by any State in American history, and it has actually reduced their revenues and made the budget gap wider.

Although there are many obsolete, duplicative or low-priority programs and expenditures that the State can and should abolish, there aren't enough of them to come anywhere close to closing California's deficit without directly impacting basic services.

Sadly, California has reached the terminal stage of a bureaucratic state, where government has become so large and so tangled that it can no longer perform even basic functions, a warning to all of us here in this House, I might add. Simply stated, there is now no substitute for a fundamental restructuring of the State's major service delivery systems and restoring the efficiencies that once produced a far higher level of service at far lower costs than what we see today.

Now, restoring that efficiency is going to require the Governor and the legislature to wrest control from the public employee unions, to dismantle the enormous bureaucracies that have grown up over the service delivery system, and to decentralize administration and decisionmaking, to contract out services that the private sector can provide more efficiently, to rescind the recent tax increases that are actually costing the State money, and to roll back the regulatory obstacles to productive enterprise.

These are the changes that cannot be implemented overnight and that will not begin to produce results for some time, and that brings us to the fine point of the matter. What Churchill called history's ''chilling words'' are about to be pronounced on California's failed leadership: Too late.

The Federal loan guarantee or bailout may be the only way to buy time for the restructuring of California's bureaucracies to take effect, but the discussion remains academic until and unless the State actually adopts the replacement structures, actually unburdens its shrinking productive sector and presents a credible plan to redeem the State's crushing debt and looming obligations. Without these actions, Federal intervention will only make California's problems worse by postponing reform, continuing unsustainable spending and piling up

still more debt that the State cannot redeem.

In short, if California won't help itself, the Federal Government cannot and it should not and it must not.

OUR WONDERFUL HISTORY WITH PAKISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me acknowledge the very hard work that was accomplished by the Foreign Affairs Committee of the House, Chairman BERMAN and Subcommittee Chairman ACKERMAN, and say that we did the right thing today. By passing the Pakistan Enduring Assistance and Cooperation Enhancement Act, the American people have made a few more steps toward their own personal security, their own ensuring of the security of the homeland, and recognizing a long-standing relationship that has had, frankly, its hills and valleys.

Many of us don't know the history of other countries, and obviously we have our own wonderful history. But, interestingly enough, when Pakistan was founded by a person named Muhammad Ali Jinnah, it was founded on democratic principles, and we have had a longstanding 50-plus year relationship, although it has been uneven.

So today we have restored that relationship, and I hope Pakistani Americans and their own Embassy that is here representing Pakistan really realizes that we made a strong statement today for the respect and for the relationship of this nation.

We have in essence put together a document that would enhance significantly economic, social and democratic assistance for Pakistan. We have recognized the importance of public diplomacy and engagement. That is a reinvestment, a reordering of the relationship.

We have also recognized the importance of a regional process or coordination between Afghanistan, India and Bangladesh, recognizing that this area, South Asia, is an important part of our security and their security. We must recognize that the people of Pakistan love democracy. And, yes, what we have seen over the last couple of days really has given us pause.

Well, I want you to know that the Pakistan military under their Secretary of the army is doing something they don't usually do. Their structure has been that they have been monitoring or, if you will, watching the border. That has been their task. For the first time, they have accepted the responsibility of internally ridding their country of the terrorists, the ones who have taken over the Swat, who have undermined them, people whose faith may have drawn them to a particular situation where they thought the government wasn't functioning, so they allowed the Taliban and insurgents to take over.

And this is what we have, frankly, the devastation of 2.5 million people who are now moving from one place to the next. But the army is fighting the terrorists. And do you know what is more important? The people are standing up against the terrorists.

The legislation we have today will provide an investment through a prosperity fund. It will have certain criteria for Federal funding, for taxpayers' dollars to go to Pakistan. They must ensure that their nuclear materials are protected. They must make sure that they are fighting radicalism. And we can stop this kind of human devastation.

We know the international help that came to us during Hurricane Katrina. We know what we did with the tsunami. This is a terrorist tsunami. And I want to say that the Government, whether we agree or disagree with its strength, I believe they love democracy. These conditionalities that may be opposed will work their way through Congress. But if we didn't act today, we would continue to have the burials of so many people that are going on in this country, the kind of massive bombing that the terrorists think they can do to intimidate the people of Pakistan.

So, as a co-Chair of the Pakistan Caucus, I am grateful that we made a first step. I want the American people to know that your neighbors are Pakistani Americans. They are doctors, they are entrepreneurs, they are retailers. They love this country, and they want to help their country as well. I am glad we made this first step.

Let me move quickly to a domestic issue and put an explanation point on what we did right for Pakistan and say that I stand here today and support a restoration and bailout for automobile dealers. We missed the boat. We have dealerships who have gotten these ugly letters saying that even though you are a pillar of the community, you are in good financial shape, you can sell the cars, you must close.

Mr. Speaker, I stand against it, and I believe that as we move forward, we must have a carve-out for our automobile dealers who in fact can maintain their independence, who can sell cars. Whether or not it is by Fiat or whether or not it is someone else, Chrysler and GM cannot close by caveat, despite the bankruptcy structuring, the reordering, the reorganization under chapter 11. They cannot come and close hardworking automobile dealerships, and we as Americans and Members of Congress cannot forget them.

I will be looking forward to supporting legislation and writing legislation for automobile dealers carve-out and bailout.

RAMMING A DANGEROUS AND CONTROVERSIAL AGENDA THROUGH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. OLSON) is recognized for 5 minutes.

Mr. OLSON. Mr. Speaker, I rise today to express my growing alarm with the Democrat leadership's clear intention to use the conference report on the war supplemental appropriations bill to ram a dangerous and controversial agenda through this Congress.

It is now clear that Senate and House Democrats have decided to let their own political agenda subvert a bipartisan agreement on providing the men and women of our military with the support they need to continue the fight against terrorism in Iraq and Afghanistan.

□ 1730

I proudly supported the House version of this bill when it originally passed this Chamber. However, Democrats are now preparing to use the conference report, which cannot, cannot be amended, to add unrelated, politically motivated poison pills to the measure.

My Democrat colleagues are proposing to add up to $108 billion for the International Monetary Fund as part of the global bailout for foreign nations. Not only is this a bad idea on its own, I have yet to hear any explanation of how on Earth this will benefit our troops in Iraq and Afghanistan.

In fact, this money will have precisely the opposite effect. Iran, which the State Department has repeatedly certified as ''the most active state sponsor of terrorism in the world,'' would be eligible for these funds. Venezuela's Hugo Chavez, who describes America as ''the biggest menace on our planet'' and supports narcoterrorists in neighboring nations, he, too, would be eligible for these funds.

The purpose of this bill is to make sure our Armed Forces have the men and material they need to defeat terrorists. That this bill would include funding that could benefit the sponsors of terrorism, it's outrageous.

All of this being said, I'd welcome an honest, open debate and vote in this Chamber on the IMF funding, but my Democrat colleagues apparently would rather not risk a separate up-or-down vote. Therefore, they've resorted to playing games with funding for our troops by shoe-horning this measure in a war spending bill with no opportunity for debate here in the people's House.

And it won't end there. Unbelievably, reports are that Democrats are looking to include language to permit the transfer of terrorists being held in Guantanamo Bay to the United States, and they intend to require the immediate release of photographs of detained terrorists, likely, likely inflaming Islamists across the globe and further endangering our Armed Forces deployed overseas.

And again, I will happily debate these wrongheaded measures on the floor of this body any day of the week, but this attempt to ram these unacceptable provisions through the House without a debate or a vote is simply wrong. And I can't think of a more demoralizing message to send to our fighting forces than that a majority of Congress is willing, for political expediency's sake, to load down a war funding bill with unrelated, unpopular provisions.

When I served in the United States Navy, we feared the annual games politicians played with military funding. It made us angry to know that we were tasked with a mission, and then politicians played politics with the resources we needed to complete that mission.

Mr. Speaker, I did not come here to play that game. There is no honor in a vote that conditions the funding for our soldiers, sailors, airmen, marines and coastguardsmen on satisfying an unrelated political agenda. This Congress must not cheapen and degrade our military to simply move forward with political interests.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT 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. HENSARLING) is recognized for 5 minutes.

(Mr. HENSARLING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING THE SERVICE OF MARINE CORPORAL JOE PIRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. PAULSEN) is recognized for 5 minutes.

Mr. PAULSEN. Mr. Speaker, I rise to pay tribute to a truly great American, Marine Corporal Joe Piram of Eden Prairie, Minnesota. We literally owe our way of life to people like him.

It's important for us to remember, Mr. Speaker, that every freedom we enjoy, every moment of safety and every dream we have for the future that we hold was purchased with the blood and sacrifice of our military families. We should not only be thankful for the reality of our quality of life, but for those who laid theirs down to make it possible.

We're aware of the things that make our society run—electricity, gasoline, money, jobs, for example—but our society also runs on values, honesty, integrity, service and sacrifice. Our national progress can truly be measured by the quality of our spirit. Here again, our military families epitomize these essential American values. They're role models for all of us to follow.

So with that introduction, I want to highlight the service of one of the thousands of brave men and women who do amazing things for the rest of us every day.

Joe Piram graduated from Eden Prairie High School in 2004. Joining the Marines had been something he wanted to do all of his life, and the passion was fueled by the tragedy of September 11, which played a key role in his decision.

We talk about the threat that al Qaeda represents to our world, and we deplore their savagery and their ruthlessness. Corporal Piram chose to go out and fight them over there so that we could be safe here. He's now served two tours in Iraq and one in Afghanistan. His unit was called ''The Lions of the Desert'' because of the courage and the strength and heart with which they carried out their missions.

Near the end of his most recent tour, however, just about a year ago, he was injured by an IED. He suffered burns over almost 40 percent of his body. In the months since then, he's put the same determination in his recovery that he put into his military service. With the strong support of his family and his own resilient spirit, he's making great progress and doing well. As a matter of fact, when a reporter from the Eden Prairie newspaper called and spoke with him recently, he had just completed a 5K race at an event in Florida.

Joe's recovery is going well, and he's making ambitious plans for when he leaves the military. It's no surprise that he's looking for new ways to use his talents and his values to serve our country in law enforcement, and maybe running for political office.

We have a tremendous country here in the United States. We're not perfect, but we're still the envy of a large majority of people around the world.

Through all the generations of American history, people like Joe have quietly stepped forward to take on the Nation's toughest jobs. They don't do it for fame or for fortune. They simply do it because they love their country, and they translate that love into a sense of duty and service.

Corporal Joe Piram, I honor you and I thank you. We all thank you. We also appreciate your family who raised you, who supported you in your recovery and, in a very tangible way, has also served with you.

With you in mind, we here in Washington can try a little harder today to make this country worthy of the price you have paid to make it great.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

(Mr. BISHOP of Utah 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 Illinois (Mr. MANZULLO) is recognized for 5 minutes.

(Mr. MANZULLO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IN MEMORY OF SERGEANT JEFFREY JORDAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY of Georgia. Mr. Speaker, this week the residents of a small town in Georgia's 11th Congressional District are grieving together as they say goodbye to a native son who died while bravely serving his Nation in Afghanistan.

Sergeant Jeffrey W. Jordan was killed in action on June 4, 2009, near Kapisa, Afghanistan, of wounds suffered from an improvised explosive device and small arms fire.

Jeffrey was born and raised in Floyd County and, after high school, he settled in a very close-knit town of Cave Springs, Georgia, with his wife, Lacey, and his son, Tailor. Tragically, the Jordan family marked Tailor's first birthday on the very same day his father gave his life in defense of our Nation.

Jeffrey is remembered as a loving husband, father, son, brother, grandson, friend and patriot whose sacrifice for our Nation will never be forgotten.

Mr. Speaker, Sergeant Jordan leaves behind his wife, Lacey Lambert Jordan, his son, Tailor Jordan; his parents, Mary Lou and Tracy Lorin Dowdy; his brothers, Robert Jordan and J.R. Thomason; a sister, Candice Dials; and his grandparents, C.W. and Barbara White, and Mrs. Delores Thomason and Mrs. Delane Ingram; also a great-grandmother, Mrs. Ruth Wilson, as well as so many aunts and uncles and nieces and nephews and in-laws. Tomorrow, I will join this group of Sergeant Jordan's family, friends and supporters at his funeral to honor the life of this brave soldier.

Mr. Speaker, my prayers go out to his family, and my deepest gratitude goes out to Sergeant Jordan for his selfless sacrifice, yes, for our Nation.

I ask all Members, please join me in honoring the distinguished memory of Sergeant Jeffrey W. Jordan.

CLIMATE CHANGE HEARING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. GOODLATTE) is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, as we speak here on the floor of the House right now, the House Agriculture Committee is holding a hearing on the legislation reported out of the Energy and Commerce Committee, the so-called cap-and-trade legislation. Many of us know it as cap-and-tax or a massive new energy tax on the American people.

The Agriculture Committee has wisely decided to hold a hearing on this

complex legislation and, in fact, the Secretary of Agriculture, Secretary Vilsack, has been answering questions from Members on both sides of the aisle for the past 3½ hours, as Members are almost uniformly opposed to the legislation, regardless of their party status, and have expressed grave concerns about the impact that this will have on America's farmers and ranchers, that it will have on rural America and, indeed, the devastating impact that it will have on our economy and jobs and our standard of living as a whole. And I want to bring to the attention of the Members of the House some of the concerns that we have raised.

The impact that this legislation will have on our economy and our very lives is extensive, and we should make sure that not just the Energy and Commerce Committee, but every committee in the House fully vets this bill.

The cap-and-trade proposal is really an $846 billion national energy tax that will hit nearly every American. Moving into a cap-and-trade system will place the United States economy at a distinct competitive disadvantage because it would place significant additional costs on every American business, farmer, manufacturer, and American family.

This bill will raise electric bills across the country by hindering the development of traditional energy sources while also, ironically, limiting the development of renewable energy.

Coal provides the majority of electricity generation in our country, and this bill will effectively stop coal-fired power plants from being built in the United States at a time when one new coal-fired electric generating power plant a week is being built in India and China. They will use those coal-fired power plants to power the growth in their economy, taking jobs away from the United States and putting the same CO_2 gas into the atmosphere that we are passing this legislation to try to stop in this country. It makes no sense.

Nuclear power is the second largest source of electricity generation and the largest source of CO_2-free energy, and it is effectively ignored by this bill, notwithstanding the fact that it will reduce CO_2 gas emissions by a far greater measure than any of the other alternatives that are being discussed.

Also concerning to me is the one-size-fits-all renewable electric standard. This legislation assumes that all States have the exact same amount of renewable resources and can develop them and penalizes States when they cannot.

Furthermore, the legislation excludes far too many people who should be able to participate in the renewable energy market. I know I speak for members on both sides of our committee when I say that the biomass definition in this bill is inadequate. Woody biomass is a clean, sustainable form of energy that deserves encouragement from the Federal Government, not unneeded restrictions. Given the restrictions already placed on woody biomass by the Renewable Fuels Standard, we should not be repeating the same mistake in this legislation.

We must keep in mind that agriculture is an extensive energy-intensive industry, and this legislation will make the cost of energy even higher. It's estimated that the Waxman legislation will raise electricity rates 90 percent after adjusting for inflation, gas prices 74 percent, and natural gas prices 55 percent.

There is no doubt that this legislation will also raise the cost of fertilizer, chemical, and equipment which farmers use daily. This will cause serious economic harm for the American farmer. According to the Heritage Foundation, farm income is expected to drop because of this legislation by $8 billion in 2012, $25 billion in 2024, and over $50 billion in 2035. These are decreases of 28 percent, 60 percent and 94 percent, respectively. I do not know how we can expect American farmers to survive when we cut their farm income by 94 percent.

What I find even more frustrating is that the impetus for this legislation is to reduce carbon emissions, yet it does not recognize the role that agriculture and forestry can play in sequestering carbon.

□ 1745

The legislation does not specifically provide for agricultural or forestry offsets but rather leaves eligible offsets to the discretion of the Environmental Protection Agency. To add insult to injury, over 30 pages of this bill are devoted to developing international forestry offsets, including provisions to send American taxpayer money overseas to forest owners in developing countries while disregarding our own forest owners.

I urge my colleagues to look at this legislation closely and to soundly reject it.

Quite frankly, leaving these offsets at the discretion of the EPA makes me nervous. The EPA is not known to have the best working relationship with farmers and ranchers. USDA has a long record of working with farmers and ranchers, and they have the extensive expertise in agriculture and forestry that will make an agricultural offset program successful. This legislation needs to be amended to allow the USDA, not the EPA, to be in charge of administering agricultural offsets.

This legislation has far reaching consequences for every person, farmer, and business in the country. We cannot ignore that America's economy is intrinsically linked to the availability and affordability of energy. During this economic slow-down we should be adopting policies that seek to rebuild our economy and create more jobs; we need reliable and affordable energy supplies. Unfortunately, cap and trade legislation would only further cripple our economy. Instead of government mandates and bureaucracy we should focus on policies that support technological advances and consumer choices. The bottom line is that we need policies which encourage investment in environmentally sound, cost-effective practices without stifling innovation and setting our economy further back. The simple truth behind the Waxman energy plan is that it raises taxes, kills jobs and will lead to more government intrusion.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

(Mrs. BACHMANN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

SPENDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CARTER) is recognized for 5 minutes.

Mr. CARTER. Mr. Speaker, I would like to start first by apologizing to Mr. RYAN, whom I just wandered in here and inadvertently walked in front of while he was speaking. So before I start with my speech, I want to apologize to Mr. RYAN for that inappropriate thing I did.

I agree with President Obama when he said this about spending in May of 2008 while on the campaign trail in North Dakota: President Obama, the candidate at that time, said: ''$9 trillion of debt, that's just bad. That's not fiscally conservative. And so we're going to have to change our policies. The first thing you do when you're in a hole is what?''

And the crowd reacted, ''Stop digging.''

Unfortunately, what President Obama said is not what he has done. In fact, not only did we not stop digging, we threw away our shovel and got a backhoe and started digging double time because in 2008, the debt was too high; but now President Obama has increased spending so much that we have broken historical records on spending.

We started off with the stimulus bill of $787 billion to stimulate the economy. It was promised that its big goal was to cap unemployment at 8 percent. We weren't going to go above 8 percent unemployment, and that's why we had to spend all that money. But, unfortunately, we are sitting here today with 9.4 percent unemployment and rising.

The debt that we have accumulated since the President has come into office has been unbelievable. The $8.5 trillion in 2009 will grow to $16 trillion in 2019. In only 5 months, President Obama and the Democratic majority have managed to spend and borrow more public debt than in the entire history of the United States. That's the past 233 years. So in less than 150 days, they have obligated this country in debt more than the past 233 years.

A couple of weeks ago, I was on the floor of the House talking about the proposed bailout of the automobile industry, which I still contend is an unconstitutional takeover of private industry, based upon the Youngstown

case. The administration has recklessly used the taxpayers' money to basically put the administration in charge of General Motors, Chrysler, AIG, Citibank, and the list goes on and on and on.

I don't think the change the American people were looking for when we heard that change was coming was the change where the government took over the micro-management of industry. I really don't believe that was the change Americans were looking for, and yet that's the change we got.

Even worse, when these people who see where the government is going, where the Democrats are taking this country, they say, We'll give our money back. We don't need your bailout money. We want to give it back to you. And they are having trouble trying to give it back. The Obama administration won't take it.

So with all this accumulated debt and with all this spending that we have done, between now and probably the end of July, we are going to take up basically a government health care plan which is going to include another $1 trillion in entitlement health care spending at a time when all experts agree that Medicare, as we have it right now, has real problems and is going to eventually go broke because there are a whole lot more people taking out of the program than are paying into the program and it only gets worse as the baby boomers grow. So we are going to add to that $1 trillion and, don't worry, we'll figure it out. And, of course, we just heard about the energy tax that's coming our way.

You know the real money that we ought to be worrying about? It's not these folks we are bailing out. Who we ought to be worried about are those guys who have lost their jobs. That's the money we ought to be worried about, and that's what the folks back home are worried about.

THE PROGRESSIVE CAUCUS MESSAGE: ENERGY

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, this is the Progressive Message. The Progressive Message is the Progressive Caucus' effort to come before the American people at least once a week for 60 minutes or so to talk about a progressive vision for America. Not a vision based on fear, not a vision based on a denial of science, not a vision based on division, not a vision based on scapegoating some minority group. But instead a vision that is inclusive, that says we all matter and we all count. A vision that says science is something we should rely on and have some faith in and some real confidence in because we understand that whether you come from a faith tradition or whether you don't, we have minds that we should use and it's human nature to discover and inquire and find out the facts.

A vision that says that, yes, we are entrusted with this Earth and we, as human beings, are responsible for it and that where we have gone astray, we should try to correct the situation for the sake of our children and all life on the planet.

A progressive vision where we come together every week and talk about things like civil rights, equal opportunity in the economy; where we talk about the struggle to end global warming, or at least try to slow it down; where we come and talk about progressive issues like peace, like demilitarizing our society, like promoting dialogue, diplomacy, and development, by trying to resolve war through dialogue and not through conflict and fighting. These are the themes that we come together with the Progressive Message every week.

This is the Progressive Caucus that brings this message. And we have a Web site, cpc.grijalva.house.gov. It's very important to stay in touch with this critical Web site because it is this Web site that we rely on to communicate with the community around the country.

Tonight with the Progressive Message, we are going to come and talk about our Nation's energy future. America has to embrace this idea that carbon emissions must be cut and must be cut drastically. It won't due just to act like there's no such thing as global warming and deny the science that proves that not only does it exist but it's caused by human behavior. We are here tonight to say it doesn't make sense to say that, look, we can't do anything about global warming because it might in some way hurt our reliance on coal because some people make a lot of money selling coal.

If coal and the use of coal is out of step with the needs of our environment, then we have to find alternative sources of energy in order to make it. If nuclear energy cannot be safely used and there's no way to store it, we should look for other ways and incentivize other ways in order to make energy.

The fact is by whipping out fear, hysteria around cap-and-trade and coming up with clever slogans, which I am not even going to repeat or dignify, the fact is that we are simply delaying the inevitable, which is the gradual acidification of our oceans; the acceleration of melting of our Arctic ice caps; of expansion of desert; of loss of species, of animals, and plants; of intensification of hurricanes and all these very serious problems. The scientists all agree. Only people who don't want to listen to science don't agree, and, yes, we have some of them here.

The fact is addressing carbon emissions, addressing global warming, is not going to hurt our economy. It's going to actually bring jobs. It's not going to hurt our farm economy. And it's certainly not going to be the devastating thing that some people on the other side of the aisle claim that it is. The fact is tonight I just want to talk to people who know that global warming and the acidification of our oceans is a very dangerous and serious problem for all the world and want to do something about it for a change, want to do something serious about it and are not willing to just let this Earth continue to heat up and the oceans continue to acidify and the species continue to die out and the ice in the northern and southern regions of our world continue to melt.

People who want to do something about it, we have a bill that's been marked up and it has been reported out of the Energy and Commerce Committee. We need to hear from you on this bill.

The fact is that right now we have been in Congress focusing on the health care bill. We have been focusing on marking up other important pieces of legislation. And I personally am not confident that we are focused enough on this energy bill. We're not focused enough on the cap-and-trade bill that's coming out. So we want to encourage people to respond and offer their views.

And I want to say this: those of you who yearn for change, who know that carbon emissions are killing our planet, I hope that you understand that your engagement in this process is very important. We need people to give us the feedback we need because there has been a bill reported out. It's not the law yet. It hasn't even been brought to the floor yet. But it is being shaped and crafted every day. And without the active engagement of good ideas coming forth, we will not get the bill that we need.

I want to give a lot of credit to the Members of Congress who have worked hard on the bill. Congressman WAXMAN and Congressman MARKEY have been doing a good job. But I dare say that the legislative process is engaged, involved, and that everybody has to have a say-so in this thing. And those two leaders in the area of carbon emissions have not denied that. In fact, they have welcomed it.

I just want to give a background on the bill that exists so far. It's called the American Clean Energy and Security Act, and it's referred to ACES. And this bill was reported out of the Energy and Commerce Committee on May 21, 2009, and it passed by a vote of 33 to 25. That's not a big margin. The legislation will create millions of new clean energy jobs, in my opinion and based on the facts, and it will enhance America's energy independence and protect the environment.

Another thing that the bill will do is it will signal to the world community that America is serious about cutting carbon emissions. America is leading the way in the world to cut carbon emissions. And, therefore, countries like India and China and other nations of the world that are big emitters, and

we're the number one emitter, but there are others that emit a lot of carbon as well, they now have to bring their economy in line with the needs of our planet.

□ 1800

This bill does represent a new beginning for America's energy environmental future. By saying so, I don't mean to imply that it's a perfect bill or that it can't stand improvement—I'm asking you to help improve it right now—but it does represent a real stark departure from the past.

The bill requires electric utilities to meet 20 percent of their electricity demand through renewable energy sources and energy efficiency by the year 2020. It reduces carbon emissions from major U.S. sources by 17 percent by 2020. It reduces carbon emissions by 80 percent by 2050 compared to 2005 levels. Complementary measures in the legislation, such as investments and preventing tropical deforestation, will achieve a significant additional reduction in carbon emissions.

The bill invests in new clean-energy technologies and in energy efficiency, including energy efficiency and renewable energy that is to the tune of $90 billion in new investments by 2025. It invests $20 billion in electric and other advanced technology vehicles. It invests $20 billion in basic scientific research and development, and it protects consumers from high energy prices. According to estimates of the Environmental Protection Agency, the reductions in carbon pollution required by the legislation will cost American families less than the cost of a postal stamp per day.

The fact is I don't come before you today to say that this bill is wrapped up in a bow. I come to you, asking you to engage in the process that is going on in Congress right now, to be part of this debate, to be part of this dialogue, and to offer your views so that we can come up with the best product available.

I also come to you to say do not let the perfect be the enemy of the good. If we have a good bill here—and it is pretty good—even though it's not perfect, we want your support, and we want your ideas, but it's time to engage and to focus on this energy bill. It's coming. It's marked up in committee. It's in the Ag Committee now, and it's going to need American participation and input.

I want to let our fellow Americans know, who are committed to cleaning up our environment and to decreasing our dependence on harmful fossil fuels, that the Progressive Caucus is proud of the progress that the legislation has made so far. We don't believe that it's done—it's not close—but we're proud of the progress that has been made. We want everyone to know it's not finished and that your input is needed. There is much work to be done.

While we consider this particular legislation as a good start and as a foundation to build on, we are continuing to push for greater expansion in the creation of clean, renewable energy sources like wind and solar. We are continuing to push for the increased regulation of industries that pollute at taxpayer expense, and we are continuing to put America back to work by creating green-collar jobs that cannot be outsourced.

The general Progressive principles for energy legislation are going to be that we need a sharp departure from the past, that we need to move quickly to secure greater progress, that we need to protect individuals as well as communities, and it has got to be based on science and not on politics.

Now, I just want to say again that these are some of the basic ideas of what the bill will do. I'm going to talk about some of the mechanics of the bill in a moment, but I want to make it clear that the fact is that what we have had in the past simply will not work. We've got to have that change. In order to have that change, we've got to have a lot of public input, and this is the time to offer it.

I just want to take a few questions as we move on because a lot of people have responded to my plea that we should have a fully blown, strong conversation around America so that people can offer their views on this critically important topic. There was a question asked at Progressivecongress.org, and 4,887 people asked this question:

Why is EPA oversight of the coal industry being gutted?

Well, let me say that the reason those provisions regarding the EPA oversight of the coal industry are not strong enough is simply because we haven't heard from you enough. We need input on this point. We need you to talk about how you feel about this. We need oversight on everything, but we need your input on what we should be doing to have oversight on coal, and we need your input on how this bill needs to be changed to make sure that the coal industry is being properly monitored. This is a critical thing for you to talk about—I know—and I can tell you that coal-fired power plants are, in my view, a serious problem.

I think it's a basic minimum that they have the technology necessary to clean them up as much as possible. The fact is, even with the best technology we have so far, we still have coal releasing particulate matter into the air—lead, barium, cadmium, mercury emissions, and serious things like that—and into our water that make our fish polluted and inedible.

We've got to have oversight on coal, and I am here tonight to ask you to get engaged in this debate, to get involved in this conversation and to put your ideas up here. Why is the EPA oversight of the coal industry being gutted? You know what? It's because we're not engaging in this debate and are not shaping this debate. It's because we're not calling our Members of Congress and telling them what we want. So I ask you to do that. It's very important that we engage in this conversation. It's ongoing now.

I'll get to more questions in a moment, but let me just speak a little bit about what some of the key provisions of the bill will be. We've talked about one of the provisions that people are concerned about.

Key provisions of the bill include requiring electric utilities to meet 20 percent of their electricity demand through renewable energy sources and energy efficiency by 2020. Now, that is one of the provisions of the bill, and I thought I would make that point before I got to the next question, and 1,871 people asked this question:

Why is Congress refusing to support Obama in his call to get 25 percent of our electricity from renewables?

The bill marked up so far is 5 percent lower on the renewable energy standard than we need. I think 25 percent is a better number, and I hope that we get it, but without political force behind it, we won't. So call up your Congressman, and let him know how you feel about a 25 percent renewable energy standard.

I'll tell you this: Based on the history that we've had so far, I'm happy with the 20 percent renewable energy standard. A 20 percent renewable energy standard is better than the status quo, but it's still not good enough, and it's not as good as we can do. So I think it's very important that we hear from everybody about the importance of a 25 percent renewable energy standard. It's very important that we hear from people about why that 5 percent higher and more ambitious standard would be better than the 20 percent. I think it's obvious why it would be better than the 20 percent. It's 5 percent higher. Yet what does it give us? What does it bring us? What kind of assets and benefits do we get by pushing for that higher renewable energy standard?

At the end of the day, we need to hear from everybody on this point, and we need to hear from you. If we don't hear from you, we're all going to be poorer for it.

Another key provision of the bill is that it invests in new, clean-energy technologies in energy efficiency, including energy efficiency in renewable energy, carbon capture sequestration, electric, other advanced technology vehicles, and in basic scientific research. In this category of investment, we're talking about a significant investment. We're talking about over $190 million. This is a lot of money. The fact is, because the proceeds will be from the cap-and-trade system, this bill is PAYGO neutral. It's very important to bear that in mind as well. The bill will mandate new energy-saving standards for buildings, appliances and industry.

Addressing this issue of buildings is very important. A lot of people know, and more people need to know, that a tremendous amount of energy is lost

through the roofs of our buildings. We need stronger building standards, and we need more energy-saving technology and incentives to get us there with this legislation. If you believe they're not sufficient, we need to hear from you right now. There was a question asked:

Are initiatives for future government buildings to be built green? If not, why not?

The answer is we do have initiatives for future government buildings to be built green. We also have other bills separate from this bill in Congress to incentivize the building of green homes, particularly in HUD homes. There is a bill winding its way through Congress now, and the author of that is ED PERLMUTTER from Colorado. I'm an author on that bill, and I'm happy to be. So that bill, called the GREEN Act, is a very good bill.

Another important part of the bill is to reduce carbon emissions from major U.S. sources by 17 percent by 2020 and by over 80 percent by 2050 compared to 2005 levels. Complementary measures in this legislation, such as investments in preventing tropical deforestation, will achieve significant additional reductions.

Now, again, this is another important piece of the puzzle. The United States needs to do its part. I hear many friends—well, people from the other side of the aisle—always say: Well, what about China and India? What about Europe? What about other places? The fact is, if America sets a marker down there that we are going to cut our carbon emissions, that sends a powerful signal; it enhances our ability to talk to our neighbors around the world and say they've got to cut theirs, too.

So I am very proud that America is leading and is trying to be out there in front and is doing the right thing and is not simply saying, We're not going to change our carbon emissions until other countries change theirs. To me, that's not the American attitude. The United States needs to take responsibility and help lead the way. So it's very important, and I'm very happy that the United States is taking its own responsibility to reduce carbon emissions by U.S. sources by 17 percent.

Let me talk about the renewable energy standard in the bill. The American Clean Energy and Security Act, ACES, as I said before, requires retail electric suppliers to meet a growing percentage of their load with electricity generated from renewable sources. The combined renewable electricity and electricity savings requirement begins at 6 percent in 2012. That's coming up. It gradually rises to 20 percent in 2020. At least three-quarters, 75 percent, of the requirement must be met by renewable energy except that, upon receiving a petition from the Governor, the Federal Energy Regulatory Commission can reduce the renewable requirement to three-fifths, or 60 percent. In 2020, 15 percent of the electricity load in each State must be met with renewable electricity and 5 percent with electricity savings. Upon receiving a petition from the Governor, the renewable requirement can be reduced to 12 percent, and the electricity savings can be increased to 8 percent.

It is important to keep this in mind. This is sort of an essential part of this bill, the renewable energy standard that we've set forth. Can it be better? Yes, I think it can, but we need to hear from you to make it better. As I said, this bill is being marked up and is going through committee as we speak, and it will likely be on the floor before you know it, so please don't miss your opportunity to be a part of this conversation. It can't just be a Beltway conversation. It has to be a conversation that engages Americans from Minnesota—my own State—from California, Oklahoma, Texas, and from all over. We've got to hear from America. We've got to hear from America's progressive community on these issues.

Let me also talk about the importance of this bill. We talked about the investments in clean energy, and we talked about the money allocated for that. I did not mention yet that this bill will promote the deployment of smart-grid technology, and it will enhance transmission planning. This is an important part of the bill. This smart-grid technology and the promotion of the use of it will help cut carbon emissions. It will help in having a more reliable grid, and it will improve our energy usage, which is an important part of our bill.

I mentioned energy-efficiency measures, which include building standards. As to one of the questions we already had, which was regarding our initiatives for future government buildings to be built green, and if not, why not, the ACES bill establishes new standards for building efficiency, requiring new buildings to be 30 percent more efficient by 2012 and 50 percent more efficient by 2016. States are offered allowances that they can sell to support the adoption and enforcement of the new standards. The Department of Energy must enforce standards in States that do not incorporate building standards into their State building codes.

Also, we have appliance standards. ACES mandates new efficiency standards in lighting products, in commercial furnaces and in other appliances. We have vehicle standards. The ACES discussion draft has included provisions to harmonize Federal fuel economy standards with EPA carbon emission standards and California standards for light-duty vehicles. These provisions were dropped in the reported bill after the administration reached an agreement on light-duty fuel economy standards with automakers in California.

□ 1815

That's not all. There are other fuel-efficiency standards. We not only have to reduce emissions—and this bill tries to do that. Does it do it enough? Probably not. But guess what? We need your input and your advice.

The bill also has three primary programs for reducing dangerous carbon emissions that cause global warming: One, a cap on large domestic sources; two, a program to reduce tropical deforestation; and three, an offset program.

Let me talk a little bit about the carbon-capping emissions from large sources.

Starting in 2012, ACES establishes an annual tonnage limit on emissions of carbon and other global warming pollutants from large U.S. sources like electric, utilities, and oil refineries. Under these limits, carbon pollution from large sources must be reduced by 17 percent below 2005 levels by 2020; 83 percent below 2005 levels by 2050. This is an aggressive carbon-capping program, and I am proud that we've come this far. I think we can do better, but this is, I think, progress. If it's not enough progress, I think we need to hear from you.

So these are just a few of the features of the bill. The bill is being marked up. You can see it online. And we hope that people will continue to offer their views on what we should do.

Let me go to another question. So 3,455 people asked this question on progressivecongress, that's 3,455 on progressivecongress.org. What is being done to decrease our dependence on oil, such as wind, solar, and other clean energies?

Well, that's what the bill is supposed to do: decrease our dependence on oil and allow us to generate energy from wind, solar, and other clean energies. That's really the point of the bill, through the renewable energy standard, by capping carbon forces, by promoting efficiency and also conservation. That's what we're actually trying to do here.

The fact is there are a number of critics of the existing bill, and I want to address a few of them before I go on to some more questions.

One of the critiques we've heard, particularly from other folks on the other side of the aisle, is that a cap-and-trade bill is an energy tax. First, the plan is to repower America with clean energy jobs and efficient savings, not just drop a tax. As for capping global warming pollution, this plan is simple. It helps polluters pay and helps clean companies prosper so they can hire more workers.

When the folks on the other side of the aisle say that this bill will be a job killer, my only question to them is, Don't you believe in the ingenuity of the American people? You know, they said when we had auto efficiency standards that it would somehow kill jobs. Well, it didn't. They said that when we began to stop acid rain and use cap-and-trade for that purpose, that that would cause job losses. It didn't. The fact is is that innovation and ingenuity—when brainpower will solve this

problem—and I think we should have a little faith in Americans to solve this problem.

And as I said a moment ago, it's the same solution we put successfully with acid rain in 1990 after which time electricity rates fell 10 percent and the U.S. economy added 16 million new jobs.

They're thinking inside the box and don't understand that we've got people who are thinking of new boxes to make. It's important to point out that the acid rain solution had bipartisan support and was signed by the first President Bush. Well, those days of bipartisanship I guess we would like to see come back a little bit more.

Another attack on the bill is won't this ''energy tax'' raise electricity rates. Even Obama said cap-and-trade will make energy prices ''skyrocket.''

Saving consumers money is not a tax. Saving businesses money is not a tax. Sending $400 billion dollars a year to other countries is a tax, and the fact is, it's a tax that Americans are tired of paying.

This plan, this ACES bill, even in its unfinished form, declares energy independence and puts America on the path to middle class recovery. The President spoke of transitioning to a clean-energy economy that will create jobs, make homes, buildings and vehicles more efficient, and protect consumers. In his inaugural address, remember he said we will harness the sun and the winds and the soil to fuel our cars and our factories, and I'm glad he's doing that.

Let me offer just a few numbers in terms of jobs. Clean-energy job provisions, the RES, or Renewable Electricity Standard, will create over 300,000 new jobs. The efficiency saving measures, which is the Energy Efficiency Resource Standard, will create over 222,000 jobs by the year 2020. Cutting waste, saving money. The Clean Energy Jobs provisions, RES standard alone, will result in nearly a hundred billion dollars in savings for consumers and businesses, which we can put in other things, which we can invest in other ways. And the efficiency measures alone will result in $170 billion in utility savings by 2020.

It's very important to understand that the fear and the scare tactics—people who don't want to take us into the future are always going to try to say what's going to cost money, this is going to go wrong, that's going to go wrong. That's the very essence of a conservative position. They don't want to try anything new. They would rather stay in the status quo than go forward into a better future. But the Progressive vision for our country is not that. The Progressive vision is to deal head-on with this problem, face the problems head-on and create a better situation for all Americans.

Let me just say that this bill, which has been criticized by folks on the other side of the aisle, really is, in many ways, a bill that, of course, is designed to scare some people, because the only solutions we've seen while the House was controlled by Republicans is tax breaks for oil companies who posted record profits, massive increases in greenhouse gas emissions, and erratic spikes in gas and energy prices.

We know that gas prices have been going up over the last several months, but don't you remember only a short while ago they were astronomical last summer, 4 bucks, stuff like that? Well, they're creeping up.

If we go green and really address the greenhouse gas emissions, what will happen is we will see a flattening of these kind of spikes in our energy prices. We will derive savings, and we will have alternative forms of energy and greater control over oil prices.

Marginal increases in renewable energy development. While the rest of the world engages and passes us on, we haven't seen real increases in renewable energy development, just tiny little incremental ones, and a greater dependence on foreign oil.

The fact is is that since 1973, America's dependence upon oil from outside of America has skyrocketed, has absolutely skyrocketed. And this period, much of which was between 1994 right on up to 2006, the House was controlled by Republicans, and for much of that time they had the House, the Senate, and the Presidency and did nothing about this problem; it just got worse. Now we are going to do something about it.

So tonight, we've spent some time talking about energy. The message tonight is twofold. One is that the American Clean Energy Security Act is being developed now. It's a sharp break from the past. It's better than what we have now. It improves the status quo. But Progressive voices have never been satisfied with just doing marginally better. Progressive voices have always said we've got to do way better, we've got to do as well as we can do, not just as well as what we might be able to scrape by with. So I invite people who have a vision for a clean energy future to step forward with their proposals.

The other point is that is not just limited to the bill. It's focused on the idea that this is an opportunity for basic civic engagement and real Democratic participation in our society. As we are now having multiple debates not only on health care but also on foreign assistance reforms, the State Department—as we're talking about appropriation bills, which are probably going to keep us really busy over the next 3 days, the fact is we will be addressing this ACES bill as well, and we cannot allow the advocates for a clean energy, green energy future to not be a part of this critical conversation.

So let me just go through a few more questions, and then we'll begin to wrap up for tonight. It's Thursday night and we're going to move on out, but let me just make sure that everybody who wrote in and addressed our Web site, as we asked them to do, gets their question answered.

What can we do to make it easier for homeowners to become self-sufficient with wind or solar power? We could support the provisions that are in the ACES bill, which address heavy polluters, give American entrepreneurs and innovators the tools they need to stay competitive, which increase production of cleaner renewable energy sources, which reduces our dependence on fossil fuels and creates millions of new jobs. And we can follow the new building standards and we can follow the new vehicle standards.

Why can't we create better tax incentives for business and consumers to use alternative energy? Well, 4,118 people asked this question, and I quite agree. We need to take a close look at the incentives for businesses and consumers to use alternative energy, and I think that we can do better than we're doing right now. And I invite you to engage in that conversation. Essentially, the answer is the politics of the situation have landed us where we are now, and if you want better, you have got to get involved in the debate.

Hawaii is looking for 100 percent clean energy in 10 years. Can every State be urged to push the limits? That question was asked by 728 people on progressivecongress. The fact is the States, much power in the States, great incentives in the States. Each State, all 50 of them, can get out there and set tough, renewable energy standards so that each State can do well. And let me tell you, a State can be a laboratory for the Nation. If States get out there and show that it can be done, that we really can have 100 percent clean energy in 10 years—like they will try to do in Hawaii—and say, Look, we did it. You can do it. Here's how we did it. We can make it happen.

So hats off to Hawaii for their ambitious goal. If you live in a State where you think renewable energy standards like this can be reached, we urge you to get out there and try to make it happen.

Why are we expanding highways when rail transportation would provide greener alternatives to commuters? I quite agree, and 2,799 people asked this question on progressivecongress. We appreciate you putting that question in.

As a person who's really into light-rail transit, bike paths—we're having this debate right now as we're talking about the transportation reauthorization bill. This is a bill that's only reauthorized every 6 years, and I think people should have community forums on this bill all over America. It's not just the ACES bill that can help us get into a greener future, but also the transportation bill and other bills that are coming up can help us get there.

This question, Why are we expanding highways when rail transportation will provide greener alternatives to the commuters? Great question. I agree that this is what we should be doing. I think that highways have been

incentivized and given unfair advantage over rail transit, and I would like to see them compete on equal footing.

So let me say, don't be afraid of the future. The future is coming anyway. Those who stand up and say, Well, we can't have a bill that's going to help America get off fossil fuels and cut greenhouse gas emissions because it's nothing but a tax, understand that the folks who told you about tax-and-spend liberals and all of that—look, we've only had a President and a Democratic Congress for a few months. This stuff wasn't inherited. You want to talk about spenders and debt accumulators? Those guys sit on the other side of this Chamber.

□ 1830

The fact is, the progressive future this country needs is in the hands of the people who are going to help America get into a green, clean future.

This bill, this ACES bill that is being marked up right now, that has already gone through Energy and Commerce, that is in the Agriculture Committee now. This bill is undone and needs the input of all America, people who have a progressive vision for America, people who aren't afraid of the future, not people who cling to the status quo and what happened yesterday, but people who want something better for tomorrow and are willing and have the courage to try to get it.

That's the Progressive Message for tonight. I want to thank everybody for tuning in.

Mr. Speaker, I yield back.

HEALTHCARE REFORM

The SPEAKER pro tempore (Mr. MINNICK). Under the Speaker's announced policy of January 6, 2009, the gentleman from Illinois (Mr. KIRK) is recognized for 60 minutes as the designee of the minority leader.

Mr. KIRK. Mr. Speaker, tonight, what we would like to talk about is a new and positive medical reform agenda as Congress prepares to debate health care in the United States.

I want to focus this discussion on what we should be for—a bipartisan and centrist agenda for the United States—and compare our country to plans in other countries to make sure that we take the best of all medical care around the world but don't replicate some of the problems that we see both here and abroad.

When we look at a comprehensive reform agenda that would receive widespread support both in the House of Representatives and the Senate, we basically unify around eight major themes.

First, we want to make sure that we guarantee that medical decisions are kept in the hands of patients and their doctors and not a new government bureaucracy.

Second, we want to lower the cost of insurance to make sure that the competitive advantage that the United States could enjoy would be realized, and that also individual costs for all American families are lowered.

We want to increase the number of Americans who have health insurance to make sure that more and more families have the peace of mind that they need to protect their family incomes, their health, and most importantly, their lives.

We want to allow Americans to keep the insurance they like because we know that over 80 percent of Americans—and especially voters—report that they are either satisfied or extremely satisfied with the health insurance plan they have.

And we want to make sure that we replicate the doctor's principle, that first we should do no harm. And in the Congress, on health care policy, we should follow that advice.

Fifth, we would like to improve quality and accountability and make sure that especially the cost of defensive medicine is reduced and that we know exactly what we are doing with regard to health care outcomes to make sure that we are maximizing the treatment and cures provided when a patient presents in a health care facility.

We want to increase personal responsibility, especially for many of the decisions Americans are making because we know that if they lose weight, quit smoking, and stop drinking, their health care will improve dramatically.

And, finally, we want to lower demand for more Federal borrowing at a time when the United States is already reporting that it will borrow $1.8 trillion this year. It is difficult to argue that we should turn every family's health care over to the Federal Government, an institution which is already, as the President says, ''out of money.''

When we look at health care across the world, we see that the percentage of patients who wait more than 2 months to see a specialist is not a dramatic issue in the United States, but this is front-page news in both Canada and the United Kingdom. According to the Commonwealth Fund International Health Policy Survey of Sicker Adults, they report that about 10 percent of Americans wait more than 2 months to see a specialist, but one-third of Britons do, and approaching half of Canadians wait a long time for health care.

We know that health care delayed is health care denied. And imagine—especially if the specialist that you need is an oncologist, someone who treats cancer—what a 42-week wait would be as compared to what we see in the United States.

Secondly, we know from asking Americans, What is the most important thing you would like to see in health care?, they say lowering the cost of their health insurance. Many in this body also say the number one priority is to expand health care coverage so that Americans who do not have health insurance can get it. I would say those two goals are very important, but the most important goal of health care is to determine whether you live or die, to make sure that, especially if you are facing health care challenges of the most severe degree, you have the greatest chance for you or a member of your family to survive. This is most clear in the case of cancer.

When you or I or a member of our family gets that terrible diagnosis from a doctor that you will be fighting cancer, the question is often asked, How much time do I have? Will I be able to survive? When we look at The Lancet, Britain's number one medical journal, they did a ground-breaking study of cancer survival rates across Europe, Canada, and the United States and found that you are more likely to survive in the United States than you are in especially European countries.

They looked at a number of different cancers. For example, prostate cancer: a 78 percent survival rate in Europe—which is fairly good—but a 99 percent survival rate if found in the United States. Bladder cancer: only 66 percent of Europeans survive bladder cancer, 81 percent of Americans. Breast cancer: 79 percent of Europeans will survive breast cancer, but 90 percent of Americans. And uterine cancer: 78 percent of Europeans will survive, but 82 percent of Americans.

Why is it that Americans are doing so much better against cancer than Europeans? Part of it is because in Canada and Europe advanced oncology medicines to fight cancer are restricted; and especially imagery to find cancer, either through x rays, MRIs or CAT scans, are much more available in the United States to find cancer, especially at its earlier stage, which means that Americans, bottom line, have a greater chance of surviving cancer than Europeans.

When we look at 5-year survival rates, overall the picture is also stark. Women fighting cancer have a 63 percent chance of surviving if they are treated in the United States. That survival rate drops to just 56 percent in Europe. For men, the difference is even starker. Sixty-six percent of American men will survive a cancer diagnosis, only 47 percent of European men.

Bottom line, once again we see, across both men and women, you are much more likely to survive cancer in the United States than in European countries. And much of the reason why is because in countries in which the government controls more of the health care sector, they restrict access to oncology medicine and to imagery. That means that cancer is found later and is fought with less aggressive drugs, meaning that Europeans will die at a higher rate than Americans.

When we look at high-tech medical procedures in Britain, Canada, and the United States, many people would say that health care costs are derived by too much access to high-tech medical care. But what we see here is that survival rates are higher in the United States, meaning high-tech is good. And

the chance of your family member surviving improves when you have access to oncology medicine and MRIs.

We see the differences between Britain, Canada, and the United States most clearly here where Britain, who has had the longest record of socialized government-controlled medicine, has very low rates of providing dialysis care as opposed to the United States. In coronary bypass, we see even Canadian rates are much lower. And especially in coronary angioplasty, the United States far outdistances countries with socialized medicine, leading to higher survival rates and better outcomes for Americans over patients who face socialized medicine.

When we look at quality outcomes, this is another study showing the amount of time that you have to wait to see a specialist doctor. In this Commonwealth study, they rated the percentage of people that had to wait more than 4 weeks to see a specialist doctor. This is not a critical issue in the United States, but once again, front page news in the U.K. where we see the rate of patients that have to wait and, therefore, are denied care is three times the rate of the U.S. rate in Canada and in the United Kingdom as opposed to the U.S. And only Germany has a level somewhat equaling the U.S. record of getting you to see the specialist you need when you need to see it without a wait.

This is another chart which shows patients having very long waits. We see that in the United States, only 8 percent of Americans have to wait more than 4 months to see a key specialist, but 41 percent of people in Britain. Imagine getting a diagnosis of cancer, knowing that it is in your body, and being told that you had to wait more than 4 months before you could even see the specialist that you need to survive. This is why we are quite worried about the restrictions that would be caused and denial of care in a socialized system.

Remember also that since the U.S. Government is $1.8 trillion in debt just this year, if you give control of your health care to the government and the government is already out of money, how will it try to save money to rectify the deficit? If it's in control of your health care, it may do what the Canadians and Britons do, which is control your access to care.

I am very happy to be joined by my co-Chair of The Tuesday Group, Congressman DENT from Pennsylvania, who has been a leader on health care and has engaged in a number of these international comparisons.

Mr. DENT. Thank you, Congressman KIRK, for your leadership on health care. As you know, we have been working diligently to come up with some alternative ideas. And the chart that you have just identified in terms of cancer survivability rates as well as health care costs, I think really drives home the point that Americans all across this country understand: that we have a health care crisis, we particularly have a crisis in cost. And they understand, too, that depending on how we engage in health care reform could impact the care they receive.

Americans are concerned about medical breakthroughs, innovation, and quality. They're also concerned about the ability to get the care they need when they need it because they understand that if care is delayed, care is denied.

And you pointed out some interesting cancer survivability statistics from Canada. Interestingly enough, an anecdote: there is a member of Parliament in Canada, I believe she was a member of the Liberal Party. She is a great proponent of the Canadian health care system. And what happened is that she contracted breast cancer, and for whatever reason, she decided she needed her care in the United States. It created quite a controversy in Canada because it really spoke to the issue in Canada, which was that the Canadian system was good enough for all the Canadians, but not for this particular member of Parliament. And it spoke to the issue of two tiers of system, one for those who are in Canada, and those who, when they can't get the care that they need when they need it, they simply go south—because much of the Canadian population lives within 50 miles of the American border. So the second tier of Canadian health care can be provided across the border, and people pay top dollar.

So I think that's something that we have to talk about quite a bit as we engage in this discussion: that we understand that care delayed is care denied, that people understand that the costs are rising, and that we have to come up with solutions.

I am going to be, at some point tonight, talking about medical liability reform, why we need that. And that is a major cost driver. Defensive medicine costs have gone up significantly because of the tort system in the United States. We understand that there is just too much money being spent in the courtroom and not in the operating room. I think we all understand that.

We are also joined tonight by our friend and colleague from western Pennsylvania, TIM MURPHY, Dr. MURPHY, who has a background in psychology, and also has a great deal of interest on this issue.

At this time, I would be happy to yield to my friend and colleague from western Pennsylvania.

Mr. TIM MURPHY of Pennsylvania. I thank my friend from Pennsylvania and also thank Congressman KIRK of Illinois for putting together this important session tonight to talk about health care.

One of the concerns that comes up repeatedly when you talk about health care is the cost. And one of the things that happens, as Washington deals with it, is two approaches: one, they say health care is expensive, let's have the government pay for it, which means you raise taxes. And the other one they say, health care is expensive, let's deal with insurance issues, perhaps some tax credits, which means it's still taxes that pay for it. And I understand in both cases we are trying to lower health care cost, but neither one really gets to the root of that, and that is, dealing with some of the issues that have to do with improving the quality of health care to make it more affordable and accessible. So I would like to focus a little bit on some comments tonight that specifically address this issue of how we lower health care costs.

As part of the plan that Congressman KIRK and Congressman DENT have led here for our group in coming up with some cost savings in health care, one of them has to do with trying to make sure we are providing health care to those who are not able to afford it. We know that currently the government provides assistance for those who have a low income through Medicaid, for the elderly through Medicare, for veterans through the VA; but for those just above the level of Medicaid income, that's the group that we are really deeply concerned about because we want to make sure they get the care they need.

□ 1845

One thing that's also important then is to make sure they have a health care home. Those who have a doctor or a specialist they can go to when they have an illness are much more likely to have that illness treated in a timely manner to provide a cure for them. Care delayed, care denied. When we look at how Medicaid and Medicare operate, that it really sometimes takes an act of Congress to get something done, that's care delayed. Let me give you a couple of examples about how there are problems with that. Let's say you have a stroke and an ambulance takes you to a suburban hospital. Sometimes those hospitals do not have a neurologist. Many times they don't have a neurologist on staff 24/7 or a radiologist. So what happens? Wouldn't it be great—imagine a world whereby a neurologist, through telemedicine, for example, could connect up with the patient, looking at them on a video camera, the patient seeing the doctor. That doctor could be half a country away or could be 20 miles away, whatever it may be, doing the exam with the assistance of a nurse on site. Look at the signs, look at the way the patient responds, and be able to diagnose and offer, does that patient get one type of treatment, which is if there are blocked arteries in the brain leading to the stroke, or another type of treatment which might be hemorrhagic, that is, a burst artery. Each one critically different life-saving treatments. It could mean the difference between the patient who lives and dies. Also it could make a difference between the patient who has years and years of physical therapy, occupational therapy, and speech therapy or one who has

a shorter recovery time. Because when you have a stroke, time is brain. That would make sense if we imagined that, but Medicare doesn't cover that. Instead, it's going to take an act in Congress—I know our friend and colleague Lois Capps from California has been pushing a bill for a while to allow Medicare to do that. This is not a new idea, but we have to take an act of Congress to do this. Or how about this—if you are going to get something called home infusion therapy to provide an IV line, to provide some medical treatments to you, you could do that at home, in many cases, with insurance companies, but not necessarily with Medicare and Medicaid because they want you to go to hospital where you have to go all the way to the hospital, and your risk for problems could increase. It's also going to take an act of Congress to make it so that hospitals actually have to state what their infection and complication rates are. I always find it amazing, you can go online and you can find out, if you are shopping for a new car, everything about that car. You want to shop for clothes, you can go all over the place, checking out the quality reports, consumer reports, all those things on that. If you want to look up the records on a hospital, am I more likely to get sicker or better when I am there, you can't find out that information. As my friends know, for a number of years I put forth a bill to provide transparency in this area, whereby you could look up and find out the infection rate of a hospital. This is critically important because nosocomial infections, that is infections you pick up in a hospital or clinic, kill 100,000 people each year, cost $50 billion, and there are 2 million cases. Sadly, Senator BYRD, one of our colleagues in Congress, is right now suffering a staph infection; and many of our colleagues have had a family member who has faced the same problem. It would be nice to know, and the advantage of having that information out there is that you can look it up, and you could find out. Hospitals that have paid attention to this have actually reduced some of their infection rates to near zero. That's what we want to see, but it's going to take an act of Congress to change that.

Mr. KIRK. I think one of the key lessons that we want is, we want Americans to have health insurance as good as a Congressman, but we don't want them to have to call their Congressman to get good health care. One of the things that we've also seen is that the United States really stands out in a couple of areas that drive health care costs up. We have very little to no Federal lawsuit reform in the United States for health care, meaning that defensive medicine is the practice of the day in our country as opposed to other countries because doctors are so likely to be sued. Another is that, yes, Americans generally have a higher degree of obesity as compared to other countries. And so the Congress and the President, on a bipartisan basis I think, will have a lot of common ground in working and encouraging a reduction in weight by Americans because this will lower health care costs. One of our key experts on how lawsuits drive health care costs up is our colleague from Pennsylvania as well, Congressman DENT.

Mr. DENT. I thank the gentleman for yielding. In Pennsylvania, of course, we have been in a crisis state for some time with respect to medical liability. In fact, my colleague Tim Murphy remembers the great debates we had in Pennsylvania about the need for joint and several liability reform, to make sure that the award would be basically proportional to the degree of fault. We felt that that was something that was absolutely essential. Caps on noneconomic damages, another area we were greatly in need of reform in Pennsylvania. Also the notion of a periodic payment as opposed to one big lump-sum award. One could pay those payments out over a period of time. Something that, again, was absolutely essential. In the city of Philadelphia, in particular, we had a very real crisis. In fact, at the time a group called Jury Verdict Research had done a number of studies about the jury awards and settlements coming out of the city of Philadelphia. The average jury award at that time was somewhere around $1 million. The rest of the State, on average, was a bit less than $500,000. In fact, it got so bad one year that there were more awards and payouts out of the city of Philadelphia than in the entire State of California; and the city of Philadelphia has a population of about 1.5 million people. So what we had to do was find ways to get cases out of the city of Philadelphia, out of those courts. So Congressman MURPHY and I actually passed legislation that would have essentially required the cases be heard in the county where the alleged malpractice incident occurred, and we supported it in Harrisburg. So that made complete and total sense. Consequently, we tried to pass it legislatively, but we ended up having the Supreme Court establish a rule to essentially provide that kind of a remedy. What happened is, we saw the number of cases heard in Philadelphia drop dramatically as a result of that. So that was just another example of the problems.

Also, we have many people in this country who must go to an emergency room for care. They go to the emergency room, and oftentimes emergency room physicians and staff are the subject of lawsuits. But those same physicians must provide care under Federal law, something called EMTALA; and essentially what that means is that they must provide care. So I think what we should do is provide medical liability relief to those emergency room physicians by treating them as Federal employees, not that they're going to be on the Federal payroll. But for tort purposes, in the Federal Tort Claims Act, they would be relieved from those types of lawsuits. Because we've had situations across this country where trauma rooms have been forced to close down. It's dramatic. We also had a situation where we met an obstetrician recently from one of the hospitals in the city of Philadelphia who actually said, The only reason why we deliver babies is to train our students. We lose money. There are many doctors who choose not to deliver babies these days because of liability. And in Philadelphia I know one hospital, I think it was Methodist Hospital, stopped delivering babies. One of the teaching institutions only delivers just so that they can train their residents. They lose money, and it's very costly to them. But they do it as a service and as a way of training physicians. But that's a very sad state of affairs when we can't deliver babies because of the high costs.

Mr. KIRK. I think the gentleman's point is well taken, especially in comparing two States and the average premium for health care in these two States. In New Jersey, the average premium totals over $6,000 per person, a State that has very little lawsuit reform; and a number of the other reforms that we are talking about in our reform bill that we will be outlining next Tuesday from the GOP centrists are not there in New Jersey. In California, a number of the successful reforms that we've put forward are there; and the average cost of our premium is just $1,885, meaning that if you back the kind of reforms that will be in the outline bill that we put forward next Tuesday, you can drop the cost of health care by thousands of dollars per patient.

Mr. TIM MURPHY of Pennsylvania. As an important part of this, we're trying to drive the point that the losses themselves do not guarantee quality. But it's quality that is very important. I believe you have a chart up there about some tests and procedures. I wonder if you could explain and comment on them a little bit.

Mr. KIRK. When we're looking at preventive care, which is so essential, in many countries with government-controlled systems, because these systems are generally out of money, as governments generally are, they have restricted access to preventive care. So particularly in a Pap smear and a mammogram, two essential procedures in finding cancer in women early, we see that 89 percent of American women will have had a Pap smear within the last 3 years, but only 77 percent of Britons. In a mammogram as well, American women are 86 percent, whereas women in the United Kingdom are 77 percent. All of these major industrialized powers, allies of the United States, have much lower access to care, even though they have government systems.

Mr. TIM MURPHY of Pennsylvania. That brings up an important point of how in the U.S. system we handle such

things as dealing with breast cancer and cervical cancer. One of the sad stories in this country is, more often than is necessarily believed, the U.S. handles lumps, et cetera, by providing mastectomies to women. Other countries may not do that. In part, it may be that the tests come much lower, are much more difficult to get in other countries; but it also brings up the other point. We need to make sure that physicians are empowered to provide that ongoing primary care so they can monitor the patients, get the tests they need. Unfortunately we have a system that pays for quantity, not quality; that pays for defensive medicine, not really working on prevention.

Let me read you an important quote. This comes from the New Yorker magazine, an article entitled The Cost Conundrum by Atul Gawande. It's about Texas towns. It says that between 2001 and 2005, critically ill Medicare patients received almost 50 percent more specialist visits in McAllen, Texas, than in El Paso and were two-thirds more likely to see 10 or more specialists in a 6-month period. Why? It was a different approach to care and, that is, providing more care, providing more surgical procedures, et cetera, doing more tests that were not necessarily warranted. You have another area, like where the Mayo Clinic is up in Rochester, Minnesota, where that dominates the scene. They have fantastically high levels of all this technological capability and quality; but its Medicare spending is in the lowest 15 percent in the country, $6,000 per enrollee in 2006, which is $8,000 less than the figure from McAllen, Texas. I bring that up to say that in the U.S., it is a part of what you are describing that patients need access to these tests in a timely manner, number one; but number two, we also need to make sure the physicians and nurses and all medical specialists are getting the information they need to make sure the quality is what we're driving here. When you are dealing with just issues of insurance or just issues of defensive medicine, you are not necessarily driving quality. You are driving more tests.

Mr. KIRK. One of the other things that we've been concerned about is the increasing price of medical malpractice insurance in the United States. Especially if you look between 2000 and 2002 for obstetricians and gynecologists, for physicians, for internists in general, you've got an explosion in the cost of buying insurance. We do not have 30 percent more malpractice in America in just 2 years, but what we may have is a 30 percent greater chance of being sued in America, the most litigious society on earth. All of this drives health care costs up, as physicians have to cover the cost of malpractice insurance and, of course, over-prescribe tests and other procedures.

Mr. DENT. I would like to get in a few statistics about this. This is a very interesting and pertinent subject, this whole discussion of the cost of health care and why it's rising. Defensive medicine costs the U.S. as much as $126 billion per year. That was out of a 2003 HHS study. One-third of the orthopedists, obstetricians, trauma surgeons, emergency room doctors and plastic surgeons can expect to be sued in any given year. The data for 2006 shows 71 percent of the medical liability cases are dropped or dismissed. Only 1 percent of the cases result in a verdict.

Mr. KIRK. So 71 percent are dropped, but a payment is still made because it's a settlement, and that's going to drive up insurance rates anyway.

Mr. DENT. And the physicians and hospitals have to hire attorneys to defend themselves. So there's a lot of time, effort and money expended just to prepare and fight this battle, only to have it dropped. So there is still a cost incurred even though the case is dropped.

Mr. TIM MURPHY of Pennsylvania. Another issue with regard to this bill we've introduced has to do with allowing doctors to volunteer their services. And here is something that only the United States would mess up in our government. Community health centers, which provide great health care at home for people with lots of different services from primary medical care, dental, mental health, pediatric care, et cetera. But they are strapped for money. In many cases they have a 15 to 20 percent shortage of family physicians, OB/GYNs, et cetera. The doctors are covered under the Federal Tort Claims Act. The Federal Government handles their malpractice at a lower cost for them. But if a doctor wants to volunteer, they're not covered. Basically if a doctor says, I would like to give my time to work a couple days a month, offer my time on a volunteer basis, the clinic has to turn them away because they cannot afford the full price of their malpractice insurance. It is the opposite in a free clinic, where if a doctor is paid, they have to cover their own insurance. But if they volunteer, they are covered under the Federal Tort Claims Act.

We have a bill we've been trying to get in for a number of years to allow doctors to volunteer. The advantages people have at health care home, it is a much lower cost. It even reduces the cost for Medicaid patients to go there by some 30 percent, and it focuses on getting the doctor near the patient and the patient near the doctor and eliminating any incentive of defensive medicine, any incentive to do lots and lots of tests just to make up for the losses.

Mr. DENT. Before we get on to our next topic, I just want to mention one thing. What's the point of this whole discussion? I was talking about the rising costs. But in Philadelphia, premiums rose 221 percent for OB/GYNs in the city of Philadelphia. That is between 2000 and 2008. Premiums rose 149 percent for general surgeons in New Jersey. Premiums rose 348 percent for internists in Connecticut over that 2000–2008 period.

Mr. KIRK. But does it mean though that doctors in Connecticut were 300 percent worse 2 years later?

Mr. DENT. Absolutely not.

□ 1900

The point is, this drives up costs, not just in terms of the liability payments that the doctors and the hospitals must incur, and many physicians are now working in hospital-based practices in part because they can't afford liability insurance, so the hospital must pick up that bill and they are struggling to make these payments.

The point is, it raises costs not just for the doctors and the hospitals, but the tests that are going to be prescribed and administered and treatments perhaps proposed just to protect themselves. This will drive costs up. They are protecting themselves against lawsuits.

What is the other issue? Access to care is a consequence, that there will be less access, that doctors won't deliver babies in the city of Philadelphia. That means people don't have access to an OB. That is important. I think that is the point. It drives up costs and it limits access, and Americans want access to health care and need the care when they must get it.

Mr. KIRK. The bill that we are going to be putting forward by the centrists on Tuesday has a number of liability reform provisions authored by Congressman DENT, and community health center and volunteer liability provisions authored by Congressman MURPHY.

One of the things we talk about is access to care. A critical issue coming up is the uninsured. Now, the Census Bureau indicates that there are about 45.7 million, about 46 million people in the country who are lacking insurance. Of those, about 9.5 million are non-citizens, and the question we have to ask is, should we provide taxpayer-funded care to those people who are not legally present in the United States?

About 12 million of the currently uninsured are already eligible for public programs. Because of lifestyle or because of their choice, they haven't even signed up for the health care that the government already will provide them. About 7.3 million have higher incomes than most Americans. They make over $84,000 a year. And about 9 million are only temporarily uninsured.

As you can see here from an older chart showing 49 million uninsured, a large number of the uninsured were uninsured temporarily, only 5 months, and another 25 percent were uninsured for only 6 months, leaving about 53 percent of this cohort uninsured for a long time, a group we all agree should be addressed.

When you take 45.7 million people uninsured, remove the noncitizens, remove the people who haven't signed up for the government programs they have already been eligible for, remove people who have higher incomes than most Americans and should buy it anyway, and remove the temporarily uninsured, you get down to a number of

only 7.8 million. But this might not be a big enough number for a government takeover.

Mr. DENT. If the gentleman will yield, one of the interesting demographics with respect to the uninsured population, I think we really need to focus on this like a laser beam. Over half, I believe, 55 percent of the people lacking coverage in America are under the age of 35. Many of them are insurable. Those college-age kids up to age 35, they tend to be more insurable than much of the rest of the population.

So I believe we do have some suggestions and proposals as a way to cover that population, get them into an affordable catastrophic coverage that they will need in the event that something dramatic happens in their life where they need that kind of coverage. I would like to talk about that a little later. But that is another statistic I don't think we talk enough about.

Also, there are a large number of people uninsured who are currently eligible for programs, whether they be Medicaid or the Children's Health Insurance Program.

Mr. TIM MURPHY of Pennsylvania. If the gentleman will yield. As you know, many of those younger folks you are talking about consider themselves to be the invulnerables. They don't need insurance, they are never going to get sick. The problem becomes one that when they don't do that and they do get sick and they do end up in the emergency room, we pay for it. It is important that we remove any barriers and provide every encouragement and incentive for them to purchase that insurance that many times the employer does offer.

Mr. KIRK. I want to just point out, and I do want to go on to expanding health care insurance, we find for many small businesses they lack health insurance for their employees, and we ought to allow small businesses to join together. For example, the Libertyville Chamber of Commerce Association Health Plan is right now prohibited under Federal law. We should allow small businesses to band together to create large insurance pools on their own, because we know half of all Americans work for small businesses, and many don't have a plan through their employer, and that will be included in our legislation.

Mr. DENT. And that is a very important point. You know, there are so many people out there who need coverage, and there are so many things we can do to help. You just mentioned the idea of allowing employers to reach across State lines and realize greater discounts. That is critical.

But the other issue, too, to help the uninsured, we know that employers receive favorable tax treatment. They get a tax exclusion that is very beneficial to helping them provide health care coverage to their employees. That is a good thing. We want to protect that. There are about 165 million Americans that have health care through their employers in many respects, and what we should do is give the individual who lacks insurance, if his employer cannot provide it to them or if they are self-employed or on their own, give them the opportunity to buy health insurance and give the same kind of favorable tax treatment to the individual that we currently give to the business. That would do a lot to help cover particularly that younger population that is relatively healthy and insurable.

Mr. TIM MURPHY of Pennsylvania. In addition to that, it has to do with how they purchase it. The Federal Government recognizes that if we allow people of low income to pool together they can negotiate better prices. The VA does this all the time. They combine the purchasing power of the VA to purchase for veterans across the Nation. Yet we don't let individuals do that.

We don't let a small business that only has half a dozen employees or 20 or 50 employees to join other businesses of the same type, and that wall placed by insurance companies and by the government leads to higher costs. We ought to allow businesses to do the same thing the Federal Government does and use that as a mechanism to drive down costs substantially.

Mr. KIRK. One of the things that you have put forward, Congressman MURPHY, is the need for public health clinics, et cetera. I think that puts forward a critical point right now missing in the debate.

We know that of the uninsured, by this estimate 44.7 million, of the uninsured, currently 14.7 million are already eligible for public coverage.

Mr. DENT. That would be Medicaid and SCHIP.

Mr. KIRK. That is right, Medicaid, SCHIP and other State programs. But as we found in the State of Massachusetts, when a mandate that everyone has to buy health insurance is put forward, what they have generally found is that a technical and legal solution is not adequate.

They thought that by putting a health insurance signup machine at the entrance of every emergency room in the State they would register and collect the required number of people who hadn't yet signed up for the public assistance that they were eligible for.

What they found is, for a small percentage of the most difficult patients, either because of alcohol, drug abuse or law enforcement problems, these patients were not registering under similar names, not registering under similar addresses, and were failing to report for appointments and other preventive care, meaning for that very small percentage of Americans, we need to provide an open public clinic.

It is the much-more appropriate health delivery system than an insurance system, because for this small group of Americans we have different names, different addresses and different lifestyles, and yet we still want to provide care. But having a 100 percent insurance mandate didn't do it. You needed to do it through a public health clinic.

Mr. TIM MURPHY of Pennsylvania. And as you described, it brings the thought too that in addition to people having this hodgepodge of how disjointed a difficult system that does not allow individuals or employers to purchase insurance is, we oftentimes look upon other solutions and think, well, they are not purchasing it for other reasons, and we artificially keep those things high, and we keep a system that also incentivizes lots of tests, we incentivize a system that is really dysfunctional.

In that I bring to my colleagues' attention an article published by the New England Health Care Institute that said out of this $2.4 trillion health care system, this Nation wastes about $700 billion a year, and all these inefficiencies have to do with care delivery, even beyond that of what we are talking about here, with the tax, the incentives, the insurance and barriers we set up too.

Mr. KIRK. One of the things that we want to make sure is sometimes in this debate when you hear about the uninsured, you may have the impression that the Federal Government doesn't spend any money already providing health care to low-income and needy Americans.

As this chart, already somewhat outdated from 2004 shows, it is a total of almost $35 billion in assistance given to cover the uninsured. But one of the problems has been that some of the patients directly eligible for these government programs don't sign up.

Mr. DENT. The gentleman, Mr. KIRK from Illinois, pointed out an interesting point. He mentioned the Massachusetts health care experiment. What they did in Massachusetts, they had a universal mandate for coverage, but they did not do anything to deal with the cost issue.

So what happened in Massachusetts is while the numbers of those who were being provided coverage through the various programs in Massachusetts through the mandates, those costs rose, but the ability of the taxpayers to meet those rising costs, of course, was limited. So what does the government do? It restricts care, it denies treatment, it denies service, it rations care. That is sort of a microcosm in Massachusetts of what happens in perhaps some other Western European countries or perhaps even Canada.

I am not here to either praise or condemn those systems in Western Europe and the United Kingdom or in Canada or anywhere else. They are different systems. And people need to understand that what happens in those systems when the costs continue to rise for health care and there aren't the tax dollars to meet those costs, they deny care. I think we all know that people are concerned about cures and not treatments. They want to be treated like human beings and not numbers.

Unfortunately, that can happen in those systems where you have a single-payer system. You take a number, wait for your dialysis, wait for your hip replacement, if you can wait that long. If you are a Canadian, if you have the money, you come across the border and get the care you need when you need it. We need to have this very sober discussion.

Mr. KIRK. By the way, the gentleman points out Canada, a country that has basically a two-tier health care system, the Canadian health care system, and then when you are denied care, which is especially prevalent in any care needing advanced imagery or new oncology medicines to fight cancer, the relief valve is they come to the United States. Some Canadian doctors call it ''Fargo-ing a patient,'' meaning when a patient is denied care or care is going to be tremendously delayed under the Canadian system, they will then refer that patient to Fargo, North Dakota, where they will immediately get care under the U.S. system.

The concern I have though is if we have the government take over health care, where will we be able to drive? Where will we be able to go? That is why in our legislation that we will be outlining on Tuesday, it includes the Medical Rights Act, and the Medical Rights Act says this: We guarantee the right of patients to carry out the decisions of their doctors without delay or denial of care by the government.

The legislation protects the right of each American to receive medical services as deemed appropriate by their doctor.

Mr. TIM MURPHY of Pennsylvania. Let me add to that. That is a great base to be moving from that what they do there does need to be these basic rights outlined, because we have a system that stands with huge barriers between doctor and patient and much of that barrier is the government.

The government through Medicare and Medicaid, for example, handles cost controls by delaying care, by denying care and by denying or diminishing payment. So physicians and hospitals that are paid, for example, 30 or 40 percent less for Medicare services, or saying you are not allowed to do these other tests, we are not going to pay for it, end up promoting a situation that is more based on quantity than quality, and that actually increases many costs and increases the chances for fraud and abuse. In Pennsylvania, there was news in the paper of just millions of dollars again of abuse in this system.

What is so important is if you have the patient and the doctor in charge of their care, you incentivize quality, you make sure the doctor has timely information through electronic medical records, et cetera. Those are important things which we are not doing yet as part of this.

But then you look at other clinics, you look at a Mayo Clinic, you look at the Geisinger Plan, you look at the University of Pittsburgh Medical Center, ones that have really focused on, We are going to change the quality and delivery of care and focus on outcome—you actually see those costs go down. That is part of the focus we need to have.

With that, I yield back to my colleague.

Mr. KIRK. Let me just follow up. I want to talk about some of the solutions we are going to put forward, because what is lost sometimes in this debate is we agree with the President that we should lower costs. We agree with the President that we should expand health care. But we think we have a better way.

Many times in partisan debate people can say that we have no alternative. So we have spent about 90 percent of our time coming up with that alternative. We want to make sure that we guarantee the rights of each patient in the doctor-patient relationship so that you or a loved one in your family is allowed to carry out the decisions made by you and your doctor and not be interfered with by a government bureaucracy.

Also though we are focusing in our legislation coming up on lowering the cost of insurance through alliances, through equalizing the tax benefit for individuals so they get the same benefit that employers get when they buy health insurance, and obviously what we have talked about here, lawsuit reform.

Mr. DENT. That was the point I made a few moments earlier about equalizing the tax treatment. That is a point we are stating; that the 165 million Americans—I think that is about 60 percent of our population—has insurance through their employers, but those individuals who cannot afford insurance, and there are a lot of them out there, unfortunately, cannot afford their insurance, but they get no favorable tax treatment themselves. Their employer receives it, as they should, that treatment, but the employee, the worker or the self-employed individual should get that same favorable treatment.

That is a way to really help particularly the younger population, some of whom have some capacity to purchase insurance. They may be relatively healthy, but they choose not to purchase it. Some use the term ''the invincibles.'' Obviously they are not. But they need insurance, and we can help that population afford a reasonable, comprehensive plan.

□ 1915

And that's one of the major parts of the reform that you and I have worked on. And I think we can do this in a bipartisan manner. I think there are plenty of people in this room, on both sides of the aisle, that would be willing to vote for this type of commonsense reform that's going to help people get access to care and coverage.

Mr. KIRK. And here's what we've been working on. We want to equalize the benefit so that if you buy your own insurance, you get the same tax benefit that an employer gets when it buys for employees.

But here's what I'm concerned about. There are ideas building in strength now, in the Congress and downtown, that talk about cutting the tax benefit that employers get for providing health insurance to their employees.

One study by the Llewellyn Group says that if that tax break that employers get for providing care to their employees is cut, 100 million Americans will lose their health insurance. And so a health reform bill, ironically, will cut the number of Americans who have their own insurance from 170 million to 70 million.

Our bill, our positive alternative, goes in exactly the opposite direction. We're enhancing employer-provided coverage and making sure that it's more available.

But I yield to the gentleman.

Mr. DENT. That's an astounding statistic from the Llewellyn Group. When you talk about 100 million Americans potentially losing their health care, where will they go to get it? That's really the issue. So that employer exclusion, that favorable tax treatment is absolutely essential to making sure that many Americans are able to maintain their coverage. And that's the first thing we have to protect in this whole discussion. We have to protect that first.

And some of the proposals that are floating around this capital, as you correctly pointed out, would either eliminate that exclusion or severely limit it as a way to finance whatever kind of program they're advancing. And this is big money.

So I just wanted to share that with the American people, make sure they understand that that seems to be the primary funding mechanism that many are looking at to finance whatever kind of health care system would be proposed, whether it's a government option or some other proposal, single-payer. That's something to be concerned about.

Mr. KIRK. That's what we worry about. They're talking about maybe a $1 trillion cost of a government plan. And so the most obvious response with such a cost is a huge income tax increase, but we know most Americans oppose that.

Some, including Ezekiel Emanuel, one of the heads of the President's advisory committee, has talked about a national sales tax on top of the other tax, but I think there's significant opposition to that. So they've talked about cutting back on the tax benefit that employers get when they provide health care to their employees, but by this estimate, it could cost over 100 million Americans their health insurance.

I yield to the gentleman.

Mr. TIM MURPHY of Pennsylvania. As that goes, when we look at the government running a plan that costs $1 trillion, that's several hundred billion more than the Pentagon. And I'm not

sure that people would say the Pentagon, for all the pride we have of all our soldiers, our sailors, our airmen and marines, I doubt that people would say that's the model of economic efficiency.

Would they say that Social Security run by the Federal Government is the best investment system? Would they—I mean, pick a system that the Federal Government runs, and it's hardly seen as the best. We know we have a lot of dedicated employees there, but oftentimes they are saddled and handcuffed by regulations.

We have a system that is still, after all these years, Medicaid, that has been around since the 1960s, so fraught with inefficiency that it invites waste, fraud and abuse. It has not been revamped.

An article that appeared in the New England Journal of Medicine a couple of weeks ago by Victor R. Fuchs was saying we've got to fix this system first; otherwise—and I go back to this article from the New Yorker. It says this: Providing health care is like building a house. The task requires experts, expensive equipment and materials, and a huge amount of coordination. Imagine that, instead of paying a contractor to pull a team together and keep them on track, you paid an electrician for every outlet he recommends, a plumber for every faucet and a carpenter for every cabinet. Would you be surprised if you got a house with 1,000 outlets, faucets and cabinets at three times the cost you expected, and the whole thing fell apart a couple of years later?

That's where we are with our health care system. It must be focused on quality and on outcome. And I worry that if we have a government-run system and this bureaucracy created, it's going to be a matter between you and your doctor and this Congress. To get anything done, it's going to take an act of Congress or bureaucracy. That's going to be such a huge cost on top that all the people will say, well, it's going to be less involved with regard to administrative cost. I don't see how that is possible, given the track record we have.

Mr. KIRK. If the gentleman will yield, we also not only see other examples of the government poorly running the bureaucracies that it already has taken over, but recently the government took over the largest bond dealer, Bear Stearns. The government has taken over the largest insurance company, the American International Group, and the government has taken over the largest car manufacturer, GM. And I don't think that any us of would argue that the government is running it better in their current states.

Mr. DENT. And if the gentleman would yield, to follow up on that point you were just making about government ownership and autos and financial services and elsewhere, let's talk a moment about health care. And there's an idea being floated about called a government option, which needs to be, I think, fully understood and vetted before the public. But that government option many fear may become the only option for insurance because a government option coverage perhaps would be able to offer it at a much lower cost than any kind of a private sector insurance product. And the fear is that you would have a backdoor government takeover of our health system through this government option, a very real concern.

And again, I just don't think that we should lose sight of the fact that if we—this turns into a backdoor, single-payer system or a government takeover of health care, what will soon follow will be rationed care, that is, waiting lines, delays, denials of care.

Mr. KIRK. I want to emphasize the point the gentleman raises. Not only, if we create a government health care program, will it compete and may be the lowest cost option because it has a taxpayer subsidy, but that taxpayer subsidy may be paid for by ending some of the tax break that employers have in providing health care to their employees.

Mr. DENT. 165 million Americans.

Mr. KIRK. Right. And so, employers seeing that they don't get a tax break anymore for giving health care to their employees will simply cancel your health insurance program, and then the government will be your only option.

Mr. TIM MURPHY of Pennsylvania. As this goes, I mean, I believe the government does have a role in terms of providing regulations, standards of clinical excellence, and pushing companies toward this constantly. Provide the oversight that says, if you're going to be spending the taxpayers' money on Medicaid, Medicare and the VA, we want to see quality measures.

So, if the Federal Government's going to put up money for electronic medical records, to say we need to see you driving constantly towards interoperability, towards intelligence systems, towards integrated systems, towards ones that are highly interactive with the physician. If the Federal Government can play a role in pushing people towards higher quality, I worry if the Federal Government is the prime owner of this, will the Federal Government, itself, push things towards that, and that's were I have trouble reckoning that.

Mr. KIRK. I am going to keep this on the positive side because what we're doing is we're putting together a positive alternative. And one of the other reforms that we will be outlining is to dramatically expand the number of Americans who can have a health savings account, very much like an IRA, so that they can save, especially in their younger, more healthy years, in a tax deferred account that they will use to make up for their deductible expenses and their health insurance.

Over time, as with our IRAs, an account balance will build up. And then, if each of us reaches the age of Medicare, at 65, with a balance in that account, that account either can become part of our retirement plan or eventually a part of our estate to our children.

This is a much more flexible way of providing health care and, more importantly, it's owned by you, not by a government bureaucracy.

I yield to the gentleman.

Mr. DENT. Well said. And I think we should focus on solutions. We've talked a lot about the challenges and the problems and the costs, but it does come down to solutions. And I think to sum up what we've been talking about tonight in terms of our solutions, you, Congressman KIRK, have been a great leader on the Medical Rights Act. And to make sure that that sacred relationship between doctor and patient is not violated, we have to protect that principle, and that notion must be protected up front.

As we lower the cost of insurance, we've talked about some ideas about making sure that businesses can reach across State lines, they can reach across State lines, realize greater discounts so they can provide more affordable coverage to their employees. That's a cost issue.

Medical liability reform, and we've given some specific examples of things we can do on medical liability reform to help lower the cost of care. Absolutely critical.

We want the States to be innovative. We want them to be innovative. And many States, I believe 34 States, have high risk pools, some of which work reasonably well, and others are not very effective. And so how can we help States innovate, to provide ways to make sure people receive coverage, particularly that uninsured population I think we're all generally concerned about. That's that population that is chronically uninsured, and maybe it's about 10 million people. I don't have the statistics in front of me, but somewhere around 10 million people are chronically uninsured. They're not that under-35 population, but people who really need help and may have a preexisting condition that prevents them from getting picked up. Or a person, right now, let's face it, a lot of people are more—what they're afraid of more than losing their jobs is losing their health care coverage. And I think we have to make sure that we take care of that population, uninsured who have a preexisting condition. We need to help them, particularly if they're high risk. And that's where we can use the States, I think, to be very, very innovative.

And the other thing that we have to talk about too, and we don't talk enough about it, but I think people want to see medical breakthroughs in the United States. They want quality and they want innovation, and they don't want an average system.

And I've always been struck. I visited the country of Ecuador once with my family a few years ago, and I was

struck. The tour guide was telling me about their national system, and then we drove by the hospitals. They're right next to each other, the public hospital and the private hospital, and you could tell which was which visually. The private hospital looked like a hotel, a very inviting place. The public hospital, unfortunately, looked like a building that was somewhat dilapidated. And that's what just frightened me, two tiers of care. Now, this is a Latin American country. Some might call it a third world country. But nevertheless, that's what I saw, and I would never want to see that happen in America.

Mr. KIRK. If the gentleman would yield. What you heard tonight is focusing on positive outcomes, making sure we reform health care, less defensive medicine, deploy health information technology, health individual savings accounts.

We have spent far less time criticizing the President and far more time outlining a new positive agenda. But to close tonight, I'd like to turn to Dr. MURPHY, who's been more in the health care system than all of us, to finish us out.

Mr. TIM MURPHY of Pennsylvania. When I look at this, I want Americans and all of us to imagine a system that's based upon cures and based upon outcome, a system where doctors are in charge of your health care, not insurance companies, not the government. And I know that both sides of the aisle are deeply concerned about this. It is not that one side or the other wants insurance companies or the government to win. We all want patients to win, Democrats and Republicans alike. But we must have a system that's focused upon this, not that creates incentives because we're paying people so low to do more and more tests, not to promote more and more medical procedures, but to really focus on this outcome. We can do this through these things we're doing, the patient and doctor in charge. Don't create more barriers. Make sure we have all the efficiency there for quality. We can do those things. Imagine what can happen. Imagine the possibilities. And let's just not throw it out and say it's too difficult; let the government run it.

With that, I yield back to my colleague, Congressman DENT.

Mr. DENT. Just in conclusion, I just think we want to say a few things. I think in our health care system we certainly want our system to be focused on prevention, not maintenance. We want cures, not treatments. The system should be about doctors, not lawyers. We want patients to be treated like they want to be treated, like human beings. They want to be treated like people and not some number, something abstract. They want to be treated like a human being.

And so, because at the end of the day, we all want our loved ones to be cared for. You don't want them to have to wait. You don't want to see your mother, like mine, who's 80 years old be told that she's contributed her whole life, relatively healthy, we don't want to tell her, I'm sorry, we're going to discard you now that you've reached a certain age. That's what we are concerned about.

So we're going to try to work, I think, in a bipartisan manner, try to work in a way that embraces a lot of ideas that we can all share. And short of a government takeover of our system, I think we can do that. We have the capacity to do it. The American people expect it of us, and I look forward to working with all my colleagues to come to that kind of result.

Mr. KIRK. I thank the gentleman, and we will be outlining a positive set of reforms that we think can attract tremendous bipartisan support this Tuesday, from the centrists.

Mr. PETRI. Mr. Speaker, today, President Obama is in my home state of Wisconsin conducting a town hall meeting to promote his health care agenda.

I know that the residents of my home state will tell him that they are struggling to keep up with the rising cost of their health care premiums, while others are simply unable to afford health care coverage.

Many people in my state have lost their jobs and fear that they won't be able to afford their children's medication or that an unforeseen illness will bankrupt them.

Some individuals who have insurance are simply staying in a job they don't like because their next job may not offer health care insurance.

Others who are happy with their insurance worry that any drastic reform will force them into a system that will limit their choice of doctor or access to medical treatment.

I agree with the President that it is time to fix the health care system in the United States so that all Americans, all my constituents, have access to quality affordable health care coverage.

However, I strongly believe that any reform that we consider in the House must be based on a few important principles.

First, it must give everyone access to quality and affordable health care.

All individuals should have the freedom to choose the health plan that best meets their needs.

Second, any reform should ensure a patient centered system.

Patients in consultation with their doctors should be in control of their health care decisions and not government bureaucrats or insurance agents.

If your child or parent is sick, you should have access to timely tests and treatments and not subject to waiting lists or treatment decisions dependent on anyone other than you and your doctor.

Third, our health care system must emphasize prevention and wellness.

Chronic diseases account for 75 percent of our nation's medical costs. By implementing programs focused on preventing such things as smoking and obesity-related diseases, we will not only save lives, but reduce health care costs.

And lastly, any reform needs to focus on getting rid of the waste, fraud and abuse that plagues our current system. Approximately $60 billion is lost due to fraud in the Medicare program alone. We can't afford to multiply that number through a government takeover of our entire health care system.

Our health care system needs to prioritize efficiency, transparency, and results.

I look forward to working with Members of both parties to ensure that these principles guide any legislation we will consider in the future.

GENERAL LEAVE

Mr. KIRK. Mr. Speaker, I would like to ask unanimous consent that Members have 5 legislative days in which to revise and extend their remarks on the subject of my Special Order.

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

There was no objection.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Pennsylvania (Ms. SCHWARTZ) is recognized for 60 minutes.

Ms. SCHWARTZ. Mr. Speaker, I rise this evening to begin what I hope will be a Special Order time with my colleagues. It's a little earlier than we thought, so we're going to see as they make their way to the floor. Hopefully they will be joining me.

But, as you know, there has been a great deal of discussion about health care reform. We just heard a Special Order now from my colleagues on the other side of the aisle talking about health care reform and some of their thoughts about it, and I think sometimes we focus very much on controversial issues and some of the difficult decisions we have to make as we move forward, and let me start with what we're trying to do on health care reform, on this.

What we want to talk about tonight is some of the very important work we want to do as we really meet the President's goals.

□ 1930

He has laid out to us the goals for health care reform, and they are really threefold. They are to make sure that we contain costs. The fact is that our businesses have said to us that the high cost of health coverage, providing health benefits for their employees, has gone up almost double digits every year. And what that really means is that we have doubled the cost of health care benefits to our companies in the last 10 years. That's unsustainable for our businesses, whether they are small businesses that are trying to be economically competitive in their communities or very large businesses that are really functioning on the global marketplace and really competing with companies that are in countries where health care is not an individual employer's responsibility and where costs are more controlled. So we know it's

an economic competitive issue. There's no question about that.

We also know that it is an issue for government. I serve on the Budget Committee. The costs, and we talk about this, for Medicare is really unsustainable if we don't do a better job of containing costs and improving quality and improving outcomes for our seniors. We're going to talk more about that this evening.

But we also know that it's a huge problem for our families. We hear all the time from our constituents about families that have break in coverage and then suddenly find themselves faced with buying a family policy with a preexisting condition, someone in their family with a preexisting condition, and the cost of that policy, if they can find one, is too high for them to be able to afford.

Typically, I know in the Philadelphia area, a decent insurance policy costs anywhere from $12,000 to $15,000 a year. Well, a family that's earning even $50,000, $60,000 a year, after paying their mortgage and paying their expenses and maybe trying to save something for their children to go to college and meeting all the taxes, local and State, really just don't have those kinds of dollars left for them to find $12,000 to buy a decent policy. So they're shut out, completely shut out, which is really a very significant problem when they want to go for health coverage. So we know cost is absolutely a major issue for our businesses, for our families, and for our government.

So what can we do about it? How can we actually ensure that we will contain costs and improve quality and also be able to extend coverage for the 47, almost 48, million Americans who do not have ongoing health insurance coverage? And the fact is we can do numbers of things, and we have been working hard on this to make sure that we create the kind of market reforms that will enable people to buy meaningful coverage that is affordable for them and that they will have the kind of coverage that will really matter.

We also know that we need to make some real changes in the delivery system. And, again, that's what we are hoping to focus on tonight. And what I mean by that, if for all of us who go to see doctors and nurses and spend time at all in a doctor's office either for ourselves or for our loved ones, we know, and our numbers bear this out, that, in fact, we tend to go to more specialists. We have very fragmented care. What we don't have is access to a primary care provider who knows us, who follows us, works with us when we get a serious disease, helps us know what it is that we need to be doing, helps us comply with recommendations, and really also helps us sort through if we need to see numbers of specialists.

So whether you are basically fairly healthy or have a major health care crisis or a chronic disease, we know that we cannot only get better quality care, help improve health status for all of us and each of us, but also contain costs.

And I'm happy to give you some of the numbers that we have in terms of some of the primary care shortages. We often talk about primary care physicians, but the fact is we also have a shortage of nurses, nurse practitioners, physician assistants, and so many of the health care providers that really should be there for us and want to be there for us but there is simply not enough of them.

The Council on Physician and Nurse Supply says the United States may lack as many as 200,000 needed physicians by 2020. So here we are saying that we want you to go see the primary care physician or nurse practitioner. We don't want to go to the emergency room. Look at the Massachusetts experience where they really worked very hard and effectively to extend coverage to the uninsured. What they found was people were still going to the emergency room because there simply were not enough primary care providers or clinics or community health centers in their communities for them to go to.

Let me go on with some other numbers, if I may. They estimate that there could be a shortage of 800,000 nurses by 2020; 46,000 of those physicians and nurses need to be primary care providers. The U.S. population rose 31 percent between 1980 and 2003, but the number of medical school graduates remained the same. So the population is growing. We're looking at a 30 percent growth in population, and the number of physicians is the same. And what is so interesting about that is I think for a long time we've heard we have enough physicians but they're just not in the right place. Well, I think we've gotten that a little bit wrong. There are simply not enough primary care practitioners, physicians, or other practitioners.

Interestingly, the number of medical students who are choosing primary care is steadily declining. Even amongst those who are specializing in internal medicine, I will say that in 1985, half of all internal medicine residents chose primary care; now only 20 percent do.

I was at a press conference this morning with Congresswoman KATHY CASTOR and Congressman JOHN SARBANES and a young woman who has just graduated from osteopathic school. And she talked about the statistics, and she said that most medical school graduates graduate with almost $200,000 in debt. Their first job as a resident, and still training actually, is usually paid about $40,000. So how do you train for another 3 or 4 years, make $40,000 a year, and pay $200,000? That's just medical school. You may have a course debt from college as well. So it is a major issue going forward to make sure that we have more primary care physicians.

Older Americans also are seeking primary care services twice as often as other age groups. So as the population is aging, and we know the baby boomers are coming, and we are talking about them, of course, in terms of Social Security, but the fact is we know that as we are aging and needing more health services, it is very, very important for us to have access to primary care providers.

Let me also talk about one of the reasons we need primary care providers, and that is all of us, but particularly those with chronic conditions. We think about needing health care when we get sick and have an episodic experience where we might need to go to the hospital and might need to see a physician, might even end up in the emergency room. But for many people, they have chronic conditions, and they need to have an ongoing relationship with health care providers so that they can get the kind of care they need, get the advice, get the right prescriptions, and then be able to work with their medical practitioners to be able to comply with that advice and to be able to make sure that they are healthy. And the number out there is that only 50 percent of Americans who do get health care comply with the recommended health care that they're told to comply with. So obviously we need some work here.

This is a shared responsibility. This is not only a responsibility of those who pay for health services and are reimbursed for health services and those providers but, of course, for patients as well.

So let me just say on chronic conditions, some of these numbers may surprise us. But the five most costly chronic conditions are cardiovascular disease, cancer, diabetes, asthma, and mental health disorders. Over 133 million Americans suffer from at least one of these chronic diseases, and over 75 percent of all Medicare expenditures can be attributed to patients with five or more chronic conditions. Just 10 years ago, these beneficiaries accounted for only 50 percent of the Medicare costs.

So something's wrong. We have to fix this problem. We have to make sure that people can hopefully prevent some of these chronic disease. We might be able to do that in a number of ways. I know there's a lot of discussion about wellness programs for prevention. We have seen some very good models. Particularly some of the larger employers, smaller employers, some of the insurance companies are really working hard to try to incentivize people to eat right, to exercise to be able to prevent some of these conditions and some of these conditions from worsening. But clearly we have a long way to go and we have much work to do to make sure we, again, help folks with chronic diseases be able to be healthier, to get better, to not have the disease get any worse. And, of course, in that process it will save them money and it will save all of us the high cost of taking care of patients.

Any of us who has ever visited a renal dialysis center knows that if we can do more to make sure that somebody who, for example, is diagnosed early as a diabetic follows the prescribed treatment, does try to eat right, exercise, really takes care of themselves, and gets good consistent health care and can prevent themselves from becoming more seriously ill and, of course, going into any kind of renal failure and needing renal dialysis is something that would save them many problems and would save us all a lot of the costs involved.

Just a few more numbers because I think they're pretty telling. Chronic conditions cost American businesses nearly $1 trillion each year in lost productivity. We don't even think about the number of dollars that are lost as workers take time off for serious illnesses. About $125 billion of this is due to lost workdays, and the balance is due to diminished capacity while they are at work. So for businesses it's not only the cost of the insurance and the benefits, but it's also a cost when their own workers are not being able to really work at the full scale of their potential and their capacity.

So we know that we can do more. Economic conditions, the health benefits, really taking serious action to make sure that we have enough primary care providers, and that we do a much better job of coordinating care for those with chronic diseases will really have a dramatic impact on the health status of Americans and on the cost to all of us. And that's really what we want to do.

I think that we have heard some others talking earlier about the need to do medical research. We believe very strongly in that, and we have already made a very good commitment to doing that by putting $10 billion more into NIH. We did that in the Recovery and Reinvestment Act, and that was very significant. Of course, we want to see better treatments and we do want to see cures. That takes dollars for medical research and a real commitment to the science of biomedical research into some of the new products and devices. But it also takes prevention and it also takes better coordination of care.

Patients with chronic diseases need to have access to primary care providers. We talked a bit about that. We need to be able to make sure that they get good ongoing chronic disease management.

And I have introduced legislation. It's House bill 2350, and I have to say it's got enormous support here in the House, 100 cosponsors. I'm very proud of that. And many others are looking another it, and I have only introduced it just a couple of weeks ago. The idea of that legislation is to make sure that we preserve patient access to primary care. And one way to do that is to increase the number of primary care providers by increasing the number of residency program slots for primary care. We're going to hopefully do that. And for more nurse practitioners and more nurses in this country. That would be very helpful. But another concept, and I see another colleague of mine is going to join us, which is just great, but just to finish this thought, there's also reimbursement for a concept called ''medical home.'' This isn't a place. This is a group of services. It's a commitment on behalf of the provider, the doctor, the nurse practitioner, the physician assistant to be able to provide a medical home so that you know you have ongoing care, particularly when you have a chronic disease. And we can talk more about that going forward.

But I want to thank my colleague for joining me. I see Congressman JASON ALTMIRE has joined us. He's also from Pennsylvania, from the other side of the State, from a community, Pittsburgh, which is known for its medical care, medical schools, and it has a lot of health care providers. But I bet and would imagine that Congressman ALTMIRE has some of the same experiences I do, that while we have great quality health care, it is also too often fragmented and is too often not accessible and too often not affordable for too many of our constituents.

So we're here tonight to talk about health care reform, particularly the commitment that we're making as we move forward on health care reform to expand and extend access to more Americans, to make it more affordable. It also means a commitment to fixing our delivery system, and that means a commitment to primary care.

I want to thank Congressman ALTMIRE for joining us, and I welcome his comments.

Mr. ALTMIRE. I thank the gentlewoman for yielding. It's been a pleasure working with the gentlewoman as part of the New Democratic Coalition. We are the co-Chairs of that group.

The gentlewoman hit it right on the head, that we do have the best health care system anywhere in the world if you can afford to get it. If you have access, and there are millions of Americans that have insurance and they like it and they have access to the system, our medical innovation, as the gentlewoman said, our research, our technology far exceeds anything available anywhere else in the world. Our quality at the high end exceeds anything available anywhere else. It's why people come from all over the world to the United States to get their transplants, to get their heart taken care of, to get their high-end, high-tech care because we do it better than anybody else, and there is no question about that.

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The problem is the costs are skyrocketing with our health care system. Every family, every business, every individual in this country is impacted by the cost of health care and not just with what you're paying directly for your health care costs—what your copayment, your premium or your deductible is. The cost of everything that you buy in this country is higher because of health care costs. We use the example of an American-made car. $1,500 of the price of every car made in this country goes to health care costs—to the health care costs of the workers who are involved in putting that car together.

It's more than that. It's every level of the supply chain, every segment. If you think about the company that manufactures the good, the people who ship the good, the people who receive it and stock the shelves, and the people who sell it, at every level, there is a component of cost that is increased because of health care costs of the companies involved in that. This is at every level of the supply chain.

If you think about every segment of our lives, health care is a part of that. What we are trying to grapple with here in this Congress over the next few months is how to preserve what works in our current system, because we don't want to throw the baby out with the bath water. We don't want to lose the good things about our health care system, but we do want to address the things that don't work. So we think about the fact that we spend $2.5 trillion a year on health care in this country, far more than in any other country in the world.

Yet, with some things, we don't get mediocre results; we get bottom-of-the-pack results when compared with other countries—in life expectancy and in infant mortality. We're not in the middle of the pack. We're at the bottom of the pack. We can do better. We're not getting our moneys worth, especially when you consider the 50 million Americans who don't have any health insurance at all. Now, when they show up at the emergency rooms, they get covered; they get treated, but the bill gets passed to the millions of Americans who do have health care coverage. The reason you pay $10 for an aspirin at a hospital is due to the cost shift that takes place, making up for the difference of the people who can't afford their health care. There are tens of millions more who live in fear of losing their coverage. They are one accident, illness or job loss away from losing everything, and that, in the United States of America, is unacceptable.

So we have very high quality at the high end, but we have very high costs, way more than any other country. We have millions of Americans who have coverage and who appreciate their coverage and who like it, but we have tens of millions more who don't have coverage or who are underinsured.

So the challenge we have as a Congress is how to fix what doesn't work—what's broken—and how to preserve what does work. We've put forward a plan, and we're in the very beginning stages. There is a lot of negotiation that's going to go into this, both in the House and in the other body, to talk about how we can achieve that goal—

but make no mistake. As the gentlewoman knows, we are not going to fail. We are going to pass a health care bill this year because the American people have demanded that we do that.

As I said, it affects everybody in this country. The cost increases that are double and triple the rate of inflation every single year are simply unsustainable. We are never going to get ourselves out of the budget crisis that we have over the long term, our annual budget deficit and our structural debt that we have, unless, as the President says, we bend that cost curve on health care. We have to bring costs more into line with the rate of general inflation.

Ms. SCHWARTZ. Would the gentleman yield for just a moment?

I think, when some of our constituents hear some of those words, they really want to know—and I think that's one of the things that we're really interested in pursuing here. They want to know: Well, does it mean I'm going to get less health care? Does it mean I'm not going to get what I need? Does it mean I'm going to go to the emergency room, and they're going to turn me away?

The fact is we're trying to be smarter than that. We want to say no. What we're saying instead is that we want to make sure you get the right services when you need them. I'm sure you hear from constituents who find that they don't go to emergency rooms because there simply aren't doctors in their communities. I remember when I was growing up that there was a general practitioner down the street. We all went to him. I'll bet there's no general practitioner there anymore. I know, in parts of my own district, we've seen some hospital units close. We've seen doctors' offices close. It just isn't the way medicine is practiced right now.

The truth is, with reimbursement to insurance companies and with what we've done under Medicare, we've not created any incentive for doctors or nurse practitioners to go and open offices in small communities and provide those kinds of services. Instead, we've encouraged them to become specialists, to really do the fancy kinds of things. While we need them and while we want to make sure we have those specialized physicians there and available for us and while that has got to be covered, if we only cover that, if we only focus on that, we've really forgotten sort of the simple things, you know, which are:

How do you really talk to patients and make sure that they understand what they need to do? How do we actually make sure that we have a shared responsibility instead of a patient's saying: Oh, I'm sure I can just go and get a pill for that. Wouldn't we all love that, to be able to take a pill and we'd all be fine. It takes more personal responsibility, and it takes a patient-doctor relationship. That's often what's missing is that ongoing relationship with primary care providers—that's both physicians and nurse practitioners—and it's one of the things we want to address.

I'm sure that the gentleman has heard the concept of medical homes. Maybe you'll want to talk about that, about the idea of an ongoing relationship, about the fact that we're really interested in this health care form of creating a new opportunity to reimburse primary care practitioners for that kind of ongoing relationship with patients so that they know which specialists to see and so that they can help people sort through the many medications they take. I was just going to give you one number, which my staff gave me earlier, which I was really quite struck by.

It said that medical beneficiaries with 5 or more chronic conditions see an average of 13 different physicians per year and are prescribed an average of 50 different prescriptions.

That's a lot to sort through if you're not an expert. It really is. Think about actually having someone you can talk to and say: Wait a minute, do I really need to take these? Should I still be taking these? Shouldn't I? You know, who do I ask about this?

I'm sure you've heard some of these stories from your own constituents and probably from some of your own providers as well.

Mr. ALTMIRE. I have, and I thank the gentlewoman.

There is a lot to talk about just with this one concept, with this one component of health care. Part of the issue that we'll, I'm sure, get into is that of computerized medical records, of having an electronic health record that you carry with you everywhere so you avoid this situation that the gentlewoman described where you have, as a consumer, 50 different medications when you show up at a provider's somewhere that's out of your hometown.

If I go to San Diego and put my ATM card in the machine, I can pull up all of my financial records safely and securely. I never think about privacy. If on that same trip I end up in the emergency room, they don't have my medical history. They don't have my family's medical history. They don't have my allergies, my prescription drug regimen. They don't have any imaging that I might have had taken—x rays and so forth.

There is no reason that health care has to be the only industry in the country that hasn't gone to an interconnected/interoperable health information technology system, which is part of where the gentlewoman is going.

The other part—and this is a great point—is we have to begin to have our reimbursement system structured in a way that we incentivize the quality of care rather than the volume of care. We should not just talk about how often the patient goes to see a doctor and then reimburse based solely on that. We should be reimbursed based on: What is the appropriate setting for the patient? Where would the patient rather be? Where is the patient going to get the highest quality care?

We don't do that right now in our health care system. If you have a chronic disease, there are some cases—and certainly it would be on an individual basis and in conversation with your physician—where it shouldn't be determined based on reimbursement, based on money, as to what setting in which you're going to get that care. It should be: What is the best outcome likely based on the setting that you get? If home- and community-based care is the best setting, we shouldn't provide a financial disincentive to get it there. If that's the most appropriate, cost-effective setting and, most importantly, that's where the patient wants to be and that's where his family wants the patient to be, then, by all means, we should incentivize that setting. We're not doing that today.

Ms. SCHWARTZ. If the gentleman would yield, I appreciate very much your raising the issue of health information technology. You're absolutely right.

The health industry has been so slow to really be involved—to really use the computer, to use information technology—in a way that so many other industries have been. As any of us know who started out in our professional careers not using computers, I think we sometimes were slow or were anxious to do it. We were nervous about that.

I remember someone who worked for me a number of years ago who resisted it completely. She said: Don't be silly, I know exactly what I'm doing. I take notes. I do fine. We finally told her she had to use a computer. We just told her that we were doing it. Just a few months later, I remember the computer system went down, and she was like: Oh, my goodness. How can I function?

Well, you can imagine this in health care, which has been so paper-driven and so labor-intensive, the idea that physicians would have this at their fingertips even within their own city or even within their own medical practice sometimes. I was talking with a medical practitioner who said: Sometimes—I don't know—a patient could have been in my office, seeing another doctor the day before, and because the notes weren't transcribed yet, I don't know happened—or 3 days ago.

Another example: A patient who is just visiting Geisinger health system in Pennsylvania—a great model. The primary care physician has the ability to see the hospital records while patients are in the hospital. So they don't have to wait 3 weeks for specialists who saw them in the hospital to write them a summary, have it dictated and mailed to the primary care physician 3 weeks later or 4 weeks later.

It turns out those 3 or 4 weeks are incredibly important, after discharge, for the patient to be following the advice of the physician and knowing what to

do. It's a very uncertain time. You need to be able to have contact with your primary care physician during that time, and the primary care physician needs to know firsthand what happened to you.

An electronic medical record is extremely important in helping a primary care physician provide the right care for you and prevent a re-admission, which is a huge cost for all of us. We've talked a lot about that in terms of infections, but there are a lot of reasons people get re-admitted to the hospital. If we can prevent that by the right kind of home care, as you pointed out, or by the right care and attention from a primary care physician, that is not only going to help that person stay healthier, but it is also going to help that person get the care he wants.

I know we talked about this, too, which is, in terms of improving quality, there are now critical protocols. We like to think that every one of our physicians knows exactly what to do for us. By and large, most of our physicians, fortunately, are pretty good. As for all of us, if you have to do five things for somebody when one comes to you because one has some particular health condition and you tend to do four of those five most of the time, you're probably pretty good. It turns out, if you actually do all five every time, your patients are going to be a whole lot better off for it.

So, you know, maybe we're not used to the fact that the doctor might actually look that up on the electronic medical record and have to check it off, but it turns out that it really makes a big difference when you really did remember to remind one to stop smoking and when you really did remember to tell a parent to put a child in a seatbelt. I mean all of those things may not seem so directly connected to what a physician was seeing one for, but it enables the physician to make sure one gets the care one needs: Remind them about mammograms. It's time. If a woman hasn't had a mammogram for 3 or 4 years, maybe it's time, not to mention making sure that they take the right medications and follow the right orders.

So electronic medical records are what—you're right—the new Dems have really championed, and we have, of course, a President who has championed it as well. We put in $19 billion in the Recovery and Reinvestment Act to really help push this forward in a much more ambitious way—the use of electronic medical records in our physicians' offices and in our hospitals and having them be secure, private and interoperable. It's absolutely key.

I don't know if you wanted to comment on that or on other issues related to primary care or on other things that we can do with the delivery system that really will help us be able to contain costs and to give better care to people.

Mr. ALTMIRE. I wanted to comment, following up on the gentlewoman's comment on quality of care and medical errors.

According to the Institute of Medicine, there are 100,000 people every year who lose their lives due to a preventable medical error. Needless to say, with each one of those individuals, there is a tragic component to their personal stories—to their families or certainly to their own losses of life. There is also a burden to the health care system of medical errors because there are hundreds of thousands more who, because of preventable medical errors, are injured. Their treatment costs more, and each one of those individuals, more importantly, has suffered a severe medical setback. Their families are impacted by that. Their lives may never be the same.

In the aggregate, when we talk about cost reduction, something as simple as preventing infection, as the gentlewoman talked about, or as simple as preventing medical errors through the use of information technology, these are things that are going to save billions of dollars for our health care system in the aggregate. More importantly, they're going to increase quality for every individual who enters our health care system and will prevent these medical errors.

So the gentlewoman is correct that, when you look at even that one segment of health care reform, you're talking about billions of dollars. You're talking about the quality component—impacting lives in a way that is exponential throughout the health care system, not just involving one person.

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Ms. SCHWARTZ. I was going to mention something else, too, that I think that's a really important and good point is that one of the other points that we make that we're also trying to do in health care reform in terms of prevention and chronic disease management is that so many health policies that people buy, the up-front costs are really on them and so that preventative services—the screening, the early intervention, the simple doctor visits that can reduce the incidents of disease and keep you out of the hospital and keep you healthy—sometimes that's what you have to pay out of pocket for.

Some people say, Good. You should pay out of pocket. I think we have to understand what we're doing in health care reform is very much about a shared responsibility.

We were talking about providing some subsidies for lower-income working people. Everybody is going to have to pay into the system. We're going to keep the employer-based system. We're going to help those who really are at a lower income be able to pay on a sliding-scale basis for health insurance either in the private system or public option. But the fact is that we should be creating incentives to get early care: not wait too long, not wait until they're sick, not wait until they go to the emergency room. And that's what we're going to do as well.

So I did want to just finish up by saying that this health care reform effort that we are engaged in is complicated, but it's also very important. We want to make sure that, again, our businesses are able to continue to provide health coverage for their employees, that families can afford it if they're on their own, and small businesses or individuals can afford to pay for health care, and that government can continue to meet our obligations under Medicare for our seniors, something so important.

And we're only going to be able to do that if we do a better job of incentivizing, providing reimbursement, for delivery systems, medical providers, doctors and nurses, and all of the many health care practitioners that are so important to us. We have to make sure that they have the reimbursement, they have the tools to be able to provide the care in the right settings in the community to help us, have the information we need, have the right medical device to work with us to be healthier.

At the end of the day, our hope, I believe, is not only that we will extend coverage, not only that we will contain costs, not only that we will improve quality, but at the end of the day, Americans will be healthier. And if Americans are healthier, we will, in fact, contain costs and be able to afford to make sure that we have no child in America without health coverage, that we don't have families who are bankrupt as a result of health coverage, that we don't have families worrying every day because they have one family member with a chronic disease and they can't get insurance and that they can't act responsibly. That is certainly something that we want to do.

It's a goal that the President has set out. It's a goal that many of us have worked for years on. We're working hard right now to make it happen, and I look forward to standing on this floor to have the opportunity to vote for comprehensive health care reform that will contain costs, that will improve quality, that will help enable every American to have access to affordable, meaningful health coverage in this country.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HIMES (at the request of Mr. HOYER) for today on account of death in the family.

Mr. HILL (at the request of Mr. HOYER) for today until 1 p.m. on account of personal reasons.

Ms. CORRINE BROWN of Florida (at the request of Mr. HOYER) for today after 2 p.m. on account of district business.

Mr. BACA (at the request of Mr. HOYER) for today and June 12 on account of a death in the family.

Mr. POE of Texas (at the request of Mr. BOEHNER) for today after 4 p.m. on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. POLIS) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. GIFFORDS, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. MCCLINTOCK) to revise and extend their remarks and include extraneous material:)

Mr. PAULSEN, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, June 18.

Mr. POE of Texas, for 5 minutes, June 18.

Mr. JONES, for 5 minutes, June 18.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. MANZULLO, for 5 minutes, today.

Mr. GINGREY of Georgia, for 5 minutes, today.

Mr. GOODLATTE, for 5 minutes, today.

Mrs. BACHMANN, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. CARTER, for 5 minutes, today.

ADJOURNMENT

Ms. SCHWARTZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Friday, June 12, 2009, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2106. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles and services to the United Kingdom, Germany, the Netherlands, Sweden, Luxembourg, Belgium, France and Kazakhstan (Transmittal No. DDTC 022-09), pursuant to 22 U.S.C. 39, 36(c); to the Committee on Foreign Affairs.

2107. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles to the United Kingdom, Russia, Germany, the Netherlands, Sweden, Luxembourg, Belgium, France and Kazakhstan (Transmittal No. DDTC 023-09), pursuant to 22 U.S.C. 39, 36(c); to the Committee on Foreign Affairs.

2108. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles to Mexico (Transmittal No. DDTC 015-09), pursuant to 22 U.S.C. 39, 36(c); to the Committee on Foreign Affairs.

2109. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Israel (Transmittal No. DDTC 039-09), pursuant to 22 U.S.C. 39, section 36(d); to the Committee on Foreign Affairs.

2110. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Japan (Transmittal No. DDTC 033-09), pursuant to 22 U.S.C. 39, section 36(d); to the Committee on Foreign Affairs.

2111. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Japan (Transmittal No. DDTC 031-09), pursuant to 22 U.S.C. 39, section 36(d); to the Committee on Foreign Affairs.

2112. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Mexico (Transmittal No. DDTC 029-09), pursuant to 22 U.S.C. 39, section 36(d); to the Committee on Foreign Affairs.

2113. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Japan (Transmittal No. DDTC 035-09), pursuant to 22 U.S.C. 39, section 36(d); to the Committee on Foreign Affairs.

2114. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with the United Arab Emirates (Transmittal No. DDTC 019-09), pursuant to 22 U.S.C. 39, section 36(c); to the Committee on Foreign Affairs.

2115. A letter from the Secretary, Department of Energy, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action Resulting from Audit Reports for the period October 1, 2008 through March 31, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

2116. A letter from the Acting Administrator, General Services Administration, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action Resulting from Audit Reports for the period October 1, 2008 through March 31, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

2117. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XO38) received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2118. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Directed Fishing With Trawl Gear by American Fisheries Act Catcher Processors in Bycatch Limitation Zone 1 of the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XO63) received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2119. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction [Docket No.: 060525140-6221-02] (RIN: 0648-XO46) received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2120. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Total Allowable Catch Harvested for Management Area 2 [Docket No.: 061228342-7068-02] (RIN: 0648-XO47) received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2121. A letter from the Director Office of Sustainable Fisheries, NFMS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XO32) received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2122. A letter from the Secretary, Department of Transportation, transmitting the Department's 2008 Biennial Report to Congress and the National Transportation Safety Board on the regulatory status of open safety recommendations relating to several safety issues, pursuant to 49 U.S.C. 1135(d), amended by Public Law 108-168, section 9; to the Committee on Transportation and Infrastructure.

2123. A letter from the Deputy Director, NIST, Department of Commerce, transmitting the Department's final rule — Construction Grant Program Notice of Availability of Funds [Docket No: 080411556-8593-01] received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science and Technology.

2124. A letter from the Deputy Director, NIST, Department of Commerce, transmitting the Department's final rule — Technology Innovation Program (TIP) Notice of Availability of Funds and Announcement of Public Meeting (Proposers' Conference) [Docket No.: 090318324-9325-01] (RIN: 0693-ZA89) received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POLIS: Committee on Rules. House Resolution 532. Resolution providing for the consideration of the Senate amendment to the bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the

Federal Employees' Retirement System, and for other purposes (Rept. 111–145). Referred to the House Calendar.

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. McGOVERN (for himself, Mrs. EMERSON, Mr. MOORE of Kansas, and Mr. JACKSON of Illinois):

H.R. 2817. A bill to address global hunger and improve food security through the development and implementation of a comprehensive governmentwide global hunger reduction strategy, the establishment of the White House Office on Global Hunger and Food Security, and the creation of the Permanent Joint Select Committee on Hunger, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Agriculture, and 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. McNERNEY (for himself and Mrs. BONO MACK):

H.R. 2818. A bill to amend the Public Health Service Act to provide for the establishment of a drug-free workplace information clearinghouse, to support residential methamphetamine treatment programs for pregnant and parenting women, to improve the prevention and treatment of methamphetamine addiction, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Mrs. CAPPS, Mr. OLVER, Mr. FRANK of Massachusetts, Ms. ROYBAL-ALLARD, Mr. LEVIN, Mr. MEEKS of New York, Ms. KAPTUR, Mr. SNYDER, Ms. SCHWARTZ, and Mr. MORAN of Virginia):

H.R. 2819. A bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers; to provide for a performance standard for breast pumps; and to provide tax incentives to encourage breastfeeding; 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. FARR (for himself, Mr. BILBRAY, Mrs. BONO MACK, Mrs. CAPPS, Mrs. DAVIS of California, Ms. ESHOO, Mr. FILNER, Mr. HONDA, Mr. HUNTER, Mr. ISSA, Ms. MATSUI, Ms. WOOLSEY, Mr. BACA, and Mr. THOMPSON of California):

H.R. 2820. A bill to amend title XVIII of the Social Security Act to transition to the use of metropolitan statistical areas as fee schedule areas for the physician fee schedule in California under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Kentucky (for himself and Mr. WHITFIELD):

H.R. 2821. A bill to direct the Secretary of the Army to assist entities adversely affected by a Corps of Engineers rehabilitation project relating to the Wolf Creek Dam, Kentucky, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. JOHNSON of Georgia (for himself, Ms. JACKSON-LEE of Texas, and Mr. GRAYSON):

H.R. 2822. A bill to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law; to the Committee on the Judiciary.

By Mr. COFFMAN of Colorado (for himself, Mr. LAMBORN, Mr. ROONEY, and Mr. HARPER):

H.R. 2823. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to enhance and improve certain procedures relating to voting by absent members of the uniformed services, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN (for herself, Mr. HERGER, and Mr. BOUSTANY):

H.R. 2824. A bill to enhance the conduct and support of federally funded comparative effectiveness research relating to health care, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER (for herself, Ms. MOORE of Wisconsin, Mr. CARNAHAN, Mr. McGOVERN, Ms. SCHAKOWSKY, Mr. DEFAZIO, Mr. NYE, and Mr. BISHOP of New York):

H.R. 2825. A bill to require the Secretary of Defense to debar from contracting with the Department of Defense any company found to have jeopardized the health or safety of Government personnel or found guilty of contract fraud, and for other purposes; to the Committee on Armed Services.

By Ms. BEAN (for herself, Mr. CARSON of Indiana, Mr. RODRIGUEZ, Mr. ISRAEL, Mr. RYAN of Ohio, Mr. HIMES, and Ms. SHEA-PORTER):

H.R. 2826. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for the cost of teleworking equipment and expenses; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:

H.R. 2827. A bill to amend the Digital Television Transition and Public Safety Act of 2005 to provide for a coupon program for television antennas; to the Committee on Energy and Commerce.

By Mr. BISHOP of Utah (for himself, Mr. AKIN, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BONNER, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. CARTER, Mr. CASSIDY, Mr. CHAFFETZ, Mr. COFFMAN of Colorado, Mr. CONAWAY, Mr. CULBERSON, Ms. FALLIN, Mr. FLEMING, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GINGREY of Georgia, Mr. GOODLATTE, Mr. HARPER, Mr. HELLER, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Ms. JENKINS, Mr. SAM JOHNSON of Texas, Mr. JORDAN of Ohio, Mr. LAMBORN, Mr. LATTA, Mr. LEE of New York, Mr. LINDER, Mr. LUCAS, Mrs. LUMMIS, Mr. MANZULLO, Mr. MARCHANT, Mr. McCAUL, Mr. McCOTTER, Mr. McHENRY, Mr. McKEON, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. PENCE, Mr. PITTS, Mr. POE of Texas, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. REHBERG, Mr. RYAN of Wisconsin, Mr. SCALISE, Mr. SESSIONS, Mr. SIMPSON, Mr. SMITH of Texas, Mr. SOUDER, Mr. SULLIVAN, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. WAMP, Mr. WESTMORELAND, and Mr. YOUNG of Alaska):

H.R. 2828. A bill to provide the United States with a comprehensive energy package to place Americans on a path to a secure economic future through increased energy innovation, conservation, and production; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, Energy and Commerce, Science and Technology, Rules, 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. CARSON of Indiana (for himself, Mr. KENNEDY, Mr. STARK, Mr. DAVIS of Illinois, Ms. NORTON, Mr. RUSH, Mr. GUTIERREZ, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. AL GREEN of Texas, Ms. LEE of California, Ms. FUDGE, Ms. EDWARDS of Maryland, and Mr. MEEKS of New York):

H.R. 2829. A bill to ensure prompt access to supplemental security income, social security disability, and medicaid benefits for persons released from certain public institutions; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COURTNEY (for himself and Ms. SHEA-PORTER):

H.R. 2830. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to give priority to unemployed veterans in furnishing hospital care, medical services, and nursing home care to certain veterans assigned to priority level 8; to the Committee on Veterans' Affairs.

By Mrs. DAHLKEMPER (for herself, Mr. LANCE, Mr. BRADY of Pennsylvania, Mr. CONNOLLY of Virginia, Mr. DENT, Mr. SCOTT of Virginia, Mr. HIMES, and Mr. SIRES):

H.R. 2831. A bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to require the option of extension of dependent coverage for unmarried, uninsured children under 30 years of age under group health plans and under group and individual health insurance coverage; to the Committee on Energy and Commerce, 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. EDWARDS of Texas:

H.R. 2832. A bill to require the Secretary of the Treasury to develop a strategy and timeline for the repayment of assistance received by financial institutions under the Troubled Asset Relief Program, and for other purposes; to the Committee on Financial Services.

By Mr. ELLISON (for himself, Ms. SCHAKOWSKY, Mr. TIERNEY, and Mr. JOHNSON of Georgia):

H.R. 2833. A bill to require a minimum loss ratio for 90 percent for health insurance coverage offered through an insurance exchange; to the Committee on Energy and Commerce.

By Mr. FALEOMAVAEGA:

H.R. 2834. A bill to direct the Administrator of the National Oceanic and Atmospheric Administration to conduct a technological capability assessment, survey, and

economic feasibility study regarding recovery of minerals, other than oil and natural gas, from the shallow and deep seabed of the United States; to the Committee on Natural Resources.

By Mr. FRANK of Massachusetts (for himself, Mr. BLUMENAUER, Mr. FARR, Mr. MCDERMOTT, Mr. PAUL, Ms. WOOLSEY, Mr. ROHRABACHER, Mr. GRIJALVA, Mr. THOMPSON of California, Mr. GEORGE MILLER of California, Mr. STARK, Mr. HINCHEY, Mr. OLVER, and Ms. BALDWIN):

H.R. 2835. A bill to provide for the medical use of marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce.

By Mr. HODES (for himself and Ms. SHEA-PORTER):

H.R. 2836. A bill to amend the National Defense Authorization Act for Fiscal Year 2008 to improve and expand suicide prevention and community healing and response training under the Yellow Ribbon Reintegration Program; to the Committee on Armed Services.

By Mr. ISSA:

H.R. 2837. A bill to amend section 276 of the Immigration and Nationality Act to impose mandatory sentencing ranges with respect to aliens who reenter the United States after having been removed, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON (for herself and Mr. CLAY):

H.R. 2838. A bill to authorize the Secretary of the Interior to enter into a long-term ground lease for the operation and maintenance of Rock Creek, Langston, and East Potomac as golf courses, and for other purposes; to the Committee on Natural Resources.

By Mr. PASCRELL (for himself, Mr. PIERLUISI, Mr. CROWLEY, Mrs. MALONEY, Mr. SIRES, Mr. MICA, and Mr. TOWNS):

H.R. 2839. A bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the earned income tax credit; to the Committee on Ways and Means.

By Mr. SARBANES (for himself, Mr. TOWNS, Mr. DINGELL, Mr. MCGOVERN, Mr. WU, Mr. BLUMENAUER, Mrs. CAPPS, Ms. SUTTON, Mr. BRALEY of Iowa, Mr. PERLMUTTER, Ms. DEGETTE, Ms. SCHAKOWSKY, Ms. HARMAN, Ms. BALDWIN, and Ms. CASTOR of Florida):

H.R. 2840. A bill to amend titles XIX and XXI of the Social Security Act to ensure payment under Medicaid and the State Children's Health Insurance Program for covered items and services furnished by school-based health clinics; to the Committee on Energy and Commerce.

By Mr. SPACE (for himself and Mr. BOCCIERI):

H.R. 2841. A bill to amend the Internal Revenue Code of 1986 to make permanent the enhanced charitable deduction for contributions of food inventory; to the Committee on Ways and Means.

By Mr. TIAHRT (for himself, Mr. SIMPSON, Mr. JONES, Mr. LAMBORN, and Mr. ROHRABACHER):

H.R. 2842. A bill to rescind all stimulus funds that remain unobligated; to the Committee on Appropriations.

By Mrs. MCCARTHY of New York (for herself, Mr. BISHOP of Georgia, Ms. KILPATRICK of Michigan, Mr. LOBIONDO, Mr. CUMMINGS, Ms. BALDWIN, and Ms. BORDALLO):

H. Con. Res. 147. Concurrent resolution expressing the sense of Congress regarding people in the United States with bleeding disorders; to the Committee on Energy and Commerce.

By Mr. DAVIS of Kentucky (for himself and Mrs. DAVIS of California):

H. Con. Res. 148. Concurrent resolution expressing the sense of Congress that comprehensive national security reform is urgently needed to enable our government to meet the novel and complex challenges of the 21st century, and calling on the Executive Branch to implement reforms that achieve greater agency integration for the effective use of the Nation's power, military and nonmilitary; to the Committee on Armed Services.

By Mr. FORBES (for himself, Mr. CONNOLLY of Virginia, Mr. BOOZMAN, Mr. ROTHMAN of New Jersey, Mr. WAMP, Mr. CALVERT, Mr. HERGER, Mr. LAMBORN, Mr. GARRETT of New Jersey, and Mr. MARSHALL):

H. Con. Res. 149. Concurrent resolution calling upon the Capitol Preservation Commission and the Office of the Architect of the Capitol to place the Lincoln-Obama Bible and a copy of Lincoln's Second Inaugural Address on permanent display upon the Lincoln table at the Capitol Visitor Center for the benefit of all its visitors to fully understand and appreciate America's history and Godly heritage; to the Committee on House Administration.

By Ms. KILPATRICK of Michigan (for herself, Mr. MCGOVERN, and Mr. SESTAK):

H. Con. Res. 150. Concurrent resolution supporting the goals and ideals of African American Bone Marrow Awareness Month; to the Committee on Energy and Commerce.

By Mr. KLEIN of Florida (for himself, Mr. WAXMAN, Mr. PENCE, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. CANTOR, Mr. RAHALL, Ms. BERKLEY, Mr. HODES, Mr. ACKERMAN, Ms. WASSERMAN SCHULTZ, Ms. SCHWARTZ, Mr. ROTHMAN of New Jersey, Ms. GIFFORDS, Ms. SCHAKOWSKY, Ms. HARMAN, Mrs. MCCARTHY of New York, Mr. NADLER of New York, Ms. EDWARDS of Maryland, Mr. SHERMAN, Mrs. LOWEY, Mr. WEINER, Mr. LATOURETTE, Mr. YARMUTH, Mr. LEVIN, Mr. HASTINGS of Florida, Ms. NORTON, Mr. WEXLER, Mr. SCHIFF, Mr. BERMAN, Mr. POLIS, and Mr. ISRAEL):

H. Res. 529. A resolution condemning the violent attack on the United States Holocaust Memorial Museum on June 10, 2009 and honoring the bravery and dedication of United States Holocaust Memorial Museum employees and security personnel; to the Committee on Natural Resources; considered and agreed to.

By Mr. DRIEHAUS (for himself and Mr. CONYERS):

H. Res. 530. A resolution commending the purpose of the third annual Civil Rights Baseball Game and recognizing the historical significance of the location of the game in Cincinnati, Ohio; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H. Res. 531. A resolution congratulating the Northwestern University Wildcats on winning the 2009 NCAA women's lacrosse championship, and to commend Northwestern University for its pursuit of athletic and academic excellence; to the Committee on Education and Labor.

By Ms. LEE of California:

H. Res. 533. A resolution recognizing Helen Thomas for her pioneering career as a woman in journalism, her lifelong commitment to journalistic independence as an essential pillar of American democracy, and her unflagging and honest coverage of every President of the United States since John F. Kennedy; to the Committee on Oversight and Government Reform.

By Ms. EDWARDS of Maryland (for herself, Mrs. MILLER of Michigan, Mr. MASSA, and Mr. CONNOLLY of Virginia):

H. Res. 534. A resolution supporting the goals and ideals of ''National Children and Families Day''; to the Committee on Oversight and Government Reform.

By Mr. FALEOMAVAEGA (for himself, Mr. MANZULLO, Mr. RANGEL, Mr. RAHALL, Mr. MCKEON, Mr. CROWLEY, Ms. HIRONO, Ms. BORDALLO, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WILSON of South Carolina, Ms. BERKLEY, Mr. MEEKS of New York, Mr. ISSA, Mr. FLAKE, Mr. TIBERI, Mr. CAO, Mrs. BONO MACK, Ms. WATSON, Mr. PAYNE, Mr. HINCHEY, Mr. SABLAN, Mr. SIRES, Mr. MCDERMOTT, and Mr. ABERCROMBIE):

H. Res. 535. A resolution commending the Congress of Leaders of World and Traditional Religions for calling upon all nations to live in peace and mutual understanding; to the Committee on Foreign Affairs.

By Mr. NEAL of Massachusetts (for himself and Mr. WILSON of South Carolina):

H. Res. 536. A resolution expressing support for the HHT Foundation International's designation of a ''National Hereditary Hemorrhagic Telangiectasia (HHT) Month'' and supporting efforts to educate the public about HHT; to the Committee on Energy and Commerce.

By Mr. ROGERS of Michigan:

H. Res. 537. A resolution requesting that the President and directing that the Attorney General transmit to the House of Representatives all information in their possession relating to specific communications regarding detainees and foreign persons suspected of terrorism; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

72. The SPEAKER presented a memorial of the House of Representatives of the State of Kansas, relative to HOUSE RESOLUTION No. 6022 supporting the Airborne Laser Program and urging the United States Congress to provide the necessary funding for the ongoing development and operation of the program; to the Committee on Armed Services.

73. Also, a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial 8003 respectfully praying that Congress institute a date certain, no later than January 1, 2013, at which time all vendors, suppliers, and manufacturers of health information technology must comply with a uniform national standard of interoperability, such that all electronic medical and health records can be readily shared and accessed across all health care providers and institutions while at the same time preserving the proprietary nature of health information technology producers that will encourage future innovation and competition; to the Committee on Energy and Commerce.

74. Also, a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial 8012 respectfully praying that President Obama and Secretary Clinton place the United Nations Convention on the Elimination of All Forms of Discrimination Against Women in the highest category of priority in order to accelerate the treaty's passage through the Senate Foreign Relations Committee and the United States; and that the Washington State Legislature urge the Senate Foreign Relations Committee to

pass this treaty favorably out of Committee and recommend it be approved by the full United States Senate; to the Committee on Foreign Affairs.

75. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Memorial 4005 respectfully praying that the United States Postal Service issue a postage stamp in commemoration of the Nisei veterans' service in the United States Armed Forces during the Second World War; to the Committee on Oversight and Government Reform.

76. Also, a memorial of the Senate of the State of Alaska, relative to Senate Resolve No. 5 Reaffirming support for the environmentally responsible development of the Kensington Gold Mine; and urging the governor to encourage and facilitate the prompt continuation or reinstatement, reactivation, and period extension of permits authorizing the construction and operation of the Kensington Gold Mine upon a decision by the United States Supreme Court in favor of the Kensington Gold Mine; to the Committee on Natural Resources.

77. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 44 MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT THE HEARING AID ASSISTANCE TAX CREDIT ACT; to the Committee on Ways and Means.

78. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 45 MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PASS AND THE PRESIDENT OF THE UNITED STATES TO SIGN LEGISLATION THAT WILL PROVIDE FLEXIBILITY IN PROVIDING CARE FOR MEDICARE AND MEDICAID DUAL ELIGIBLES AND SHARE MEDICARE SAVINGS; jointly to the Committees on Energy and Commerce and Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. SESTAK, Mr. HIMES, and Ms. CASTOR of Florida.

H.R. 22: Mr. QUIGLEY and Mr. TIBERI.

H.R. 24: Mr. CAO, Ms. DELAURO, Mr. FRELINGHUYSEN, Mr. LATTA, Mr. CROWLEY, Mr. LUCAS, Mrs. CAPPS, Mr. DANIEL E. LUNGREN of California, Mr. HONDA, Mr. BLUNT, Ms. GRANGER, and Mr. FRANK of Massachusetts.

H.R. 104: Mr. CARSON of Indiana.

H.R. 179: Mr. PRICE of North Carolina and Mr. LANGEVIN.

H.R. 235: Mr. BARROW and Mr. MURPHY of New York.

H.R. 303: Mr. TAYLOR and Mr. MCINTYRE.

H.R. 444: Mr. FARR and Mr. BOOZMAN.

H.R. 503: Ms. TITUS.

H.R. 556: Mr. SESTAK, Mr. HOLT, and Mr. SMITH of New Jersey.

H.R. 558: Mr. SCOTT of Virginia.

H.R. 574: Mr. PRICE of North Carolina and Mr. BRALEY of Iowa.

H.R. 622: Mr. DEFAZIO.

H.R. 644: Mr. MCNERNEY, Mr. SNYDER, and Mr. VAN HOLLEN.

H.R. 646: Mrs. MALONEY.

H.R. 664: Mr. LATHAM.

H.R. 676: Mr. HARE.

H.R. 722: Mr. CAO.

H.R. 729: Mr. DOYLE, Mrs. MCCARTHY of New York, Mr. ARCURI, Mr. PASCRELL, Mr. MOORE of Kansas, Mr. CARNEY, Mr. KANJORSKI, Mr. BRADY of Pennsylvania, Mr. HOLT, Mr. MURTHA, Mr. BISHOP of Georgia, Mr. MILLER of North Carolina, Mr. RYAN of Ohio, Mr. MAFFEI, Mr. BOCCIERI, Mr. SCOTT of Virginia, and Mr. FARR.

H.R. 734: Ms. HERSETH SANDLIN.

H.R. 775: Mr. GRAVES, Mr. DRIEHAUS, Ms. KILROY, Mr. HUNTER, Mr. MCCLINTOCK, Mr. MCKEON, and Mrs. KIRKPATRICK of Arizona.

H.R. 780: Mr. MANZULLO, Ms. JENKINS, Mr. CASTLE, Mr. LEE of New York, Mr. WILSON of South Carolina, Mr. MCKEON, Mr. DAVIS of Kentucky, Mr. UPTON, Mrs. MYRICK, Mr. ROGERS of Alabama, Mr. BARTLETT, Mr. ALEXANDER, Mr. MILLER of Florida, Mr. AKIN, Mrs. BIGGERT, Mr. COBLE, Mr. WHITFIELD, Mr. KINGSTON, Mrs. MCMORRIS RODGERS, Mr. LANCE, Mr. DENT, Mr. EHLERS, Mr. MCHENRY, Mr. LATTA, and Mr. ISSA.

H.R. 795: Mr. DELAHUNT.

H.R. 836: Mr. MEEKS of New York, Mr. BILIRAKIS, Mr. SIRES, Mr. COFFMAN of Colorado, Mr. ROONEY, Mr. THORNBERRY, Mr. POLIS, Mr. THOMPSON of Mississippi, Mr. ORTIZ, and Mr. ETHERIDGE.

H.R. 904: Ms. BALDWIN.

H.R. 934: Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. CAO, Mrs. CAPPS, Mr. AL GREEN of Texas, Ms. LEE of California, Ms. HIRONO, Mr. HONDA, and Mr. SCOTT of Virginia.

H.R. 949: Mr. ELLISON.

H.R. 952: Ms. DELAURO and Mr. PATRICK J. MURPHY of Pennsylvania.

H.R. 984: Mrs. MALONEY.

H.R. 1016: Ms. WOOLSEY.

H.R. 1017: Mr. LATHAM and Mr. TERRY.

H.R. 1018: Mr. GEORGE MILLER of California.

H.R. 1030: Mr. GENE GREEN of Texas.

H.R. 1064: Mr. ANDREWS, Mr. BRALEY of Iowa, Mr. WALZ, Mr. COURTNEY, Mr. YARMUTH, Ms. MCCOLLUM, Ms. ROYBAL-ALLARD, Mr. KISSELL, Mr. MOLLOHAN, Mr. MURTHA, Mr. KANJORSKI, Mr. CUELLAR, Mr. STUPAK, Mr. ELLSWORTH, and Mr. SMITH of New Jersey.

H.R. 1080: Mr. BROWN of South Carolina.

H.R. 1132: Mr. THOMPSON of Pennsylvania, Mr. DOYLE, Mr. LEE of New York, Mr. EHLERS, Ms. FALLIN, and Mr. BERRY.

H.R. 1173: Mr. THOMPSON of Pennsylvania.

H.R. 1182: Mr. CRENSHAW, Mr. BONNER, Mr. PUTNAM, Mr. MINNICK, Mr. STEARNS, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MEEK of Florida.

H.R. 1193: Ms. BALDWIN.

H.R. 1207: Mr. WOLF, Ms. CORRINE BROWN of Florida, Ms. SPEIER, Mr. KING of Iowa, Ms. EDWARDS of Maryland, Mr. BRIGHT, Mr. CAO, Mr. POLIS, Mr. KUCINICH, Mr. MCKEON, Mr. COBLE, Mr. BRALEY of Iowa, and Mrs. SCHMIDT.

H.R. 1250: Ms. MARKEY of Colorado, Mr. HONDA, and Ms. FUDGE.

H.R. 1330: Mr. COHEN.

H.R. 1339: Mr. SPRATT, Mrs. LOWEY, and Mr. ALEXANDER.

H.R. 1351: Mr. CHAFFETZ.

H.R. 1352: Mr. DOYLE and Mr. LATHAM.

H.R. 1360: Mr. SESTAK.

H.R. 1361: Mr. PRICE of North Carolina.

H.R. 1402: Mr. GENE GREEN of Texas, Mr. KAGEN, and Mr. SIRES.

H.R. 1405: Mrs. MALONEY.

H.R. 1441: Mr. CARTER and Mr. KENNEDY.

H.R. 1466: Ms. WATSON.

H.R. 1600: Ms. BORDALLO.

H.R. 1612: Mr. PALLONE, Mr. FRANK of Massachusetts, Mr. SESTAK, and Mr. DELAHUNT.

H.R. 1616: Mr. TIERNEY, Mr. WU, Mr. KLEIN of Florida, and Ms. GIFFORDS.

H.R. 1619: Mr. GENE GREEN of Texas.

H.R. 1646: Mr. LATHAM, Mr. BRALEY of Iowa, Mr. SCHIFF, Mr. JACKSON of Illinois, Mr. DELAHUNT, and Mr. SESTAK.

H.R. 1670: Mr. TOWNS, Mr. MAFFEI, Mr. DELAHUNT, Ms. MCCOLLUM, Mr. HOLDEN, and Mr. MURPHY of Connecticut.

H.R. 1677: Mr. COSTELLO, Ms. SCHWARTZ, Mr. KIND, Mr. MICHAUD, Mrs. LOWEY, and Mr. WELCH.

H.R. 1692: Mr. BOOZMAN.

H.R. 1718: Mr. EHLERS.

H.R. 1740: Mr. ROGERS of Michigan, Mr. GOODLATTE, Mr. CONAWAY, and Mr. SCHOCK.

H.R. 1743: Mr. MCCOTTER.

H.R. 1791: Mr. CAMPBELL.

H.R. 1821: Mr. MEEK of Florida.

H.R. 1829: Mr. DAVIS of Alabama.

H.R. 1843: Ms. EDWARDS of Maryland.

H.R. 1855: Mr. AUSTRIA.

H.R. 1868: Mr. BARRETT of South Carolina and Mr. PLATTS.

H.R. 1894: Mr. TOWNS, Mr. DAVIS of Illinois, Mrs. MYRICK, Mr. HINCHEY, and Mr. MORAN of Kansas.

H.R. 1961: Mr. CONNOLLY of Virginia.

H.R. 1970: Ms. DEGETTE.

H.R. 1990: Mr. LUCAS.

H.R. 2029: Mr. MORAN of Virginia.

H.R. 2030: Mr. RUSH, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Ms. EDWARDS of Maryland, Mr. FATTAH, Ms. FUDGE, Mr. AL GREEN of Texas, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KILPATRICK of Michigan, Mr. CLAY, Ms. LEE of California, Mr. MEEK of Florida, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Ms. NORTON, Mr. RANGEL, Ms. RICHARDSON, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. TOWNS, Ms. WATERS, Mr. WATT, and Ms. WOOLSEY.

H.R. 2054: Mr. DELAHUNT and Mr. PALLONE.

H.R. 2060: Mr. GUTIERREZ and Ms. ROYBAL-ALLARD.

H.R. 2083: Mr. MARSHALL.

H.R. 2084: Mr. KILDEE.

H.R. 2095: Ms. DEGETTE, Ms. FUDGE, Mr. JOHNSON of Georgia, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. WATT, Mr. CLEAVER, Ms. WATSON, Ms. WATERS, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, Mr. AL GREEN of Texas, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ELLISON, Mr. THOMPSON of Mississippi, Mr. FALEOMAVAEGA, Ms. KILPATRICK of Michigan, Mr. DAVIS of Alabama, Mr. CUMMINGS, Mr. SCOTT of Georgia, Mr. JACKSON of Illinois, Mr. FATTAH, Ms. EDWARDS of Maryland, Ms. WOOLSEY, Mr. CONYERS, Ms. RICHARDSON, and Mr. CLYBURN.

H.R. 2097: Mr. FARR, Mr. GRAYSON, Mr. CAO, Mr. LEWIS of California, Mr. FRANKS of Arizona, Mr. JACKSON of Illinois, Mr. MOLLOHAN, Mr. RODRIGUEZ, and Mr. TAYLOR.

H.R. 2110: Mr. COLE.

H.R. 2116: Mr. ADLER of New Jersey.

H.R. 2124: Mr. MILLER of Florida, Mr. DELAHUNT, and Mr. GUTHRIE.

H.R. 2125: Mr. LIPINSKI.

H.R. 2139: Mr. EHLERS, Mr. PLATTS, Mr. MCMAHON, Mr. KIND, Mr. LOEBSACK, Ms. CLARKE, and Ms. MOORE of Wisconsin.

H.R. 2194: Mr. SHUSTER, Mr. CHAFFETZ, Mr. AUSTRIA, Mr. THOMPSON of Pennsylvania, Mrs. MCCARTHY of New York, Mr. FORBES, Mr. BRADY of Pennsylvania, Mr. COFFMAN of Colorado, Mr. YOUNG of Alaska, Mr. MOORE of Kansas, Mr. BOCCIERI, Mr. DEAL of Georgia, Mr. BROWN of South Carolina, Mr. PUTNAM, Mr. FOSTER, Ms. TITUS, Mr. SHADEGG, Mr. SMITH of Washington, and Mr. WALDEN.

H.R. 2209: Mr. DAVIS of Illinois.

H.R. 2245: Mr. LUJÁN, Mr. MITCHELL, Mr. GENE GREEN of Texas, Mr. ROSKAM, Mr. LARSON of Connecticut, Ms. MATSUI, Mr. BRALEY of Iowa, Ms. MOORE of Wisconsin, Ms. MARKEY of Colorado, Mr. BROWN of South Carolina, and Mr. COSTA.

H.R. 2248: Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, and Mr. GUTIERREZ.

H.R. 2254: Mr. DOYLE and Mr. FRANK of Massachusetts.

H.R. 2263: Mr. GRAYSON.

H.R. 2269: Ms. ROS-LEHTINEN.

H.R. 2272: Ms. DELAURO.
H.R. 2273: Mr. SESTAK.
H.R. 2277: Mr. YOUNG of Alaska and Mr. ROGERS of Kentucky.
H.R. 2287: Mr. BUCHANAN, Mr. DUNCAN, and Mr. MCCLINTOCK.
H.R. 2299: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2304: Mr. ABERCROMBIE, Mr. ROE of Tennessee, Mrs. TAUSCHER, Mr. WILSON of South Carolina, Mr. REHBERG, and Mr. FILNER.
H.R. 2314: Mr. KILDEE and Mr. SABLAN.
H.R. 2329: Mr. GENE GREEN of Texas.
H.R. 2345: Mr. BUYER and Mr. YOUNG of Florida.
H.R. 2350: Mr. ALTMIRE, Mr. SCHIFF, Mr. FILNER, and Mr. CARSON of Indiana.
H.R. 2358: Ms. DEGETTE and Ms. BALDWIN.
H.R. 2393: Mr. LAMBORN and Ms. GRANGER.
H.R. 2403: Mr. GRAYSON.
H.R. 2452: Mr. ETHERIDGE, Mr. HUNTER, and Mr. HENSARLING.
H.R. 2472: Mr. AKIN.
H.R. 2478: Mr. PRICE of North Carolina.
H.R. 2488: Mr. MURPHY of New York.
H.R. 2493: Mr. HALL of New York and Mr. SHADEGG.
H.R. 2499: Mr. CAPUANO, Mr. HEINRICH, and Mr. DOGGETT.
H.R. 2502: Mr. GRAYSON.
H.R. 2512: Mr. FORTENBERRY and Mrs. SCHMIDT.
H.R. 2547: Mr. BOOZMAN.
H.R. 2551: Mr. HODES.
H.R. 2560: Ms. SCHAKOWSKY and Mr. MACK.
H.R. 2570: Ms. DEGETTE and Mr. DEFAZIO.
H.R. 2574: Mr. KLEIN of Florida, Ms. EDWARDS of Maryland, and Mr. LARSON of Connecticut.
H.R. 2595: Mr. HINCHEY.
H.R. 2607: Mr. MACK, Mr. AKIN, Mr. COLE, Ms. FALLIN, Mr. FORBES, Mr. GOHMERT, Mr. HUNTER, Mr. OLSON, Mr. PAULSEN, Mr. POSEY, Mrs. SCHMIDT, Mr. WAMP, and Mr. BONNER.
H.R. 2648: Mr. GRAYSON, Mr. ELLISON, and Mr. LOEBSACK.
H.R. 2657: Mr. DEFAZIO.
H.R. 2669: Mr. DEFAZIO and Mr. MEEKS of New York.
H.R. 2676: Mr. EDWARDS of Texas.
H.R. 2691: Ms. MOORE of Wisconsin and Ms. SCHAKOWSKY.
H.R. 2695: Mr. HONDA.
H.R. 2696: Mr. MEEK of Florida and Mr. MCGOVERN.
H.R. 2736: Mr. RAHALL, Mr. MOORE of Kansas, Mr. COHEN, Mr. WELCH, and Mr. CLEAVER.
H.R. 2743: Ms. JACKSON-LEE of Texas, Mr. GRAYSON, Mr. KING of Iowa, Mr. SHIMKUS, Ms. WASSERMAN SCHULTZ, Mr. SCOTT of Georgia, Mr. LATHAM, Mr. POE of Texas, Mr. ACKERMAN, Mr. BERRY, Mr. REHBERG, Mr. FARR, Mr. DRIEHAUS, Mr. HONDA, Mr. SHULER, Mr. BUTTERFIELD, Mr. COSTA, Mr. CARNEY, Mr. BURTON of Indiana, Mr. HINOJOSA, Mr. TIBERI, and Mr. BARROW.
H.R. 2765: Ms. JACKSON-LEE of Texas, Mr. SHERMAN, Mr. JOHNSON of Georgia, and Mr. MAFFEI.
H.R. 2779: Mr. MORAN of Virginia.
H.R. 2796: Mr. MCHUGH and Mr. BURTON of Indiana.
H.J. Res. 42: Mr. DANIEL E. LUNGREN of California and Mr. PAULSEN.
H.J. Res. 47: Mrs. LUMMIS, Mr. BUYER, Mr. TIM MURPHY of Pennsylvania, Mr. BOEHNER, and Mr. BLUNT.
H. Con. Res. 51: Mr. FALEOMAVAEGA.
H. Con. Res. 112: Ms. BALDWIN and Mr. HONDA.
H. Con. Res. 118: Mr. PRICE of North Carolina.
H. Con. Res. 128: Ms. WATSON and Ms. WOOLSEY.
H. Con. Res. 132: Mr. LAMBORN.
H. Con. Res. 143: Mr. INGLIS.
H. Res. 90: Mr. CAO.
H. Res. 130: Mr. LARSEN of Washington.
H. Res. 175: Mr. DANIEL E. LUNGREN of California.
H. Res. 193: Mr. SPRATT and Mr. ALEXANDER.
H. Res. 241: Mr. PAYNE.
H. Res. 245: Mr. BURTON of Indiana and Mrs. HALVORSON.
H. Res. 288: Ms. MARKEY of Colorado, Mr. EDWARDS of Texas, Mr. BISHOP of Georgia, and Mr. HONDA.
H. Res. 314: Mr. DOYLE, Mr. KRATOVIL, Mr. MELANCON, Mr. BARROW, Mr. WELCH, Mr. INSLEE, and Mr. SPACE.
H. Res. 350: Mr. MCINTYRE.
H. Res. 366: Mr. MCINTYRE, Mr. PAYNE, Mr. MILLER of Florida, and Mr. HOEKSTRA.
H. Res. 397: Mr. BARRETT of South Carolina.
H. Res. 443: Mr. GRAYSON.
H. Res. 494: Mr. COBLE.
H. Res. 507: Mr. OBEY, Ms. ESHOO, Mr. BISHOP of New York, and Mr. HIMES.
H. Res. 512: Mr. MARKEY of Massachusetts, Mr. BRIGHT, Mr. GUTHRIE, Mr. OBERSTAR, Mr. DELAHUNT, Mr. MASSA, Mr. MCMAHON, Ms. MCCOLLUM, Mr. MCGOVERN, and Mr. BRALEY of Iowa.
H. Res. 519: Mr. GUTIERREZ, Ms. KILPATRICK of Michigan, Mr. SARBANES, Mr. POE of Texas, and Ms. MCCOLLUM.

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. 848: Ms. NORTON.
H.R. 2254: Mr. STEARNS.

PETITIONS, ETC.

Under clause 1 of Rule XXII,

48. The SPEAKER presented a petition of the California State Lands Commission, relative to A RESOLUTION OPPOSING THE U.S. DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICES' DRAFT PROPOSED 5-YEAR OUTER CONTINENTAL SHELF OIL AND GAS LEASING PROGRAM FOR 2010–2015; to the Committee on Natural Resources.