PERSONAL EXPLANATION

Mr. CAPUANO. Mr. Speaker, earlier today, June 25, 2009, due to a medical situation involving a member of my family, I was not present for rollcall votes 453 through 460. Had I been present, I would have voted in the following manner:

"Aye" on rollcall vote 453; "Aye" on rollcall vote 454; "No" on rollcall vote 455; "No" on rollcall vote 456; "Aye" on rollcall vote 457; "Aye" on rollcall vote 458; "No" on rollcall vote 459; "Aye" on rollcall vote 460.

There was no objection.

PERSONAL EXPLANATION

Mr. WEINER. Mr. Speaker, because I was attending a conference at the White House on immigration reform, I was unavoidably delayed and would like to state on the RECORD that, had I been present, I would have voted "yes" on the McGovern-Jones amendment, would have voted "yes" on the McGovern-Sestak amendment, would have voted "no" on the Franks amendment, "no" on the Akin amendment, would have voted "yes" on the Holt amendment, would have voted "yes" on the Connolly amendment, and would have voted "no" on the Republican motion to recommit.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. I ask unanimous consent to place in the RECORD how I would have voted because I was unavoidably detained at a 2-hour meeting with the President at the White House, on immigration and unavoidably missed the votes. Had I been present, I would have voted "yes" on the McGovern-Jones amendment, "yes" on the McGovern-Sestak amendment, "no" on the Franks amendment, "no" on the Akin amendment, "yes" on the Holt amendment, "yes" on the Connolly amendment, and "no" on the motion to recommit.

PERSONAL EXPLANATION

Ms. LOFGREN of California. Mr. Speaker, I ask unanimous consent to be recognized to note that I also was at a meeting this morning with the President at the White House, on immigration and unavoidably missed the votes. Had I been present, I would have voted "yes" on the McGovern-Jones amendment, "yes" on the McGovern-Sestak amendment, "no" on the Franks amendment, "no" on the Akin amendment, "yes" on the Holt amendment, "yes" on the Connolly amendment, and "no" on the motion to recommit.

GENERAL EXPLANATION

Mr. SPEAKERS pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. POLIS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 578 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 578
Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except: (1) the amendment printed in part A of the report of the Committee on Rules accompanying this resolution; (2) the amendments printed in part B of the report of the Committee on Rules; (3) to exceed three of the amendments printed in part C of the report of the Committee on Rules if offered by Representative Flake of Arizona or his designee; (4) not to exceed one of the amendments printed in part D of the report of the Committee on Rules if offered by Representative Campbell of California or his designee; and (5) not to exceed one of the amendments printed in part E of the report of the Committee on Rules if offered by Representative Hensarling of Texas or his designee. Each such amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI and except that an amendment printed in part B, C, D, or E of the report of the Committee on Rules may be offered only at the appropriate point in the reading. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. In case of unscheduled amendments reported from the Committee, the question of their adoption shall be decided by the House without intervening demand for division of the question. The previous question shall be considered as ordered as on the bill and amendments thereto to final passage without intervening demand for division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening demand for division of the question except one motion to recommit with or without instructions.

Mr. POE. After consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their designees may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

SIX. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SIX. During consideration of H.R. 2996, the Chair may reduce the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XXI.

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentleman from Colorado is recognized.

Mr. POLIS. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlelady
from North Carolina, Dr. FOXX. All time yielded during consideration of the rules is for debate only.

Mr. POLIS. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks for publication 578.

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

Madam Speaker, House Resolution 578 provides for consideration of H.R. 2906, the Department of the Interior, Environment, and Related Agencies Appropriations bill for fiscal year 2010. I rise in support of the rule and the underlying bill, the Interior, Environment, and Related Agencies Appropriations bill for fiscal year 2010. I thank Chairman OBEY and Chairman DICKS and the Appropriations staff for their hard work and dedication in bringing this bill to us.

Madam Speaker, I am a lucky man. I am truly blessed to represent communities in Colorado like Vail, Breckenridge, and Boulder, some of the most awe-inspiring forests, mountains, and wilderness that our country has to offer and I had the opportunity to witness as a kid growing up to this day.

Visitors from across the globe come to my district in Colorado and others like it across the Nation year-round to get a taste of what we experience every day. Amidst this beauty, Coloradans grow up understanding the great responsibility we all share to protect our precious natural resources for generations of Americans to enjoy.

This bill, I am proud to say, reflects that great responsibility and priority by providing a total of $32.5 billion for the Department of the Interior, the Environmental Protection Agency, the Forest Service, the Indian Health Service, and related agencies—an increase of $4.7 billion over the 2009 enacted levels.

These funds are absolutely critical in addressing the problems that have come with historic underfunding and have a tangible impact not only on communities in my district, but across the country. This bill also keeps its foundation in fiscal responsibility and contains over $320 million in program terminations for programs that simply don't work, reductions in other savings for the fiscal year 2009 level, and over $300 million from the budget request. Included in this amount is a $142 million recission from EPA prior-year STAG account funds based on an inspector general report of unliquidated obligations and $18 million in reductions from a number of requested increases for EPA administrative functions.

This bill also terminates $28 million for a new initiative in Federal aid in wildlife restoration programs due to concerns about implementation of this program. Our natural environment plays such a critical role in the quality of our lives not only in my district, but across the country, and this bill will help continue the proud tradition of Federal stewardship of our public lands.

I reserve the balance of my time.

Ms. FOXX. I yield myself 3½ minutes. I appreciate my colleague and my friend from Colorado, I feel extremely fortunate to live where I live in my district—I think the most beautiful area of this country.

But, Madam Speaker, the underlying bill we have here today, the Interior Appropriations Act, that most of my colleagues on both sides of the aisle are being denied the ability to offer amendments to, is filled with wasteful spending. The bill itself is a 17 percent overall increase in funding from last year. The programs are increased not only above the 2009 levels, but also above the levels the President requested.

This does not reflect the hard economic times our country and our constituents are experiencing right now and is instead spending borrowed money that we do not have.

This bill contains an astounding 38 percent increase in funding for the Environmental Protection Agency. When combined with stimulus funding approved earlier this Congress, which I did not support, the EPA will receive more than $25 billion in a single calendar year, which is the equivalent of three-quarters of the entire Interior Appropriations Act we have before us.

This kind of excessive spending does not reflect but mocks the economic challenges our constituents are experiencing.

The money that Speaker PELOSI and the Obama administration want to spend today is all borrowed money. We do not have this money. Our constituents do not have this money. And the Federal Government does not have this money.

The Democrat leaders have made the irresponsible decision to borrow in order to spend it at their whim. This bill will increase the deficit even more by borrowing and spending money we don't have.

We can no longer blame the deficit and economic difficulties today on the previous administration because the Democrat leaders are continuing to dig America into a bigger and bigger hole with more reckless spending.

This borrowed money is all being spent by Speaker PELOSI and the Obama administration and, as a result, the unemployment rate continues to rise and the deficit continues to rise also.

This bill contains also several hundred earmarks. The earmark system is flawed. And we know that even some of the earmarks in this bill have had questions raised about them.

This legislation contains several giveaways for and preferential treatment to green companies in order to promote the green climate. This bill applies Davis-Bacon, which will create wasteful spending that we do not need to have.

Madam Speaker, I urge my colleagues to vote against this rule in order to allow this body to appropriately and adequately offer their ideas and engage in the debate that our constituents deserve.

I reserve the balance of my time.

Mr. POLIS. This bill has several cuts that I went into in a number of different areas showing strong fiscal discipline in this difficult fiscal environment. And I would agree with the gentleman that we need to ensure that we return to fiscal responsibility and indeed balance our budget and certainly preserve our national heritage as an important part of long-term fiscal responsibility.

I'd like to yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I want to thank the gentleman from Colorado, my colleague on the Rules Committee, for yielding me the time.

Madam Speaker, I am proud to stand here in support of this rule and of the underlying legislation. This Interior Appropriations bill is a bill that respects our environment. I'd especially like to thank Chairman Dicks for his leadership, and I want to thank him also for accepting my amendment to increase funding for the Land and Water Conservation Fund Stateside Assistance program by $10 million and for including it in the manager's amendment.

The LWCF Stateside Assistance program is one of the most successful Federal-State-local partnerships in the history of the Department of the Interior. The LWCF Stateside Assistance program matches funds to assist communities in creating new public parks, creating open space, and developing public resources and creating jobs.

The States, cities, counties, and towns that apply for and accept Federal funding from the LWCF Stateside Assistance program agree to match the Federal investment on a dollar-for-dollar basis, and often match significantly more than the Federal share.

It is incumbent of this Congress to provide funding for over 41,000 State and local projects in 98 percent of all U.S. counties. There is not a congressional district that has not been impacted in a positive way by an LWCF stateside project.

Having said that, Madam Speaker, I also want to rise in strong opposition to an amendment that will be offered by my colleague from Utah, Mr. CHAFFETZ, later on today, which would eliminate, which would eliminate the LWCF Stateside Assistance program.

Madam Speaker, as I have already stated, the LWCF Stateside Assistance program has supported projects in 98
percent of all United States counties, including the counties that are included in the State of Utah that are in the district of my friend who’s offering this amendment.

This program serves a vital, national need, which helps fulfill conservation efforts while promoting healthy living for all Americans. LWCF funding provides critical funding to protect and enhance our parks, protect our wildlife, and retain the quality of our conservation spaces.

After I want to thank Chairman Dicks for working with me on this issue, and I look forward to continuing efforts on behalf of the LWCF Stateside Assistance program.

I urge my colleagues to support the rule and to support the underlying bill.

Ms. FOXX. I will now yield 5 minutes to my colleague from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentlelady for yielding.

When Members had the right and the ability to limit speaking rights and to shut you out of the process, a precedent to silence your voices, a precedent—a precedent to silence all opposition. Yet here we are, all in the name of expediency, silencing the voices of the Americans who elected us to Congress to speak on their behalf. We are sacrificing what is right just to get the job done.

There will come a time when Republicans will once again become the majority party. We don’t know when that will be. It might be 2 years; it might be 10 years; it might be 20 years. But it will happen—and we all know that. I will tell you that members of my party will want to use the actions today, your rules, as a precedent—a precedent to shut you out of the process; a precedent to silence your voices; a precedent to deny your ability to represent your constituents; a precedent to take the easy road instead of doing the hard work of democracy.

I want you to know here today that I won’t be a part of using this precedent against you. I will stand up for your rights and the rights of your constituents when you find yourselves in the minority. It’s the very heart of democracy. And I’ll do it because I care more about the integrity of this institution than I do about sticking to an arbitrary schedule scratched out of paper.

I fear. I truly fear that you know not the damage that you do to this institution with these rules.

Mr. POLIS. This proposed rule makes in order 12 Republican amendments and indeed only one Democratic amendment, a manager’s amendment, which includes two Democratic amendments. I think it is fair to both parties. Included in the allowed amendments are five earmark amendments.

I would like to yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the distinguished member of the Rules Committee, Mr. POLIS, for yielding the time. Madam Speaker, as chairman of the Committee on Natural Resources, I do rise today to express my strong support for the fiscal year 2010 appropriation bill for the Interior, Environment, and Related Agencies.

For over 30 years, many programs in the Department of the Interior were severely underfunded, leaving us with a legacy of tired visitor facilities and a backlog of needs for many natural resource programs. The legislation before us today funds the most important programs harmony years of starvation budgets. I’m very supportive of the funding increases for our public lands.

Madam Speaker, I do wish to commend the Subcommittee on Interior Appropriations Chair, my colleague, Mr. Norm DICKS, and Ranking Member SIMPSON for the work that they have put in on this legislation.

They have provided a needed increase to U.S. Forest Service for both wildlife prevention and wildlife suppression. The legislation also provides the necessary funding for the National Park Service to ensure that park visitors can experience our national parks in their full glory. I’m very proud to see an increase in funding for the Land and Water Conservation Fund.

Further, I applaud the spending items contained in the pending measure for Indian Country. Through treated into law, the United States has a trust responsibility and moral obligation to provide for our Native Americans.

The unmet needs of Indian Country can never be addressed by a 1-year spending bill. However, we are making good progress with the increased funding for law enforcement, health care, and education in this legislation. These funding levels show our commitment to meet both our legal and moral obligations to Native Americans.

From the standpoint of our natural resources, the preservation of our heritage and keeping faith with Indian Country, this is a very good bill, and I urge my colleagues to support it.

Ms. FOXX. I hereby yield 3 minutes to our distinguished colleague, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. I need to stand and congratulate our Rules Committee for all the hard work they are doing in creating precedent around here. Until last year, in the history of this House the ability to limit speaking rights and amendments was always done by a unanimous consent agreement. So the Rules Committee must indeed be working overtime to establish which issues will never be discussed on this floor.

When the ranking member of the Resources Committee, the ranking member of two of the subcommittees can go 0-9 in proposed amendments, it must be an effort on the part of the Rules Committee to get some speaking on this floor—as long as the topic is something on which they agree should be discussed.

For, indeed, we are not simply debating about dollars here. We are debating about dollars to create national security, for dollars have consequences to them.

There was one proposed amendment, which I proposed there obviously, that dealt with the border security and border guards. Our border guards right now are concentrating their efforts on urban areas. Their efforts are working. But there is one that is doing nothing along the border that is doing nothing along the border to keeping the traffic of illegal immigrants into this country through side lands that are all owned by the Department of Interior and the Forest Service, which constitutes 45 percent of our borders.

Madam Speaker, 80 percent of all drugs come into our country through those areas. The foot traffic is destroying those wilderness areas. In 2002 alone, eight major wildfires were established...
by the foot traffic in that area. The Goldwater training range was shut down because of illegal immigrants trespassing upon that land. Some of those areas are controlled by drug cartels. Some are subject to violence. And one of the things that Mr. TAYLOR actually has to pay money to the Interior Department to have access to some of those lands.

One of the Border Patrol agents was threatened with lawsuits and even arrest by a Federal land manager for attempting simply to enter a wilderness area and land a helicopter to pick up a wounded victim. The Border Patrol has to notify land managers if they ever change procedure, even if they are in hot pursuit of an individual. All issues should be addressed in this particular area.

This device, which I have right here, is one of the listening devices that the Border Patrol needs to communicate with each other. It is placed in jeopardy simply because the Department of Interior now wants it to have limitations. A threat of a lawsuit by an environment group indicated that a memorandum standing has been used to put restrictions on this even though this technology is important and even though environmental assessments said this has no impact. It is temporary. It is mobile. It does not leave a footprint. And if any of these areas were to be created as wilderness, this would have to be, by the memo of understanding, moved.

This picture is of a cactus illegally cut down. It's a crime scene. The illegal wild cut this cactus down used this to stop a passenger, then to rob and beat him and then leave him on the scene. The irony is, by the laws we have, if the Border Patrol were to try to move this, that violates the Endangered Species Act if this was one of the programs. This was going to be a long-term delay in getting the work done. So we had no choice but to go to the Rules Committee and get a structured rule. I would have preferred an open rule, but I support what our leadership has done. I think until the leadership gets together and works out a different way, we're going to be doing it this way. It takes both sides here to cooperate and to realize that we have to limit the number of amendments, either by an agreement or by a structured rule.

Now this is a very good bill. I hope that this dispute about the procedure doesn't get in the way of the fact that this is one of the best—maybe the greatest—Interior appropriations bill that has ever been enacted.

The SPEAKER pro tempore. The gentleman from Washington (Mr. DICKS).

Mr. DICKS. I just want to yield an additional minute to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I want to say something. Over the last 8 years, between 2001 and 2008, during the previous administration, the budget for the Interior Department was cut by 16 percent. The budget for the Forest Service was cut by 29 percent; and the budget for the Fish and Wildlife Service, at the BLM. So even with a better budget, we still do not have enough money to take care of all the issues that we need to address.

But this is a good bill that deserves our support, and this rule deserves support.

Ms. FOXX. Madam Speaker, I think it's important to point out to the American people that there are only 60 members on the Appropriations Committee, which means that only 60 out of 435 Members in this body had the opportunity to amend the bill that's under consideration here. If we had an open rule, every Member would have had that opportunity.

And I'd also like to mention that my colleague from Colorado said, Only one Democrat amendment was accepted and 12 Republican amendments. But that reinforces the point that even Members of his own party were turned away from offering amendments, and that isn't right.

Madam Speaker, I would like to yield now 2 minutes to our distinguished colleague from California (Mr. NUNES).

Mr. NUNES. Madam Speaker, 636 days of inaction. 636 days of a man-made drought, a California dust bowl.

Last week there was a close vote, apparently too close for the Democrat leadership. The bipartisan amendment I offered would have stopped the Obama administration from taking additional measures to starve the people of the San Joaquin Valley of water. The Democrat leadership will not risk the possibility of defeat again. No mistake—this time no vote will be allowed on the House floor this week on my new amendment to the Interior bill.

The hypocrisy of this situation is that the Democrat majority in this House have chosen the 3-inch minnows over working families. What we are witnessing is the greatest elected assembly in the history of the world starving its citizens of water, acting like a despot who tortures the innocent just to stay in power. Make no mistake—now power has become witness—power that injures and wounds, exercised at the highest levels of this government, straight from the Obama White House and the Democrat leadership in this Congress. They will try to get away with it, but we will keep power. Their victims are our constituents, the people of the San Joaquin Valley, who have done nothing to deserve this cruelty at the hands of this government. The clock is ticking. There is merely 3 days and counting. This is the number of days that have passed since I asked the Democrats in this body to take direct action and avoid destruction of the San Joaquin Valley. Instead, we've had 636 days of inaction. 636 days of a man-made drought, a California dust bowl.
House having a luau; and in the meantime, there’s 40,000 people without jobs in the San Joaquin Valley because of the inaction by the Democrats and this Congress. Come back. Stop the luau.

Stop the party, and come back, and vote the rule off and allow an amendment on this bill to bring people of the San Joaquin Valley.

Come back. Stop the party. Come back now.

Mr. POLIS. Madam Speaker, to address the gentleman from California—in a previous discussion at the Rules Committee, we talked about the fact that the Secretary of the Interior, Secretary Salazar, has agreed to visit San Joaquin Valley and learn more about the situation firsthand to address the very legitimate concern that the gentleman from California has raised.

As a fellow Coloradan, I can attest to the savvy ability of our former Senator, former Attorney General, former water lawyer, one of the most knowledgeable minds and best minds that we have in the area of water law, water rights and water. I know that the gentleman from California shares our desire to address the legitimate issue raised by his constituents. I have every degree of confidence that the Secretary will play a constructive role in doing that.

The health of our communities is our most precious resource. This bill provides much-needed investment in the Environmental Protection Agency, $10.5 billion, a large portion of which will improve our water and wastewater infrastructure. As a westerner, I understand the vast challenges we face with water. Establishing the water infrastructure that encourages and promotes conservation is of incredible importance for regions that will only see their water sources become fewer and farther between as demands grow.

In Colorado, we rely on clean water not just for municipal and agricultural use—many of our communities are supported by visiting kayakers, fly fishermen and outdoorsmen from across the country who flock to our pristine rivers and in doing so, are a key driver of the success of our economy. Our environment, communities, industries and businesses all stand to gain under the legislation in an open, deliberative determination, which is hardly what the courts have decided the EPA’s mandate is environmental or enforce its Notice of Proposed Rulemaking finding six greenhouse gases constitutes a threat to the public’s health and welfare. On April 24, 2009, the EPA issued a proposed rulemaking that it had found six greenhouse gases—carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride—pose a significant threat to the public’s health and welfare. This unprecedented finding is a precursor for the EPA to regulate these gases’ emission, with or without explicit authority from Congress to do so.

My amendment would have simply returned this explicit authority to Congress to regulate greenhouse gases. Without this amendment, the EPA could threaten sweeping changes without giving any consideration whatsoever to its effects on the economy since the EPA’s mandate is environmental and economic health and welfare. On April 24, 2009, the EPA’s finding six greenhouse gases constitutes a threat to the public’s health and welfare. This unprecedented finding is a precursor for the EPA to regulate these gases’ emission, with or without explicit authority from Congress to do so.

Madam Speaker, I would now like to reserve the balance of my time.

Ms. FOXX. Madam Speaker, our colleagues from California made an impassioned plea in the Rules Committee and again here on the floor today, and I have to ask the question: The Secretary of the Interior has been there to see the situation in the San Joaquin Valley. What more does she need to see? Valued Mr. Salazar, and will we take action to turn this water back on? How much more damage needs to occur before the Obama administration needs to take action or will take action on the needs there? As a person who grew up without water, I am very, very sensitive to this issue, and I know what a devastating thing it can be to have water.

Mr. ROE of Tennessee. I thank the gentlewoman for yielding.

Madam Speaker, I strongly urge opposition to this undemocratic rule. The majority is apparently unwilling at best or afraid at worst of debating whether the Environmental Protection Agency should have the authority to change the Clean Air Act without congressional opinion.

I went to the Rules Committee last night and asked them to make in order my amendment that would prohibit the EPA from using funding to implement the Clean Air Act. If this amendment could have removed a threat so grave that it had found six greenhouse gases to their effects on the economy since the EPA’s mandate is environmental and economic health and welfare. On April 24, 2009, the EPA issued a proposed rulemaking finding six greenhouse gases constitute a threat to the public’s health and welfare. This unprecedented finding is a precursor for the EPA to regulate these gases’ emission, with or without explicit authority from Congress to do so.

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Unfortunately, the Rules Committee blocked this amendment. Furthermore, Congressman Lewis and Congressman Blackburn had similar amendments, and the Rules Committee denied all three. If we had an open rule, we could not be debating all three of our amendments. We would be debating one. Unfortunately, because of the Democrats’ unprecedented lockdown rule, we don’t get a chance to debate at all. This is a travesty for democracy.

I urge all Members to reject the Democratic leadership’s attempt to stifle debate and impose its will on the House by defeating this embarrassing rule.
Mr. POLIS. Madam Speaker, the economy of Colorado and many other States rely on the health of our public lands. Our public lands draw visitors every year to explore Rocky Mountain National Park, hike the Collegiate Peaks Wilderness, or enjoy skiing on our world-class slopes.

To protect the historic and natural beauty of our State and our country, this bill includes much-needed increases for both the national parks as well as the wildlife refuges. The $2.7 billion provided for the National Park Service includes a $100 million increase to operate the parks and $25 million for the Park Partnership Program.

I was lucky enough to have grown up in Boulder, Colorado, hiking in Mount Sanitas, the Flat Irons, and Flagstaff Mountain, areas under public management. This bill will protect and defend some of America’s truly great public lands so that children all across the country can grow up enjoying our environment and interacting with it every day just as I and many of my colleagues did.

We provide over $500 million to operate the National Wildlife Refuge System, $30 million above the request. These funds provide critically needed staff for many areas, implement climate change strategies and improve conservation efforts. Currently more than 200 of the 550 National Wildlife Refuges have no on-site staff. This bill also provides $50 million for the Land and Water Conservation Fund, including an $11 million increase for the stateside land acquisition account in the National Park Service.

Colorado’s landscape goes hand in hand with its character. All of us define where we come from by the character of our natural heritage. We’re lucky to have as many beautiful places across our country set aside as public lands. Over half of the State of Colorado is held in public trust as a national forest. My district is home to the Indian Peaks Wilderness and the White River. The White River is the single most visited national forest in the Nation, and we have many other marvelous attractions as well in the public trust.

This bill invests in public land management, State assistance, and science programs at the U.S. Forest Service. The nonfire Forest Service budget is $2.77 billion, $150 million above the request for the Legacy Road and Trail Remediation Program at the Forest Service to protect streams and water systems from damaged forest roads. This effort is a key part of our effort to protect the national forests and grasslands.

All of Colorado’s outdoor enthusiasts, not to mention their invaluable impact on education and recreation, are another important American resource which we must protect. Under this bill, the National Endowment for the Arts and the National Endowment for the Humanities will each receive $170 million, a $15 million increase above 2009 for each endowment. This bill also supports the Smithsonian Institution here in Washington, D.C. and across the country, the world’s largest museum complex, with an increase of $15 million above the President’s request and $43 million above 2009 levels.

Madam Speaker, I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I love our national parks. My husband and I visit them whenever possible because we believe that they are crown jewels in our environment in this country. But by putting this and future generations further into debt, we are making it less likely that the population of this country is going to be able to visit these wonderful national parks.

I offered an amendment yesterday in the Rules Committee that was intended to save taxpayer money that was also not made in order; so we will not be debating it on the floor of the House today, much to my disappointment and all of our constituents’ detriment.

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I offered an amendment yesterday in the Rules Committee that was intended to save taxpayer money that was also not made in order; so we will not be debating it on the floor of the House today, much to my disappointment and all of our constituents’ detriment.

The provisions in this bill have been built with strong bipartisan support and were designed to pay for themselves. And by protecting the health of our Nation’s drinking water, boosting our water supply as well as our beautiful parks and wild lands, and, in turn, our national tourism industry, and reducing the threat of global climate change, I can’t think of a wiser investment to make or a better time to make it than now.

Madam Speaker, I reserve the balance of my time.

Ms. FOXX. Madam Speaker, as my colleagues have spoken so eloquently before me about the process by which this rule has been brought to the floor by the majority, I want to talk again about what’s wrong with this closed process.

Never before in the history of this Congress have we seen this kind of action by the majority party. As my colleagues have expressed during today’s debate on this rule, as well as the past two appropriations debates, bringing appropriations bills to the floor under a closed rule is unprecedented. It’s very important that the American people understand that. It does an injustice to both Democrats and Republicans who want to have the opportunity to offer amendments and participate in debate with their colleagues over pressing issues of our time.

By choosing to operate in this way, the majority has cut off the minority and their own Democrat colleagues from having any input in the legislative process. By closing the debate, the Democrats in charge have denied their colleagues on both sides of the aisle the ability to do the job that they have been elected to do. That job is to offer ideas that represent and serve their constituents. The Democrats are denying Members the ability to offer improvements to legislation, and this is an injustice to our colleagues on both sides of the aisle.

Article I, section 9 of the Constitution places the responsibility to spend the people’s money in our hands as Members of Congress. This is a great responsibility given only to this congressional body with the expectation that we will engage in rigorous debate over how to best appropriate taxpayer funds. However, the majority has chosen to refuse Members any participation in this decisionmaking and instead has anointed itself as the sole appropriators in this legislative body. The Democrats in charge are limiting their constituents’ participation. The Democrats are denying Members the ability to offer improvements to legislation, and this is an injustice to our colleagues on both sides of the aisle.

Our constituents in both Republican districts and Democrat districts are...
struggling to make ends meet, are facing unemployment, and yet are simultaneously being shut out of participating in a debate of how their hard-earned taxpayer dollars are being spent by the Federal Government.

Why is the majority blocking debate on such important legislation? Are they afraid of debate? Are they protecting their Members from tough votes? Are they afraid of the democratic process?

After promising to make this Congress the most open and honest in history, Speaker PELOSI has time and time again worked to shut out both Republicans and Democrats from participating in debate and taking part in the legislative process. And I would like to give one quote from the Speaker when she was trying desperately to take control of this House. This is her quote: "Bills should generally come to the floor under a procedure that allows open, full, and fair debate, consisting of a full legislative process that gives the minority the right to offer its alternatives, including a substitute."

This is exactly the opposite of what the Speaker is doing. Why is she going back on her word? Is she afraid that the American people will disagree with her? Is she keeping other Democrats from having to make tough decisions on difficult votes? Is she afraid of democracy, the very principle upon which our country was founded?

Madam Speaker, it’s very concerning to me that the Democrats in charge have chosen to silence the minority yet again. In quote, they have chosen to keep the millions of constituents the minority represents from having a voice on the floor of the people’s House.

Several of my colleagues, both Republicans and Democrats, offered amendments to the Rules Committee, amendments which were arbitrarily not made in order by the majority.

These amendments included asserting Second Amendment rights on Federal lands, protecting private property rights, preventing excessive regulation of greenhouse gases, eliminating excessive earmark spending across the Nation, increasing our ability to produce energy domestically, and cutting unnecessary funds in order to save our constituents money.

The list goes on and on, but these amendments will not be heard on this floor because, for some reason, the majority is afraid of allowing debate on these topics.

And we fear it’s going to get even worse because they are working very hard to bring to the floor a bill on climate change. They stopped calling it global warming and now are calling it climate change.

This bill, H.R. 2454, is a $646 billion tax that will hit every American family, small business and family farm. Speaker PELOSI’s answer to the country’s worst recession in decades is a national energy tax that will lead to higher taxes and more job losses for rural America and small businesses.

It will shift jobs to China and India. The bill will result in an enormous loss of jobs that would ensue when U.S. industries have to bear the cost of the national energy tax and other provisions, like sending jobs overseas. There is little debate that the tax would outsource millions of manufacturing jobs to countries such as China and India.

According to the independent Charles River Associates International, H.R. 2454 would result in a net reduction in U.S. employment of 2.3 million to 2.7 million jobs each year of the policy through 2035.

Higher gas prices. The American Petroleum Institute reports that the cost impacts of H.R. 2454 could be as much as 77 cents per gallon for gasoline, 83 cents per gallon of jet fuel, and 88 cents for diesel fuel.

The Heritage Foundation has estimated that as a result of these increased prices, the average household will cut consumption of gasoline by 15 percent, but forcing a family of four to pay at least another 27 percent more for fuel in 2012. It’s going to be a huge impact.

It’s also going to unfairly target rural America. Rural residents spend 58 percent more on fuel and travel 25 percent farther to get to work than Americans living in urban areas.

Farm income would drop as a result of H.R. 2454, according to a Heritage Foundation study, $8 billion in 2012, $25 billion in 2024, and over $30 billion in 2035; decreases of 28 percent, 60 percent, and 94 percent, respectively.

More importantly, 25 percent of U.S. farm cash receipts come from agricultural imports. U.S. farmers would be at a severe disadvantage compared to farmers and nations which do not have a cap-and-tax system and correspondingly high input costs. Over 100 State and agricultural groups oppose the cap-and-tax bill.

Madam Speaker, what it appears is happening here in this House is nothing less than a tremendous power grab of congressional and executive power. Over 100 State and agricultural groups oppose the cap-and-tax bill.

Madam Speaker, what it appears is happening here in this House is nothing less than a tremendous power grab of congressional and executive power. Over 100 State and agricultural groups oppose the cap-and-tax bill.

With that, Madam Speaker, I would like to yield 3 minutes to our colleague from the State of Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Thank you, Madam Speaker, and I rise to enter into a brief colloquy with my friend from Mount Baker, Mr. DICKS.

In this bill, in the underlying bill, there are monies for land acquisition, national forest land acquisition. I know that the gentleman and I have a little different view on that. I am not necessarily against land acquisition for the Federal Government, and I know you have a different view on that.

But there is a provision in this bill that allows for land acquisition within my district, and I have specifically said in the past that I don’t want to have any more land acquisition in my district.

My understanding, and the way the language is is that there would be some allowance for that land acquisition to happen in other Members’ districts, principally in western Washington, until—at least we have an opportunity in my district. Counties are concerned about that because it takes land off the tax rolls.

So I would wonder if the ranking member would work with me on this land acquisition so that we can at least satisfy the counties’ concerns should this land acquisition move forward.

With that, I would yield to my friend from Washington.

Mr. DICKS. Thank you for yielding. Is this the Cascade ecosystems in Mount Baker, Wenatchee?

Mr. HASTINGS of Washington. That is the land I am talking about, yes.

Mr. DICKS. And this is in the Forest Service?

Mr. HASTINGS of Washington. Yes, that’s correct.

Mr. DICKS. This is the first I have known of this. My colleague from Washington State, I understand your very long and very principled position on this issue. I would be delighted to look at the issue, and report back to the Gentleman on what I have found out and see what the situation is with the Forest Service.

Mr. HASTINGS of Washington. Good. Reclaiming my time, I appreciate that. Again, the basis of that is I have heard from my local subcommittee, smaller rural counties than what is on the other side of the mountains, and they are concerned about the loss of revenue, rightly so. And so I want to make sure that on anything like that they are at least made whole.

And I appreciate the gentleman taking a look at that, and I look forward to working with him. And I would yield if he has more to say on that.

Mr. DICKS. Yes, I appreciate the gentleman bringing this to our attention, and we look forward to working together, as we have on many projects throughout the years.

Mr. HASTINGS of Washington. Good. I thank the gentleman for taking that and for his work, and I look forward to working with him.

Mr. POLIS. Madam Speaker, I would like to yield 2 minutes to the gentleman from Washington, the Chair of the subcommittee, Mr. DICKS.

Mr. DICKS. I want to point out that in this bill, at the request of the local cities and counties of our country, we have appropriated some money that will be used for climate change and to deal with the impacts of climate change.

And I would just point out, since this issue was raised on the other side of the aisle, that if we were going to do meaningful work on climate change, it’s going to take our local communities to be involved, to work with their transportation systems and their energy systems and do all the other work that’s necessary to deal with the
Yield back the balance of my time, Mr. POLIS. Madam Speaker, the jobs that this bill creates are very real: repairing our roads, doing trail work. Over 40,000 jobs are created, just as real as the jobs that are created under the American Recovery and Reinvestment Act. As I was driving through the mountain area of my district just last week, I saw signs alongside the road that these jobs are created by the American Recovery and Reinvestment Act. There were men and women at work making necessary improvements in our infrastructure and preparing it for the next generation. This bill provides crucial investment in America’s resources, natural assets, and the green issues, has the highest uncounted on having so many jobs from this bill. As representatives of the people and land of this great Nation, it’s our responsibility to protect our resources and be good stewards of our forests, our parks, our wild lands, and our waters. This bill reinforces that imperative and makes sure that we keep our resources safe and take great steps to ensure that future generations will be able to enjoy them for years to come. I urge a “yes” vote on the previous question and the rule.

The material previously referred to by Ms. FOXX is as follows:

Amendment in the Nature of a Substitute Offered by Ms. FOXX of North Carolina

Strike the resolved clause and all that follows and insert the following:

Resolved, That immediately upon the adoption of this resolution, the Speaker shall, pursuant to clause 2(d) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or clause 10 of rule XXI. General debate shall be limited to 30 minutes and shall be concluded immediately upon the adoption of this resolution. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of Ways and Means may record minority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of this resolution referred for which purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening any motion to recommit with or without instructions.

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

The Vote on the Previous Question: What It Really Means

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

Mr. Clarence Cannon’s Precedents of the House of Representatives (VI, 308-311) describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House be heard by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s rule adopted on January 15, 1879, that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1969, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to this recognition.”

Because the vote today may look bad for the Democratic majority they will say “the vote on the previous question is simply a vote whether to proceed. The immediate vote on adopting the resolution... and has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress (page 56): “How the Committee described the rule using information from Congressional Quarterly’s “American Congressional Dictionary”: “If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.” Deschler’s Procedure in the U.S. House of Representatives, subchapter titled “Amending Special Rules” states: “a refusal to order the previous question is a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, Section 21.21). When the Speaker re-jects the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule has substantive legislative implications. It is one of the only available tools for those who oppose the Democratic majoritey’s agenda and allow the alternative views the opportunity to offer an alternative plan.

Mr. POLIS. Yield back the balance of my time, and I move the previous question on the resolution on the pending business.

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

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

Mr. FOXX. Madam Speaker, I urge my colleagues to vote “no” on the previous question and “no” on the rule.
Whereas on January 20, 2009, Barack Obama was inaugurated as President of the United States, and the outstanding public debt of the United States stood at $10.6 trillion;

Whereas on January 20, 2009, in the President’s inaugural address, he stated, “[t]hose of us who manage the public’s dollars will be held to account, to spend wisely, reform bad habits, and do our business in the light of day, because only then can we restore the vital trust between a people and their government.”;

Whereas on February 26, 2009, the President signed into public law H.R. 1105, the Omnibus Appropriations Act of 2009; the Omnibus Recovery and Reinvestment Act of 2009 included $575 billion of new spending and $212 billion of revenue reductions for a total deficit impact of $787 billion;

Whereas the borrowing necessary to finance the American Recovery and Reinvestment Act of 2009 will cost an additional $300 billion; and

Whereas on March 11, 2009, the President signed into public law H.R. 1105, the Omnibus Appropriations Act, 2009;

Whereas the Omnibus Appropriations Act, 2009 constituted nine of the twelve appropriations bills on the floor of the House to what it was in an earlier era—less than $6 trillion compared to the President’s budget;

Whereas the challenge to cut a collective $100 million represents just 1 out of 4,000 of the Federal budget;

Whereas on June 16, 2009, total outstanding Troubled Asset Relief Program, or TARP, funds to AIG stood at $69.8 billion;

Whereas on June 16, 2009, total outstanding TARP funds to banks stood at $197.6 billion;

Whereas on June 16, 2009, total outstanding TARP funds to domestic automotive manufacturers and their finance units stood at $80 billion;

Whereas on June 19, 2009, the outstanding public debt of the United States was $11.4 trillion;

Whereas on June 19, 2009, each citizen’s share of the outstanding public debt of the United States was $36,963;

Whereas according to a New York Times/CBS News survey, three-fifths of Americans (60 percent) do not think the President has developed a clear plan for dealing with the current budget deficit;

Whereas the best means to develop a clear plan for dealing with runaway Federal spending is a real fiscal restraint and an open and transparent appropriations process in the House of Representatives;

Whereas before assuming control of the House of Representatives in January 2007, Congressional Democrats were committed to an open and transparent appropriations process;

Whereas according to a document by Congressional Democrats entitled “Democratic Declaration: Honest Leadership and Open Government,” page 2 states, “Our goal is to restore accountability, honesty and openness at all levels of government.”;

Whereas according to a document by Congressional Democrats entitled “A New Direction for America,” page 29 states, “Bills should generally come to the floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the Minority the right to offer its alternatives, including a substitute.”;

Whereas the San Francisco Chronicle reported, “Speaker Pelosi pledged to restore ‘minority rights’—including the rights of Republicans to offer amendments to bills on the floor. The principles of civility and respect for minority participation in this House is something that we promised the American people, she said. ‘It’s the right thing to do.’” (The San Francisco Chronicle, November 21, 2006);

Whereas on December 6, 2006, Speaker Nancy Pelosi stated, “[w]e promised the American people we would have the most honest and open government and we will.”;

Whereas on December 17, 2006, the Washington Post reported, “After a decade of bitter partisanship that has all but crippled efforts to deal with major national problems, Pelosi is determined to try to return the House to what it was in earlier era, where you debated ideas and listened to each other arguments.” (The Washington Post, December 17, 2006);

Whereas on December 6, 2006, Majority Leader Steny Hoyer stated, “We intend to have a Rules Committee . . . that gives opposition voices and alternative proposals the opportunity to be heard on the floor of the House.” (CongressDaily PM, December 5, 2006);

Whereas during debate on June 16, 2005, in the Congressional Record on page H4410, Chairwoman Louise M. Slaughter of the House Rules Committee stated, “If we want to foster democracy in this body, we should take the time and thoughtfulness to debate all major legislation under an open rule, not just appropriations bills, which are already richly replete. An open rule should be the norm and not the exception.”;

Whereas since January 2007, there has been a failure to commit to an open and transparent process in order to develop a clear plan for dealing with runaway Federal spending.

Whereas more bills were considered under closed rules, 64 total, in the 110th Congress under Democratic control than in the previous Congress, 19, under Republican control;

Whereas fewer bills were considered under open rules, 10 total, in the 110th Congress under Democratic control, than in the previous Congress, 22, under Republican control;

Whereas fewer amendments were allowed per bill, 7.68, in the 110th Congress under Democratic control, than in the previous Congress, 9.23, under Republican control;

Whereas the failure to commit to an open and transparent process in order to develop a clear plan for dealing with runaway Federal spending reached its peak during the House’s handling of H.R. 2467, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;

Whereas H.R. 2467, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010 contains $64.4 billion in discretionary spending, 11.6 percent more than enacted in FY 2009;

Whereas on June 11, 2009, the House Rules Committee issued an announcement stating that amendments for H.R. 2467, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010 must be pre-printed in the Congressional Record by the close of business on June 15, 2009;

Whereas both Republicans and Democrats filed 127 amendments in the Congressional Record for consideration on the House floor;

Whereas on June 15, 2009, the House Rules Committee reported H. Res. 544, a rule with a pre-printing requirement and unlimited pro forma amendments for purposes of debate;

Whereas on June 16, 2009, the House proceeded with one hour of general debate, or one minute to vet each $3.02 billion in H.R. 2467, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;

Whereas after one hour of general debate the House proceeded with amendment debate;

Whereas after just 22 minutes of amendment debate, or one minute to vet each $3.02 billion in H.R. 2467, a motion that the Committee rise was offered by Congressional Democrats;

Whereas the House agreed on a motion that the Committee rise by a recorded vote of 179 Ayes to 124 Noes, with all votes in the affirmative being cast by Democrats;

Whereas afterwards, the House Rules Committee convened a special, untelevised meeting to dispense with further proceedings on H.R. 2467, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;

Whereas on June 17, 2009, the House Rules Committee reported H.R. 2467, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;

Whereas on June 19, 2009, every House Republican and 27 House Democrats voted against agreeing on H. Res. 552;

Whereas H. Res. 552 made in order just 23 amendments, with a restrictive and restrictive structured rule for H.R. 2467, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;

Whereas on June 19, 2009, the House Rules Committee reported H.R. 2467, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010;