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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

Reverend Matthew Southall Brown, Sr., St. John Baptist Church, Savannah, Georgia, offered the following prayer:

Our Father, we are confident that You are here in the midst of all of us, so as we gather here this morning, we ask for Your wisdom and courage for the Members of this august body as they face the challenges of this day.

Lord, I pray, lead them and guide them in matters facing this Nation and indeed the world. We live, my Father, in a time when ''men are trying to war their way to peace, spend their way to wealth and enjoy their way to Heaven.''

Lord, it is our prayer that each Member of this House of Representatives be sensitive to Your voice, the needs of the people of America and indeed throughout the world. May the decisions made here be for the good of America and the world.

Hasten the day, Father, when men will ''beat their war tools into pruning hooks and study war no more.'' Finally, my Father, we pray for our President, Barack Obama, his family, and all leaders of this great Nation.

May this Nation once again hear the words of the Lord Himself saying, ''If My people who are called by My name will humble themselves and pray and seek My face and turn from their wicked ways, then I will hear from heaven and will forgive their sins and heal their land.''

It is in the name of Him Who said, ''If I be lifted up from the Earth, I will draw all men unto Me.''

It is in His name we pray. Let the people of the Lord say amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) come forward and lead the House in the Pledge of Allegiance.

Mrs. CHRISTENSEN led the Pledge of Allegiance as follows:

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

WELCOMING REV. MATTHEW SOUTHALL BROWN, SR.

The SPEAKER. Without objection, the gentleman from Georgia (Mr. BARROW) is recognized for 1 minute.

There was no objection.

Mr. BARROW. Madam Speaker, I rise to pay tribute to my friend, Rev. Matthew Southall Brown, Sr., who delivered the invocation for the House this morning.

If history is biography, then the history of the civil rights movement in my home of Savannah, Georgia, is the biography of Matthew Southall Brown. He got involved in the movement before there was a movement helping to bring about the end of one era and the birth of another.

During World War II, Rev. Brown was serving as an Army non-com in Europe when the Battle of the Bulge broke out. In those days, blacks were confined to supporting units. But when men were needed to fight, General Eisenhower called for black soldiers to volunteer infantry duty. Rev. Brown was one of the 2,221 who answered that call, even though he had to give up his rank to do so.

Later, answering a different call, Rev. Brown was chosen to lead Savannah's historic St. John Baptist Church. For over 35 years, Pastor Brown not only led his church family; he was a leader in the movement to secure equal rights and equal opportunity for everyone in our community.

Rev. Brown, thank you for being there with my father in Europe and for your willingness to give your life to help us win that war, even when it was unfair. But more importantly, thank you for spending your life to help us win the peace. Sometimes it's an awful lot easier to fight for your country than it is to live for your country. You've done both, and for that we salute you.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

TRIBUTE TO THE 25TH ANNIVERSARY OF REV. JESSE JACKSON'S RUN FOR THE PRESIDENCY

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

Ms. LEE of California. Madam Speaker, I rise today to recognize and honor the contributions of a truly great American who is with us today, the Reverend Jesse Louis Jackson.

Twenty-five years ago, Rev. Jackson embarked on a trailblazing run for the Presidency which really did energize our Nation and was an inspiration to millions. Many Members of this body are here today as a result of the movement Rev. Jackson led.

Rev. Jackson's run for the White House gave us more than hope. He showed us how to build a serious grass-

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roots movement that cut across race and class. We learned how to empower and engage our communities so that our voices would be heard and our issues addressed.

In the 25 years since Rev. Jackson's historic run for the Presidency, America has witnessed monumental changes culminating in our Nation electing the first African American President. Much remains to be done in this great Nation to achieve the American Dream, but Rev. Jackson's example of perseverance and coalition-building continues to inspire hope and change and provide for the participation of all of those in our great democracy.

Rev. Jackson, you have shown us that if the dream can be conceived, it can be achieved. And we honor you today.

RECOVERY.GOV REPORTS FAKE JOBS

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

Mr. WILSON of South Carolina. Mr. Speaker, last night, I learned that the government's own official Web site that was designed to report waste, fraud and abuse of the misnamed stimulus funds has produced a fake report.

Recovery.gov, the official administration Web site, shows that $6 million was to create six jobs in South Carolina's fake 16th Congressional District. It shows that $3 million couldn't even produce a single job in South Carolina's fake 43rd District.

Somehow, $1.8 million was spent for 1.4 jobs in the fake 00 district. This would be funny, but the money belongs to the taxpayers, not the government. The administration is mocking people looking for jobs.

Americans are faced with fake districts and fake jobs. Democrats and Republicans should work together to jump-start America's economy by promoting real jobs for real, hardworking American families.

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

Congratulations, Jesse Jackson of Greenville, South Carolina.

HONORING AND RECOGNIZING THE REVEREND JESSE JACKSON

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

Mrs. CHRISTENSEN. Mr. Speaker, I proudly rise today in honor of the Reverend Jesse Jackson, Sr., and to recognize his landmark and barrier-breaking run for the Presidency of the United States of America 25 years ago. I was his campaign Chair in the U.S. Virgin Islands and a committed delegate during both campaigns and conventions.

Although I recall those days on the platform committee, fighting for every vote on the floor and the tears of admiration from people from every corner and segment of U.S. society when he spoke to us, what I remember most was his coming to the aid of an often cast-aside, forgotten or ignored, misunderstood territory of our great Nation in our time of need.

After the devastation of Hurricane Hugo in 1989 and the ensuing negative media portrayal that our community endured in its wake, I contacted him through my DNC Black Caucus Chair, Dr. C. Delores Tucker, and Rev. Jackson came to St. Croix with an entourage that included Cicely Tyson to bolster our spirits, inspire our recovery efforts, and stave off an ill-informed Presidential declaration of martial law.

Jesse, there is so much for which we are grateful to you, but for me and the people of the U.S. Virgin Islands, we love you for always coming to the aid of those whom many look upon as the ''least of these,'' God's people. You are doing God's work.

□ 1015

CONGRATULATING ST. AGNES SCHOOL IN FORT WRIGHT, KENTUCKY

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

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to recognize the students, faculty, and staff at St. Agnes School in Fort Wright, Kentucky. St. Agnes was recently named a 2009 Blue Ribbon School. The Blue Ribbon Schools Program honors schools that are either academically superior or that demonstrate dramatic gains in student achievement to high levels. These schools serve as models for others throughout the Nation.

I recently had the opportunity to meet the students and faculty at St. Agnes and speak with them about their efforts to improve their school. Students and staff are unable to be here today in Washington with us because they're back in Kentucky working hard in the classroom to uphold their high standards. However, the students in Ms. Patti Conway's first-grade class sent a distinguished visitor to represent them in Washington, D.C.

Mr. Speaker, I ask my colleagues to join me in welcoming Teddy to the House of Representatives and extend our congratulations to all of the students of the St. Agnes community for their outstanding achievement.

CELEBRATING THE LIFE OF REV. JESSE JACKSON

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

Mr. KUCINICH. We feel the presence of Rev. Jesse Jackson not only in this Chamber but in this Nation. Through nearly a half century commitment to social and economic justice, Rev. Jackson heard the call of Dr. King and marched for civil rights and helped to make civil rights for millions of Americans a reality.

He heard the call of the prophet Isaiah early in his life and made justice the measuring line—not just social justice, but economic justice, political justice. He heard the call of Matthew and made his life about a commitment to doing for the least of the brethren; asked the question, When I was hungry, did you feed me? When I was homeless, did you shelter me?

He has been and continues to be a powerful force for economic justice in America. He has and continues to be a person who points the way—a way-shower—for jobs, for health care, for housing, for education. Let us celebrate Rev. Jesse Jackson by continuing to support his work.

THE AMTRAK SECURE TRANSPORTATION OF FIREARMS ACT OF 2009

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

Mr. FLEMING. Mr. Speaker, last month, I introduced H.R. 3789, the Amtrak Secure Transportation of Firearms Act of 2009. The bipartisan legislation will permit law-abiding gun owners to legally transport firearms on Amtrak trains—just as Americans have been able to do for years on our Nation's airlines.

Currently, sportsmen who choose to travel by rail for a hunting trip are left in an impossible situation because of Amtrak's prohibitions against checking unloaded firearms in the secure baggage car. Conversely, these same gun owners are legally allowed to check guns in their luggage on our Nation's airlines, of all places. Why the double standard? Should our federally subsidized passenger rail line have more restrictive regulations than air carriers?

The Amtrak Secure Transportation of Firearms Act would require Amtrak to enact regulations similar to those the U.S. airline industry uses to regulate the secure transport of firearms on airplanes. The requirements would apply for any year that Amtrak receives a federal subsidy.

I ask my colleagues here to support this bill.

TRIBUTE TO REV. JESSE JACKSON

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

Mr. CONYERS. Mr. Speaker, as I look over the House, no one has known Jesse Jackson longer than I. I remember him coming to Detroit, I remember going to Chicago, and I remember the work that he was doing even before Dr. Martin Luther King added him to the top of his staff as a valuable assistant.

The quest that he pursued then is still the quest that he pursues now.

Over the 25 years, he hasn't changed. As a matter of fact, he has become international. I'm so proud that in our State we nominated him for President in one of his runs. Obviously, now the connection is clear—from Jackson to Obama. Rev. Jackson, we owe you this victory that we celebrate today.

GOVERNMENT TAKEOVER OF HEALTH CARE

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

Mr. GINGREY of Georgia. Mr. Speaker, I oppose a government takeover of our Nation's health care system, like the one the House passed late in the night on Saturday, November 7. The Democratic legislation—a 1,990-page, $1 trillion bill—will raise taxes, it will increase our national debt, and, worse, it will put government bureaucrats between patients and doctors.

I agree it's important to reform our health care system, Mr. Speaker, but this is not the way to do it. I've spent the last 10 months trying to share my perspective as a physician for over 30 years with my colleagues. This legislation that the Democrats put on the floor of the House proves that the Speaker doesn't care what practicing physicians or indeed the American public think.

This legislation is the wrong direction for America, and it is a death knell for quality care for American patients, and I'm disappointed in my colleagues who voted to pass that measure.

Mr. Speaker, I reject any government takeover of our Nation's health care system.

REV. JESSE JACKSON: A GOOD SAMARITAN

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

Ms. JACKSON-LEE of Texas. I am privileged to join my colleagues this morning to celebrate a man who I call a Good Samaritan—who battled for the impoverished, those without voices, those who cannot speak for themselves. Rev. Jesse Jackson, who is with us here today, is a man of all seasons. He rescues, he discovers, he challenges. And there is no doubt in my mind that as Martin Luther King rests in peace, he is proud of Rev. Jesse Jackson. Jesse is the reason that we now can celebrate the election of President Barack Obama. But I know that he is also a man that finds problems and solves problems.

I thank him for coming to Houston, Texas, in the midst of the debacle of the Enron Company, and giving empowerment to the employee victims. As we stood outside that building and employees cried, Jackson was there with me to empower them and to give them, for the first time in history, a stakeholder position in receiving benefits that they would not have gotten. I thank him for coming to Galveston, Texas, and announcing and analyzing that insurance companies benefited from the work of slaves, and derived their wealth from unpaid labor—he demanded reparation for the people who were taken advantage of.

This is a man who goes and seeks those who, again, cannot speak for themselves. We are gratified that he is a Good Samaritan on the battlefield, fighting for those who, again, are voiceless. We're gratified that he received the Presidential Medal of Freedom in 2000 and was the third largest Democratic vote-getter when he ran for President in 1984.

Rev. Jackson, thank you, the Good Samaritan, our Rev. Jesse L. Jackson.

TERRORIST IN NEW YORK

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, can anything top this last week's lesson in absurdity and perversity? I'm talking about the administration's decision to bring Khalid Sheikh Mohammed and three other terrorist suspects from Guantanamo to New York. Absurd, because they have been charged before military tribunals, where they ought to be. Absurd, because it serves no purpose to bring them to the site of their worst action, just a stone's throw from Ground Zero. Perverse, because now, if you kill Americans on the battlefield, you will see justice done when you are captured by a military tribunal. But if instead of being a soldier on the battlefield, you attack Americans in their own home, you attack innocent Americans, you will now be privileged to get constitutional rights. The worse the terrorist, the greater the constitutional rights given to them. What a perverse action by this administration.

RECOGNIZING THE WORKS OF JESSE JACKSON

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

Ms. WATERS. Mr. Speaker and Members, 1984 and 1988 were the proudest and most productive periods of my life. Jesse Jackson ran for President both in 1984 and 1988, and I served as the national co-Chair and the Chair of the California campaign. I was so pleased to be a part of the Rainbow Coalition he formed that included African Americans, Hispanics, Arab Americans, Asian Americans, Native Americans, family farmers, the poor and working class, homosexuals, as well as white progressives. It truly was a Rainbow Coalition.

Listen to Jesse Jackson's campaign platform. Jobs. Creating a Works Progress Administration-style program to rebuild America's infrastructure; reversing Reaganomics-inspired tax cuts; cutting the budget of the Department of Defense by as much as 15 percent over the course of his administration; supporting family farmers by reviving many of Roosevelt's New Deal-era platforms; creating a single-payer system of universal health care; and applying stricter enforcement of the Voting Rights Act.

Jesse Jackson, thank you for the leadership that you provided. It is because of you and the hope that you created that has caused Barack Obama to be the President today.

NET NEUTRALITY VS. FREE SPEECH

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

Mr. POE of Texas. Mr. Speaker, the different ways we get our information in America have changed dramatically over the last few decades. We've gone from rabbit ears on our TV sets to cable satellite dishes and broadband. In the next decades, everything—radio, television, Internet, telephones—everything will use broadband.

''Net neutrality'' is a new legislative scheme cooked up by the government fairness police to ration broadband access. It's not about keeping the Internet ''neutral''—it's about government control. Anybody who's ever downloaded pictures over a slow Internet connection knows that some things use more Internet bandwidth than others. Under net neutrality, a plan disguised to make Internet access fair to everybody, the government actually rations how much bandwidth people can use. No one gets more than anyone else.

If the fairness police control broadband, they limit the amount of information people receive and how they receive it. This is the newest threat to free speech in modern times. It's yet more government control over all communication and information.

And that's just the way it is.

HONORING REV. JESSE JACKSON

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

Ms. KILPATRICK of Michigan. Today, I rise to recognize 25 years ago one of our leaders of this world, Rev. Jesse Jackson, ran for President. I was honored in 1988 to be a delegate when he ran again. Rev. Jackson, as was mentioned earlier, 25 years ago called for single-payer health care. Unfortunately, we weren't able to get it last week, but we're on the way to new health care competition.

He also called for increased funding for public education. Public education. Just what we need today. The Equal Rights Amendment—thank you, Rev. Jackson—has now become law. He called for a work program, an employee program, 25 years ago.

The things that you called for then, Rev. Jackson, in your leadership, still exist today. Thank you for standing up, for speaking out, for being the man that God intended that you be. We love you.

HONORING MIAMI-DADE COUNTY POLICE DEPARTMENT DIRECTOR BOBBY PARKER

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to honor a leader in my community, Miami-Dade County Police Department Director Bobby Parker. After serving honorably in the Army, Director Parker joined the Miami-Dade Police Department in 1976 and worked his way up the ranks, culminating in his promotion to director in April, 2004.

The Miami-Dade Police Department is the eighth-largest in the Nation, with over 4,700 personnel, serving almost 2.5 million residents and countless visitors to our community. Under Director Parker's leadership, the department has been at the forefront of effective law enforcement, and he's implemented numerous programs that have had a major effect in ensuring the safety and quality of life of our citizens.

Director Parker retired from the department earlier this month. His leadership and vision will be sorely missed, but his standard of excellence will surely carry on. On behalf of a grateful community, I wish to thank Director Parker for his outstanding service and wish him well in his future endeavors. May you long enjoy your retirement with family and friends, Director Bobby Parker.

RECOGNIZING PLEASANTON MILITARY FAMILIES

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

Mr. MCNERNEY. I rise today to commend the tireless efforts of the Pleasanton Military Families on behalf of the brave men and women in our Armed Forces. Created in 2004, the Pleasanton Military Families is a support group for active military personnel and their families based in my hometown of Pleasanton, California. The Pleasanton Military Families leads a public recognition program for our servicemembers by hanging yellow streamers along Main Street marked with the names of residents serving in our Armed Forces.

My family was honored that the Pleasanton Military Families hung a yellow pennant for my son, Michael, when he was serving in the Air Force. In addition, the Pleasanton Military Families hold warm welcome home ceremonies and sends packages to troops overseas.

All of these efforts to support our active duty personnel and their families give due honor to the sacrifice and service of these young men and women. I urge my colleagues to join me in recognizing the Pleasanton Military Families for their dedication and commitment to our men and women in uniform.

□ 1030

NETWORKS IGNORE PRESIDENT'S REVERSAL

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

Mr. SMITH of Texas. Mr. Speaker, during the Presidential campaign, then-Senator Obama made a ''firm pledge'' that he would not raise taxes on any family ''making less than $250,000 a year.'' President Obama reversed himself on that pledge by supporting a health care bill that imposes, ''new taxes on people who don't buy qualified health insurance, including those making (much) less than $250,000 a year,'' according to the Associated Press.

Not a single network news report mentioned the President's flip-flop in the days following his reversal, according to an analysis by the Business and Media Institute, and BMI found that less than one-third of the health care stories on the three networks even mentioned the $550 million in new taxes in the health care bill.

The national media should give Americans the facts, not ignore the truth. And, Mr. Speaker, if you'll indulge me for a second more, I have noticed that several individuals today have rightfully made speeches honoring the Reverend Jesse Jackson. I think it is very appropriate and fitting that his son, a Member of Congress, is presiding over the Chamber right now as temporary Speaker. I appreciate both his presence and his father's contributions.

THE REVEREND JESSE JACKSON, OUR CAPTAIN

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

Mr. CLEAVER. Mr. Speaker, back during the time when I played football in high school and college, I ended up on the corner. And it was at that time that most teams ran what was called ''student body right'' and ''student body left,'' which meant that there would be a sweep around the end and you would have a pulling guard, a pulling tackle, a wide receiver who was in motion, a fullback all leading a running back. The only people who could play that position were those who were willing to run into this interference. Now, the person who ran into the interference would rarely ever make a tackle, and only people who understood football would understand the job that this cornerback played. So playing that position, I never led my team in tackles, but my team elected me as its captain. They understood football.

And so, on the 25th anniversary of the Presidential run of the Reverend Jesse Jackson, Mr. Speaker, I nominate him as our captain. He is our captain because he was willing to go in and knock down the interference so that somebody else would make the tackle and get the recognition.

RECOVERY.ORG

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

Mr. PITTS. Mr. Speaker, I represent the 16th Congressional District of Pennsylvania. I'm not quite sure who represents the 23rd District or the 65th District, since these districts don't actually exist. They only exist in the fictional world created by recovery.gov, the administration's Web site that shows how many jobs were ''saved or created'' by the billions of dollars in so-called stimulus money.

For $18 million, the Treasury Department has produced a Web site that creates new congressional districts and then places saved jobs in those fictional districts. In one case, the purchase of a single riding lawnmower supposedly saved 50 jobs. Some companies have claimed that they have saved and created more jobs than the number of employees that they actually have. Now the leaders are talking about yet another stimulus package. We are about to spend our way into a fiscal tsunami, not economic recovery.

HONORING THE 25TH ANNIVERSARY OF THE REVEREND JESSE JACKSON'S PRESIDENTIAL CAMPAIGN

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

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today to join my colleagues in recognizing the 25th anniversary of Rev. Jackson's candidacy for President. He is a strong iconic voice for civil rights and social justice. It was his unwavering determination and leadership that inspired me to take action, first volunteering in 1984 and then again in those cold, snowy days in New Hampshire 4 years later.

Rev. Jackson's historic campaigns forever changed the political and social landscape of this country. He brought people together across the rainbow, regardless of social and economic status, race or religion, who shared a common vision for this country where everyone could achieve the American dream. Without question, Rev. Jackson's run 25 years ago laid the foundation for us to realize the rainbow in 2008 by electing Barack Obama.

Mr. Speaker, I rise today to honor Rev. Jackson. And I salute his efforts

that continue to this day for the least among us.

Rev. Jackson, today we are reminded that no trail is blazed alone.

HONORING THE REVEREND JESSE JACKSON

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

Ms. FUDGE. Mr. Speaker, I rise today to commemorate Rev. Jesse Jackson's historic run for President of these United States 25 years ago. Main Street pundits then underestimated his ability to draw Americans to the polls, but his passionate devotion to the advancement of the disenfranchised resonated with so many Americans. In fact, in his 1988 Presidential bid, he won 11 contests, 7 primaries, and 4 Democratic caucuses.

His current activism moves our Nation towards the true inclusion of diverse ideas, of classes, races, and ethnicities. In his words, he said, ''At the end of the day, we must go forward with hope and not backward by fear and division.''

As an agent of social, political, and economic change, Rev. Jackson has positively impacted the lives of many. I celebrate Rev. Jackson's achievements and applaud him for continuing his advocacy for economic parity and minority inclusion.

Mr. Speaker, I thank you so much for this opportunity, and I thank Mr. JACKSON for being in our midst today.

25TH ANNIVERSARY OF THE REVEREND JESSE JACKSON'S RUN FOR PRESIDENT

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

Mr. DAVIS of Illinois. Mr. Speaker, today marks the 25-year anniversary of the Jesse Jackson run for President of the United States.

As a resident of Chicago, I have been privileged to be up front and close to the Jesse Jackson phenomenon. I have seen his positive impact on Chicago as he globalized a world vision for change. I know how he has helped the Democratic Party to become more democratic and the Republican Party to focus more on the Republic.

He has advanced the causes of all minorities, helped Illinois become a State where African Americans and other minorities can be elected to the highest of public offices, and he laid the groundwork for the election of the Nation's first African American President, Barack Obama.

Rev. Jackson, we salute you.

THANKING THE REVEREND JESSE JACKSON FOR HIS 1984 RUN FOR PRESIDENCY

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

Mr. RUSH. Mr. Speaker, I am here to congratulate and thank Rev. Jesse Jackson, Sr. Thank you, Rev. Jackson, for your historic run for President in 1984.

But I really want to thank you for what you did for me back in the summer of 1969. My friend and fellow member on the Illinois chapter of the Black Panther party was assassinated while he slept in his bed at 4 a.m. by the Chicago Police Department and Cook County State's Attorney's Office. The very next morning, at 5 a.m., they came to my apartment, seeking to kill me. I was not there. I was running for my life over the next few days, until Saturday, December 8, 1969, I turned myself in to Operation PUSH and the Reverend Jesse Louis Jackson.

Mr. Speaker, if it had not been for Rev. Jesse Louis Jackson, I would have been killed. If it had not been for Rev. Jesse Louis Jackson, I would not be here today. If it had not been for Rev. Jesse Louis Jackson, I would not be representing the people of the First Congressional District.

Thank you, Rev. Jackson. I love you, and you can't do nothing about it.

LOAN MODIFICATION SCAM AWARENESS MONTH

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I will not be speaking on Rev. Jackson this morning, but I will be submitting something for the RECORD, as I know that my good colleague Mr. COHEN of Tennessee will also.

Actually, today I rise to talk about something I think is very important, and I think that Jesse Jackson and others who have worked so hard for the community would care about. I rise to recognize National Loan Modification Scam Awareness Month which was established to stop predators around the country from taking advantage of our constituents who are at risk of foreclosure.

Currently, in California, the foreclosure rate is 10.8 percent. Experts predict that nationwide there will be 8.1 million foreclosures by the year 2012, and given this environment, loan modification scams are proliferating at a rapid pace. Every day, more homeowners are falling prey to slick advertising that promises to help them stay in their homes if they pay a third party.

NeighborWorks America and their affiliates around the country are working to combat loan modification scams. To do so, they have launched a national public education campaign to help homeowners protect themselves against loan modification scams, find trusted help, and report illegal activity to authorities.

I urge my colleagues to support National Loan Modification Scam Awareness Month.

HONORING THE REVEREND JESSE JACKSON

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

Mr. CARSON of Indiana. Mr. Speaker, in the year of 1984, a young man 9 years old, myself with my grandmother, had the chance to tag along with Rev. Jackson as he visited Indianapolis multiple times, and I got a chance to go out to San Francisco. Rev. Jackson, we commend you and love you not only because you are a great civil rights leader, but you are an oratorical genius. ''Up with hope, down with dope,'' ''Keep hope alive,'' bringing multiple races together, but also breaking down racial, psychological barriers that existed at that time. You led the way for our beloved President. We owe you. Back then as a 9-year-old young man, he reminded me of the lyrical greats, the MellyMels, the Run-DMCs, the James Baldwins.

He was a leader. He is a leader. We deserve to honor him, and we will continue to honor him.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PASTOR of Arizona). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

AUTHORIZING THE SCORE PROGRAM

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1839) to amend the Small Business Act to improve SCORE, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1839

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

SECTION 1. EXPANSION OF VOLUNTEER REPRESENTATION AND BENCHMARK REPORTS.

(a) EXPANSION OF VOLUNTEER REPRESENTATION.—Section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)) is amended—

(1) by inserting ''(i)'' after ''(B)''; and

(2) by adding at the end the following:

''(ii) The Administrator shall ensure that SCORE, established under this subparagraph, carries out a plan to increase the proportion of mentors who are from socially or economically disadvantaged backgrounds and, on an annual basis, reports to the Administrator on the implementation of this subparagraph.''.

(b) BENCHMARK REPORTS.—Section 8(b)(1)(B) of the Small Business Act (15

U.S.C. 637(b)(1)(B)), as amended, is further amended by adding at the end the following:

''(iii) The Administrator shall ensure that SCORE, established under this subparagraph, establishes benchmarks for use in evaluating the performance of its activities and of its volunteers. The benchmarks shall include benchmarks relating to the demographic characteristics and the geographic characteristics of persons assisted by SCORE, benchmarks related to the hours spent mentoring by volunteers, and benchmarks relating to the performance of the persons assisted by SCORE. SCORE shall report, on an annual basis, to the Administrator the extent to which the benchmarks established under this clause are being attained.''.

SEC. 2. MENTORING AND NETWORKING.

Section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)), as amended, is further amended by adding at the end the following:

''(iv) The Administrator shall ensure that SCORE, established under this subparagraph, establishes a mentoring program for small business concerns that provides one-on-one advice to small business concerns from qualified counselors. For purposes of this clause, qualified counselors are counselors with at least 10 years experience in the industry sector or area of responsibility of the small business concern seeking advice.

''(v) The Administrator shall carry out a networking program through SCORE, established under this subparagraph, that provides small business concerns with the opportunity to make business contacts in their industry or geographic region.''.

SEC. 3. NAME OF PROGRAM CHANGED TO SCORE.

(a) NAME CHANGE.—The Small Business Act is amended as follows:

(1) In section 8(b)(1)(B) (15 U.S.C. 637(b)(1)(B)), by striking ''Executives (SCORE)'' and inserting ''Executives (in this Act referred to as 'SCORE')''.

(2) In section 7(m)(3)(A)(i)(VIII) (15 U.S.C. 636(m)(3)(A)(i)(VIII)), by striking ''the Service Corps of Retired Executives'' and inserting ''SCORE''.

(3) In section 20 (15 U.S.C. 631 note)—

(A) in subsection (d)(1)(E), by striking ''the Service Corps of Retired Executives program'' and inserting ''SCORE''; and

(B) in subsection (e)(1)(E), by striking ''the Service Corps of Retired Executives program'' and inserting ''SCORE''.

(4) In section 33(b)(2) (15 U.S.C. 657c(b)(2)), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE''.

(b) ELIMINATION OF ACE.—Section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)), as amended, is further amended by striking ''and an Active Corps of Executive (ACE)''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended by inserting the following new subsection after subsection (e):

''(f) AUTHORIZATION OF APPROPRIATIONS FOR SCORE.—There is authorized to be appropriated $7,000,000 for SCORE under section 8(b)(1) for each of the fiscal years 2010 and 2011.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Florida (Mr. BUCHANAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, when first starting out, entrepreneurs often struggled with basics, like marketing their services, accessing capital, and learning to navigate the tax code. In the earliest stages of development, mistakes in these areas can mean the difference between a venture's success and its failure. That is why the SCORE program was established to help fledgling business owners learn the ropes of entrepreneurship.

By matching new business owners with practiced hands, SCORE helps entrepreneurs trade best practices and learn from the mistakes of their forerunners. The program functions as a mentoring service, one that allows retired business owners to continue giving back to their communities. This is a laudable goal to be sure. But unfortunately, SCORE has not kept pace with the shifting marketplace. H.R. 1839 will update and enhance the program, tailoring it to meet the needs of today's entrepreneurs.

With the economy in flux, small firms require specialized training in areas not previously offered. To begin, technology plays a vastly more important role in entrepreneurship than it has in the past.

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This bill recognizes that fact and modernizes the SCORE to deliver the kind of training that is critical to doing business in the information age.

Just as the business world is changing, so, too, is the face of entrepreneurship. In recent years, we have seen a surge in the number of women and minorities starting their own firms; and yet for some reason, SCORE has failed to reflect that trend.

Mr. BUCHANAN's bill will promote greater diversity within the program. That way, we can better match small business owners with mentors and be sure every entrepreneur, regardless of race, gender, industry or region, has access to the specialized resources they need to be successful.

This bill helps train the next generation's small business innovators. It allows them to sidestep the pitfalls of early entrepreneurship and get straight to work doing what they do best: creating jobs and growing our economy.

H.R. 1839 is an important piece of legislation, and I thank Representative BUCHANAN for his contribution.

I urge support and reserve the balance of my time.

Mr. BUCHANAN. Mr. Speaker, I yield myself such time as I might consume.

I rise today in strong support of my legislation to modernize the Small Business Administration's small business counseling program. The Service Corps of Retired Executives program, also known as SCORE, provides entrepreneurs with the small business advice of working and retired executive volunteers.

For years, SCORE has been providing entrepreneurship with free, confidential, and valued small business advice. With double-digit unemployment rates, more people will be trying to start their own business today. Their success is vital to an economic recovery. This bill will help ensure that qualified volunteers are available to provide one-on-one advice and counsel to small businesses.

Research shows that small businesses are five times more likely to start if they get assistance from a government-supported program such as SCORE. This bill will require SCORE administrators to actively recruit and maintain volunteer mentors and track their success. Counselors will be required to have at least 10 years of similar experience.

Earlier this year, the chairwoman from the Manasota SCORE chapter, Jeannette Mills, testified in support of my bill before the small business Subcommittee on Rural Development, Entrepreneurship and Trade. She said, ''SCORE fulfills a vital role for America's small business owners and aspiring entrepreneurs by providing much needed technical assistance. As you know, many small businesses continue to struggle with layoffs, access to capital, cash flow and overall management issues advise. SCORE has a proven track record of both being creative and saving jobs by improving business survival rates as well as accelerating small business formation.''

Here are some facts about SCORE for people that aren't aware. They have assisted in more than 523,000 people in the last year; they provided counseling to more than 8.5 million business owners; they've conducted more than 322,000 counseling sessions; they've received 3.2 million visitors to their Web site in just the last year; they have helped create more than 20,000 new small businesses.

I know from my own experience in the 1980s, I remember the U.S. Chamber came out with a statistic, as I remember today, 92 percent that start up small businesses fail in 5 years. But the IFA had a statistic during that time, the International Franchise Association, that 80 percent of businesses succeed. Because of that partnership, they could be in business for themselves, but not by themselves. That's what SCORE provides. We want a much higher probability of success, not a 92 percent failure rate. We want an 80 percent or better-type success rate for small businesses that will create jobs.

Also, currently SCORE has 389 chapter locations throughout the United States with over 10,000 volunteers nationwide.

I'd like to close by thanking my good friend, and her incredible leadership on small business, Chairwoman

VELÁZQUEZ, as well as Ranking Member GRAVES for their support and assistance with this important bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise before you today in support of H.R. 1839, "to amend the small business act to improve SCORE, and for other purposes." I would like to thank my colleague, Congressman VERN BUCHANAN, for his leadership on this important legislation. The SCORE (Service Corps of Retired Executives) program provides entrepreneurs with the business advice of working and retired executive volunteers.

This legislation will modernize the Small Business Administration's (SBA) small business counseling program. This legislation requires the Administrator of the Small Business Administration (SBA) to ensure that SCORE carries out a plan to increase the proportion of small business mentors from socially or economically disadvantaged backgrounds, and reports annually to the Administrator on plan implementation, establishes benchmarks for evaluating its activities and volunteers and establishes a mentoring program of one-on-one advice to small businesses from qualified counselors.

Over the years SCORE has been providing entrepreneurs with free, confidential, and valuable small business advice. With unprecedented unemployment rates, more people will be trying to start their own business. Their success is vital to our economic recovery. This bill will help ensure that qualified volunteers are available to provide one-on-one advice and counsel to small businesses.

Research shows that small businesses are five times more likely to start if they get assistance from a government supported program such as SCORE. The "Retired Executives Building Better Businesses Act of 2009" would require SCORE administrators to actively recruit and maintain volunteer mentors and track their success. Counselors would be required to have at least ten years of similar experience.

My district is the perfect example of why small businesses are so vital to the nation's economy. Houston's newer and growing economic sub-centers have relied more on small business as their cornerstone than the older Central Business District. According to a report issued by the Office of Advocacy of the U.S. Small Business Administration findings suggest that while small firms support urban economic growth, as development proceeds they grow substantially. In turn, small firm growth plays an important role in urban economic development which is likely to lead to economic growth for the entire local economy. Moreover, small businesses—including minority- and women-owned companies—are the leading employers in the Houston area and provide nearly half of all jobs in Texas.

Many small businesses continue to struggle with layoffs, access to capital, cash flow and overall management issues. SCORE has a proven track record of both creating and saving jobs by improving business survival rates as well as accelerating small business formation which is why this legislation is so important. SCORE fulfills a vital role for America's small business owners and aspiring entrepreneurs by providing much needed technical assistance. In 2007 SCORE volunteers assisted in the creation of almost 20,000 new small businesses and help create more than 25,000 new jobs each year. Currently, SCORE has 389 chapters in locations throughout the United States with 10,500 volunteers nationwide.

I urge my colleagues to support small business by voting in favor of this vital legislation.

I yield back the balance of my time.

Ms. VELÁZQUEZ. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 1839, as amended.

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

A motion to reconsider was laid on the table.

NATIVE AMERICAN BUSINESS DEVELOPMENT ENHANCEMENT ACT OF 2009

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1834) to amend the Small Business Act to expand and improve the assistance provided to Indian tribe members, Alaska Natives, and Native Hawaiians, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1834

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Native American Business Development Enhancement Act of 2009".

SEC. 2. OFFICE OF NATIVE AMERICAN AFFAIRS; TRIBAL BUSINESS INFORMATION CENTERS PROGRAM.

(a) ASSOCIATE ADMINISTRATOR.—Section 4(b)(1) of the Small Business Act (15 U.S.C. 633(b)(1)) is amended—

(1) by striking "five Associate Administrators" and inserting "six Associate Administrators"; and

(2) by inserting after "vested in the Administration." the following: "One such Associate Administrator shall be the Associate Administrator for Native American Affairs, who shall administer the Office of Native American Affairs established under section 44.".

(b) ESTABLISHMENT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 44 as section 45; and

(2) by inserting after section 43 the following:

"SEC. 44. OFFICE OF NATIVE AMERICAN AFFAIRS AND TRIBAL BUSINESS INFORMATION CENTERS PROGRAM.

"(a) OFFICE OF NATIVE AMERICAN AFFAIRS.—

"(1) ESTABLISHMENT.—There is established in the Administration an Office of Native American Affairs (hereinafter referred to in this subsection as the 'Office').

"(2) ASSOCIATE ADMINISTRATOR.—The Office shall be administered by an Associate Administrator appointed under section 4(b)(1).

"(3) RESPONSIBILITIES.—The Office shall have the following responsibilities:

"(A) Developing and implementing tools and strategies to increase Native American entrepreneurship.

"(B) Expanding the access of Native American entrepreneurs to business training, financing, and Federal small business contracts.

"(C) Expanding outreach to Native American communities and marketing entrepreneurial development services to such communities.

"(D) Representing the Administration with respect to Native American economic development matters.

"(4) COORDINATION AND OVERSIGHT FUNCTION.—The Office shall provide oversight with respect to and assist the implementation of all Administration initiatives relating to Native American entrepreneurial development.

"(5) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection, there is authorized to be appropriated to the Administrator $2,000,000 for each of fiscal years 2010 and 2011.

"(b) TRIBAL BUSINESS INFORMATION CENTERS PROGRAM.—

"(1) ESTABLISHMENT.—The Administrator is authorized to operate, alone or in coordination with other Federal departments and agencies, a Tribal Business Information Centers program that provides Native American populations with business training and entrepreneurial development assistance.

"(2) DESIGNATION OF CENTERS.—The Administrator shall designate entities as centers under the Tribal Business Information Centers program.

"(3) ADMINISTRATION SUPPORT.—The Administrator may contribute agency personnel and resources to the centers designated under paragraph (2) to carry out this subsection.

"(4) GRANT PROGRAM.—The Administrator is authorized to make grants of not more than $300,000 to centers designated under paragraph (2) for the purpose of providing Native Americans the following:

"(A) Business workshops.

"(B) Individualized business counseling.

"(C) Entrepreneurial development training.

"(D) Access to computer technology and other resources to start or expand a business.

"(5) REGULATIONS.—The Administrator shall by regulation establish a process for designating centers under paragraph (2) and making the grants authorized under paragraph (4).

"(6) DEFINITION OF ADMINISTRATOR.—In this subsection, the term 'Administrator' means the Administrator, acting through the Associate Administrator administering the Office of Native American Affairs.

"(7) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection, there is authorized to be appropriated to the Administrator $15,000,000 for fiscal year 2010 and $17,000,000 for fiscal year 2011.

"(c) DEFINITION OF NATIVE AMERICAN.—The term 'Native American' means an Indian tribe member, Alaska Native, or Native Hawaiian as such are defined in section 21(a)(8) of this Act.".

SEC. 3. SMALL BUSINESS DEVELOPMENT CENTER ASSISTANCE TO INDIAN TRIBE MEMBERS, ALASKA NATIVES, AND NATIVE HAWAIIANS.

(a) IN GENERAL.—Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended by adding at the end the following:

"(8) ADDITIONAL GRANT TO ASSIST INDIAN TRIBE MEMBERS, ALASKA NATIVES, AND NATIVE HAWAIIANS.—

"(A) IN GENERAL.—Any applicant in an eligible State that is funded by the Administration as a Small Business Development Center may apply for an additional grant to be used solely to provide services described in subsection (c)(3) to assist with outreach, development, and enhancement on Indian lands

of small business startups and expansions owned by Indian tribe members, Alaska Natives, and Native Hawaiians.

''(B) ELIGIBLE STATES.—For purposes of subparagraph (A), an eligible State is a State that has a combined population of Indian tribe members, Alaska Natives, and Native Hawaiians that comprises at least 1 percent of the State's total population, as shown by the latest available census.

''(C) GRANT APPLICATIONS.—An applicant for a grant under subparagraph (A) shall submit to the Administration an application that is in such form as the Administration may require. The application shall include information regarding the applicant's goals and objectives for the services to be provided using the grant, including—

''(i) the capability of the applicant to provide training and services to a representative number of Indian tribe members, Alaska Natives, and Native Hawaiians;

''(ii) the location of the Small Business Development Center site proposed by the applicant;

''(iii) the required amount of grant funding needed by the applicant to implement the program; and

''(iv) the extent to which the applicant has consulted with local tribal councils.

''(D) APPLICABILITY OF GRANT REQUIREMENTS.—An applicant for a grant under subparagraph (A) shall comply with all of the requirements of this section, except that the matching funds requirements under paragraph (4)(A) shall not apply.

''(E) MAXIMUM AMOUNT OF GRANTS.—No applicant may receive more than $300,000 in grants under this paragraph for any fiscal year.

''(F) REGULATIONS.—After providing notice and an opportunity for comment and after consulting with the Association recognized by the Administration pursuant to paragraph (3)(A) (but not later than 180 days after the date of enactment of this paragraph), the Administration shall issue final regulations to carry out this paragraph, including regulations that establish—

''(i) standards relating to educational, technical, and support services to be provided by Small Business Development Centers receiving assistance under this paragraph; and

''(ii) standards relating to any work plan that the Administration may require a Small Business Development Center receiving assistance under this paragraph to develop.

''(G) ADVICE OF LOCAL TRIBAL ORGANIZATIONS.—A Small Business Development Center receiving a grant under this paragraph shall request the advice of a tribal organization on how best to provide assistance to Indian tribe members, Alaska Natives, and Native Hawaiians and where to locate satellite centers to provide such assistance.

''(H) DEFINITIONS.—In this paragraph, the following definitions apply:

''(i) INDIAN LANDS.—The term 'Indian lands' has the meaning given the term 'Indian country' in section 1151 of title 18, United States Code, the meaning given the term 'Indian reservation' in section 151.2 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this paragraph), and the meaning given the term 'reservation' in section 4 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1903).

''(ii) INDIAN TRIBE.—The term 'Indian tribe' means any band, nation, or organized group or community of Indians located in the contiguous United States, and the Metlakatla Indian Community, whose members are recognized as eligible for the services provided to Indians by the Secretary of the Interior because of their status as Indians.

''(iii) INDIAN TRIBE MEMBER.—The term 'Indian tribe member' means a member of an Indian tribe (other than an Alaska Native).

''(iv) ALASKA NATIVE.—The term 'Alaska Native' has the meaning given the term 'Native' in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

''(v) NATIVE HAWAIIAN.—The term 'Native Hawaiian' means any individual who is—

''(I) a citizen of the United States; and

''(II) a descendant of the aboriginal people, who prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

''(vi) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given that term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(1)).

''(I) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $7,000,000 for each of fiscal years 2010 and 2011.

''(J) FUNDING LIMITATIONS.—

''(i) NONAPPLICABILITY OF CERTAIN LIMITATIONS.—Funding under this paragraph shall be in addition to the dollar program limitations specified in paragraph (4).

''(ii) LIMITATION ON USE OF FUNDS.—The Administration may carry out this paragraph only with amounts appropriated in advance specifically to carry out this paragraph.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Missouri (Mr. LUETKEMEYER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, the Small Business Administration has always worked to promote entrepreneurship amongst underrepresented groups and within underserved parts of the country. For this community, small business growth means more than just new jobs; it means economic development. That is why SBA offers a number of programs designed to encourage women and minorities to start their own ventures. H.R. 1834, the Native American Business Development Enhancement Act, builds on that tradition of growth through diversity.

As our economy continues to struggle, we need to be creating jobs everywhere we can. This rings especially true amongst underserved groups like Native Americans. After all, few segments of the population are in greater need of job creation. Within the Navajo tribe, the largest in the Native American community, unemployment has long hovered at 50 percent. On certain tribal reservations, it has reached a staggering 80 percent.

In a recent speech to various tribal leaders, President Obama stressed the need for Native Americans to become ''a full partner in the American economy.'' Mr. Speaker, what better way to forge that kind of partnership than through entrepreneurship? While their community faces significant challenges, Native Americans have never shied away from starting their own ventures. In recent years, entrepreneurship among Native Americans and Alaska Native women has soared by 69 percent. With this bill, we can build on that growth, supporting the kind of job creation that the Native American community so sorely needs.

As of 2002, there were over 200,000 Native American firms nationwide. While those businesses span a broad range of tribes and industries, they are unified in their need for resources like technical assistance and affordable capital. This bill helps them access those tools. Importantly, it establishes an office focused solely on Native American small businesses, one that can address their unique needs head on.

Like many small business owners, Native American entrepreneurs have been battered by the recession. As a result, many of these men and women are struggling with obstacles like access to capital. For these business owners, entrepreneurial development programs, such as those that provide training for loan applications, can go a long way in easing challenges. H.R. 1834 puts critical training resources within reach, and tailors them to the specific strengths of the Native American firms. By better customizing these programs, we can give Native American entrepreneurs the tools they need to grow and the resources they need to create jobs.

This is an important piece of legislation, and I thank Representative KIRKPATRICK for her work in helping it come together.

I urge its support, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of the request to suspend the rules and pass H.R. 1834, a bill to provide additional small business development center resources focused on Native Americans, Alaska Natives, and Native Hawaiians.

I'd like to thank Chairwoman VELÁZQUEZ for working in a cooperative and bipartisan manner to bring this bill to the House floor.

The majority of Indian tribe members and Alaska Natives live on or in the immediate vicinity of Indian lands. These lands are generally in remote locations far from access to resources that most Americans take for granted. Due to the remoteness and lack of economic development, it is not surprising that Native Americans suffer from unemployment averages in excess of twice that faced by the rest of the American population.

Enactment of H.R. 1834 is not designed to immediately relieve the harsh circumstances facing many Native Americans. Instead, it is an effort

to bring greater technical assistance to Native Americans so they can create new businesses that will spur economic development.

The committee has heard testimony from Native Americans about the value of the technical assistance provided by SBA's entrepreneurial outreach programs. These programs enable them to navigate the complexities of starting a business. H.R. 1834 recognizes the value of this assistance by codifying the Small Business Administration's Tribal Business Center program. In addition, the bill improves access to Small Business Development Centers by providing the grantees with increased incentives to perform outreach to Native Americans without undermining the core funding provided to Small Business Development Centers.

Finally, the bill requires better coordination between the SBA and tribal organizations in providing technical programs. By providing the technical resources needed to start and manage businesses, H.R. 1834 will challenge the entrepreneurial spirit of Native Americans, increase economic development on Indian lands, reduce poverty, and create a healthier living environment for future generations of the first Americans.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield as much time as she may consume to the lead sponsor of the bill, the gentlelady from Arizona (Mrs. KIRKPATRICK).

Mrs. KIRKPATRICK of Arizona. Thank you for the opportunity to consider my legislation, the Native American Business Development Enhancement Act. The resources in this bill will greatly assist tribal communities develop their economic potential.

I was born and grew up in the White Mountain Apache communities where my father ran a small business. I have seen our Native communities make due with less even when times are good. And in these tough economic times, we can do more to help build communities and bolster local economies on tribal lands.

Like most entrepreneurs, Native small business owners require help with planning, capitalizing, and turning their businesses into thriving businesses. This bill will strengthen economies and create new jobs by expanding the assistance available to Indian, Alaska Native, and Native Hawaiian small business entrepreneurs under the Small Business Act.

By providing essential training and assistance and helping to capitalize small businesses in Indian Country, Native communities will benefit as their businesses prosper, opportunities for economic development multiply, and new jobs are created. This legislation was included in a House-passed package of policies to encourage entrepreneurship.

Thank you to Chairwoman VELÁZQUEZ and to Ranking Member LUETKEMEYER for working with me on this important issue. I am very pleased this legislation is moving forward, and I urge its passage.

Ms. RICHARDSON. Mr. Speaker, as a member of the Native American Caucus, I rise today in strong support of H.R. 1834, the Native American Business Development Enhancement Act of 2009, which will promote entrepreneurship within the Native American community. This is the kind of legislation we need to lift us out of this economic downturn. H.R. 1834 will serve as a vehicle to create jobs, support small businesses, and help people get back to work in the communities that need it most.

I acknowledge Chairwoman VELÁZQUEZ for her leadership in bringing this important bill to the floor. I would also like to thank my colleague Congresswoman KILPATRICK, the author of this legislation, who worked so hard to help such an underserved community get the opportunities they need to succeed.

Mr. Speaker, the Native American Business Development Enhancement Act establishes the Office of Native American Affairs in the Small Business Administration, SBA, to increase Native American entrepreneurship. H.R. 1834 will enable SBA's administrator to operate a Tribal Business Information Centers program to provide Native American populations with business training and entrepreneurial development assistance. The SBA will contribute agency personnel and resources to the centers, as well as make grants to the centers. In addition, Indian tribe members, Alaska Natives, and Native Hawaiians can apply for grants to assist with outreach, development, and enhancement of small business startups and expansions.

In California, the State I represent, there are over 100 tribes, many of varying levels of economic success. As a long time friend and supporter of the Native American community, I am so pleased to champion a bill such as H.R. 1834, which provides economic opportunities that have been denied to this community for so long. But more must be done, and I look forward to working with my colleagues to ensure that Native Americans receive the full equal range of opportunities in this country.

In conclusion, Mr. Speaker, I support this bill because it will provide job training and opportunities to the areas and populations that need the most assistance. The communities served by H.R. 1834 represent some of the most traditionally disadvantaged, isolated, and underserved populations in America. This legislation is yet another example of how Congress is taking the action necessary to respond to the current economic situation with innovative solutions.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 1834.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 1834, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

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EXPANDING ENTREPRENEURSHIP ACT OF 2009

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1842) to amend the Small Business Act to improve the Small Business Administration's entrepreneurial development programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1842

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Expanding Entrepreneurship Act of 2009''.

SEC. 2. EXPANDING ENTREPRENEURSHIP.

Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following:

''(g) MANAGEMENT AND DIRECTION.—

''(1) PLAN FOR ENTREPRENEURIAL DEVELOPMENT AND JOB CREATION STRATEGY.—The Administrator shall develop and submit to Congress a plan, in consultation with a representative from each of the agency's entrepreneurial development programs, for using the Small Business Administration's entrepreneurial development programs to create jobs during fiscal years 2010 and 2011. The plan shall include the Administration's plan for drawing on existing programs, including Small Business Development Centers, Women's Business Centers, SCORE, Veterans Business Centers, Native American Outreach, and other appropriate programs. The Administrator shall identify a strategy for each Administration region to create or retain jobs through Administration programs. The Administrator shall identify, in consultation with appropriate personnel from entrepreneurial development programs, performance measures and criteria, including job creation, job retention, and job retraining goals, to evaluate the success of the Administration's actions regarding these efforts.

''(2) DATA COLLECTION PROCESS.—The Administrator shall, after notice and opportunity for comment, promulgate a rule to develop and implement a consistent data collection process to cover all entrepreneurial development programs. Such data collection process shall include data relating to job creation, performance, and any other data determined appropriate by the Administrator with respect to the Administration's entrepreneurial development programs.

''(3) COORDINATION AND ALIGNMENT OF SBA ENTREPRENEURIAL DEVELOPMENT PROGRAMS.—The Administrator shall submit annually to Congress, in consultation with other Federal departments and agencies as appropriate, a report on opportunities to foster coordination, limit duplication, and improve program delivery for Federal entrepreneurial development programs.

''(4) DATABASE OF ENTREPRENEURIAL DEVELOPMENT SERVICE PROVIDERS.—The Administrator shall, after a period of 60 days for public comment, establish a database of providers of entrepreneurial development services and, make such database available

through the Administration's Web site. The database shall be searchable by industry, geography, and service required.

''(5) COMMUNITY SPECIALIST.—The Administrator shall designate not less than one staff member in each Administration district office as a community specialist who has as their full-time responsibility working with local entrepreneurial development service providers to increase coordination with Federal resources. The Administrator shall develop benchmarks for measuring the performance of community specialists under this subsection.

''(6) ENTREPRENEURIAL DEVELOPMENT PORTAL.—The Administrator shall publish a design for a Web-based portal to provide comprehensive information on the Administration's entrepreneurial development programs. After a period of 60 days for public comment, the Administrator shall establish such portal and—

''(A) integrate under one Web portal, Small Business Development Centers, Women's Business Centers, SCORE, Veterans Business Centers, the Administration's distance learning program, and other programs as appropriate;

''(B) revise the Administration's primary Web site so that the Web portal described in subparagraph (A) is available as a link on the main Web page of the Web site;

''(C) increase consumer-oriented content on the Administration's Web site and focus on promoting access to business solutions, including marketing, financing, and human resources planning;

''(D) establish relevant Web content aggregated by industry segment, stage of business development, level of need, and include referral links to appropriate Administration services, including financing, training and counseling, and procurement assistance; and

''(E) provide style guidelines and links for visitors to the Administration's Web site to be able to comment on and evaluate the materials in terms of their usefulness.

''(7) PILOT PROGRAMS.—The Administrator may not conduct any pilot program for a period of greater than 3 years if the program conflicts with, or uses the resources of, any of the entrepreneurial development programs authorized under section 8(b)(1)(B), 21, 29, 32, or any other provision of this Act.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Missouri (Mr. LUETKEMEYER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. 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 bill under consideration.

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, entrepreneurial development initiatives, or ED programs, provide critical services for aspiring entrepreneurs seeking to launch a new enterprise. These programs also help established businesses that are trying to expand and create new jobs.

By helping small firms flourish, the SBA's ED services will be vital to sustaining our economic recovery. But for this to happen, the SBA must use its resources effectively. This is especially true during economic downturns. After all, when money is scarce, we want to make sure the taxpayer gets the most job-creating bang for their buck.

We already know that ED initiatives are a wise investment. Every dollar put into these programs returns $2.87 to the U.S. Treasury. The legislation that we are considering today will make these programs even more responsive, so that they better meet the needs of small business owners.

H.R. 1842 will bring enhanced coordination to the SBA's portfolio of ED services. In order for these initiatives to perform at their full potential, we have to know what is working and what could function better. This bill takes important steps in that direction. Requiring the SBA to collect data will provide important insights into the strengths of the ED program and highlight where there is room for improvement.

The bill also instructs the SBA to develop a plan outlining how to use ED initiatives to create new jobs over the next 2 years. Given the current state of the economy, it make sense that the agency focus on using ED to expand employment options. The bill will also reduce duplication between different ED initiatives. By verifying that the SBA's right hand knows what the left hand is doing, we will further leverage the agency's resources and channel more support to small businesses.

Mr. Speaker, this is a good bill. It puts in place some commonsense steps that are badly needed at SBA. Most importantly, this bill will ensure the SBA's programs do a better job of helping businesses. I think all of us can stand behind that goal. I urge my colleagues to vote ''yes.''

I reserve the balance of my time.

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

Mr. Speaker, first I would like to recognize Chairman VELÁZQUEZ for her great leadership and bipartisan fashion on this committee which has a myriad of issues that we address on a daily basis, and I want to thank her for her excellent leadership and providing us a forum to debate these ideas in a fair fashion.

I am proud to support H.R. 1842, the Expanding Entrepreneurship Act of 2009, to assist many fellow small business owners and employees throughout my district in Missouri and throughout the country. Small businesses have generated up to 80 percent of net new jobs annually over the last decade and continue to contribute 38 percent to the gross domestic product. As we try to jumpstart the slumping economy and put people back to work, it only makes sense to provide relief and not more onerous tax hikes to our Nation's most productive job creators.

While this logic has underpinned alternative plans supported by myself and many of my colleagues to boost the economy and ensure growth in the future, it has been all but ignored by the administration and the majority in Congress. At a time when small businesses are struggling to keep their doors open, we must remain ever vigilant in improving the efficacy of entrepreneurial and technical assistance programs. We also need to ensure our small businesses are able to adequately utilize all available resources.

My bill beefs up support services in key entrepreneurial development programs, making these programs more effective and responsive to the needs of small businesses and ensuring that existing programs are being used effectively and duplicative government programs are done away with.

To make these widely used programs more responsive to the needs of small businesses and at no cost to the taxpayers, H.R. 1842 establishes planning standards within these programs, requires maintenance of an entrepreneurial development database, and ensures that someone is available to assist small businesses at all SBA district offices. The bill also requires the SBA to develop a job-creation strategy for 2009–2010.

The bill also expands specific programs, such as small business development centers, women's business centers, and the Service Corps of Retired Executive, or SCORE. These widely used programs are intended to assist entrepreneurs with practical and technical skills needed to help start and sustain a business.

In addition, the bill creates new support programs for veteran-owned and Native American-owned small businesses, improves cross-program coordination to maximize use of program resources, and creates 21st-century online learning initiatives for entrepreneurs.

An investment in entrepreneurial development programs yields strong returns. In 2008, the SBA entrepreneurial development programs helped to generate 73,000 new jobs and bring $7.2 billion into the economy. Some economists have estimated that every dollar invested in these initiatives returns $2.87 to our economy and helps these small businesses thrive.

Since the onset of the credit crisis over 2 years ago, available credit to small businesses and consumers has contracted by trillions of dollars. Without access to credit, small businesses can't grow, can't hire, and too often end up going out of business. That is why I am particularly pleased to support a bill that strengthens small business development centers, one-stop assistance centers for current and prospective small business owners designed to assist small firms in securing capital and credit.

As Louis Celli, CEO of the Northeast Veterans Business Resource Center in Boston, put it at a recent hearing on this same subject, we have the right focus by wanting ''to interweave these programs together and really force everybody to play in the same sandbox.''

And by making entrepreneurial development programs more effective, we can be not only more responsive to small businesses but also be better stewards of taxpayers' dollars.

I urge my colleagues to support the legislation.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 1842, as amended.

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

A motion to reconsider was laid on the table.

SMALL BUSINESS EARLY-STAGE INVESTMENT ACT OF 2009

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3738) to amend the Small Business Investment Act of 1958 to establish a program for the Small Business Administration to provide financing to support early stage small businesses in targeted industries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3738

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Early-Stage Investment Act of 2009''.

SEC. 2. SMALL BUSINESS EARLY-STAGE INVESTMENT PROGRAM.

Title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.) is amended by adding at the end the following:

''PART D—SMALL BUSINESS EARLY-STAGE INVESTMENT PROGRAM

''SEC. 399A. ESTABLISHMENT OF PROGRAM.

''The Administrator shall establish and carry out an early-stage investment program (hereinafter referred to in this part as the 'program') to provide equity investment financing to support early-stage small businesses in targeted industries in accordance with this part.

''SEC. 399B. ADMINISTRATION OF PROGRAM.

''The program shall be administered by the Administrator acting through the Associate Administrator described under section 201.

''SEC. 399C. APPLICATIONS.

''(a) IN GENERAL.—Any incorporated body, limited liability company, or limited partnership organized and chartered or otherwise existing under Federal or State law for the purpose of performing the functions and conducting the activities contemplated under the program and any small business investment company may submit to the Administrator an application to participate in the program.

''(b) REQUIREMENTS FOR APPLICATION.—An application to participate in the program shall include the following:

''(1) A business plan describing how the applicant intends to make successful venture capital investments in early-stage small businesses in targeted industries.

''(2) Information regarding the relevant venture capital investment qualifications and backgrounds of the individuals responsible for the management of the applicant.

''(3) A description of the extent to which the applicant meets the selection criteria under section 399D.

''(c) APPLICATIONS FROM SMALL BUSINESS INVESTMENT COMPANIES.—The Administrator shall establish an abbreviated application process for small business investment companies that have received a license under section 301 and that are applying to participate in the program. Such abbreviated process shall incorporate a presumption that such small business investment companies satisfactorily meet the selection criteria under paragraphs (3) and (5) of section 399D(b).

''SEC. 399D. SELECTION OF PARTICIPATING INVESTMENT COMPANIES.

''(a) IN GENERAL.—Not later than 90 days after the date on which the Administrator receives an application from an applicant under section 399C, the Administrator shall make a final determination to approve or disapprove such applicant to participate in the program and shall transmit such determination to the applicant in writing.

''(b) SELECTION CRITERIA.—In making a determination under subsection (a), the Administrator shall consider each of the following:

''(1) The likelihood that the applicant will meet the goals specified in the business plan of the applicant.

''(2) The likelihood that the investments of the applicant will create or preserve jobs, both directly and indirectly.

''(3) The character and fitness of the management of the applicant.

''(4) The experience and background of the management of the applicant.

''(5) The extent to which the applicant will concentrate investment activities on early-stage small businesses in targeted industries.

''(6) The likelihood that the applicant will achieve profitability.

''(7) The experience of the management of the applicant with respect to establishing a profitable investment track record.

''SEC. 399E. GRANTS.

''(a) IN GENERAL.—The Administrator may make one or more grants to a participating investment company.

''(b) GRANT AMOUNTS.—

''(1) NON-FEDERAL CAPITAL.—A grant made to a participating investment company under the program may not be in an amount that exceeds the amount of the capital of such company that is not from a Federal source and that is available for investment on or before the date on which a grant is drawn upon. Such capital may include legally binding commitments with respect to capital for investment.

''(2) LIMITATION ON AGGREGATE AMOUNT.—The aggregate amount of all grants made to a participating investment company under the program may not exceed $100,000,000.

''(c) GRANT PROCESS.—In making a grant under the program, the Administrator shall commit a grant amount to a participating investment company and the amount of each such commitment shall remain available to be drawn upon by such company—

''(1) for new-named investments during the 5-year period beginning on the date on which each such commitment is first drawn upon; and

''(2) for follow-on investments and management fees during the 10-year period beginning on the date on which each such commitment is first drawn upon, with not more than 2 additional 1-year periods available at the discretion of the Administrator.

''SEC. 399F. INVESTMENTS IN EARLY-STAGE SMALL BUSINESSES IN TARGETED INDUSTRIES.

''(a) IN GENERAL.—As a condition of receiving a grant under the program, a participating investment company shall make all of the investments of such company in small business concerns, of which at least 50 percent shall be early-stage small businesses in targeted industries.

''(b) EVALUATION OF COMPLIANCE.—With respect to a grant amount committed to a participating investment company under section 399E, the Administrator shall evaluate the compliance of such company with the requirements under this section if such company has drawn upon 50 percent of such commitment.

''SEC. 399G. PRO RATA INVESTMENT SHARES.

''Each investment made by a participating investment company under the program shall be treated as comprised of capital from grants under the program according to the ratio that capital from grants under the program bears to all capital available to such company for investment.

''SEC. 399H. GRANT INTEREST.

''(a) GRANT INTEREST.—

''(1) IN GENERAL.—As a condition of receiving a grant under the program, a participating investment company shall convey a grant interest to the Administrator in accordance with paragraph (2).

''(2) EFFECT OF CONVEYANCE.—The grant interest conveyed under paragraph (1) shall have all the rights and attributes of other investors attributable to their interests in the participating investment company, but shall not denote control or voting rights to the Administrator. The grant interest shall entitle the Administrator to a pro rata portion of any distributions made by the participating investment company equal to the percentage of capital in the participating investment company that the grant comprises. The Administrator shall receive distributions from the participating investment company at the same times and in the same amounts as any other investor in the company with a similar interest. The investment company shall make allocations of income, gain, loss, deduction, and credit to the Administrator with respect to the grant interest as if the Administrator were an investor.

''(b) MANAGER PROFITS.—As a condition of receiving a grant under the program, the manager profits interest payable to the managers of a participating investment company under the program shall not exceed 20 percent of profits, exclusive of any profits that may accrue as a result of the capital contributions of any such managers with respect to such company. Any excess of this amount, less taxes payable thereon, shall be returned by the managers and paid to the investors and the Administrator in proportion to the capital contributions and grants paid in. No manager profits interest (other than a tax distribution) shall be paid prior to the repayment to the investors and the Administrator of all contributed capital and grants made.

''(c) DISTRIBUTION REQUIREMENTS.—As a condition of receiving a grant under the program, a participating investment company shall make all distributions to all investors in cash and shall make distributions within a reasonable time after exiting investments, including following a public offering or market sale of underlying investments.

''SEC. 399I. FUND.

''There is hereby created within the Treasury a separate fund for grants which shall be available to the Administrator subject to annual appropriations as a revolving fund to be used for the purposes of the program. All amounts received by the Administrator, including any moneys, property, or assets derived by the Administrator from operations

in connection with the program, shall be deposited in the fund. All expenses and payments, excluding administrative expenses, pursuant to the operations of the Administrator under the program shall be paid from the fund.

"SEC. 399J. APPLICATION OF OTHER SECTIONS.

''To the extent not inconsistent with requirements under this part, the Administrator may apply sections 309, 311, 312, 313, and 314 to activities under this part and an officer, director, employee, agent, or other participant in a participating investment company shall be subject to the requirements under such sections.

"SEC. 399K. DEFINITIONS.

''In this part, the following definitions apply:

''(1) EARLY-STAGE SMALL BUSINESS IN A TARGETED INDUSTRY.—The term 'early-stage small business in a targeted industry' means a small business concern that—

''(A) is domiciled in a State;

''(B) has not generated gross annual sales revenues exceeding $15,000,000 in any of the previous 3 years; and

''(C) is engaged primarily in researching, developing, manufacturing, producing, or bringing to market goods, products, or services with respect to any of the following business sectors:

''(i) Agricultural technology.

''(ii) Energy technology.

''(iii) Environmental technology.

''(iv) Life science.

''(v) Information technology.

''(vi) Digital media.

''(vii) Clean technology.

''(viii) Defense technology.

''(ix) Photonics technology.

''(2) PARTICIPATING INVESTMENT COMPANY.—The term 'participating investment company' means an applicant approved under section 399D to participate in the program.

''(3) SMALL BUSINESS CONCERN.—The term 'small business concern' has the same meaning given such term under section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

"SEC. 399L. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out the program $200,000,000 for the first full fiscal year beginning after the date of the enactment of this part.''.

SEC. 3. PROHIBITIONS ON EARMARKS.

None of the funds appropriated for the program established under part D of title III of the Small Business Investment Act of 1958, as added by this Act, may be used for a Congressional earmark as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives.

SEC. 4. REGULATIONS.

Except as otherwise provided in this Act or in amendments made by this Act, after an opportunity for notice and comment, but not later than 180 days after the date of the enactment of this Act, the Administrator shall issue regulations to carry out this Act and the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. 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 bill under consideration.

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, like the credit markets, the pipeline for equity financing has become clogged. For many entrepreneurs who are looking to turn a good idea into a profitable, job-creating business, venture capital has traditionally been an important source of financing. In today's economy, that funding often isn't there.

Venture capital funds are on track to invest between $15 billion and $20 billion in new companies this year. That is between $15 billion and $20 billion less than the previous 2 years. This simply means fewer firms are finding the funds they need to get off the ground. Between January and October of this year, there were 1,100 fewer venture capital deals compared to the same period last year.

The legislation offered by Mr. NYE, H.R. 3738, will reverse this troubling trend. Under this bill, the Small Business Administration could begin to act as a partner to private venture capital firms, offering them incentives to help small business startups get off the ground.

Through the creation of this new public-private partnership, the SBA can encourage more venture capital firms to begin investing again. The program will also mean larger blocks of funding will be available to businesses in their early growth stages. Helping early stage startups launch is one of our most powerful tools for generating job opportunities. During economic downturns, when larger companies contract and engage in layoffs, startups go in the opposite direction by growing and creating jobs. These early stage businesses also engage in some of the most promising research areas—like defense, medicine, and renewable energy. Advances in these fields mean new products and new jobs.

Mr. Speaker, after every previous recession, we have found our way back to prosperity thanks to the risk-takers that do not wait around for the economy to bounce back but go out and start creating a new product or new service. That can only happen when investors are ready to help move new ideas from the drawing board to the marketplace.

With this bill, we will help new small businesses launch and start creating new jobs in the short term. I commend the gentleman from Virginia for his work on this legislation. I urge my colleagues to vote ''yes.''

I reserve the balance of my time.

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

Mr. Speaker, today I rise in support of the request to suspend the rules and pass H.R. 3738, a bill to provide early stage seed-capital financing for small businesses, and I would like to thank Chairwoman VELÁZQUEZ for working in a cooperative and bipartisan manner to bring this bill to the House floor today.

As I mentioned in a recent floor statement, America needs to stop exporting risk and restart making products that the world desires. Those products are most likely to come from the minds of America's entrepreneurs in such fields as value-added agriculture, biotechnology, renewable energy, and computer software. Nevertheless, startups in these fields are finding it increasingly difficult to find financing. If these enterprises have to rely on expensive debt capital, it will detract from their ability to expand their businesses.

The SBA used to have a program designed to help provide long-term equity capital to start up small businesses. However, this program was overly complex and forced potential participants to wade through a lengthy, maze-like application process.

The bill before us today, H.R. 3738, provides a streamlined process to enable qualified venture capitalists to bootstrap their investment with additional Federal moneys to provide needed equity capital to small businesses. Successful operators will pay back the Federal Government before they take their own profits.

While there is a modest cost to the program, the potential benefits to the economy are quite significant. Some of the best known names in American businesses, including companies like Federal Express, Dell, Intel, Nike, Callaway Golf and Build-A-Bear received assistance through the use of long term equity capital. If H.R. 3738 creates a new Intel, it would certainly pay for itself. More importantly, the program will help America's entrepreneurs, the individual risk-takers who had an idea, and that is what made this country great.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield such time as he may consume to the lead sponsor of this bill, the gentleman from Virginia (Mr. NYE).

Mr. NYE. Mr. Speaker, the financial crisis that led to the current economic downturn has caused our small business credit markets to dry up. There has been much discussion in recent weeks about the difficulty that small firms face in securing affordable credit. Somewhat less attention has been paid to the other side of the capital equation, namely investment.

For early stage businesses, investment from venture capital firms makes more sense than taking out a loan. After all, fledgling businesses typically do not have the cash flow to make regular payments on debt. For these enterprises, investment from venture capital firms is usually a better way to raise capital. These early stage businesses engage in some of the most promising research areas like defense, medicine, and renewable energy. Breakthroughs in these fields mean new products, and more importantly, they mean new jobs.

In my home State of Virginia, we have seen the importance of venture

funding to job growth. Virginia ranks ninth in the Nation for jobs created or saved by venture capital, and over the past 6 years, we have been able to trace the creation of 13,000 Virginia jobs to venture capital investments.

If our economic recovery is going to be sustained, we will need high growth, high-risk firms that will spawn nascent innovative products, break new ground, and hire out-of-work Americans.

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That kind of progress will require investment from venture capital communities.

My bill, the Small Business Early Investment Act of 2009, will help promote a new wave of venture capital investments by creating a new Small Business Early Stage Investment program at the SBA. Under the program, carefully screened companies that invest in new enterprises will be eligible for SBA grants. These grants will match the capital that investors have already raised from the private market.

Once these investments mature and the venture capital companies exit their investments, the SBA will be paid back at the same rate as traditional investors. These grants will go to those who invest in early-stage companies that are doing work in some of our most promising sectors, like alternative energies, biotechnology, and defense technology. These are fields in which we want the United States to maintain its competitive edge. So these grants will not only stimulate growth but will also advance our national priorities.

Mr. Speaker, we all know that entrepreneurs will be central to our economic recovery; however, for these firms to perform their traditional job-creating role, they need capital. The legislation before us would, for the first time, create a program at the SBA that is dedicated to ensuring America's small businesses can access venture capital. This will help new companies get off the ground and early-stage companies fully develop. Most of all, this bill will invest taxpayer dollars wisely by creating new jobs, sparking technological progress, and fostering entrepreneurship.

I want to thank Chairwoman VELÁZQUEZ and Ranking Member GRAVES for their leadership on the committee and for working with me on this important initiative.

I urge my colleagues to support and pass this bill for our small businesses and for the recovery of our economy.

Mr. GRAVES. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

I rise in opposition to the legislation. This bill is one of many we're considering under suspension of the rules that were part of broader pieces of legislation we passed just a few weeks ago.

Members may recall that I offered an amendment to clarify that the grant program established under this program remain free of earmarks. That amendment was hardly controversial. It's passed a number of times, a similar amendment on similar bills. In fact, I think it's been by voice vote six times in the 111th Congress, twice by recorded vote, once in the 110th and again just a few weeks ago. This amendment on this bill earlier passed by a margin of 370–55, yet that language does not appear in the legislation that we're considering today.

Ms. VELÁZQUEZ. Will the gentleman yield?

Mr. FLAKE. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. I don't know what bill you read, but your amendment is part of the bill, so I would invite the gentleman to go back and read the bill.

Mr. FLAKE. I hope I'm mistaken. I hope that it is.

Ms. VELÁZQUEZ. The gentleman is mistaken.

Mr. FLAKE. Thank you. I appreciate that.

On to the broader piece of legislation, this Early Stage Investment program would allow the SBA to provide matching grants to private investment firms when they will use the money to invest in small business. I have to wonder, have to question——

Ms. VELÁZQUEZ. Will the gentleman yield again?

Mr. FLAKE. Yes, I yield.

Ms. VELÁZQUEZ. Page 11, section 3, ''Prohibitions on Earmarks. None of the funds appropriated for the program established under part D of title III of the Small Business Investment Act of 1958, as added by this act, may be used for a congressional earmark as defined in clause 9(d) of rule XXI of the rules of the House of Representatives.''

Thank you for yielding.

Mr. FLAKE. I thank the gentlewoman and I apologize.

Ms. VELÁZQUEZ. Is it correct that this is your language?

Mr. FLAKE. Yes, that is correct.

Ms. VELÁZQUEZ. Thank you.

Mr. FLAKE. That is my language. I'm pleased to see it is part of the legislation. However, as to the broader bill, I still remain opposed, but I thank the gentlewoman, and I hope that that language remains in all the legislation. Sometimes we have a habit of putting it in, then it goes to conference and the language is removed and it comes back. So I'm glad to be surprised and I'm very happy to be wrong in this case.

As to the broader bill, I think that when we are running a deficit of $1.4 trillion this year and have a debt of somewhere around $11 trillion, it behooves us to look at programs like this and wonder why we are taking taxpayer money. I know the sponsor of the legislation says that it will be invested wisely.

We are basically, as I understand it, using taxpayer money to give to or combine with venture capital money to invest in small business. By definition, if we are moving in with Federal taxpayer money, it's because venture capitalists and others don't see a profit being generated in the future or don't see the need or don't agree that this business model is sound. Yet we are taking taxpayer money and saying we're going to invest it because we know better than the venture capitalists, that somehow Congress, in all of our wisdom, in all of our small business wisdom and business acumen, we know better than venture capitalists which businesses are going to succeed and which ones are not. I think that that thinking is folly.

We in Congress don't have a stellar record when it comes to investing. You could name a number of things starting decades and decades ago where we haven't exactly picked the best winners and losers in the economy. But in this case with the kind of deficit we're running, with the kind of debt that we have, with the unfunded obligations totaling more than $50 trillion out there, to come with new authorization for new money, to invest where venture capitalists dare not tread, with taxpayer money, I think it should frighten us all. And to the extent that this legislation does that, we should reject it.

I should mention, as well, that this is talked about with early investment, but under the legislation only 50 percent of the funding is required to be invested early. Now, I think it would be folly to invest early, late, or anytime with Federal taxpayer money in private business in this fashion, but I think it's a bit of a misnomer even to call it ''early investment'' when only half of the money is required to be invested early in this case.

I hope that we reconsider this. Between now and the end of the year, we're going to be passing a lot of authorization bills like this, and a lot of people will say, well, it's not appropriation. It's not real money. We're just authorizing it. We're just stating goals and ideals. But then come next year or later when we haven't funded this, people will say, hey, we're cutting back or we're cutting funding that has been authorized. The Congress authorized it by a big margin, and this will probably pass by a big margin, and yet when we don't fund it, people will come back and say we haven't funded what we've authorized.

So it is important to make a statement here that it's not the right time, now or anytime, frankly, to use taxpayer money to invest in small business in this fashion, to go where venture capitalists dare not tread, where they will not invest their own money, but we're going to put Federal taxpayer money in this venture.

So with that, I appreciate the gentleman for yielding, and I thank the gentlewoman again. And I appreciate the diligence that you've worked with to keep the language in the legislation. That hasn't always happened, and I appreciate that it is here.

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

Mr. Speaker, I know that he didn't read his language in the bill, but perhaps I might help him understand the bill.

SBA doesn't do any investing in this bill. It doesn't pick winners and losers.

I reserve the balance of my time.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand here today in support of H.R. 3738, the Small Business Early-Stage Investment Act of 2009, which establishes the Small Business Early-Stage Investment program to provide equity investment finance to small businesses. I support this resolution because I believe that encouraging small business investment is crucial as the United States emerges from the recent economic downturn.

I would like to first thank my colleague, Congressman GLENN NYE, for introducing this valuable legislation. According to the National Bureau of Economic Research (NBER), the United States economy experienced the longest recession since World War II. As described by the Congressional Research Service (CRS), "this recession features the largest decline in output, consumption, and investment . . . of any post-war recession." The tightened credit markets have caused nonresidential investment to decline by 1.7% in the third quarter of 2008, by 21.7% in the fourth quarter of 2008, and by an estimated 37.9% in the first quarter of 2009, as reported by CRS. The impacts of the tightened credit markets and decline in business investment include the possibility of lenders declining to make loans to small businesses that they otherwise would in a more robust economy and small businesses possibly becoming more risk averse, thereby delaying or aborting projects. The difficulty obtaining investment that small businesses face today could lead to delays in new business ventures.

There are certain business sectors that we rely upon for innovation in order to transform our society. The United States is looking to innovation from the energy technology, environmental technology, and clean technology sectors to lead the way in developing technology that will reduce or eliminate climate change factors while maintaining our standard of living. We are looking to the information technology and digital media sectors to help level the educational playing field and open up the world to all students. If we allow these sectors to recover on their own, we could lose precious time for solving these problems.

H.R. 3738 seeks to reverse the negative impacts of the recession and the subsequent decline in investment opportunities for small businesses in critical economic sectors. While there currently exists a Small Business Innovation Research program established to provide small businesses with venture capital for projects in late stages of development, there does not currently exist a program to provide grant funding for early state research. Particularly, the biotechnology and defense technology business sectors require early stage investment to develop innovative technology. H.R. 3738 will help those and other critical sectors gain access to capital in order to drive innovation.

H.R. 3738 will establish a new program to provide equity financing to small businesses in targeted industries with early stage projects. The Small Business Administration (SBA) will be authorized to provide grants to qualified investment companies, determined by the SBA Administrator, under certain criteria. Any firm that applies for funds must have a 1-to-1 match of private funds. Equity firms that apply for these funds must return the funds in full plus 20 percent. While there is a $250 million initial appropriation, the program is predicted to be self-sustaining from the profits of the loan program.

My district is the perfect example of why small businesses are so vital to the nation's economy. Houston's newer and growing economic sub-centers have relied more on small business as their cornerstone than the older Central Business District. According to a report issued by the SBA Office of Advocacy, findings suggest that while small firms support urban economic growth, as development proceeds they grow substantially. In turn, small firm growth plays an important role in urban economic development which is likely to lead to economic growth for the entire local economy. I believe that H.R. 3738 will support the small businesses that sustain Houston's economy.

Ms. VELÁZQUEZ. Mr. Speaker, I urge adoption of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 3738, as amended.

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

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3082. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3082) "An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON, Mr. INOUYE, Ms. LANDRIEU, Mr. BYRD, Mrs. MURRAY, Mr. REED, Mr. NELSON, Mr. PRYOR, Mr. LEAHY, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. MCCONNELL, Ms. COLLINS, Ms. MURKOWSKI, and Mr. COCHRAN, to be conferees on the part of the Senate.

The message also announced that pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendations of the Majority Leader, in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the Chair, on behalf of the President pro tempore, appoints the following individuals to the United States-China Economic Security Review Commission:

Patrick A. Mulloy of Virginia, for a term beginning January 1, 2010 and expiring December 31, 2011.

William A. Reinsch of Maryland, for a term beginning January 1, 2010 and expiring December 31, 2011.

The message also announced that pursuant to Public Law 95–277, as amended by Public Law 102–246, the Chair, on behalf of the Majority Leader, in consultation with the Republican Leader, appoints the following individuals as members of the Library of Congress Trust Fund Board for five year terms:

Elaine Wynn of Nevada, vice Bernard Rapoport.

Tom Girardi of California, vice Leo Hindery.

SMALL BUSINESS HEALTH INFORMATION TECHNOLOGY FINANCING ACT

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3014) to amend the Small Business Act to provide loan guarantees for the acquisition of health information technology by eligible professionals in solo and small group practices, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3014

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Health Information Technology Financing Act".

SEC. 2. SMALL BUSINESS HEALTH INFORMATION TECHNOLOGY FINANCING PROGRAM.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by redesignating section 44 as section 45 and by inserting the following new section after section 43:

"SEC. 44. LOAN GUARANTEES FOR HEALTH INFORMATION TECHNOLOGY.

"(a) DEFINITIONS.—As used in this section:

"(1) The term 'health information technology' means computer hardware, software, and related technology that supports the meaningful EHR use requirements set forth in section 1848(o)(2)(A) of the Social Security Act (42 U.S.C. 1395w–4(o)(2)(A)) and is purchased by an eligible professional to aid in the provision of health care in a health care setting, including, but not limited to, electronic medical records, and that provides for—

"(A) enhancement of continuity of care for patients through electronic storage, transmission, and exchange of relevant personal health data and information, such that this

information is accessible at the times and places where clinical decisions will be or are likely to be made;

''(B) enhancement of communication between patients and health care providers;

''(C) improvement of quality measurement by eligible professionals enabling them to collect, store, measure, and report on the processes and outcomes of individual and population performance and quality of care;

''(D) improvement of evidence-based decision support; or

''(E) enhancement of consumer and patient empowerment.

Such term shall not include information technology whose sole use is financial management, maintenance of inventory of basic supplies, or appointment scheduling.

''(2) The term 'eligible professional' means any of the following:

''(A) A physician (as defined in section 1861(r) of the Social Security Act (42 U.S.C. 1395x(r))).

''(B) A practitioner described in section 1842(b)(18)(C) of that Act.

''(C) A physical or occupational therapist or a qualified speech-language pathologist.

''(D) A qualified audiologist (as defined in section 1861(ll)(3)(B)) of that Act.

''(E) A qualified medical transcriptionist who is either certified by or registered with the Association for Healthcare Documentation Integrity, or a successor association thereto.

''(F) A State-licensed pharmacist.

''(G) A State-licensed supplier of durable medical equipment, prosthetics, orthotics, or supplies.

''(H) A State-licensed, a State-certified, or a nationally accredited home health care provider.

''(3) The term 'qualified eligible professional' means an eligible professional whose office can be classified as a small business concern by the Administrator for purposes of this Act under size standards established under section 3 of this Act.

''(4) The term 'qualified medical transcriptionist' means a specialist in medical language and the healthcare documentation process who interprets and transcribes dictation by physicians and other healthcare professionals to ensure accurate, complete, and consistent documentation of healthcare encounters.

''(b) LOAN GUARANTEES FOR QUALIFIED ELIGIBLE PROFESSIONALS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Administrator may guarantee up to 90 percent of the amount of a loan made to a qualified eligible professional to be used for the acquisition of health information technology for use in such eligible professional's medical practice and for the costs associated with the installation of such technology. Except as otherwise provided in this section, the terms and conditions that apply to loans made under section 7(a) of this Act shall apply to loan guarantees made under this section.

''(2) LIMITATIONS ON GUARANTEE AMOUNTS.—The maximum amount of loan principal guaranteed under this subsection may not exceed—

''(A) $350,000 with respect to any single qualified eligible professional; and

''(B) $2,000,000 with respect to a single group of affiliated qualified eligible professionals.

''(c) FEES.—(1) The Administrator may impose a guarantee fee on the borrower for the purpose of reducing the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of the guarantee to zero in an amount not to exceed 2 percent of the total guaranteed portion of any loan guaranteed under this section. The Administrator may also impose annual servicing fees on lenders not to exceed 0.5 percent of the outstanding balance of the guarantees on lenders' books.

''(2) No service fees, processing fees, origination fees, application fees, points, brokerage fees, bonus points, or other fees may be charged to a loan applicant or recipient by a lender in the case of a loan guaranteed under this section.

''(d) DEFERRAL PERIOD.—Loans guaranteed under this section shall carry a deferral period of not less than 1 year and not more than 3 years. The Administrator shall have the authority to subsidize interest during the deferral period.

''(e) EFFECTIVE DATE.—No loan may be guaranteed under this section until the meaningful EHR use requirements have been determined by the Secretary of Health and Human Services.

''(f) SUNSET.—No loan may be guaranteed under this section after the date that is 7 years after meaningful EHR use requirements have been determined by the Secretary of Health and Human Services.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of guaranteeing $10,000,000,000 in loans under this section. The Administrator shall determine such program cost separately and distinctly from other programs operated by the Administrator.''.

SEC. 3. REGULATIONS.

Except as otherwise provided in this Act or in amendments made by this Act, after an opportunity for notice and comment, but not later than 180 days after the date of the enactment of this Act, the Administrator shall issue regulations to carry out this Act and the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I rise in support of H.R. 3014, important legislation authored by Mrs. DAHLKEMPER to assist our Nation's small health care providers.

The passage of America's Affordable Health Choices Act earlier this month marked a turning point in our journey toward lasting health care reform. That legislation promises to break from the status quo, delivering solutions that not only reduce costs but also increase efficiency. These are changes our current system sorely needs. And, Mr. Speaker, reduced costs and enhanced efficiency are two benefits that health information technology already offers.

In big hospitals across the country, electronic medical records are revolutionizing health care. They are streamlining the flow of data, minimizing errors, and improving communication between medical professionals, and they are doing it all with a click of a mouse. But while HIT offers a myriad of obvious benefits, small medical practices have struggled to adopt this technology. This is because the technology, like most groundbreaking new products, is extraordinarily expensive.

For your average small practice, implementation of HIT runs close to $100,000. As a result, only 13 percent of single-doctor practices have chosen to purchase technology. This bill ensures all medical practices, regardless of size, can afford HIT. To begin, it blunts product and installation costs by making capital more affordable. It also allows small practices to defer loan payments. That way, these practitioners have the flexibility to bring this system online and reap the benefits before having to shoulder the implementation costs.

Access to capital has always been a key concern for small firms even during the best of times. The current trend in tightening credit and restricting lending has compounded that challenge. Like all small businesses, small health practitioners are feeling the pinch of these tightening credit conditions. This is why this bill is so important. Without it, small practices will be unable to afford HIT. And because the vast majority of Americans patronize small practices, countless patients will miss out on the benefits of a streamlined system.

Only days ago, this body took historic action to overhaul our broken health care system. As we continue to work towards lasting reform, HIT will play a critical role. With this bill, we can increase adoption within the small business community, reducing costs and improving quality for all Americans.

Mr. Speaker, this is an important piece of legislation. It is supported by 23 of the most prominent medical organizations, including the American Medical Association, the American Academy of Pediatrics, the American Osteopathic Association, and the American College of Surgeons.

I thank Representative DAHLKEMPER for her work on this bill. I urge my colleagues to vote ''yes.''

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

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

Mr. Speaker, I rise today in support of the request to suspend the rules and pass H.R. 3014, a bill to provide financial assistance in the form of loans to install health information technology systems.

Two weeks ago, there was significant disagreement about the health care reform bill offered by the Democrats. Those concerns included the cost impact on small businesses and whether the bill actually will improve the efficiency and efficacy of the health care system at a time of skyrocketing health insurance premiums. One way to improve the efficiency of the health

care system is for physicians and other providers of health care, such as pharmacists, physical therapists, and providers of durable medical equipment, to install health information technology systems.

□ 1130

Electronic medical records have proven to be an effective tool in reducing medical errors and eliminating unnecessary medical procedures. However, health information technology systems are extremely expensive, particularly for the numerous small businesses such as solo physician practitioners in rural areas to purchase and install such systems.

H.R. 3014 addresses this issue by providing loan guarantees by the Small Business Administration to health care providers that install health information technology systems. The loan process will operate in a manner identical to that of the SBA's 7(a) loan guarantee program. Thus, fees will be charged to borrowers and lenders as they are in the 7(a) loan program.

Testimony before the committee revealed that it takes anywhere from 1 to 3 years for physicians and other health care providers to reach the level of efficiency that they operated with under handwritten systems. Recognizing this, H.R. 3014 authorizes a deferral period in repayment of 1 to 3 years. While there is an additional cost associated with such deferral, this small incentive will pay for itself many times through an increase in efficiency of the health care system without undertaking a government capture of the health care market.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield as much time as she may consume to the lead sponsor of this bill, the gentlelady from Pennsylvania (Mrs. DAHLKEMPER).

Mrs. DAHLKEMPER. Mr. Speaker, I rise today in support of the Small Business Health Information Technology Financing Act. This legislation is a vital piece to lowering the health care costs of our country, and a key to making health technology accessible to small business health companies.

While we talk about the high price of health care to hospitals and consumers, we often forget that most doctors and pharmacists work in small groups or as individual health care providers. These small medical businesses are dramatically affected by administrative burdens, which can translate to higher health care costs for their patients.

My legislation creates an affordable path for these providers to make the investment in health information technologies that lower the cost of health care for their patients and for their businesses.

Rural communities, like many of those in my district, often rely on only a few health care providers in the area. These providers—independent pharmacists, doctors and allied health professionals—struggle to continue providing their services when they do not have the infrastructure and support of bigger hospitals or other facilities. Doctors and practitioners with small practices work tirelessly to keep communities healthy at the most basic level, but the costs to do so can be overwhelming.

The Small Business Health Information Technology Financing Act creates a new loan guarantee program at the SBA that would allow these small pharmacies, small doctors and allied professional offices to purchase health information technology that would drastically improve their businesses and potentially lower the costs to patients. The loan guarantee programs provides a 90 percent guarantee on loan amounts up to $350,000 for an individual practitioner and $2 million for a group to purchase cost-saving information technologies which are often too expensive an investment for a small business.

Mr. Speaker, the Small Business Health Information Technology Financing Act will not only lower the administrative costs of health care, it will help bolster small businesses by allowing them access to modern and efficient technologies. My legislation creates an affordable loan program for these providers to make the investment in health information technologies that lower the cost of health care for everyone and improve the health of all. I urge my colleagues on both sides of the aisle to support this small business legislation.

Mr. GRAVES. Mr. Speaker, I don't have any other speakers. I would just like to say that I appreciate the chairwoman's work on this bill and incorporating ideas from our side into this bill. As always, the bipartisan work of the committee is very much noticed and I appreciate that.

I would yield back the balance of my time.

Ms. VELÁZQUEZ. I have an additional speaker. I will yield as much time as he may consume to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. LANGEVIN. Mr. Speaker, I thank the gentlelady for yielding, and I want to commend the sponsor of this act before us today.

Mr. Speaker, I rise in strong support of H.R. 3014, the Small Business Health Information Technology Financing Act. As this Congress is moving aggressively to solve our Nation's health care crisis by establishing universal health care, we are going to have to move aggressively also to look at ways of controlling costs. That really is one of the vital reasons why we have to overhaul our Nation's health care system. Health information technology will be a vital part of the effort to both improve quality and cut costs.

But, of course, with this there will be an up-front cost that many doctors, in particular, are going to have to absorb. We have to work aggressively, I believe, to try to support them in this transition to adopt these new health information technologies. Again, many of these doctors are just, if you will, small businesses themselves. Today, the Congress is debating several bills supporting small business.

In order to create jobs we absolutely have to look to small businesses. In many ways they are the backbone of our economy. Certainly in my home State of Rhode Island that's true, with 96 percent of employers being small businesses. My constituents right now are struggling with a heavy burden of 13 percent unemployment in a State whose recession began almost a year earlier than most of its neighbors, and the need for job creation could not be more urgent.

Many of the new jobs we need will be created through new business endeavors, and that's why this legislation and other pieces of small business legislation that we're debating today are so important. By looking at new business models, we will better target the needs of our communities. We need to help our small businesses grow, keep people employed, and train them for new, sustainable jobs. American prosperity clearly depends on the success of small businesses and the innovative spirit of the American people. I'm certainly committed to bringing relief to Main Street and small businesses that are struggling in our State. Certainly, doctors, as I said, many of them are small businesses themselves, and helping them with the up-front cost of adopting this health information technology will assist them to stay in business. And particularly, as we try to grow our primary care system, this will become more and more important.

I commend the gentlelady for introducing the legislation. I am proud to support it, as I am proud to support all of our small businesses and helping them to stay in business and grow jobs.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 3014, as amended.

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

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3791, FIRE GRANTS REAUTHORIZATION ACT OF 2009

Ms. PINGREE of Maine. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 909 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 909

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. 3791) to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, 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 Science and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Science and Technology 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).

The SPEAKER pro tempore. The gentlewoman from Maine is recognized for 1 hour.

Ms. PINGREE of Maine. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Ms. PINGREE of Maine. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 909.

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

There was no objection.

Ms. PINGREE of Maine. Mr. Speaker, House Resolution 909 provides a structured rule for consideration of H.R. 3791, the Fire Grants Reauthorization Act of 2009. The rules waive all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides 1 hour of general debate equally divided and controlled by the Committee on Science and Technology. The rule provides that the amendment in the nature of a substitute recommended by the Science and Technology Committee modified by the amendment printed in part A of the Rules Committee report shall be considered as adopted and shall be considered as read. The rule waives all points of order against the substitute amendment, except those arising under clause 10 of rule XXI. The rule makes in order the amendments printed in part B of the Rules Committee report and waives all points of order against such amendments except those arising under clause 9 or 10 of rule XXI. The rule makes in order all five of the amendments submitted for consideration. The Chair may not entertain a motion to rise unless offered by the Chair of the Committee on Science and Technology or his designee, and may not entertain a motion to strike the enacting clause.

Mr. Speaker, H.R. 3791 reauthorizes funding for two vital programs that support our local firefighters and our communities: the Assistance to Firefighters Grant (AFG) program and the Staffing for Adequate Fire and Emergency Response (SAFER) grant program. These two programs go hand in hand by providing assistance that keeps local fire departments prepared and able to respond, while assuring that each department is adequately staffed to meet the needs of the community. The AFG program provides funding for local fire departments to purchase equipment, vehicles and training, and the SAFER grants program helps local departments maintain and hire firefighters.

The success of both programs has been indisputable and their impacts have been felt in each of our districts. Since 2001, the AFG program has provided over $4.8 billion in funding to local fire departments to purchase emergency response training and equipment. Since 2004, the SAFER program has competitively awarded $700 million to local departments for hiring, recruitment and retention of fire fighters. The effect of both programs can be simply stated. Each dollar saves lives and jobs.

While this funding has been essential, the unmet needs of our local departments remain staggering. In fiscal year 2008, the Federal Emergency Management Agency received over 20,000 applications from fire departments requesting over $3 billion. In the same fiscal year, FEMA also received over 1,000 applications for SAFER grants, requesting over $500 million. The National Fire Protection Association estimates that 65 percent of fire departments in the United States do not have enough portable radios to equip all firefighters, and that 36 percent of all fire departments involved in emergency medical responses do not have enough adequately trained personnel to respond to these emergencies.

The numbers speak for themselves. During these tough economic times, the needs of our local fire departments have been exacerbated and local resources have been stretched to the breaking point. Communities in rural areas, which have always been strapped for resources and struggled to compete for Federal funds, have been hit exceptionally hard by this economic downturn.

□ 1145

In Portland, Maine, one of the more urban areas that I represent, nine firefighters in the Portland region were recently laid off due to significant budget cuts. But the local unions stepped up and unanimously stood up to support their laid-off colleagues out of their own pay checks.

While this is a great example of people pulling together during tough times, and it may exemplify part of what we admire about first responders, this is simply an unacceptable solution. The Federal Government has no higher charge than to provide for the common protection and the common good of its citizens and to support this work at the local level. It is time to reinvest in our emergency responders and renew our commitment to these critical programs.

This funding is also critical in rural towns across the country. Raymond, Maine, in my district, for example, is a town of less than 5,000 residents and a fire department that is mostly made up of volunteers. In 2008 when they realized that their SCBAs, self-contained breathing apparatus, on all of their trucks were outdated and didn't meet the current requirements, they turned to this program. And thanks to a $150,000 grant, Raymond, Maine, was able to purchase the equipment they so desperately needed. Stories like this are now more common because of the SAFER program.

The safety of our homes and our neighborhoods has never been a partisan issue, and the bravery and service of our local fire departments has never been in question. This is clearly demonstrated by the broad bipartisan support for this bill and the strong endorsements from the International Association of Firefighters and the National Volunteer Fire Council.

I look forward to the passage of this important legislation, and I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I thank my friend from North Haven for yielding me the customary 30 minutes, and I yield myself such time as I might consume.

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

Mr. DREIER. Mr. Speaker, my Rules Committee colleague has pointed at the fact that this is a bipartisan measure. Dealing with issues of firefighting obviously transcend partisanship in every way. And this is a very, very important measure that will, in fact, have, I suspect, unanimous support here on the House floor. She has outlined appropriately the two grant programs, the Assistance to Firefighters program which will provide $12.2 billion, and the SAFER program which will provide $1 billion in assistance. And I believe that this is a measure which is critically important as we look at the challenges of the Federal Government's role in dealing with firefighting.

Mr. Speaker, this past August 26 was a devastating day in southern California history. We saw the largest fire in Los Angeles County history burn 160,000 acres. It was a horrible, horrible time, because above all of it, we lost two courageous firefighters, Captain Ted Hall and Specialist Arnie Quinones. And when one thinks about where it is that we are going on this issue, it is critical that we do every single thing that we can for the brave men and women who are firefighters.

And, Mr. Speaker, I think it's important for us to never forget what it is that happened in Los Angeles or in other fires. There was a memorial service that was held at Dodgers Stadium several weeks ago. And I was struck at that service with the fact that firefighters stood up and said that the one thing that continues to happen is that while the populace at large may have a tendency to forget these things, firefighters never, ever forget their own. And that is why there is a redoubling of the commitment to the spouses, the children and other family members of Captain Ted Hall and Specialist Arnie Quinones.

This program is important, and it has a Federal component, I believe, in large part due to the fact that the area that burned just above La Canada, California, is an area that consists of the Angeles National Forest, which is Federal land. So I hope very much that we are able to proceed in a bipartisan way in dealing with this issue.

If you think about the sacrifice that is made, on average 75,000 firefighters are injured every single year, and on average 100 firefighters are killed every single year as they are proceeding with their very, very important work. That is why this program will, I believe, go a long way towards diminishing the loss of life and the threat to those people and at the same time diminish the threat of fire overall.

Now, Mr. Speaker, as important as this issue is, and my friend from North Haven has pointed to the fact that it is bipartisan, I believe this measure should be considered under either suspension of the rules, because while the five amendments that were offered were made in order, I'm convinced that under the able leadership of the committee of jurisdiction, there could have been an agreement that would have allowed this to come up with 20 minutes of debate. Just as the last measures that we have considered were considered under suspension of the rules, this very easily could have. But since it's not, it obviously should be considered under an open amendment process.

Now it's very sad that we have gone through this entire Congress, this entire Congress without a single open rule. And that is, I think, a very, very unfortunate thing. It is a step forward that every amendment submitted upstairs to the Rules Committee was made in order. But why not consider it under an open amendment process which would allow any rank-and-file Member to stand up and offer an amendment to this legislation?

So I also have to say that the amount of time that we are expending on this is, I believe, not necessary in light of the fact that as important as it is, it enjoys strong bipartisan support, as both of us have said.

I believe what the American people want us to be doing here, Mr. Speaker, is focusing on jobs, jobs, jobs. We all know that when the stimulus package, the $787 billion stimulus package passed, President Obama said that its passage would ensure that we would not see an unemployment rate that would exceed 8 percent.

We all know that today, tragically, the unemployment rate is at 10.2 percent. In my State of California, it's 12.2 percent. In some of the areas that I represent around Los Angeles, it's up over 14 percent. And that's why what we should be doing is focusing on issues that will create jobs so that those individuals who are losing their homes and losing their small businesses are not going to continue to suffer.

Now what should we be doing? At this moment, President Obama is in Seoul, South Korea. And we know that denuclearizing the Korean peninsula is obviously a high priority. But just as was discussed when President Obama was in Beijing, similarly in Seoul, the priority issue being discussed is the U.S.-Korea free trade agreement.

Now there are a lot of people, Mr. Speaker, who say, why, when you're dealing with economic difficulties would you possibly consider embarking on a free-trade agreement? Well, guess what? There are very important reasons. The main reason is that it's one of the most important ways that we can create jobs right here in the United States of America.

Let's take just a moment, and I wish we were debating this agreement which has been completed, similarly the Colombia and the Panama agreements have been completed which would be job creators right here in the United States. Automobiles, the automobile industry is hurting in the United States, and we know that there is this massive disparity between the number of automobiles going from the United States of America being sold in Korea, that number is actually just under 10,000, and the number of Korean automobiles that are sold in the United States; 700,000 Korean automobiles are purchased by Americans.

Now I think everyone should have a right to buy the best quality product at the lowest possible price, but I believe we should do everything that we can to have an opportunity to create more jobs here in the United States of America in the automobile industry and every other industry that is tied to that, by creating a market opening, a market-opening vehicle for us in South Korea.

Now, people ask, well, why would you want to do an agreement that would make that happen? The reason is very simple. The tariff is higher on U.S. automobiles going into South Korea than it is on Korean vehicles coming into the United States by and large. And even more important than that, Mr. Speaker, there is a tax and regulatory structure that exists in South Korea that prevents us from being able to sell those cars. So, again, fewer than 10,000 American-made automobiles are sold in South Korea today; and we purchase 700,000 cars and trucks from there.

So what should we do? We should pass this free-trade agreement, pass this free-trade agreement which will create jobs right here in the United States of America and, I believe, go a long way towards dealing with the devastating 10.2 percent unemployment rate that we have. We can, we can implement job-creating economic growth policies. Unfortunately, based on the track record that we've seen over this past year, we haven't. So people are hurting. It's very important for us to pass this legislation which could be considered either under suspension of the rules or under an open amendment process, which unfortunately it isn't; and we could spend our time passing policies that will help the American worker.

With that, I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I want to thank my colleague for all of the many topics he brought up this morning. I'm sure he and I will have another time when we get to discuss the trade issues in this country. And I also appreciate that there will be time in our committee to talk about the issues around amendments and open rules.

I will say that there are job components, particularly in this bill when I brought up the firefighters in Portland, Maine, who had recently lost their jobs and are now helping some of their brethren with their own paychecks. I know that funding through this helps many of our firefighters to maintain their service. I do want to also say, I know we all extended our sympathy at the time, but I appreciated that you spoke to us about the extreme fire issues in your district. And I also want

to send my sympathies to those firefighters who are lost and their families. And I know that was a perilous time.

I appreciate the fact that while I represent a very rural district, even in your urban district, we have very many similarities of issues that we have to deal with.

I would now like to yield 3 minutes to the gentlewoman from Ohio (Ms. SUTTON).

Ms. SUTTON. I thank the gentlewoman for the time, and I thank her for her leadership on behalf of our firefighters and on behalf of all those out there who are fighting for jobs and for her leadership in taking us to a place today to bring this bill to the floor.

I rise today in support of H.R. 3791, the Fire Grants Reauthorization Act. Our communities desperately need this bill. We need to be able to keep our firefighters on the job and keep our constituents and communities safe. So this is all about jobs and the safety and well-being of those whom we are so honored to represent.

I'm pleased, too, with many of the changes that have been made to the Firefighters Grant programs, that H.R. 3791 sets aside specific percentages of the assistance to firefighter grants for career fire departments, combination departments and volunteer fire departments.

Currently, there is no statutory language guaranteeing professional fire departments a minimum percentage of funding. So I'm also pleased that we are including economic hardship waiver language in this bill. This language will, for the first time, work to address some of the devastating effects we have seen in this recession. It will allow that the local matching fund requirements be waived also. It allows the requirement that departments use the SAFER grants to supplement, rather than replace, local funds to be waived. It allows the requirement that departments use the funds to hire additional firefighters rather than retain existing personnel to be waived.

That's what we're passing today, and that is what we passed earlier in the year. However, I'm deeply concerned that the SAFER grant guidance recently released by the Department of Homeland Security does not reflect congressional intent or the sacrifices made by local fire departments in some significant ways.

This bill makes it clear that our intent is to allow SAFER grants to be used to retain firefighters, as well, during the worst recession since the Great Depression. Many firefighters in my congressional district and across the country have made very difficult decisions to take pay cuts and make other sacrifices to avoid layoffs—for now. But their shared sacrifice may work against them when applying for these grants under the current guidelines. And it's my opinion and it is our intent, congressional intent, that they should not be penalized from accessing these grants that can keep them working.

□ 1200

Our firefighters sacrifice so much for our safety and should not be punished for sacrificing during the recession to stay on the job to protect our communities and one another.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume. I was sorry my friend from North Haven didn't want to yield to me. I was simply going to tell her that I completely concurred with her argument that the job creation that will focus on firefighters is a very, very important thing, and I support that.

Ms. PINGREE of Maine. Will the gentleman yield?

Mr. DREIER. Of course. I'm always happy to yield to my friend.

Ms. PINGREE of Maine. I just want to say to my good friend from California, I apologize for not yielding earlier, and I appreciate your comments.

Mr. DREIER. Let me say that the notion of discussing a wide range of issues as I did, talking about the critical importance of the Assistance to Firefighters Grant Program of $1.2 billion and the SAFER Program of an additional billion dollars, is critical—and we support that. We support that very enthusiastically. But President Obama is at this point in Korea, and that is what led me to talk about the importance of our dealing with job creation.

As I talk to my constituents, Mr. Speaker—jobs, jobs, jobs—that is the message that continues to come through loudly and clearly. And the notion of expanding private-sector jobs is something that I believe we should be encouraging through improved tax and regulatory policy, bringing about marginal rate reduction, decreasing the regulatory burden and, Mr. Speaker, opening up new opportunities for U.S. workers here in the United States of America, which is exactly what is being said to President Obama as he meets in Korea at this moment with their leadership, with President Lee and others. And so I think that we need to have our attention in this Congress focused on the priority that the American people have.

Firefighting is very, very important. But, again, this measure will pass—if not unanimously, nearly unanimously—and it will do so, and I hope get the resources to ensure that we never have the loss of life, as I said, of Captain Hall and Specialist Quinones, and others. But I know from having spoken to their families, Mr. Speaker, that they believe that it's absolutely essential for us to encourage private-sector job creation and economic growth, and that's why I'm talking about this priority that needs to be addressed here.

Mr. Speaker, I'm going to urge my colleagues to defeat the previous question as we move ahead. Why? Because the issue of reading legislation is another very, very important one that is before us. There is a bipartisan proposal launched by Messrs. BAIRD and CULBERSON, supported by Mr. DENT and others, a bipartisan measure which will allow us to, if we defeat the previous question and debate that measure, which calls for 72 hours for the reading of legislation before we bring it to the floor.

I suspect that my colleague from North Haven has heard, just as I, that the American people believe that we should read legislation before it comes to the House floor. Right now, we regularly waive the 72-hour, 3-day layover requirement.

So, Mr. Speaker, I'm going to urge my colleagues to defeat the previous question. It will not in any way impinge on our ability to move ahead and pass this very important legislation dealing with firefighting. At the same time, it will do something else that the American people have been asking us, and that is to read, review, and consider legislation in a very deliberative manner, which is exactly what the framers of our Constitution wanted us to do.

With that, I reserve the balance of my time.

Ms. PINGREE of Maine. At this moment I have no other speakers. I would inquire whether the gentleman is ready to yield back his time.

Mr. DREIER. Let me yield myself such time as I might consume to close by simply saying this is very good and important legislation. It needs to pass. It's being considered, unbelievably, under a structured amendment process. It enjoys strong bipartisan support and should pass with that.

I think we should be focusing our attention, as I said, on job creation and economic growth, which is what the American people want us to be spending our time doing here rather than taking a long period of time to debate an issue on which we all agree.

So I urge my colleagues to vote ''no'' on the previous question so that we can consider the bipartisan Baird-Culberson language that would allow us to read legislation before it's considered here over the 72-hour period of time.

If by chance—if by chance—the previous question is not defeated and we don't have an opportunity to debate that very important legislation that will allow us to have the 3-day layover, I will urge my colleagues to vote ''no'' on the rule so that we can come back with an open amendment process, which is another very, very important part of the transparency message which should be coming through.

AMENDMENT TO H. RES. 909 OFFERED BY MR. DREIER

At the end of the resolution, insert the following new section:

SEC. 3. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the

House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

Ms. PINGREE of Maine. I thank my colleague for co-managing this rule. I appreciate his concerns about jobs. I know it's a top priority for our caucus and one we will be talking about in the coming weeks and days. I want to finish my remarks by focusing on the important contribution of firefighters.

Mr. Speaker, the fire service in this country is being asked to do more than ever before—from hazmat response and safety planning for schools to EMT duties and homeland security responsibilities. These days, fire departments do much more than spray water on burning buildings. Or, as one of my firefighter friends says, much more than ''putting the wet stuff on the red stuff.'' These increased responsibilities are why these programs are so vitally important.

My home State of Maine has used these programs to great success. During fiscal year 2008, Maine received almost $5 million in AFG funding and close to $1 million in SAFER grants. But these numbers alone do not tell the whole story. The real success of these programs is told through the stories of those whose lives have been saved and those whose jobs have been preserved.

In 2005, a Maine fire department received an AFG grant to purchase smoke alarms and install those in homes that did not meet the level of protection recommended by the National Fire Protection Association. Just 2 months after the local fire department began installing the smoke alarms, firefighters were called to a house where smoke had been detected in the basement. The family of six living in the home was awakened by a smoke alarm and they were able to escape before any of them suffered a serious injury. The smoke alarm had been bought and installed with funding from the AFG program.

The town of Saco, Maine, recently used these programs to install an exhaust system for the fire station so the building doesn't fill up with diesel exhaust every time the fire trucks start up. And the town of Brunswick, a community facing the challenges of a Navy base closure, the department was able to hire critically needed firefighters thanks to a SAFER grant.

But, Mr. Speaker, I think some of the real success stories lie in our rural communities, communities often staffed by volunteer fire departments. Just like bigger communities, those small-town fire departments are being asked to do more, but acquiring the equipment they need is often beyond the scope of small-town municipal budgets. Through these programs, small-town volunteer fire departments in my State have been able to acquire the turnout coats, the breathing apparatus, and the hazmat suits to do the job effectively and safely.

Mr. Speaker, I am a proud cosponsor of this bill and I will continue to be a strong supporter of the men and women who put their lives on the line to keep our businesses, our homes, and our communities safe.

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

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

The SPEAKER pro tempore (Mr. JACKSON of Illinois). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Ms. PINGREE of Maine. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 214

Resolved by the House or Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, November 19, 2009, or Friday, November 20, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, December 1, 2009, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Friday, November 20, 2009, through Wednesday, November 25, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, November 30, 2009, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the

House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Concurrent Resolution 214 will be followed by 5-minute votes on ordering the previous question on House Resolution 909; and adoption of House Resolution 909, if ordered.

The vote was taken by electronic device, and there were—yeas 243, nays 166, not voting 25, as follows:

[Roll No. 896]

YEAS—243

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldwin
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garrett (NJ)
Gohmert
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Linder
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maffei
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—166

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

NOT VOTING—25

Barrett (SC)
Bilirakis
Blunt
Bright
Brown (SC)
Cantor
Capuano
Cooper
Costa
Crowley
Deal (GA)
Dingell
Garamendi
Gerlach
Gutierrez
Honda
Maloney
Murphy, Tim
Pitts
Rothman (NJ)
Salazar
Sullivan
Tanner
Wexler
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1237

Messrs. WITTMAN, CAMPBELL, Mrs. CAPITO, Ms. KOSMAS, Messrs. ARCURI, and CASSIDY changed their vote from ''yea'' to ''nay.''

Mr. GOHMERT changed his vote from ''nay'' to ''yea.''

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRIGHT. Mr. Speaker, on rollcall No. 896, had I been present, I would have voted "yea."

PROVIDING FOR CONSIDERATION OF H.R. 3791, FIRE GRANTS REAUTHORIZATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 909, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 174, not voting 18, as follows:

[Roll No. 897]

YEAS—242

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)

Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu

NAYS—174

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

NOT VOTING—18

Barrett (SC)
Brown (SC)
Cao
Capuano
Cooper
Costa
Crowley
Deal (GA)
Dingell
Gerlach
Murphy, Tim
Pitts
Rangel
Rothman (NJ)
Sullivan
Tanner
Wexler
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes left to vote.

□ 1244

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 245, nays 173, not voting 16, as follows:

[Roll No. 898]

YEAS—245

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
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
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu

NAYS—173

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
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)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
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
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
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)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Barrett (SC)
Brown (SC)
Capuano
Costa
Crowley
Deal (GA)
Dingell
Gerlach
Gordon (TN)
Granger
Murphy, Tim
Rothman (NJ)
Serrano
Tanner
Wexler
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1251

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on November 18th, 2009, I was absent for three rollcall votes because I was attending the funeral of a family member. If I had been here, I would have voted: "yes" on rollcall vote 896; "yes" on rollcall vote 897; and "yes" on rollcall vote 898.

PERSONAL EXPLANATION

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, on rollcall Nos. 896, 897, and 898 I was unavoidably detained.

Had I been present I would have voted "nay" on rollcall No. 896; "nay" on rollcall No. 897; and "nay" on rollcall No. 898.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE ATTORNEY GENERAL

Mr. CONYERS, from the Committee on the Judiciary, submitted a privileged report (Rept. No. 111–341) on the resolution (H. Res. 871) directing the Attorney General to transmit to the House of Representatives certain documents, records, memos, correspondence, and other communications regarding medical malpractice reform, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 874

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 874.

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

There was no objection.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 3791.

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

There was no objection.

FIRE GRANTS REAUTHORIZATION ACT OF 2009

The SPEAKER pro tempore. Pursuant to House Resolution 909 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3791.

□ 1254

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3791) to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, and for other purposes, with Mr. JACKSON of Illinois in the chair.

The Clerk read the title of the bill.

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

The gentleman from Tennessee (Mr. GORDON) and the gentleman from Nebraska (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. GORDON of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 3791, the Fire Grants Reauthorization Act of 2009. This bill reauthorizes the Assistance to Firefighters Grant (AFG) program and the Staffing for Adequate Fire and Emergency Response (SAFER) program. Over the past 9 years, these programs have provided over $5 billion to purchase firefighting equipment and training, and for communities to hire additional firefighters. This Federal support for public safety is even more important in this tough economy as local officials struggle to provide services in the face of decreasing budgets.

The provisions in this bill make several changes to the program to enable more fire departments to apply for grants, and to ensure that the programs can benefit all types of communities, from small towns to our largest cities.

As part of this, the bill apportions the AFG funding between the career, volunteer, and combination fire departments according to a formula that authorizes a minimum of 25 percent of each year's total AFG dollars for each type of department.

The bill also authorizes the director to waive matching funds, budget maintenance requirements and other requirements for fire departments facing exceptional economic hardships. It further lowers the matching requirement for AFG and modifies the matching structure of SAFER to make it easier for communities to plan for the commitment of a SAFER grant.

The Science Committee heard testimony from fire service experts in July that, particularly in this economy, the current matching requirements dissuaded some departments from applying. These provisions enable those fire departments with the most need to apply.

Finally, H.R. 3791 also increases the amount of money larger jurisdictions may apply for under the AFG program. These amounts better reflect the needs of larger metropolitan areas as well as fire departments that have been consolidated to provide unified coverage to a large area.

H.R. 3791 is the product of much hard work by the International Association of Fire Chiefs, the International Association of Fire Fighters, the National Volunteer Fire Council, the National Fire Protection Association, and the Congressional Fire Services Institute. It has been endorsed by all of these groups. This bill has bipartisan support and passed out of the Science and Technology Committee by voice vote.

I would like to once again thank Mr. MITCHELL for sponsoring this important legislation. I would also like to recognize the efforts of our subcommittee chairman, Mr. WU, in getting the policy right in this bill and working to get a consensus piece of legislation. I also want to thank Mr. PASCRELL of New Jersey for being the father of the origination of these bills, as well as Majority Leader STENY HOYER for bringing all of the parties together and working together to get a good bill out.

Finally, I would like to recognize the staff who have been integral in crafting this legislation: Meghan Housewright and Mike Quear on the majority staff, and Dan Byers on the minority staff.

We have some amendments today. I look forward to working with my colleagues today to make a good bill better.

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

Mr. SMITH of Nebraska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 3791, the Fire Grants Reauthorization Act of 2009. This bill reauthorizes both the Assistance to Firefighters Grant (AFG) program and the Staffing for Adequate Fire and Emergency Response (SAFER) program, which both provide much-needed assistance to fire departments across the Nation.

As we learned through our committee work on this bill, and as I have heard firsthand in discussions with fire chiefs and firefighters in my district, the AFG program is frequently cited as a ''life safer'' and the only means by which many departments can acquire up-to-date equipment and training—which requires a significant portion of their budget—for their firefighters.

This is particularly true in rural areas such as my district in rural Nebraska, where many communities rely upon all-volunteer departments to respond to fires and other emergencies. The equipment needed to fight fires and save lives and property is costly, and required for departments to meet certain minimum response capabilities regardless of whether they are protecting a community of a few hundred people or a large city of a few hundred thousand people. As such, firefighter grants have proven absolutely vital for rural and volunteer fire departments, which have small tax bases and the least ability to acquire such equipment.

□ 1300

The bill before us today makes several modest changes to the AFG and SAFER programs, reflecting a compromise reached by the leading national fire service organizations who worked closely with the Science and Technology Committee to develop this legislation. I support these changes and the underlying reauthorization effort, and I want to call attention to two in particular which I offered as amendments during committee consideration

of this bill. They are intended to support the ability of smaller combination and volunteer departments to successfully compete for and receive AFG grants and to emphasize the AFG program should be a funding priority generally.

The first amendment added language to the bill clarifying in awarding grants competitively, FEMA must consider a broad range of factors related to a fire department's ability to respond to hazards, not just the size of the population a department protects but also other factors such as its geographic response area, hazard vulnerability, or financial situation. This addition does not make any changes to the underlying AFG program but, rather, explicitly codifies FEMA's existing practice.

Second, I was pleased to incorporate amendment language in committee calling attention to the dramatic decline in funding for the AFG program over the last 5 years and emphasize restoring it should be a priority.

The AFG program is authorized in this legislation at $1 billion a year; however, its actual appropriated funding has never reached that amount and, in fact, has steadily declined in recent years. In fiscal year 2003, $750 million was appropriated for AFG. Since this time, funding has steadily declined. Last year it was $565 million, and this year the Obama administration requested only $390 million. This represents a 48 percent decline since fiscal year 2003. Given the importance of AFG to helping fire departments around the country meet minimum response requirements, especially those in rural areas with limited tax bases, this trend is troubling and should be reversed.

I was pleased our colleagues in the majority accepted these amendments, and I appreciate the chairman's work. I thank them for working closely with me and the leading national fire service organizations to develop an agreeable compromise under which we could move this reauthorization forward.

I urge Members to support passage of this bill, and I hope for and expect a continued smooth process as we do go forward.

Mr. GORDON of Tennessee. Mr. Chairman, I yield 4 minutes to the author of the bill, the gentleman from Arizona (Mr. MITCHELL).

Mr. MITCHELL. Mr. Chairman, I rise today in strong support of H.R. 3791, the Fire Grants Reauthorization Act of 2009.

Firefighters are often the first and the last to leave an emergency scene. Whether it's putting out a house fire or wildfire or responding to terrorist attacks or a car accident, we depend upon firefighters every day.

But firefighters also depend on us. They depend on the public and their elected officials to make sure they have the resources, equipment, and training they need for their jobs. Without those tools, we put them and all of us at unnecessary risk.

H.R. 3791 reauthorizes the Assistance to Firefighters Grant program, or AFG, and the Staffing for Adequate Fire and Emergency Response program, or SAFER. This bill also makes several key improvements to those programs to assist the cities and towns in Arizona and across the country which are facing major budget shortfalls and cuts in services.

Since the AFG program was established in 2000, this program has provided more than $5 billion directly to fire departments through competitive award grants. These FIRE grants have also provided critical support to Arizona's fire departments. Between 2005 and 2008, Arizona received 165 AFG grants for a total of approximately $22.5 million. These grants are made available to local fire departments to purchase response equipment, training, and fire trucks. The AFG program also supports fire prevention and safety grants, which are used for smoke detectors, fire prevention education, and research to reduce the causes of fire-related injuries and death. The SAFER program provides competitively awarded funds for the hiring, recruiting, and retention of firefighting personnel.

Over the past 4 years, this program has provided nearly $700 million to local fire departments nationally, and Arizona has received 26 SAFER grants for a total of approximately $16 million. This funding is especially critical during these difficult economic times.

Based on testimony that the Science and Technology Committee heard from fire service representatives, H.R. 3791 makes several key improvements to this legislation.

First of all, this bill will change the matching requirements to enable fire departments with the greatest need to take advantage of the programs. The bill sets the matching requirement for the Assistance to Firefighters Grant program from 20 percent to 10 percent, with fire departments serving populations under 20,000 paying a 5 percent match. This greatly benefits rural and less urban areas.

H.R. 3791 also modifies the matching requirements for the SAFER program. Based on the recommendations of fire service organizations, reflecting the hardships faced by our State and local governments, SAFER will require instead a 20 percent match for each of 3 years.

This bill also gives the administrator the authority to waive the matching requirements for both programs in case of exceptional economic hardship. Such waivers may also be given for the programs' budget maintenance requirements and SAFER provisions that restrict the funding to hiring only additional firefighters, rather than retaining current firefighters. This is a necessary step at a time when fire departments in many areas of the country are confronted with the prospect of laying off firefighters.

This bill is the result of a consensus among the fire service organizations, including the International Association of Fire Chiefs, the International Association of Fire Fighters, the National Fire Protection Association, the National Volunteer Fire Council, and the Congressional Fire Services Institute.

I would like to take a moment to thank Chairman GORDON, Chairman WU, and the Science and Technology Committee for their tireless work on this legislation. In particular, I would like to thank Meghan Housewright, Mike Quear, Louis Finkel, and Lori Pepper for their hard work. I would also like to thank the majority leader, Mr. HOYER, and Congressman PASCRELL for their leadership on this important issue.

I urge my colleagues to support this legislation that provides vital resources to our Nation's firefighters. During these tough economic times, this support is crucial to our public safety.

Mr. SMITH of Nebraska. Mr. Chairman, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Chairman, I rise in support of H.R. 3791, the Fire Grants Reauthorization bill.

As a longtime supporter of firefighters and a cosponsor of this bill, I'm very happy we are considering this important and timely legislation to help our firefighters and our fire departments across the country.

Whether it's a fire, a vehicle crash, a dangerous spill, or even a terrorist attack, our firefighters, men and women, put their lives on the line in almost every emergency situation they come across. The least we can do is to ensure that they have the equipment needed to do their jobs without exposing themselves to unnecessary risk.

Today we have the opportunity to improve two FIRE grant programs: the Assistance to Firefighters Grant program, which provides the departments access to proper training and equipment; and the SAFER program that helps fire departments hire new firefighters.

No time is more important than now to reauthorize the FIRE grant programs. It should be no surprise when I say that the economic downturn that has adversely affected everyone has also hit our fire departments hard. With local tax revenue on a steady decline, fire stations across the country and at home in Illinois are feeling far greater pressure to do more with less. H.R. 3791 will help our frontline responders meet their basic firefighting and emergency medical responsibilities with additional resources for staffing, training, and equipment. In passing this important legislation today, we improve the safety of our communities and that of the men and women who keep us safe.

Mr. Chairman, I urge our colleagues to support H.R. 3791.

Mr. GORDON of Tennessee. Mr. Chairman, I yield 1 minute to the majority leader, as I said earlier, the person who really was the sheriff in bringing everybody together for this bill, and we thank him for it.

Mr. HOYER. I thank the gentleman from Tennessee (Mr. GORDON), who does such an extraordinary job of leading the committee. I thank Mr. SMITH for his leadership. I also want to thank DAVID WU, the chairman of the subcommittee, for his leadership. All of them have joined together to get this bill to the floor. And I would be remiss if I did not acknowledge their contribution, because this bill, the genesis of it, was really with Mr. PASCRELL of New Jersey, who worked so many years ago to work with the Senate in generating this idea so that it came back to the House, but he was the godfather, if you will, of this piece of legislation. I want to acknowledge his presence here and thank him for his leadership. And I certainly want to thank Mr. MITCHELL, Congressman MITCHELL, who has been so critical in getting this bill to this point in time. He is an extraordinarily able Member of the Congress, and the firefighters throughout our country I know are appreciative of his efforts on this bill.

Every day, Mr. Chairman, we and our families live under the blanket of protection provided by America's firefighters, both career and volunteer, men and women who are willing to risk their lives to safeguard us, our loved ones, and our property. We may not often think about those sacrifices but every firefighter does.

Last year, more than 100 of them died in the line of duty, and tens of thousands more sustained injuries. To honor those sacrifices and to make our communities safer places to live, Congress has worked to become a partner with the fire departments across the Nation. Today we can reaffirm that commitment by reauthorizing two successful grant programs for firefighters: FIRE and SAFER.

I also want to mention a former fire chief from Pennsylvania who was also critically important in working on this legislation. He's no longer a Member of this body, Curt Weldon, a Member of the other side of the aisle. He and I cochaired the Fire Service Caucus for over 15 years. His leadership was critical in moving us towards the partnership of which I have just spoken between the Congress and the emergency responders throughout our country, career and volunteer.

This bill reauthorizes both programs through fiscal year 2014, pledging a total of $2.2 billion per year to our firefighters. The FIRE grant program authorizes $1 billion per year for state-of-the-art fire equipment, up-to-date training, and fire prevention programs. These competitive grants will benefit career, volunteer, and combination fire departments throughout the country. I know the chairman and subcommittee Chair have already spoken of what it will do, but I wanted to add as well State training academies and volunteer EMS departments, so critical to our emergency response strategies and team.

The SAFER grant program ensures that our community firehouses never have to sit empty: Its $1.2 billion per year will ensure 24-hour staffing at eligible departments so that there are always firefighters on duty in case of emergency. In fact, of course, it is the firefighters and emergency medical response teams that are usually the first on the scene at almost any disaster. It is therefore critical that they be available during a 24-hour, 7-day-a-week schedule. It also commits money each year to help volunteer departments recruit and retain new members.

Since FIRE's inception in 2000 and SAFER's in 2004, these programs have won support from Democrats and Republicans alike. This is truly a bipartisan effort on behalf of our communities. Our respect for firefighters and our commitment to get them the tools and training they need has transcended party lines, as it should have, and I hope today it will be no different and I know it will be no different.

I want to commend my colleagues HARRY MITCHELL and BILL PASCRELL, as I said, the father of the FIRE grants program, for their leadership on this issue, as well as Chairman GORDON and Chairman WU and my fellow Fire Caucus co-Chairs PETER KING, ROB ANDREWS, and JO ANN EMERSON.

I urge all of my colleagues to vote to reauthorize these grants and carry forward this successful and vital partnership.

Mr. SMITH of Nebraska. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman from Nebraska for yielding this time.

I agree with everything the majority leader just said. You know, the firefighters of this country are not only protectors of us from a domestic standpoint; they are leaders in the war against terrorism.

We all remember what happened at 9/11 when so many firefighters gave their lives to try to protect those people who died in the Twin Towers in New York City. And we should not forget that because there is the threat of terrorism every single day in this country, and the frontline fighters, in addition to the policemen, are the firefighters. They're the ones that are going to have to rush in to protect people and save lives in the event that we have another tragedy like 9/11.

So I'd just like to say in the short time I have here today we need to give them every single tool they need. This is one area of government that's absolutely essential, and the firefighters of this country need to know the Congress of the United States is behind them 100 percent.

□ 1315

Mr. GORDON of Tennessee. Mr. Chairman, I yield 1 minute to the gentlelady from Texas, a former member of the Science and Technology Committee, Ms. JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman, and I thank him for his leadership. I rise to support H.R. 3791 and the $1 billion for the AFG per year, and the $1.2 billion for the SAFER. In my community, over the last 3 months we've had 17 fires in Heights and Shady Acres, putting firefighters in jeopardy and threatening lives. This legislation is enormously important, in that it allows cities over 2.5 million to get grants up to $9 million. I would be looking forward or like to look forward to work with the chairman to establish a study to determine the propensity of serial fire instigators, if you will, threatening the lives of firefighters, and I'd like to be able to work with the chairman on this crucial issue of providing a study so that we can emphasize these grants going to fight against serial fires.

I yield to the gentleman from Tennessee.

Mr. GORDON of Tennessee. My friend from Texas raises a valid point and an excellent point. You can be well assured that we will continue to work with you through this, through the conference process to bring your legitimate points to light.

Ms. JACKSON-LEE of Texas. Our community is in jeopardy, and this will be an important step for them. As a member of the Fire Caucus and Homeland Security, I rise to support the bill and thank you for working with me to help those in need in Houston, Texas.

Mr. SMITH of Nebraska. I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon (Mr. WU), the chairman of the subcommittee.

Mr. WU. Mr. Chairman, I rise in strong support of this legislation, which reauthorizes the AFG and SAFER grant programs. These important programs help keep firefighters and the public safe, and I want to commend Chairman GORDON's leadership in bringing this crucial legislation to the floor today, Mr. MITCHELL's contributions to this legislation, Mr. HOYER for his crucial role in bringing this legislation to the floor, and Mr. PASCRELL for originating the legislation 9 years ago and carrying this bill for many years.

Over the past 9 years, the AFG program has provided nearly $5 billion in competitive awards to help local fire departments purchase equipment, training and other crucial resources. This program has played a vital role in improving the readiness and capabilities of fire departments across the country.

Despite the program's success so far, an alarming number of local fire departments remain without adequate training and equipment. The AFG program helps address crucial shortfalls, and this bill will further empower the Federal Government to assist local fire

departments as they improve their capabilities. AFG also supports fire prevention and safety grants, which help provide smoke detectors, fire prevention education, and research to reduce the causes of fire and fire-related injury and death. Three thousand Americans die every year in fires. We have made progress, and I'm proud of the progress the Science and Technology Committee has made in advancing the goals of the FIRE grant program.

This bill also reauthorizes the SAFER program, which provides funding to help fire departments maintain adequate staffing levels. Through the SAFER program, the Federal Government has provided nearly $700 million to local fire departments in the past 4 years, funding that is especially crucial during the current economic downturn. And I have to note that the changes in matching requirements are especially helpful in these hard economic times.

At a time when many local governments are facing major budget shortfalls and cuts in services, Federal support to fire departments is crucial to public safety. It is particularly important in Oregon, where the unemployment rate is at about 11½ percent. The bill is an important step forward in our efforts to protect communities across the country and the firefighters who serve them. I'm particularly proud of my subcommittee's work on this very important piece of legislation.

For more than 6 months it has worked with multiple fire service organizations to identify opportunities to improve the AFG and SAFER grant programs, culminating in hearings held earlier this year. In that context, I want to especially thank Meghan Housewright for her hard work in this field. The bill addresses the needs and priorities identified by fire service experts, and I'm grateful for the cooperation of the International Association of Fire Chiefs, the International Association of Fire Fighters, the National Volunteer Fire Council and the National Fire Protection Association and the Congressional Fire Services Institute. Your ability to come together on this legislation made our job much, much easier.

This bill improves both the SAFER and the AFG programs by ensuring that fire departments with the greatest need will be able to apply for funding. The bill also provides for an equitable balance in the distribution of grant funding, ensuring that funding will benefit communities, both large and small.

I would like to thank the ranking member of the Technology and Innovation Subcommittee, Mr. SMITH, for working closely with me. I would also like to thank the fire service organizations for their hard work in crafting this bill. I urge my colleagues to support this important legislation.

Mr. SMITH of Nebraska. I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Chairman, I want to thank Chairman THOMPSON and Chairman OBERSTAR for working with me to get this important bill to the floor.

I would like to insert an exchange of committee correspondence in the RECORD at this time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, November 7, 2009.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing you regarding H.R. 3791, the ''Fire Grants Reauthorization Act of 2009,'' introduced on October 13, 2009. This legislation was initially referred to the Committee on Science and Technology and sequentially referred to the Committee on Homeland Security on November 6, 2009.

In the interest of permitting this important legislation to proceed expeditiously to floor consideration, I am willing to waive further consideration of H.R. 3791. I do so with the understanding that waiving further consideration of the bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

Further, I request your support for the appointment of Homeland Security conferees during any House-Senate conference convened on this or similar legislation. I also ask that a copy of this letter and your response be placed in the Congressional Record during floor consideration of this bill.

I look forward to working with you on this legislation and other matters of great importance to this nation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, November 7, 2009.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, House of Representatives, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN THOMPSON: Thank you for your letter regarding H.R. 3791, the Fire Grants Reauthorization Act of 2009. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that provisions in the bill are within the jurisdiction of the Committee on Homeland Security. I acknowledge that by waiving rights to further consideration of H.R. 3791, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Homeland Security has jurisdiction in H.R. 3791. A copy of our letters will be placed in the Congressional Record during consideration of the bill on the House floor.

I value your cooperation and look forward to working with you as we move ahead with this important legislation.

Sincerely,

BART GORDON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, November 12, 2009.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN GORDON: I write to you regarding H.R. 3791, the ''Fire Grants Reauthorization Act of 2009''.

H.R. 3791 contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, I agree to waive consideration of this bill with the mutual understanding that my decision to forgo a sequential referral of the bill does not waive, reduce, or otherwise affect the jurisdiction of the Committee on Transportation and Infrastructure over H.R. 3791.

Further, the Committee on Transportation and Infrastructure reserves the right to seek the appointment of conferees during any House-Senate conference convened on this legislation on provisions of the bill that are within the Committee's jurisdiction. I ask for your commitment to support any request by the Committee on Transportation and Infrastructure for the appointment of conferees on H.R. 3791 or similar legislation.

Please place a copy of this letter and your response acknowledging the Committee on Transportation and Infrastructure's jurisdictional interest in the Committee Report on H.R. 3791 and in the Congressional Record during consideration of the measure in the House.

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

Sincerely,

JAMES L. OBERSTAR, M.C.
Chairiman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, November 12, 2009.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN OBERSTAR: Thank you for your November 12, 2009 letter regarding H.R. 3791, the Fire Grants Reauthorization Act of 2009. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that provisions in the bill are of jurisdictional interest to the Committee on Transportation and Infrastructure. I acknowledge that by forgoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Transportation and Infrastructure has jurisdiction in H.R. 3791. A copy of our letters will be placed in the Committee report on H.R. 3791 and in the Congressional Record during consideration of the bill on the House floor.

I value your cooperation and look forward to working with you as we move ahead with this important legislation.

Sincerely,

BART GORDON,
Chairman.

I would like to now yield 3 minutes to the gentleman from Mississippi and chairman of the Homeland Security Committee, Mr. THOMPSON.

Mr. THOMPSON of Mississippi. Mr. Chairman, I'd like to thank Chairman GORDON, Chairman WU and Mr. MITCHELL for working to move this important legislation. Every Member of this body represents a community that is secured by a firehouse. But in recent times, too many fire stations have had to short change their own training or community fire awareness programs just to stay operational.

Today, we have the opportunity to reaffirm our support for our hometown first responders by supporting H.R. 3791, the Fire Grants Reauthorization Act of 2009. This legislation seeks to enhance and improve two of FEMA's programs that directly award grants on a competitive basis to local fire stations and departments. This critical reauthorization will help ensure that departments large and small, volunteer and career, can continue to provide lifesaving services, including fire prevention and safety programs.

As a former volunteer firefighter, I'd like to thank Mr. PASCRELL, the gentleman from New Jersey, the father of the Assistance to Firefighter Grants program, for working to help pioneer the original program and working diligently to help produce this legislation. The so-called AFG grant and the SAFER grant programs provide funding directly to local fire departments so they can purchase needed equipment, conduct fire awareness and prevention service activities, insure that personnel are well trained for all of the duties, assignments as required for certification. And, in the case of SAFER, recruit and hire and retain firefighters without bureaucratic delays.

This bill also authorizes an additional $9.8 billion in funding for these vital programs. Mr. Chairman, within the AFG program, this bill revises grant allocations so that career volunteer and combination fire departments will have access to equal slices of the available grant dollar pie.

Mr. Chairman, I'd also like to say that during these tough economic times, many communities across America are being forced to cut back on public service. Cutbacks to public services should be avoided at all costs. Again, Mr. Chairman, the International Association of Fire Chiefs, Congressional Fire Service Institute, International Association of Volunteer Fire Fighters, National Volunteer Fire Council, National Fire Protection Association, all these organizations support this legislation.

Mr. Chairman, I urge my colleagues to support this bill.

Mr. SMITH of Nebraska. I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Chairman, I now yield 2 minutes to the Chairman of the Transportation Committee, the gentleman from Minnesota, Chairman OBERSTAR, and I want to once again thank him for helping bring this bill to the floor.

Mr. OBERSTAR. Mr. Chairman, I do thank Chairman GORDON for the splendid work that his committee has done and the cooperation that we've had with the Committee on Science and Technology and that of the Committee on Homeland Security with the gentleman from Mississippi (Mr. THOMPSON). We've worked very well together and very diligently to bring this very important Fire Grants Reauthorization Act to the House floor.

Many fire departments in my district point with great pride and with gratitude to the fire trucks, the breathing equipment, the protective clothing, the radios, the other technology they have received through this valuable program. These are small grants, often just $2,500 to maybe a quarter of a million dollars for a new fire truck, but desperately needed in small communities and rural areas, replacing equipment, often more than 40 years old, or new gear to combat new issues such as fires at meth labs in the countryside or as we call it, the back woods of Northern Minnesota. The fire department needs that equipment, whether to combat a house fire or a chemical spill or a fire in the center of small communities.

The FIRE grants program goes back to the year 2000 and predates the horrific events of September 11. It was never intended to be a terrorism preparedness program, but the Department of Homeland Security made it one. And in recent years, I've been concerned by reports, and I've met with the small fire departments that didn't receive a grant because they could not show a specific connection to terrorism.

Our terror in Northern Minnesota is fire. Our terror is blizzards, tornados, floods. Those are the things that we need, and we need to be prepared for.

The CHAIR. The time of the gentleman has expired.

Mr. GORDON of Tennessee. I yield the gentleman 30 additional seconds.

Mr. OBERSTAR. There are a lot of organizations that support this legislation. I just want to mention Pete Makowski, my district staff person in Northern Minnesota who is a volunteer firefighter who has introduced me to these issues and to these concerns, has brought me together with the volunteer fire departments in my district. And I just want to say, the pleasure, the joy, the pride that those volunteer firefighters have in getting this small bit of assistance is overwhelming to me. I am so pleased that we have in this legislation very clear language that these small firefighting organizations do not have to show that they're combating weapons of mass destruction.

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

Mr. SMITH of Nebraska. I would yield 30 seconds more to the Chairman of the Transportation Committee if he wishes to continue.

Mr. OBERSTAR. I thank the gentleman for the time.

I'm sure that the gentleman has the same experience with small volunteer firefighters who have to hire a grant application writer to fill out forms this thick. That's absurd. I think we changed that in this legislation and we take away this need to show a connection with terrorism. Our terror is fire. That's all we need to be prepared for.

Mr. SMITH of Nebraska. Mr. Chairman, I would also add briefly that, for right now, that the demands on volunteer fire departments are far greater than the population might reflect, especially when we talk about public lands and the susceptibility to fire in the midst of drought and other things as well.

I reserve the balance of my time.

Mr. GORDON of Tennessee. I thank my friend from Nebraska for his courtesy to Mr. OBERSTAR. I would request of the Chairman, what time is left for each side?

The CHAIR. The gentleman from Tennessee has 11½ minutes remaining. The gentleman from Nebraska has 22½ minutes remaining.

Mr. SMITH of Nebraska. I reserve the balance of my time.

□ 1330

Mr. GORDON of Tennessee. Mr. Chairman, as has been pointed out earlier, I'm not sure whether it's the godfather or the grandfather of the FIRE Grants program, Mr. PASCRELL from New Jersey. He is here, and he is recognized for 3 minutes.

Mr. PASCRELL. I want to thank Chairman BART GORDON; Subcommittee Chairman DAVE WU; Mr. MITCHELL; Chairman THOMPSON; and my friend who is not here today on the other side, PETER KING. They all deserve recognition as partners in this quest to get people's attention on the most neglected side of the public safety equation, our firefighters.

This legislation, we think, is unique. We had a difficult time in the beginning when were writing this legislation. It took about 2½ years. We had about enough people to fit in a telephone booth. And then we brought the firefighters to Washington, and all of a sudden, we had over 280 sponsors.

In the 106th Congress, prior to, the former speaker just pointed out, 9/11, that FIRE Act passed. It had bipartisan support. There was no Federal support for our brave firefighters, be they career or volunteer. They were working with outdated equipment. In some places in the country, they had to push the equipment to the fire, literally. They couldn't get the necessary training in order to provide the best protection for their local communities.

The one thing we made sure we took care of is that there would not be a differential, there would not be a firewall, so to speak, between the volunteers and the career. If you look at the grants of the first 5 or 6 years, there is an over-preponderance of volunteer departments, because we did not want to make this what so many bills in the past had been.

And I might add, Mr. Chairman, this money goes directly to the communities, no skimming, no nonsense: $6.5

billion, both of these bills, the SAFER bill, which deals with our personnel, in 9 years, over $15 billion requested. We are far from even close to responding to the needs that existed before 9/11.

This legislation, in its ranking and review, the FIRE Grants program itself received the second highest rating of any program in the Department of Homeland Security. The only agency that beat it out by one percentage point was the Secret Service.

Since the inception of the FIRE and SAFER grants, the programs have provided over, as I said, $6.5 billion for our local communities. And the point I want to make here is that the FIRE Grants programs are as vital and necessary today as they were in 2000.

The CHAIR. The time of the gentleman has expired.

Mr. GORDON of Tennessee. I yield the gentleman 1 additional minute.

Mr. PASCRELL. I have always said that real homeland security starts on the streets of our local towns and not in the hallways of Washington. I truly believe these FIRE grants awarded to local municipalities are key to our homeland security infrastructure. Today we move a great step toward furthering that commitment.

And just today, Mr. Chairman, on the west lawn outside the Capitol, firefighters, police officers and construction workers who responded at 9/11 gathered to hear what the Congress was going to do to respond to what had happened at 9/11. We salute them. We've had two major studies from Mount Sinai Hospital in New York. The ''all clear'' should not have been given to these people who worked in hazardous situations. We can again down the road to pass legislation to help these guys and gals that have suffered the consequences of their responding mostly, voluntarily.

I thank all of those who participated today.

Mr. SMITH of Nebraska. I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Ms. MARKEY).

Ms. MARKEY of Colorado. Mr. Chairman, I rise today in support of the Fire Grants Reauthorization Act of 2009. From cities on Colorado's front range to small towns on the eastern plains, firefighters and other emergency personnel are the first to respond to everything from traffic accidents to wildfires. These brave men and women dedicate their lives to helping people and protecting their communities.

More than three-quarters of the fire departments in Colorado's Fourth District are mostly or entirely volunteer run. In addition to full-time jobs and families, these men and women devote their time and energy to help the small rural communities in which they live, often at great risk to themselves. In my district, last year, three brave volunteers lost their lives in the line of duty. Captain Shane Stewart, Fire Chief Terry DeVore and Firefighter John Schwartz, Jr., lost their lives while fighting to keep their rural communities safe.

Mr. Chairman, it is with the memory of these men who gave everything to defend their neighbors and communities that I am proud to stand here today as a cosponsor of the Fire Grants Reauthorization Act. I encourage all of my colleagues to support this important reauthorization, because these grant programs help support the operations of all fire departments, urban and rural, career and volunteer, and protect the lives of the men and women who selflessly serve to protect their communities.

The CHAIR. The gentleman from Tennessee has 6 minutes remaining. The gentleman from Nebraska has 22½ minutes remaining.

Mr. SMITH of Nebraska. I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Chairman, I yield 2 minutes to the gentlewoman from Arizona (Mrs. KIRKPATRICK).

Mrs. KIRKPATRICK of Arizona. Mr. Chairman, this spring my office was approached by two fire chiefs with the same problem. Chief Casson of the Cottonwood Fire Department and Chief Moore of the Clarkdale Fire Department both explained that for their small departments, SAFER grants can make all the difference in whether they have the number of firefighters on staff required to keep their communities safe.

With the economic downturn, SAFER has become more important than ever, but falling tax revenues make meeting the matching requirement difficult. This has happened to small fire departments across the Nation. Many have even returned the grants they were awarded.

This is why I introduced H.R. 2759, which would waive the cost-sharing requirement for the most recent grant cycle, helping departments hire the staff they need during this tough time. While my legislation is not specifically contained within this act, I am glad that this bill significantly improves the SAFER program to help departments with these conditions.

This act reduces the overall cost-share requirement for departments and, more importantly, allows the director to waive this requirement in the case of economic hardship. Therefore, in the future, the departments with the greatest need should be able to take advantage of this program.

Mr. Chairman, will you work with me to ensure that the SAFER works as intended, helps the departments most in need, and addresses the concerns of small, rural fire departments?

Mr. GORDON of Tennessee. Will the gentlewoman yield?

Mrs. KIRKPATRICK of Arizona. I yield to the chairman.

Mr. GORDON of Tennessee. I would like to thank the gentlewoman for her efforts with the SAFER program and her support for the bill.

You raise a very good point that fire departments in many communities are struggling with shrinking budgets. Some of these struggling communities do have SAFER grants. I would be happy to work with you on this issue as we work to enact this legislation into law.

Mr. SMITH of Nebraska. Mr. Chairman, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Chairman, I yield 2 minutes to a very active member of our committee, the gentleman from New Mexico (Mr. LUJÁN).

Mr. LUJÁN. Mr. Chairman, I rise in strong support of the Fire Grants Reauthorization Act of 2009.

It has been almost 10 years since the Cerro Grande fire ripped through thousands of acres in my district in northern New Mexico with devastating effect for the wildlife, the environment and the people in its path. Drought conditions and high temperatures contributed to the size of this fire, while dry winds accelerated its path through Los Alamos. Each year, fires plague our communities. They hurt people. They devastate communities. They devastate families. But when we can come together and make sure that we are working to provide support for our local fire departments, for our first responders and for those that put their lives on the line every day, we are able to make a difference.

These FIRE grants will provide volunteer and career fire departments across the country with vital funding to increase firefighting capabilities, better respond to medical emergencies, handle natural disasters and operate more effectively.

Supporting local fire departments is more important now than ever before. Now that States are facing many budgetary shortfalls, it has become increasingly difficult for local governments to maintain the equipment and training necessary.

Mr. Chairman, as we came down today, I was reminded of a chief in New Mexico who lost his life responding to a fire about a week after he had just gotten word that he had received a grant for the fire district to replace the truck that broke down in the midst of a range fire that he lost his life in. These grants make a difference in people's lives. To his wife, to his spouse, that fought so hard with us in New Mexico to get a fire fund in place to be able to help us out locally, I commend my colleagues here, the chairman, Mr. PASCRELL for making this happen, and for believing in firefighters and for making sure that we in Congress are doing our part to get funding to them.

The CHAIR. The gentleman from Tennessee has 2 minutes remaining and has the right to close.

Mr. SMITH of Nebraska. Mr. Chairman, I would inquire of the committee chairman how much time he is looking to need, perhaps.

Mr. GORDON of Tennessee. You are courteous to ask. I think we have marshaled it just right. We have 2 more minutes and one speaker.

Mr. SMITH of Nebraska. I would yield 2 minutes to the chairman if he would wish to use that.

Mr. GORDON of Tennessee. Again, I thank you for the courtesy. I believe we are going to be able to do it, but thank you very much.

Mr. SMITH of Nebraska. I would reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Chairman, I would yield 1½ minutes to my friend from St. Louis, Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Thank you, Mr. Chairman, and the gentleman from Nebraska for managing this today.

On behalf of the firefighters, the amazing firefighters that serve my constituents in Missouri, I rise today in strong support of the Fire Grants Reauthorization Act of 2009. H.R. 3791 reauthorizes and improves the FIRE and SAFER Grant programs which assist firefighters, first responders and local communities in my home State of Missouri and nationwide with the equipment, training, and personnel needed to protect the public.

In these difficult economic times, it is imperative that we provide local fire departments around the country the needed equipment, training and staffing for both full-time and volunteer firefighters, urban and rural, to quickly respond to emergencies.

This legislation will reduce the grantee matching requirement at a time when many jurisdictions are finding it increasingly difficult or impossible to maintain equipment, training, and personnel. FIRE grants will provide funding to hire additional personnel, modify facilities, and obtain protective gear and other resources to respond to fire and related hazards.

I'm pleased to be a cosponsor of this legislation and to have joined my colleagues on the Science and Technology Committee to bring it to the floor. I now urge the full House to support and pass the Fire Grants Reauthorization Act of 2009.

Mr. SMITH of Nebraska. I would reserve the balance of my time.

Mr. GORDON of Tennessee. I will use the remainder of my time to close, so if the gentleman would like to close.

Mr. SMITH of Nebraska. Thank you, Mr. Chairman. I will be very brief. We were expecting some other Members here. But I will say that I appreciate the process that we have gone through this. It involved quite a bit of discussion early on at the subcommittee level and full committee level. I'm grateful that the chairman considered amendments from our side so that we can meet the public safety needs of our country. It's not just about my district, it's not just about certain districts, but the entire country. I'm grateful to be a part of this process, and I will say it does work.

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

Mr. GORDON of Tennessee. Mr. Chairman, in quick closing, I want to concur with Mr. SMITH's remarks, thanking him for his cooperation. This has been a good subcommittee, committee process. It has been bipartisan. And because of that, we have a good bill.

Ms. RICHARDSON. Mr. Chair, as a member of the Committee on Homeland Security and an original co-sponsor, I rise in strong support of H.R. 3791, the Fire Grants Reauthorization Act of 2009, which reauthorizes for five years $1 billion per year for FEMA's Assistance to Firefighters Grants (AFG) program and reauthorizes $1.2 billion for the Staffing for Adequate Fire and Emergency Response (SAFER) program.

This increase in federal support for the nation's fire departments is especially important in this tough economy as local officials struggle to provide critical services—including public safety services—in the face of declining revenues and decreasing budgets.

I thank Chairman GORDON and my colleague, Congressman MITCHELL of Arizona, for their hard work in shepherding this critical legislation to the floor today.

We all remember the wildfires from this summer that hit my home state of California especially hard. Over 160,000 acres were destroyed in the "Station Fire," the most in the history of Los Angeles County. But not only did people lose their homes in this terrible tragedy, two firefighters lost their lives as well. Incidents like these underscore the importance of providing firefighters with the best possible equipment and training to perform their dangerous jobs. And that is probably the most important reason of all for passing H.R. 3791, the Fire Grants Reauthorization Act of 2009.

Mr. Chair, I support H.R. 3791 because it:

Provides a fairer distribution of FIRE Grant funding among fire departments by setting a 25 percent distribution of the appropriated funds among the categories of career, volunteer and combination fire departments;

Lowers matching and maintenance of expenditure requirements and authorizes the FEMA Administrator to waive or reduce such requirements for applicants facing demonstrated economic hardship;

Raises the limit on FIRE Grant awards to $9 million for jurisdictions based on population so that large urban areas with population more than 2.5 million like the one I represent.

Makes the SAFER Grant program more accessible to fire departments by making it a three-year program with a 20 percent match.

Raises the maximum amount for individual Fire Prevention and Safety Grants to $1.5 million.

Mr. Chair, in the last nine years the Assistance to Firefighters Grant (AFG) program, or FIRE grant program, has aided thousands of fire departments nationwide by providing more than $5 billion in federal aid for critically-needed training, equipment, health and wellness programs and other fire service needs.

The Staffing for Adequate Fire and Emergency Response or "SAFER" program has provided nearly $700 million to fire departments to help hire and retain firefighters since its creation in 2004.

Yet, despite the success of the programs, effectiveness has been curtailed by the uneven distribution of grants among jurisdictions of varying sizes. Statutory restrictions have inadvertently hampered larger fire departments that protect the majority of the population from receiving much-needed federal assistance. As a result, the majority of FIRE Grant funds currently are being spent to protect a relatively small portion of the population. H.R. 3791 corrects this imbalance by targeting more funding to larger fire departments in the more populous jurisdictions.

Mr. Chair, H.R. 3791 is the product of bipartisan cooperation and is broadly supported by the firefighting community because it strikes an equitable balance in the distribution of the grants so that the funding can benefit all types of communities and ensures that fire departments with the greatest need can apply for and receive funding in amounts sufficient to address their real needs. That is why this legislation is broadly supported by the firefighting and fire prevention community, including the following major organizations: the International Association of Fire Chiefs, the National Fire Protection Association, the National Volunteer Fire Council, the International Association of Fire Fighters, the International Association of Arson Investigators, and the Congressional Fire Services Institute.

Mr. Chair, H.R. 3791 is good for our firefighters. It is good for our local governments. It is good for the nation and good for my district. I am proud to be an original co-sponsor of the critical legislation and urge my colleagues to join me in voting for its passage.

Mr. DINGELL. Mr. Chair, I rise today to support H.R. 3791, the Fire Grants Reauthorization Act. This act reauthorizes the Assistance to Firefighters Grant, AFG, program and the Staffing for Adequate Fire and Emergency Response, SAFER, grant program. These two successful programs provide critical support for our Nation's fire departments and Emergency Medical Services, EMS, organizations, thus enabling our firefighters and emergency personnel to adequately respond to fire emergencies in our communities.

H.R. 3791 authorizes $1 billion per year for the AFG program for fiscal years, FY, 2010 through 2014 and $1.2 billion per year for the SAFER program for FY 2010 through FY 2014. The AFG program, created in 2000, provides grants to local fire departments and related EMS organizations to provide them needed equipment, training, vehicles and other resources. The SAFER, created in 2004, program provides grants to local fire departments to increase their staffing and deployment capabilities.

Both programs have proven highly successful. In 2003, the U.S. Department of Agriculture's Leadership Development Academy Execptive Potential Program independent assessment of the AFG program concluded it was "highly effective in improving the readiness and capabilities of firefighters across the nation." Since that time, the program has received high marks from Department of Homeland Security, DHS, Inspector General as well as the Bush Administration's budgetary program evaluation tool. And since 2004, the SAFER program has been ensuring that our local fire departments can provide 24-hour staffing to so that they can respond to our communities during emergencies.

Unfortunately, during times of economic hardship, public safety budgets are often hard hit. Thus, the importance of continued Federal support for these programs cannot be underestimated. That is why this legislation lowers

the matching requirement from 20 percent to 10 percent for the AFG program and allows the DHS to waive cost share requirements for the SAFER program in times of economic hardship.

In addition, H.R. 3791 ensures that funding to our career and volunteer fire departments is equitable by requiring that AFG funds are apportioned in the following way: 25 percent to career fire departments, 25 percent to combination fire departments, and 25 percent to volunteer fire departments, 10 percent for open competition among all types of fire departments, and the remaining 15 percent for certain other important functions, including ire prevention and safety grants.

Mr. Chair, the fire grants program has directly benefited the 15th Congressional District of Michigan, including Frenchtown Township, Ypsilanti, Monroe, Woodhaven, Flat Rock, Romulus, and many other communities I have the honor of representing. Clearly, these programs are a boon to other communities across our country. That is why I strongly urge my colleagues to join me in voting "yes" on H.R. 3791.

Mr. KING of New York. Mr. Chair, I rise to express my support for H.R. 3791, the Fire Grants Reauthorization Act of 2009. The Fire and SAFER grant programs reauthorized by this bill are highly effective and vitally important programs which provide much-needed support to fire departments and emergency responders across the country.

As chairman of the Congressional Fire Services Caucus and ranking member of the Homeland Security Committee, I strongly support reauthorization of these two grant programs. First responders rely on Fire grants for the training, vehicles, and equipment that are necessary to keep our communities safe, while SAFER grants provide the necessary funds to hire and train new firefighters and to help recruit and train volunteer firefighters.

In 2008 alone, the Fire grant program received $3.2 billion in requests for grants, which highlights a serious need in the firefighter and first responder community for more resources. I continue to support strong funding for both the Fire and SAFER programs. I am pleased that H.R. 3791 authorizes $1 billion annually for the Fire program and approximately $1.2 billion annually for the SAFER program over the next 5 years.

The Fiscal Year 2010 Homeland Security Appropriations Act that passed the House in June provided double the amount of funding for the SAFER program over last year. However, I am disappointed that the final funding level approved by Congress for the Fire grant program in Fiscal Year 2010 is $175 million less than last year's funding for that program. Both of these programs merit robust funding.

The bill under consideration today incorporates the unified recommendations of the major fire service organizations that represent volunteer, career, and combination fire departments across the country.

For example, this bill adds an "economic hardship waiver" for the Fire grant program for fire departments that are unable to meet certain matching requirements or budget requirements. In addition, the bill adds an economic hardship waiver to allow fire departments to retain staff with SAFER grant funds whom they would otherwise have to lay off in these difficult economic times. This bill also allots 10 percent of Fire grants to the Fire Prevention and Safety program, which is up from 5 percent in previous years.

I hope that both the Fire and SAFER grant programs will see continued support from this administration and the Democratic leadership.

I urge my colleagues to support passage of this important bill.

Mr. GORDON of Tennessee. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 111–340, shall be considered as an original bill for the purpose of amendment and shall be considered as read.

The text of the amendment in the nature of a substitute, as amended, is as follows:

H.R. 3791

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fire Grants Reauthorization Act of 2009''.

SEC. 2. ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM REAUTHORIZATION.

(a) IN GENERAL.—Section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended to read as follows:

''SEC. 33. FIREFIGHTER ASSISTANCE.

''(a) ASSISTANCE PROGRAM.—

''(1) AUTHORITY.—In accordance with this section, the Director may—

''(A) make grants on a competitive basis directly to fire departments of a State, in consultation with the chief executive of the State, for the purpose of protecting the health and safety of the public and firefighting personnel throughout the Nation against fire and fire-related hazards;

''(B) make grants on a competitive basis directly to State fire training academies, in consultation with the chief executive of the State, in accordance with paragraph (11)(C);

''(C) provide assistance for fire prevention and firefighter safety research and development programs and fire prevention or fire safety programs and activities in accordance with paragraph (4); and

''(D) provide assistance for volunteer, non-fire service EMS and rescue organizations for the purpose of paragraph (3)(F).

''(2) ADMINISTRATIVE ASSISTANCE.—The Director shall establish specific criteria for the selection of recipients of assistance under this section and shall provide grant-writing assistance to applicants.

''(3) USE OF FIRE DEPARTMENT GRANT FUNDS.—The Director may make a grant under paragraph (1)(A) only if the applicant for the grant agrees to use the grant funds for one or more of the following purposes:

''(A) To hire additional firefighting personnel.

''(B) To train firefighting personnel in firefighting, emergency medical services and other emergency response (including response to a terrorism incident or use of a weapon of mass destruction), arson prevention and detection, maritime firefighting, or the handling of hazardous materials or to train firefighting personnel to provide any of the training described in this subparagraph.

''(C) To fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies.

''(D) To certify fire and building inspectors employed by a fire department or serving as a volunteer building inspector with a fire department.

''(E) To establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel can carry out their duties, including programs dedicated to raising awareness of, and prevention of, job-related mental health issues.

''(F) To fund emergency medical services provided by fire departments and volunteer, non-fire service EMS and rescue organizations.

''(G) To acquire additional firefighting vehicles, including fire trucks.

''(H) To acquire additional firefighting equipment, including equipment for communications, monitoring, and response to a terrorism incident or use of a weapon of mass destruction.

''(I) To acquire personal protective equipment required for firefighting personnel by the Occupational Safety and Health Administration and other personal protective equipment for firefighting personnel, including protective equipment to respond to a terrorism incident or the use of a weapon of mass destruction.

''(J) To modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel.

''(K) To enforce fire codes and standards.

''(L) To fund fire prevention programs.

''(M) To educate the public about arson prevention and detection.

''(N) To provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

''(4) FIRE PREVENTION AND FIREFIGHTER SAFETY RESEARCH AND DEVELOPMENT PROGRAMS.—

''(A) IN GENERAL.—For each fiscal year, the Director shall use not less than 10 percent of the funds made available under subsection (e)—

''(i) to make grants to fire departments for the purpose described in paragraph (3)(L);

''(ii) to make grants to, or enter into contracts or cooperative agreements with, national, State, local, or community organizations that are not fire departments but—

''(I) that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities and that partner with fire departments, for the purpose of carrying out such programs and activities;

''(II) engage in fire- and life safety-related activities as a primary purpose or function, for the purpose of carrying out fire prevention or fire safety programs and activities; or

''(III) that are recognized for their experience and expertise with respect to firefighter research and development programs, for the purpose of carrying out research on fire prevention or fire safety programs and activities or to improve firefighter health and life safety; and

''(iii) if the Director determines that it is necessary, to make grants or enter into contracts in accordance with subsection (c).

''(B) PRIORITY.—In selecting organizations described in subparagraph (A)(ii) to receive assistance under this paragraph, the Director shall give priority to organizations that focus on prevention of injuries to high risk groups from fire, as well as research programs that demonstrate the potential to improve firefighter safety.

''(C) GRANT LIMITATION.—A grant under this paragraph shall not exceed $1,500,000 for a fiscal year.

''(D) LIMITATION.—None of the funds made available under this paragraph may be provided to the Association of Community Organizations for Reform Now (ACORN) or any of its affiliates, subsidiaries, or allied organizations.

''(5) APPLICATION.—The Director may provide assistance to a fire department or organization (including a State fire training academy) under this subsection only if the fire department or organization seeking the assistance submits to the Director an application that meets the following requirements:

''(A) FORM.—The application shall be in such form as the Director may require.

''(B) INFORMATION.—The application shall include the following information:

''(i) Information that demonstrates the financial need of the applicant for the assistance for which applied.

''(ii) An analysis of the costs and benefits, with respect to public safety, of the use of the assistance.

''(iii) An agreement to provide information to the national fire incident reporting system for the period covered by the assistance.

''(iv) A list of other sources of Federal funding received by the applicant.

''(v) Any other information that the Director may require.

''(C) UNNECESSARY DUPLICATION.—The Director, in coordination with the Secretary of Homeland Security, shall use the list provided under subparagraph (B)(iv) to prevent the unnecessary duplication of grant funds.

''(6) MATCHING REQUIREMENT.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C) and paragraph (8), the Director may provide assistance under this subsection only if the applicant for such assistance agrees to match 10 percent of such assistance for any fiscal year with an equal amount of non-Federal funds.

''(B) REQUIREMENT FOR SMALL COMMUNITY ORGANIZATIONS.—In the case of an applicant whose personnel serve jurisdictions of 20,000 or fewer residents, the percent applied under the matching requirement of subparagraph (A) shall be 5 percent.

''(C) FIRE PREVENTION AND FIREFIGHTER SAFETY GRANTS EXCEPTION.—There shall be no matching requirement for a grant described in paragraph (4).

''(7) MAINTENANCE OF EXPENDITURES.—Subject to paragraph (8), the Director may provide assistance under this subsection only if the applicant for the assistance agrees to maintain in the fiscal year for which the assistance will be received the applicant's aggregate expenditures for the uses described in paragraph (3) or (4) at or above 80 percent of the average level of such expenditures in the 2 fiscal years preceding the fiscal year for which the assistance will be received.

''(8) ECONOMIC HARDSHIP WAIVER.—

''(A) IN GENERAL.—In exceptional circumstances, the Director may waive or reduce the matching requirement under paragraph (6) and the maintenance of expenditures requirement under paragraph (7) for applicants facing demonstrated economic hardship.

''(B) CRITERIA DEVELOPMENT.—The criteria under which the Director may waive or reduce such requirements shall be developed in consultation with individuals who are—

''(i) recognized for expertise in firefighting, emergency medical services provided by fire services, or the economic affairs of State and local governments; and

''(ii) members of national fire service organizations or national organizations representing the interests of State and local governments.

''(C) PUBLIC AVAILABILITY.—The Director shall make the criteria developed under subparagraph (B) publicly available.

''(9) VARIETY OF FIRE DEPARTMENT GRANT RECIPIENTS.—

''(A) IN GENERAL.—Of the amounts made available under subsection (e), the Director shall ensure that grants under paragraph (1)(A) for a fiscal year are allocated, to the extent that there are eligible applicants to carry out the activities under paragraph (3), as follows:

''(i) 25 percent shall be made available to career fire departments.

''(ii) 25 percent shall be made available to volunteer fire departments.

''(iii) 25 percent shall be made available to combination fire departments.

''(B) EVALUATION CRITERIA.—

''(i) IN GENERAL.—In awarding grants under paragraph (1)(A), the Director shall, within each category of applicants under subparagraph (A), consider a broad range of factors important to the applicant's ability to respond to fires and related hazards, such as population served, geographic response area, hazard vulnerability, call volume, financial situation, and need for training or equipment.

''(ii) HIGH POPULATION AND INCIDENT RESPONSE.—In considering such factors under clause (i), applicants serving areas with high population and with a high number of incidents requiring a response shall receive a higher level of consideration.

''(iii) PROHIBITED BASIS FOR DENIAL.—In considering such factors under clause (i), the Director may not deny a grant to an applicant solely based on such applicant failing to demonstrate that the grant will be used to prepare for or respond to a terrorism incident or use of a weapon of mass destruction.

''(C) REMAINDER.—Of the amounts made available under subsection (e) that are not allocated for use and awarded under subparagraph (A) or designated for use under any other provision of this section, the Director shall provide for an open competition for grants among career fire departments, volunteer fire departments, and combination fire departments to carry out the activities under paragraph (3).

''(10) REPORT TO THE DIRECTOR.—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to submit to the Director a report, including a description of how the assistance was used, with respect to each fiscal year for which the assistance was received.

''(11) GRANT LIMITATIONS.—

''(A) RECIPIENT LIMITATIONS.—A grant recipient under paragraph (1)(A)—

''(i) that serves a jurisdiction with 100,000 people or less may not receive grants in excess of $1,000,000 for any fiscal year;

''(ii) that serves a jurisdiction with more than 100,000 people but less than 500,000 people may not receive grants in excess of $2,000,000 for any fiscal year;

''(iii) that serves a jurisdiction with 500,000 people or more but less than 1,000,000 people may not receive grants in excess of $3,000,000 for any fiscal year;

''(iv) that serves a jurisdiction with 1,000,000 people or more but less than 2,500,000 people may not receive grants in excess of $6,000,000 for any fiscal year; and

''(v) that serves a jurisdiction with 2,500,000 people or more may not receive grants in excess of $9,000,000 for any fiscal year.

The Director may award grants in excess of the limitations provided in clauses (i), (ii), (iii), and (iv) if the Director determines that extraordinary need for assistance by a jurisdiction warrants a waiver.

''(B) LIMITATION ON EXPENDITURES FOR FIREFIGHTING VEHICLES.—Not more than 25 percent of the funds appropriated to provide grants under this section for a fiscal year may be used to assist grant recipients to purchase vehicles, as authorized by paragraph (3)(G).

''(C) STATE FIRE TRAINING ACADEMIES.—

''(i) IN GENERAL.—In accordance with clause (ii), the Director shall award not more than 3 percent of the amounts made available under subsection (e) for a fiscal year for grants under this subsection for State fire training academies.

''(ii) LIMITATION.—The Director shall—

''(I) award not more than 1 grant under this subparagraph per State in a fiscal year;

''(II) limit the amount of a grant to a State fire training academy to less than or equal to$1,000,000 in each fiscal year; and

''(III) ensure that any grant awarded to a State fire training academy shall be used for the purposes described in paragraphs 3(G), 3(H), or 3(I).

''(D) REQUIREMENTS FOR GRANTS FOR EMERGENCY MEDICAL SERVICES.—The Director shall award not more than 2 percent of the amounts made available under subsection (e) for a fiscal year to volunteer, non-fire service EMS and rescue organizations for the purposes described in paragraph (3)(F).

''(E) APPLICATION OF SELECTION CRITERIA TO GRANT APPLICATIONS FROM VOLUNTEER, NON-FIRE SERVICE EMS AND RESCUE ORGANIZATIONS.—In reviewing applications submitted by volunteer, non-fire service EMS and rescue organizations, the Director shall consider the extent to which other sources of Federal funding are available to provide the assistance requested in such grant applications.

''(F) CONSENSUS STANDARDS.—

''(i) IN GENERAL.—Any grant amounts used to obtain training under this section shall be limited to training that complies with applicable national voluntary consensus standards (if applicable national voluntary consensus standards have been established), unless a waiver has been granted under clause (ii).

''(ii) WAIVER.—

''(I) EXPLANATION FOR NON-STANDARD TRAINING.—If an applicant for a grant seeks to use the assistance provided under the grant to obtain training that does not meet or exceed applicable voluntary consensus standards, the applicant shall include in the application an explanation of why such training will serve the needs of the applicant better than training that does meet or exceed such standards.

''(II) PROCEDURES.—In making a determination whether or not to waive the requirement under clause (i) with respect to a specific standard, the Director shall, to the greatest extent practicable—

''(aa) consult with other members of the fire services regarding the impact on fire departments of the requirement to meet or exceed the specific standard;

''(bb) take into consideration the explanation provided by the applicant under subclause (I); and

''(cc) seek to minimize the impact of the requirement to meet or exceed the specific standard on the applicant, particularly if meeting the standard would impose additional costs.

''(III) ADDITIONAL REQUESTS.—Applicants that apply for a grant under the terms of subclause (I) may include a second grant request in the application to be considered by the Director in the event that the Director does not approve the primary grant request on the grounds of the training not meeting applicable voluntary consensus standards.

''(12) ELIGIBLE GRANTEE ON BEHALF OF ALASKA NATIVE VILLAGES.—The Alaska Village Initiatives, a non-profit organization incorporated in the State of Alaska, shall be considered an eligible grantee for purposes of receiving assistance under this section on behalf of Alaska Native villages.

''(13) ANNUAL MEETING.—The Director shall convene an annual meeting of individuals who are members of national fire service organizations and are recognized for expertise in firefighting or emergency medical services provided by fire services, and who are not employees of the Federal Government, for the purpose of recommending criteria for awarding grants under this section for the next fiscal year and any necessary administrative changes to the grant program.

''(14) GUIDELINES.—

''(A) IN GENERAL.—Each year, prior to ''accepting any application for a grant under each program'' under this section, the Director shall publish in the Federal Register—

''(i) guidelines that describe the process for applying for grants and the criteria for awarding grants;

''(ii) an explanation of any differences between the guidelines and the recommendations made pursuant to paragraph (13); and

''(iii) the criteria developed under paragraph (8) which the Director will use to evaluate applicants for waivers from program requirements.

''(B) SPECIFIC REQUIREMENT.—The criteria for awarding grants under paragraph (1)(A) shall include the extent to which the grant would enhance the daily operations of the applicant and the impact of such a grant on the protection of lives and property.

''(15) PEER REVIEW.—The Director, after consultation with national fire service organizations, shall appoint fire service personnel to

conduct peer review of applications received under paragraph (5). In making grants under this section, the Director shall consider the results of such peer review evaluations.

''(16) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities under paragraphs (13) and (15).

''(17) ACCOUNTING DETERMINATION.—Notwithstanding any other provision of law, rule, regulation, or guidance, for purposes of receiving assistance under this section, equipment costs shall include all costs attributable to any design, purchase of components, assembly, manufacture, and transportation of equipment not otherwise commercially available.

''(b) AUDITS.—A recipient of a grant under this section shall be subject to audits to ensure that the grant proceeds are expended for the intended purposes and that the grant recipient complies with the requirements of paragraphs (6) and (7) of subsection (a) unless the Director has granted a waiver under subsection (a)(8).

''(c) FIRE SAFETY RESEARCH CENTERS.—

''(1) IN GENERAL.—The Director may make a grant under subsection (a)(4)(A)(iii) to an institution of higher education, a national fire service organization, or a national fire safety organization to establish and operate a fire safety research center.

''(2) OBJECTIVES.—A grant received under this subsection shall be used by such an institution or organization to advance significantly the Nation's ability to reduce the number of fire-related deaths and injuries among firefighters and the general public through research, development, and technology transfer activities.

''(3) LIMITATION.—The Director may establish no more than 3 fire safety research centers. An institution of higher education, a national fire service organization, or a national fire safety organization may not directly receive a grant under this section for a fiscal year for more than 1 fire safety research center.

''(4) APPLICATION.—In order to be eligible to receive a fire safety research center grant, an institution of higher education, a national fire service organization, or a national fire safety organization shall submit to the Director an application that is in such form and contains such information and assurances as the Director may require.

''(5) GENERAL SELECTION CRITERIA.—The Director shall select each recipient of a grant under this subsection through a competitive process on the basis of the following:

''(A) The demonstrated research and extension resources available to the recipient to carry out the research, development, and technology transfer activities.

''(B) The capability of the recipient to provide leadership in making national contributions to fire safety.

''(C) The recipient's ability to disseminate the results of fire safety research.

''(D) The strategic plan the recipient proposes to carry out under the grant.

''(6) CONSIDERATION.—The Director shall give special consideration under paragraph (5) to an applicant for a grant that consists of a partnership between a national fire service organization or a national fire safety organization and at least 1 of the following:

''(A) An institution of higher education.

''(B) A minority-serving institution (defined as an eligible institution under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))).

''(7) RESEARCH NEEDS.—Within 90 days after the date of enactment of the Fire Grants Reauthorization Act of 2009, the Director shall convene a workshop of the fire safety research community, fire service organizations, and other appropriate stakeholders to identify and prioritize fire safety research needs. The results of the workshop shall be made public, and the Director shall consider such results in making awards under this section.

''(d) DEFINITIONS.—In this section, the following definitions apply:

''(1) CAREER FIRE DEPARTMENT.—The term 'career fire department' means a firefighting department that has an all professional force of firefighting personnel.

''(2) COMBINATION FIRE DEPARTMENT.—The term 'combination fire department' means a firefighting department that has a combined force of professional and volunteer firefighting personnel.

''(3) DIRECTOR.—The term 'Director' means the Director, acting through the Administrator.

''(4) FIREFIGHTING PERSONNEL.—The term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

''(5) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(6) VOLUNTEER, NON-FIRE SERVICE EMS AND RESCUE ORGANIZATION.—The term 'volunteer, non-fire service EMS and rescue organization' means a public or private nonprofit emergency medical services organization that—

''(A) is not affiliated with a hospital;

''(B) does not serve a geographic area in which the Director finds that emergency medical services are adequately provided by a fire department; and

''(C) is staffed primarily by volunteers.

''(7) VOLUNTEER FIRE DEPARTMENT.—The term 'volunteer fire department' means a firefighting department that has an all volunteer force of firefighting personnel.

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated for the purposes of this section $1,000,000,000 for each of the fiscal years 2010 through 2014.

''(2) ADMINISTRATIVE EXPENSES.—

''(A) IN GENERAL.—Of the funds appropriated pursuant to paragraph (1) for a fiscal year, the Director may use not more than 3 percent of the funds to cover salaries and expenses and other administrative costs incurred by the Director to make grants and provide assistance under this section.

''(B) FORMULA.—The Director shall subtract the amount to be used for subparagraph (A) from the amount appropriated pursuant to paragraph (1) before making any allocations or apportioning any funds under subsections (a) or (c).''.

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

(1) from fiscal years 2003 through 2008—

(A) the funding appropriated for activities under section 33 of the Federal Fire Prevention and Control Act of 1974 declined by approximately 30 percent; and

(B) the number of fire departments receiving awards declined by nearly 40 percent, while the number of applicants increased, resulting in a reduction in applicant success rates from over 43 percent to just 25 percent;

(2) the House-passed conference report for the Department of Homeland Security Appropriations Act, 2010 appropriates $390 million for activities under such section 33, a decrease of over 30 percent below that provided in fiscal year 2009;

(3) declining funding reduces the Director's ability to successfully carry out the primary purpose of such section, which is to protect the health and safety of the public and firefighting personnel throughout the Nation against fire and fire-related hazards; and

(4) halting and reversing the decline in appropriations to ensure a high level of funding for the activities under such section 33 should be a top priority.

SEC. 3. EXPANSION OF PRE-SEPTEMBER 11, 2001, FIRE GRANT PROGRAM REAUTHORIZATION.

Section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) is amended to read as follows:

''SEC. 34. EXPANSION OF PRE-SEPTEMBER 11, 2001, FIRE GRANT PROGRAM.

''(a) EXPANDED AUTHORITY TO MAKE GRANTS.—

''(1) HIRING GRANTS.—

''(A) IN GENERAL.—The Director shall make grants directly to career, volunteer, and combination fire departments, in consultation with the chief executive of the State in which the applicant is located, for the purpose of increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards and to fulfill traditional missions of fire departments that antedate the creation of the Department of Homeland Security.

''(B) REQUIREMENTS.—

''(i) DURATION AND USE.—Grants made under this paragraph shall be for 3 years and shall be used for programs to hire new, additional firefighters.

''(ii) RETENTION.—Grant recipients are required to commit to retaining for at least the entire 3 years of the grant period those firefighters hired under this paragraph.

''(iii) MAXIMUM.—The portion of the cost of hiring firefighters provided by a grant under this paragraph may not exceed 80 percent of such cost for each fiscal year.

''(C) PREFERENCE.—In awarding grants under this subsection, the Director may give preferential consideration to applications that involve a non-Federal contribution exceeding the minimums under subparagraph (B)(iii).

''(D) TECHNICAL ASSISTANCE.—The Director may provide technical assistance to States, units of local government, Indian tribal governments, and other public entities in furtherance of the purposes of this section.

''(E) VOLUNTEER ACTIVITIES ALLOWED.—Notwithstanding any other provision of law, any firefighter hired with funds provided under this subsection shall not be discriminated against for, or be prohibited from, engaging in volunteer activities in another jurisdiction during off-duty hours.

''(F) COMPETITIVE BASIS.—The Director shall award all grants under this section on a competitive basis through a neutral peer review process.

''(G) SET ASIDE.—

''(i) IN GENERAL.—At the beginning of the fiscal year, the Director shall set aside 10 percent of the funds made available for carrying out this paragraph for departments with majority volunteer or all volunteer personnel.

''(ii) TRANSFER.—After awards have been made, if less than 10 percent of the funds made available for carrying out this paragraph are not awarded to departments with majority volunteer or all volunteer personnel, the Director shall transfer from funds made available for carrying out this paragraph to funds made available for carrying out paragraph (2) an amount equal to the difference between the amount that is provided to such fire departments and 10 percent.

''(2) RECRUITMENT AND RETENTION GRANTS.—

''(A) IN GENERAL.—In addition to any amounts transferred under paragraph (1)(G)(ii), the Director shall direct at least 10 percent of the total amount of funds made available under this section annually to a competitive grant program for the recruitment and retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response.

''(B) ELIGIBILITY.—Eligible entities shall include volunteer or combination fire departments and organizations on a local, statewide, or national basis that represent the interests of volunteer firefighters.

''(b) APPLICATIONS.—

''(1) IN GENERAL.—No grant may be made under this section unless an application has been submitted to, and approved by, the Director.

''(2) CONTENTS.—An application for a grant under this section shall be submitted in such form and contain such information and assurances as the Director may prescribe.

''(3) REQUIREMENTS.—At a minimum, each application for a grant under this section shall—

''(A) explain the applicant's inability to address the need without Federal assistance;

''(B) in the case of a grant under subsection (a)(1), explain how the applicant plans to meet the requirements of subparagraphs (B)(ii) and (E) of such subsection;

''(C) specify long-term plans for retaining firefighters following the conclusion of Federal support provided under this section; and

''(D) provide assurances that the applicant will, to the extent practicable, seek, recruit, and hire members of racial and ethnic minority groups and women in order to increase their ranks within firefighting.

''(c) LIMITATION ON USE OF FUNDS.—

''(1) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section to fire departments for salaries and benefits to hire new, additional firefighters shall not be used to supplant State or local funds, or, in the case of Indian tribal governments, funds supplied by the Bureau of Indian Affairs, but shall be used to increase the amount of funds that would, in the absence of Federal funds received under this section, be made available from State or local sources, or in the case of Indian tribal governments, from funds supplied by the Bureau of Indian Affairs.

''(2) REPLACEMENT FUNDING PROHIBITED.—No grant shall be awarded pursuant to this section to a municipality or other recipient whose annual budget at the time of the application for fire-related programs and emergency response has been reduced below 80 percent of the average funding level in the 3 years prior to the date of application.

''(3) INDIAN COST-SHARE.—Funds appropriated by the Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing firefighting functions on any Indian lands may be used to provide the non-Federal share of the cost of programs or projects funded under this section.

''(d) WAIVER.—In exceptional circumstances, the Director may waive the requirements of subsections (a)(1)(B)(ii), (a)(1)(B)(iii), (c)(1), and (c)(2) if the Director determines that the jurisdiction is facing demonstrated economic hardship in accordance with section 33(a)(8).

''(e) PERFORMANCE EVALUATION.—The Director may require a grant recipient to submit any information the Director considers reasonably necessary to evaluate the program.

''(f) SUNSET; REPORTS.—

''(1) SUNSET.—The authority under this section to make grants shall lapse at the end of the 10-year period that begins on the date of enactment of the Fire Grants Reauthorization Act of 2009.

''(2) REPORT.—Not later than 6 years after such date of enactment, the Director shall submit to Congress a report concerning the experience with, and effectiveness of, such grants in meeting the objectives of this section. The report may include any recommendations the Director may have for amendments to this section and related provisions of law.

''(g) REVOCATION OR SUSPENSION OF FUNDING.—If the Director determines that a grant recipient under this section is not in substantial compliance with the terms and requirements of an approved grant application submitted under this section, the Director may revoke or suspend funding of that grant, in whole or in part.

''(h) ACCESS TO DOCUMENTS.—

''(1) IN GENERAL.—The Director shall have access for the purpose of audit and examination to any pertinent books, documents, papers, or records of a grant recipient under this section and to the pertinent books, documents, papers, or records of State and local governments, persons, businesses, and other entities that are involved in programs, projects, or activities for which assistance is provided under this section.

''(2) APPLICATION.—Paragraph (1) shall apply with respect to audits and examinations conducted by the Comptroller General of the United States or by an authorized representative of the Comptroller General.

''(i) DEFINITIONS.—In this section, the term—

''(1) 'Director' means the Director, acting through the Administrator;

''(2) 'firefighter' has the meaning given the term 'employee in fire protection activities' under section 3(y) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(y)); and

''(3) 'Indian tribe' means a tribe, band, pueblo, nation, or other organized group or community of Indians, including an Alaska Native village (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purposes of carrying out this section $1,194,000,000 for each of the fiscal years 2010 through 2014.''.

SEC. 4. STUDY AND REPORT.

(a) STUDY AND REPORT ON ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM.—

(1) STUDY.—The Administrator of the United States Fire Administration, in conjunction with the National Fire Protection Association, shall conduct a study to—

(A) define the current roles and activities associated with the fire services on a national, State, regional, and local level;

(B) identify the equipment, staffing, and training required to fulfill the roles and activities defined under subparagraph (A);

(C) conduct an assessment to identify gaps between what fire departments currently possess and what they require to meet the equipment, staffing, and training needs identified under subparagraph (B) on a national and State-by-State basis; and

(D) measure the impact of the grant program under section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) in—

(i) meeting the needs of the fire services identified in the report submitted to Congress under section 3603(a) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005; and

(ii) filling the gaps identified under subparagraph (C).

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to ''Congress'' a report on the findings of the study described in paragraph (1).

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the United States Fire Administration a total of $300,000 for fiscal years 2010 and 2011 to carry out subsection (a).

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. TITUS

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 111–340.

Ms. TITUS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. TITUS:

Page 6, after line 19, insert the following:

''(O) To acquire equipment designed to reduce the amount of water used in firefighting or training firefighting personnel.

The CHAIR. Pursuant to House Resolution 909, the gentlewoman from Nevada (Ms. TITUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

□ 1345

Ms. TITUS. I yield myself such time as I may consume.

Mr. Chairman, I rise today with an amendment to H.R. 3791, the Fire Grants Reauthorization Act of 2009. I'd like to first thank Chairmen GORDON and THOMPSON for their work on this important legislation and Chairwoman SLAUGHTER for making my amendment in order. I appreciate their willingness to work with me on this important issue.

The Fire Grants Reauthorization Act of 2009 will provide much needed funding for fire departments across the United States. Since 2001, the Fire Grants Program has provided more than $5 billion to local fire departments to help them fund the purchase of equipment, train firefighters, and hire additional personnel.

In all of our districts, local governments are struggling with their budgets. So these grants are especially important now to help ensure that fire departments all across the country are able to access the resources they need and provide the critical services that we all depend on.

My amendment to this important legislation is simple. It allows fire departments to apply for grant funding to purchase equipment that is designed to reduce water usage in fighting fires or in training to fight fires. This important expansion will provide fire departments the opportunity to purchase pieces of equipment that are not only effective in fighting fires, but are also efficient in water usage. By allowing and encouraging these purchases, we are helping fire departments not only fight fires in a safer way, but also in a way that uses less water. Preserving this valuable resource without diminishing firefighting safety and capability makes purchases by our local governments doubly beneficial.

In my congressional district in southern Nevada, like in many desert communities, water is a valued, precious commodity. As such, it is also our most significant limited resource. Accordingly, State and local management officials and citizens, especially in the West, are constantly working to meet the water demands of a growing population of residents and tourists. This provision will help them in that effort to improve the efficiency of water usage techniques and technology.

In preparing this amendment, I reached out to our local fire chief, Chief Steve Smith of the Clark County Fire Department. He informed me that with the right equipment, the amount of water used to fight a typical fire can be reduced by almost 80 percent. Not only does this technology reduce the amount of water required to extinguish a fire, it also limits structural damage, the threat of the fire rekindling, and runoff of dangerous chemicals into our local sewer systems.

For all of these reasons, I urge the passage of this amendment. It will save water, enhance firefighting abilities, protect property, and limit potential damage in the aftermath of fires.

I reserve the balance of my time.

Mr. SMITH of Nebraska. Mr. Chairman, I rise to claim time in opposition, although I am not opposed to the amendment.

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

There was no objection.

Mr. SMITH of Nebraska. This amendment, as the sponsor indicated, would allow grant funds under the AFG program to require equipment designed to reduce the amount of water used in firefighting or training. This amendment certainly makes sense, particularly in arid regions, which may be prone to fires and where water sources are often scarce.

I support this amendment.

I reserve the balance of my time.

Ms. TITUS. Mr. Chairman, at this time I would like to yield to the chairman of the committee, the gentleman from Tennessee (Mr. GORDON).

Mr. GORDON of Tennessee. I just want to thank the gentlelady for this amendment. I think it demonstrates why having greater consultation makes a better bill. You bring unique expertise. We've got a lot more water in Tennessee than you have in Nevada. So thank you for this good amendment.

Mr. SMITH of Nebraska. I yield back the balance of my time.

Ms. TITUS. I'd just like to again thank the chairman and the ranking member for their support of this and urge its passage to help save water while fighting fires.

The CHAIR. The question is on the amendment offered by the gentlewoman from Nevada (Ms. TITUS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PERLMUTTER

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 111–340.

Mr. PERLMUTTER. Mr. Chair, I have an amendment at the desk that was made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. PERLMUTTER:

At the end of the bill, add the following new section:

SEC. 5. NATIONAL VOLUNTARY CONSENSUS STANDARDS.

(a) SURVEY BY THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Task Force established under subsection (b), shall begin to conduct a survey of each career fire department, volunteer fire department, and combination fire department located in the United States in order to ascertain whether each fire department is in compliance with the national voluntary consensus standards for staffing, training, safe operations, personal protective equipment, and fitness.

(2) CONTENTS.—In carrying out the survey, the Secretary shall ascertain, for each fire department in the United States, the rates of compliance with each such standard of—

(A) career fire departments, volunteer fire departments, and combination fire departments;

(B) fire departments located in communities of varying sizes; and

(C) fire departments in each of the States.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a summary of the findings of the survey required under paragraph (1), including the rates of compliance under the categories specified under subparagraphs (A), (B), and (C) of paragraph (2).

(b) ESTABLISHMENT OF TASK FORCE TO ENHANCE FIREFIGHTER SAFETY.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish a task force to be known as the ''Task Force to Enhance Firefighter Safety'' (in this section referred to as the ''Task Force'').

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Secretary shall appoint members of the Task Force from among the general public and shall include—

(i) representatives of national organizations representing firefighters and fire chiefs;

(ii) individuals representing standards-setting and accrediting organizations, including representatives from the voluntary consensus codes and standards development community; and

(iii) other individuals as the Secretary determines to be appropriate.

(B) REPRESENTATIVES OF OTHER DEPARTMENTS AND AGENCIES.—The Secretary may invite representatives of other departments and agencies of the United States that have an interest in the fire service to participate in the meetings and other activities of the Task Force.

(C) NUMBER; TERMS OF SERVICE; PAY AND ALLOWANCES.—The Secretary shall determine the number, terms of service, and pay and allowances of members of the Task Force appointed by the Secretary, except that a term of service of any such member may not exceed 2 years.

(3) RESPONSIBILITIES.—The Task Force shall—

(A) consult with the Secretary to conduct the survey required under subsection (a); and

(B) develop a plan to enhance firefighter safety by increasing fire department compliance with national voluntary consensus standards for staffing, training, safe operations, personal protective equipment, and fitness, including by—

(i) reviewing and evaluating the report required under subsection (a) to determine the extent of and barriers to achieving compliance with national voluntary consensus standards among fire departments; and

(ii) considering ways in which the Federal Government, States, and localities can promote or encourage fire departments to comply with national voluntary consensus standards.

(4) REPORT TO CONGRESS.—Not later than 6 months after the date on which the Secretary submits the report required under subsection (a)(3), the Task Force shall submit to Congress and the Secretary a report containing the findings and recommendations of the Task Force together with the plan described in paragraph (3)(B).

(c) DEFINITIONS.—

(1) IN GENERAL.—The terms used in this section that are defined in sections 4, 33, or 34 of the Federal Fire Prevention and Control Act of 1974 shall have the meaning given such terms in such Act.

(2) NATIONAL VOLUNTARY CONSENSUS STANDARDS.—For the purposes of this section, the term ''national voluntary consensus standards'' means the latest edition of the national voluntary consensus standards for firefighter and fire department staffing, training, safe operations, personal protective equipment, and fitness available on the date of the enactment of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Homeland Security such sums as may be necessary to carry out this section for each of fiscal years 2010 through 2013.

The CHAIR. Pursuant to House Resolution 909, the gentleman from Colorado (Mr. PERLMUTTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. PERLMUTTER. I want to start by thanking my friend, BART GORDON; DAVID WU; Ranking Member RALPH HALL; HARRY MITCHELL; and my friend, ADRIAN SMITH, for their leadership on this bill. They have put together a strong bill which every Member should feel proud of supporting when they speak to their local firefighters.

Members should be proud this legislation gives those local firefighters the resources they need to best keep their communities safe and secure. Members should be proud that the training, protective equipment, and personnel this bill provides could potentially save the lives of those very firefighters. My amendment will, I believe, make this bill even better.

Every year, roughly 100 firefighters die in the line duty. This is a tragedy, and each one of those brave men and women is a hero for their sacrifice. But we think some of these deaths were preventable, so we must act. Studies have shown that all too often a contributing factor in their deaths was failure to comply with national voluntary consensus standards. These national voluntary standards are developed over years of collaboration and debate within the National Fire Protection Association, which I will call the NFPA.

As the independent experts on fire policy, the NFPA has developed these standards for over a hundred years to keep communities and the firefighters who protect them safe, yet the Federal Government does not have a thorough understanding of how fire departments follow various NFPA standards. We in the Congress dedicate a great deal of

time and resources to help our fire departments, but we cannot gauge our overall effectiveness without knowing where we are successful and where we fall short.

My amendment authorizes the U.S. Fire Administration to conduct a first-of-its-kind survey of our Nation's fire departments to measure how well they are adhering to these safety standards. Once the study is complete, a task force of industry stakeholders will make recommendations to Congress on the methods to increase compliance. Especially in the post 9/11 world, where firefighters play a vital role in our homeland security, a stronger emergency response capability means a weakened threat of terrorist attack.

I should add that this amendment is nearly identical to my bill, the Firefighter Fatality Reduction Act. That bill has broad, bipartisan support of 31 Members from rural, urban, and suburban districts. It is supported by the International Association of Firefighters, the International Association of Fire Chiefs, and the National Fire Protection Association.

This amendment is simple. These safety standards can save firefighters' lives. Let us study how well our fire services are using these standards and bring in an industry task force to think creatively about ways to boost compliance. It's good for our firefighters, it's good for our local communities, and it's good for homeland security.

With that, I reserve the balance of my time.

Mr. SMITH of Nebraska. I rise to claim time in opposition to the amendment, although I do not oppose it.

The SPEAKER pro tempore. Without objection, the gentleman from Nebraska is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Nebraska. I would like to ask the gentleman from Colorado to enter into a colloquy regarding his amendment—a clarification.

Mr. PERLMUTTER. Yes.

Mr. SMITH of Nebraska. Thank you. I appreciate that. I thank the gentleman for offering the amendment to assess fire department readiness through a survey of compliance with national voluntary consensus standards for staffing, training, equipment, and other factors important to a department's ability to respond to hazards. I do support the amendment but would like to seek clarification for the RECORD regarding the gentleman's intent on two aspects of this amendment.

First, I recognize the value of improved data regarding fire department compliance with response standards, and I agree that we should aspire to help the fire service achieve higher compliance rates. However, I think it is important to note that a lack of compliance with these standards does not necessarily indicate a problem on the part of the department or local municipality.

There are over 25,000 fire departments in the United States, all working under unique circumstances with respect to local hazards, populations, mutual aid agreements, operating budgets, and so on. In many cases, it simply does not make sense for departments to be in full compliance with what the Federal Government would consider full compliance with these standards based on their individual circumstances, particularly in rural areas where resources are very limited.

For these reasons, I would hope that the task force established by this amendment considers these practical barriers to standards compliance in making recommendations to Congress regarding how best to improve standards compliance. I would just ask the gentleman if he would agree with this interpretation.

Mr. PERLMUTTER. I thank my friend from Nebraska. And yes, I entirely agree with him. According to the most recent U.S. Fire Administration fire department census, my own State of Colorado has 323 fire departments. Of those, 35 are career departments, 165 are volunteer departments, and 123 are combination. Each has it own needs, faces its own threats, and relies on different funding streams.

The recent downturn in the economy has hurt fire departments all across the country. So, of course, the task force established in this amendment should reflect the differences among the three types of departments and the challenges that they face.

As written, my amendment would include on the task force ''representatives of national organizations representing firefighters and fire chiefs.'' It is a reasonable implication that volunteer firefighters are included on the task force, and I will work with the gentleman to ensure that this is the case. Although needs of each fire department are unique, I do feel there are several areas of general agreement among them, which is precisely why I propose to establish this task force. As I said, I agree with the gentleman and his concerns.

Mr. SMITH of Nebraska. I thank the gentleman from Colorado. Second, while the cost of the study called for in the gentleman's amendment is not precisely known at this time, it may be a significant undertaking. Accordingly, I hope that it is the gentleman's intent that the funding for this study, which is authorized by the Secretary of Homeland Security, not come out of the core budget for either of these grant programs or the budget of the U.S. Fire Administration.

Does the gentleman agree with this interpretation?

Mr. PERLMUTTER. Again, I agree with my friend. First, I'd like to note this survey is an undertaking which I intend to do similarly to the U.S. Fire Administration's periodic census, which determines the number of fire departments in the Nation, as well as the number of firefighters. The census is done by mail, and I would expect this survey to be done similarly or even electronically to save on costs.

To the specific point about funding, I believe FIRE and SAFER funds are best used going to fire departments. I also believe the U.S. Fire Administration is cash-strapped. This year's Homeland Security Appropriations Act funded it at $45.6 billion. If I were an appropriator, I would have doubled that figure.

To avoid funding this provision through the grants themselves or the USFA, I have an additional authorization of appropriation from outside those funds. I wish to continue to work with the gentleman to perfect and clarify this intent.

I thank the gentleman from Nebraska and give him notice now to be aware of my Colorado Buffaloes next week. We aren't going to a bowl game this year, but our bowl game is against the University of Nebraska—and we will win.

Mr. SMITH of Nebraska. I thank the gentleman from Colorado for his graciousness, with I guess just one exception. But I appreciate the confidence he shows in his college football team.

I yield back the balance of my time.

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

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. PERLMUTTER).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. SMITH of Nebraska. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

□ 1400

AMENDMENT NO. 3 OFFERED BY MR. FLAKE

The Acting CHAIR (Mr. SERRANO). It is now in order to consider amendment No. 3 printed in part B of House Report 111–340.

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, designated as No. 3.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. FLAKE:

At the end of the bill, add the following new section:

SEC. 5. PROHIBITION ON EARMARKS.

None of the funds appropriated to carry out the amendments made by this Act may be used for a congressional earmark as defined in clause 9, of Rule XXI of the rules of the House of Representatives of the 111th Congress.

The Acting CHAIR. Pursuant to House Resolution 909, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

This amendment would simply prohibit the Assistance to Firefighters Grant program and the SAFER grant

program from ever being used as vehicles for earmarking. As my colleagues are likely aware, I have offered a similar amendment several times this year. It's been adopted this year six times by voice vote and again by a roll call vote at least once.

As before, H.R. 3791 stipulates that the grant programs it authorizes are to be run on a competitive basis or on some basis based on need. While we have language prohibiting earmarking in there somewhat, this may seem redundant, but we all know that just because grant programs are labeled competitive doesn't mean that they won't be vehicles for earmarking.

In fact, we've had in some other programs, like FEMA's Pre-Disaster Mitigation program, that's a competitive grant program designed to save lives and reduce property damage by providing funds for hazard mitigation planning, acquisitions, and relocation of structures out of the flood plain; unfortunately, that program, although it's supposed to be competitive, has been completely earmarked, like 100 percent of the funds have been earmarked. We want to prevent that from happening here.

If we're going to establish a grant program and call it a competitive program, we need to ensure that it is, indeed, competitive. That's what this amendment seeks to do.

With that, I reserve the balance of my time.

Mr. GORDON of Tennessee. Mr. Chairman, I rise to claim time in opposition to the amendment, although I am not in opposition to the amendment.

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

There was no objection.

Mr. GORDON of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

I have no objections to this amendment. I want to point out that the underlying programs or competitive grant programs are peer reviewed by members of the fire service.

I yield back the balance of my time.

Mr. FLAKE. I yield 1 minute to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Chairman, I rise in support of this amendment. The Assistance to Firefighters Grants (AFG) and SAFER grant program have not been subject to earmarking and, instead, have been awarded to the applicants which are determined to have the greatest need. This process of awarding grants based on merit has proven effective for this program. Allowing these funds to be allocated through earmarking would pit those districts in need against those with the most powerful Members of Congress. I believe this would be a disservice to the American taxpayer. Mr. FLAKE's amendment will ensure that the funding, which we are authorizing here today for the grant programs for firefighters, continues to be allocated through a competitive process based on need.

I urge my colleagues to support this amendment.

Mr. FLAKE. I thank the chairman of the subcommittee and also the ranking minority member for supporting the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GORDON of Tennessee. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. HOLDEN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 111–340.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HOLDEN:

Page 24, strike line 18 and all that follows through page 25, line 3 and insert the following:

''(6) VOLUNTEER, NON-FIRE SERVICE EMS AND RESCUE ORGANIZATION.—

''(A) IN GENERAL.—The term 'volunteer, non-fire service EMS and rescue organization' means a public or private nonprofit emergency medical services organization that—

''(i) is not affiliated with a hospital;

''(ii) does not serve a geographic area in which the Director finds that emergency medical services are adequately provided by a fire department; and

''(iii) is staffed primarily by volunteers.

''(B) INCLUSION.—Such term includes a river rescue organization if such organization otherwise meets the definition in subparagraph (A).

Page 25, after line 7, insert the following:

''(8) RIVER RESCUE ORGANIZATION.—The term 'river rescue organization' means an organization that provides emergency search and rescue services to a person affected by a flood, a water-related accident, or another disaster for which services, including water rescue and patrol, dive rescue and recovery, emergency first response, flood recovery, or fire and rescue services on the water, are required.

The Acting CHAIR. Pursuant to House Resolution 909, the gentleman from Pennsylvania (Mr. HOLDEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. HOLDEN. Thank you.

First of all, Mr. Chairman, I would like to congratulate and thank Chairman GORDON and the gentleman from Nebraska for their hard work on this important piece of legislation. It has been tremendously successful all across the country and in the Commonwealth of Pennsylvania and in my congressional district.

Mr. Chairman, the purpose of my amendment is to allow river rescue associations to participate in the grant program under the Volunteer, Non-Fire Service EMS and Rescue Organizations section of the reauthorization.

Mr. Chairman, this situation was brought to my attention by Mr. Steve Ketterer of the Harrisburg River Rescue Association, which is the capital city of the Commonwealth of Pennsylvania and the largest city in my congressional district. It sits on the Susquehanna River, and the Harrisburg River Rescue Association does a tremendous job all year long, not just in flooding situations, performing rescue operations on the Susquehanna River. They have applied repeatedly to this program for a grant and have been determined to be ineligible. My amendment simply would make river rescue associations eligible under the Volunteer, Non-Fire Service EMS and Rescue Organizations section of the bill.

At the direction of the chairman and his staff, we have reached out and have had consultation with the International Association of Fire Fighters and the National Volunteer Fire Council. Both groups are satisfied with the amendment making river rescue eligible under the rescue organization section of the bill and felt it did not harm either the intention or the compromise of the bill. This would not take any funding from firefighters. This makes them eligible for funding under the EMS funding.

So I would encourage adoption of the amendment and reserve the balance of my time.

Mr. SMITH of Nebraska. Mr. Chairman, I rise to claim time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized 5 minutes.

There was no objection.

Mr. SMITH of Nebraska. Mr. Chairman, this amendment would simply clarify that river rescue organizations will be eligible to apply for a grant under the program authorized by the bill. I have no objections to this amendment.

I yield back the balance of my time.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. HOLDEN).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CARDOZA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 111–340.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. CARDOZA:

Page 12, line 24, insert ''including unemployment rate of the area being served'' after ''financial situation''.

The Acting CHAIR. Pursuant to House Resolution 909, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chairman, my district in California has been especially hard hit by the current economic crisis. Even if nationwide indicators begin to reveal a healthier national economy in the coming months, it is clear that my district and others in California's Central Valley region will suffer from severe economic underdevelopment for years to come. The 18th Congressional District's struggling economy is the reason I continue to try to use every available opportunity to push for amendments and legislation that will spur job creation and economic development and provide relief to the hardest-hit communities in the country. The Bureau of Labor Statistics ranks the metro area of Merced, Modesto, and Stockton with some of the highest unemployment rates in the Nation. All three are above 15 percent, and all three well above the national unemployment rate of 10.2 percent.

My amendment simply provides a little more direction during the grant writing process by including unemployment rates in the criteria used to evaluate these various grant applications. This will provide a little extra help to communities like Los Banos and Merced to maintain and improve their fire protection services. These and many other cities in my district and across the country have critical needs that they cannot meet under the current financial stress that they are having. Instead of hiring additional personnel and boosting employment, they are forced to lay off valuable employees and risk the safety of their communities.

I ask my colleagues on both sides of the aisle to support this commonsense amendment.

I reserve the balance of my time.

Mr. SMITH of Nebraska. Mr. Chairman, I rise to claim time in opposition to the amendment. Although I am not necessarily opposed to this, I do have some concerns.

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

There was no objection.

Mr. SMITH of Nebraska. Thank you, Mr. Chairman.

This amendment would require that local unemployment rates be considered as a factor in awarding grants to fire departments. While I understand the current state of the economy should make this a concern in bills we consider, the Fire grant program has, since its inception 8 years ago, awarded grants competitively based upon the potential of the applicant's proposal to enhance a fire department's ability to respond to fires and related hazards. I am somewhat concerned that this change may result in an upset in the delicate balance of consideration that has been achieved over the years.

The factors used by FEMA in evaluating these proposals have been carefully developed and refined in consultation with national fire service organizations. They include, for example, a department's geographic response area, its population served, unique hazard vulnerabilities, and its budgetary situation. All of these factors directly impact the department's ability to respond to hazards and, thus, are appropriate criteria.

I believe the gentleman's amendment is well intentioned, but I am concerned that the unemployment rate of the locality a department protects is simply not directly related to fire hazards or the department's ability to respond to them. While a fire department's operating budget could potentially be indirectly impacted by a poor local economy that impacts tax revenues, this factor is already explicitly noted in the legislation based on need.

Further, I would caution generally against the practice of Congress dictating the specific criteria to be used by FEMA in making awards. This bill codifies consideration of high-level factors that were developed by the fire service and are currently used by FEMA, but it does not attempt to incorporate new ones based on particular interests. If we begin to open up this program to congressional direction of this sort, we risk adding a level of prescription that could transform the current highly competitive process to one driven by interests unrelated to the needs of the fire service.

I reserve the balance of my time.

Mr. CARDOZA. Mr. Chairman, I will respond to my friend and colleague that we have taken and watered this language down so that it applies to all areas. Severe unemployment is only one of many criteria that can be considered and only when the situation is a desperate situation.

We talked about our area in central California being the Katrina of California where we have such devastating consequences that we may not be able to meet some of our fire needs in our communities as they just collapsed financially. So if we find situations where we're not meeting the fire protection needs of those communities, we think that it's very important. This has just become one of many criteria in evaluating these grants. Not the sole criteria, not the most important criteria, but certainly to allow those individuals who are making the decisions to just take this into consideration. That's the purpose of my amendment.

The communities of Merced and Los Banos, in particular, have contacted my office, indicating that this is something they feel is a necessary imperative. But I can imagine cities across the country—Miami, Detroit, other places—where they may find themselves in similar kinds of economic situations. It might be your State by the time this bill becomes law.

So I would just say that I think it's something that is important for everyone to have as a capability to be taken into consideration. It's not something that will override the other considerations that the gentleman has outlined.

I yield back the balance of my time.

Mr. SMITH of Nebraska. Mr. Chairman, I certainly want to be sensitive to the economic conditions that hit some parts of the country harder than others, and I want to be mindful of the wise use of resources at the Federal level. I don't want to get into other policies that might impact our economy in any a very negative way. I don't have enough time to do that right now. But I certainly hope that we can arrive at good policy decisions today and down the road so that we don't stand in the way of the wise use of government and taxpayer resources.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The amendment was agreed to.

Mr. GORDON of Tennessee. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JACKSON of Illinois) having assumed the chair, Mr. SERRANO, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3791) to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, and for other purposes, had come to no resolution thereon.

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

WELCOMING INDIAN PRIME MINISTER MANMOHAN SINGH

Mr. ACKERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 890) welcoming the Prime Minister of the Republic of India, His Excellency Dr. Manmohan Singh, to the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 890

Whereas the Republic of India achieved its independence from the British Empire on

August 15, 1947, and has since maintained a democratic system of government;

Whereas from April 16 to May 13, India conducted the world's largest democratic election, which returned Prime Minister Singh to power;

Whereas India's relationship with the United States has deepened in past years and encompasses cooperation on matters relating to international security, world trade, technology, science, and health;

Whereas the relationship between the United States and India has great potential to promote stability, democracy, prosperity, and peace throughout the world and enhance the ability of both countries to work together to provide global leadership in areas of mutual concern and interest;

Whereas the Prime Minister of India, His Excellency Dr. Manmohan Singh, has helped shape India's economic policies to permit the expansion of a market economy, which has led to greater economic prosperity for India and the growth of a middle class;

Whereas Americans of Indian origin have made diverse and numerous contributions to the United States; and

Whereas Prime Minister Singh has accepted an invitation by the United States to make an official visit to Washington, DC, and is the honoree of President Barack Obama's first State Dinner: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the maturating of the relationship between the United States and the Republic of India, exemplified by the current official visit of the Prime Minister of India, His Excellency Dr. Manmohan Singh;

(2) looks forward to continuing progress in the relationship between the United States and India; and

(3) welcomes Prime Minister Singh to the United States.

The SPEAKER pro tempore (Mr. SERRANO). Pursuant to the rule, the gentleman from New York (Mr. ACKERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ACKERMAN. Mr. 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 resolution.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this resolution and of the U.S.-India relationship. Next week, the Prime Minister of India, Manmohan Singh, will come to Washington for a State visit, and I am pleased that with this resolution, the House will offer him its own welcome.

Prime Minister Singh has worked hard to improve our already strong ties and has courageously already taken political risks for our bilateral relationship that few others would venture. But when the Prime Minister put his government and his career on the line, it wasn't for us, though his victory has certainly proved to be to our advantage. No, Prime Minister Singh took his chances for India, for its future and for the fulfillment of that country's enormous potential.

And our partnership is built on this foundation: that India's rise as a great power in Asia and as a global player advances critical American interests ranging from the promotion of democracy and democratic values, to improving stability and security throughout all parts of Asia.

We do not fear a growing India for one simple reason: India's values are our values. India is a real democracy with real institutions that are subordinate to the rule of law. India, though ready to defend itself, doesn't start wars or harbor terrorists. India, though as fastidious as any state about protecting its sovereignty, can be relied upon to keep its word once committed to a treaty or an international agreement. India struggles to preserve its tradition of religious, cultural, and ethnic pluralism. India safeguards sensitive technologies. India fights terrorism.

We do not see ourselves when we look at India, though this Nation has benefited immensely from Indians who have become Americans. India is vastly larger in population, vastly older in history, and vastly more complex culturally with some 2,000 ethnicities and 29 major languages.

We do see similarities. We do see a nation committed to lifting itself by its own means. We do see a nation open to the world, and we do see a nation committed to the same vision of peace and security that has guided our own Nation.

There are, as to be expected, differences between us. Some of them—and I would note particularly the issue of Iran—are very serious. But as nations committed to a relationship of equals, a relationship of mutual benefit and mutual respect, I believe we can work through our differences and achieve enormous progress in many areas of our mutual concern.

I am delighted that Prime Minister Singh, a man who is one in a billion, is returning to the United States, and I am proud of the House today in offering him such a well-deserved and warm welcome.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Resolution 890, a measure welcoming the Prime Minister of India, His Excellency Dr. Manmohan Singh, to the United States. I am pleased to be a cosponsor of this timely resolution which recognizes the forthcoming visit by India's distinguished and universally accepted and respected Prime Minister to the United States.

This will be the first official visit by a foreign head of government during this administration. And, Mr. Speaker, that makes it wholly appropriate that Prime Minister Singh and India be accorded this wonderful honor.

Without doubt, the high status accorded to his visit reflects India's growing global role and its increasingly comprehensive relationship with our country, the United States. Implicitly, however, the pomp and the circumstance associated with his visit also reflect the extraordinary contribution of Indian Americans to solidify our people-to-people relationship and all of the dynamism that they have brought to our diverse and vibrant society.

In any regard, the Congress fully shares with the executive branch a deep commitment to strengthening our partnership with India and to expand our cooperation on a wide range of bilateral and global issues. These opportunities for mutual cooperation range from global security to economic growth, trade promotion, human development, and the expansion of our two-knowledge societies, and also nuclear nonproliferation, and protection of the environment.

Mr. Speaker, it is altogether fitting that we should honor the Indian-American relations as strong as they are and ever closer every day and the visit of Prime Minister Singh by adopting this thoughtful resolution.

I urge its support, and I reserve the balance of our time.

Mr. ACKERMAN. Mr. Speaker, I am delighted to yield 2½ minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I want to raise my voice in strong support for H. Res. 890, a resolution introduced to welcome Prime Minister Manmohan Singh, to the United States. As co-Chair of the caucus on Indian and Indian Americans, I extend our hand in friendship to our close friend and strategic ally in South Central Asia. I've known Prime Minister Manmohan Singh since he was the finance minister in 1990 who really brought about the Indian miracle.

The President has chosen to recognize the close ties between our nations by honoring India with its first official State dinner at the White House next week, and I look forward to participating.

In the 21st century, the world's oldest and largest democracies have much to share and learn from each other. Over the years, I visited India 22 times, but perhaps the most memorable visit came this year as a part of the congressional delegation with John Lewis.

We were there to commemorate the 50th anniversary of the historic visit to India by Dr. Martin Luther King, Jr., and his wife. At the end of the visit, Dr. King said, ''The choice today is no longer between violence and nonviolence; it is either nonviolence or nonexistence.'' That truth is self-evident today.

Both India and the United States must deepen our ties—even if we respect different cultures—if we are to make this a safer and better world. And we are up to the challenge. The

Prime Minister has made significant economic progress for the people of India and that has resulted in new business opportunities for American companies and U.S. jobs. In Seattle, the heart of my congressional district, Boeing builds airplanes for a major customer, Air India. That is just one of the examples of the business ties that bind us together.

We also cooperate in science, technology, trade, and education. All of this draws us together in countless ways.

Recently, I joined Her Excellency, Meera Shankar, the Ambassador of India, for the unveiling of a statue of Gandhi at the King County Public Library. And last weekend in Seattle, we celebrated the festival of Diwali.

In the 21st century, the Internet has removed the borders that separated nations, but it will take people to unite us into one world. That is what makes a State visit like this so important. Leaders working in good faith on behalf of the people can bridge any divide no matter how wide and deep. As Nelson Mandela in South Africa once said, ''It always seems impossible until it's done.''

This resolution is a down payment on the future, and I urge my colleagues to support it.

Ms. ROS-LEHTINEN. I would like to reserve, Mr. Speaker.

Mr. ACKERMAN. Mr. Speaker, it's now my pleasure to yield to the distinguished gentleman from Maryland (Mr. HOYER), the majority leader of the House, 1 elastic minute.

Mr. HOYER. I thank my friend, Mr. ACKERMAN, for yielding, and I thank the ranking member, Ms. ROS-LEHTINEN, for bringing this resolution to the floor.

Next week, as has been said, President Obama will be hosting the first State dinner of his administration, and the guest of honor, appropriately, will be the Prime Minister of the Republic of India, Dr. Manmohan Singh.

Prime Minister Singh visits America at a time when the relationship between our two nations is as strong as it has ever been. In India we see a vital partner on issues of national security to world trade. We see a nation that confronts many of the threats that challenge America, from terrorism to global warming. We see an emerging economic power with a growing middle class. And though our nations are separated by distance, language, and culture, we recognize in one another the democratic values we share; and of course we have a language in common as well, as well as common values, despite its great size and diversity.

And for those who may not know, India will soon be not only the largest democracy, but the most populous nation in the world.

India has remained a democracy since its independence more than 60 years ago. And this year, Prime Minister Singh was returned to power in the world's largest democratic election. In fact, India made him the first Prime Minister since Nehru to return to office after completing a full term, a truly remarkable accomplishment.

All of us should be proud, and I know we are, to host the leader of one of America's most vital allies. On behalf of the House of Representatives, Speaker PELOSI, and all of us on both sides of the aisle, and Mr. BOEHNER, I am pleased to have this opportunity to welcome Prime Minister Singh to the United States and rise in strong support of this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to thank the sponsor of this measure, Mr. MCDERMOTT, and the gentleman from California (Mr. ROYCE) for providing us with an opportunity to recognize this ever-growing tie in the relationship between our democratic nations and to welcome, in an official way, Prime Minister Singh.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H. Res. 890, which welcomes the Prime Minister of the Republic of India, His Excellency Dr. Manmohan Singh, to the United States, and commends the maturation of the U.S.-India relationship.

That relationship has made remarkable strides in the past 2 decades. And one of the critical elements helping launch our improved ties was the series of economic reforms India initiated in 1991, reforms developed and implemented under the leadership of then Finance Minister, Dr. Singh.

With his rise to Prime Minister in 2004, Dr. Singh provided the leadership required for his country to strike the landmark U.S.-India Civil Nuclear Cooperation Initiative with us, a deal that facilitates nuclear cooperation and offers the bilateral relationship a major strategic opportunity.

After his party's victory in this year's general elections, Dr. Singh became the first full-term Indian Prime Minister to be returned to power since 1962. The particularly strong electoral mandate he received in the recent election is testament to his accomplishment. It also offers our two countries a chance to move our partnership to an even higher level, better positioning us to advance solutions to the key regional and global challenges we confront, from pandemic disease, to the proliferation of weapons of mass destruction, climate change, and poverty.

Reflecting India's emergence as a major international player and the importance of the U.S.-India relationship, the Prime Minister's visit here next week will be the first official state visit by any foreign dignitary to the Obama White House.

The Prime Minister should know that the United States Congress values his leadership and our bilateral partnership just as much as the new Administration, and so I urge my colleagues to join me in supporting H. Res. 890.

Mr. ROYCE. Mr. Speaker, I rise in support of this resolution. I want to thank Mr. MCDERMOTT, my cochairman of the India Caucus.

Indian Prime Minister Singh's visit to Washington for an official visit is an important signal of deepening relations between the United States and India. His visit sends a signal to the Indian people that their country is a valued partner. This resolution recognizes this relationship—its past successes, and hopes for its future.

Significantly, Prime Minister Singh's visit will come almost to the day of the horrific terrorist attacks on Mumbai carried out by Islamist militants. On that day 163 people were cut down in a bloody rampage. Our thoughts will be with Indian people on that anniversary.

Mr. Speaker, over the past decade, relations between the U.S. and India have undergone a renaissance. Prime Minister Singh has done much to bring the United States and India together, but perhaps nothing more consequential than signing the landmark civil nuclear cooperation agreement between the two countries.

Indian officials have told me about their ambitious plans to expand nuclear power. India needs additional electricity to fuel its growing economy and nuclear energy is a clean source. With this deal, the Indian nuclear industry is overcoming the international restrictions that have curtailed it since 1974, to reach its full potential. India will still rely on other energy sources, but it is smart policy for any country to diversify. We in the U.S. should learn that lesson. We are expecting U.S. companies to be part of the Indian nuclear industry. We should give them more opportunities at home too.

Official visits should lead to concrete policy improvements. If this relationship is to move ahead, progress must be made on trade. Right now, the signs aren't good. Both countries need to get serious on advancing trade, or we'll both lose.

The U.S.-India relationship has made great strides, but progress can't be taken for granted. We have many common interests: economics, counter-terrorism, energy. While President Obama was in China this week, India is another very important country. The India Caucus will be watching next week's visit in hopes that specific advances will be made.

Ms. ROS-LEHTINEN. I urge unanimous support for this measure, and I yield back the balance of my time.

Mr. ACKERMAN. I thank the gentlelady for her support and endorsement of the resolution and her wonderful comments; and we yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the resolution, H. Res. 890.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1430

RECOGNIZING ANNIVERSARY OF THE VELVET REVOLUTION IN CZECHOSLOVAKIA

Mr. ACKERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 212) expressing the sense of Congress on the occasion of the 20th anniversary of historic events in Central and Eastern Europe, particularly the Velvet Revolution in Czechoslovakia, and reaffirming the bonds of friendship and cooperation between the United States

and the Slovak and Czech Republics, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 212

Whereas, on September 3, 1918, the United States Government recognized the Czecho-Slovak National Council as the official Government of Czechoslovakia;

Whereas, on October 28, 1918, the peoples of the present day Czech Republic and the present day Slovak Republic proclaimed their independence in the common state of the Republic of Czechoslovakia;

Whereas between 1939 and 1945, Nazi Germany annexed part of Bohemia, set up a fascist ''protectorate'' in the rest of Bohemia and in Moravia, and installed a puppet fascist government in Slovakia;

Whereas, on November 17, 1939, in response to widespread student demonstrations, Czech institutions of higher learning were closed by the Nazis, many students were taken to concentration camps, and 9 representatives of the student movement were executed;

Whereas the Moscow-directed Communists took over the Government of Czechoslovakia in February 1948;

Whereas troops from Warsaw Pact countries invaded Czechoslovakia in August 1968, ousted the reformist leadership of Alexander Dubcek, and restored a hard-line communist regime;

Whereas, on November 17, 1989, the brutal break up of a student demonstration commemorating the 50th anniversary of the execution of Czech student leaders and the closure of universities by the Nazis triggered the explosion of mass discontent that launched the Velvet Revolution, which was characterized by reliance on nonviolence and open public discourse;

Whereas the peoples of Czechoslovakia overthrew 40 years of totalitarian communist rule in order to rebuild a democratic society;

Whereas, since November 17, 1989, the people of the Slovak Republic and the Czech Republic have established vibrant, pluralistic, democratic political systems based upon freedom of speech, a free press, free and fair open elections, the rule of law, and other democratic principles and practices;

Whereas the people of the United States, the Slovak Republic, and the Czech Republic have maintained a special relationship based on shared democratic values, common interests, and the strong bonds of friendship, mutual respect, and close cooperation; and

Whereas the people of the United States have an affinity with the peoples of the Slovak Republic and the Czech Republic and regard them as trusted and important partners and allies: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the 20th anniversary of the historic events in Central and Eastern Europe that brought about the collapse of the communist regimes and the fall of the Iron Curtain;

(2) commemorates, with the Slovak Republic and the Czech Republic, the 20th anniversary of the Velvet Revolution in Czechoslovakia, which underscores the significance and value of reclaimed freedom and the dignity of individual citizens;

(3) commends the peoples of the Slovak Republic and the Czech Republic for their remarkable achievements over the past 20 years in building free, democratic, and prosperous societies;

(4) appreciates the contribution of the Slovak Republic and the Czech Republic as members of the North Atlantic Treaty Organization and the European Union to the promotion and defense of common values of freedom, democracy, and liberty around the world;

(5) reaffirms the bonds of friendship and close cooperation that have existed between the United States and the Slovak Republic and the Czech Republic; and

(6) extends the warmest congratulations and best wishes to the people of the Slovak Republic and the people of the Czech Republic for a peaceful, prosperous, and successful future.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ACKERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ACKERMAN. 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 concurrent resolution.

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

There was no objection.

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

I thank my good friend, the gentleman from Florida (Mr. MICA) for introducing this important resolution that recognizes the historic events in Czechoslovakia in 1989 and enables Congress to reaffirm its strong friendship and support for the people of the Slovak Republic and the Czech Republic.

Twenty years ago, on November 17, communist riot police broke up a peaceful pro-democracy demonstration in Prague, brutally beating many of the student protesters.

Rather than silencing the students, however, these violent reprisals led to an avalanche of protests between November 17 and December 29 that ultimately led to the fall of the Communist Party in Czechoslovakia.

In the days after the initial protest, a pro-human rights group, known as Charter 77, united with other groups to become the Civic Forum, a strong voice calling for reform, civil liberties, and rights for all citizens.

Led by dissent playwright Vaclav Havel, the Civic Forum succeeded in forcing the communist government to resign, paving the way for Havel's election on December 29 as the President of Czechoslovakia.

Known around the world as the Velvet Revolution, these historic events further cemented the collapse of the communist regimes throughout Central and Eastern Europe, and helped to precipitate the end of the Cold War.

In June 1990, Czechoslovakia held its first democratic election since 1946, bringing into power its first completely noncommunist government in over 40 years. In the 20 years since these momentous events, the Czech Republic and the Slovak Republic have become strong, vibrant democracies, close NATO allies, and staunch friends of the United States.

They continue to contribute to international peace efforts, including by providing troops and assistance under NATO command in Afghanistan.

Millions of Americans trace their roots to these two great nations, and the United States is strengthened by their rich cultural heritage and their many significant achievements and contributions.

Mr. Speaker, this resolution acknowledges and commemorates the Velvet Revolution in Czechoslovakia 20 years ago this month. It also reaffirms the bonds of friendship and cooperation between the United States and the Czech Republic.

I urge all of our colleagues to support this important resolution.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Concurrent Resolution 212, which commemorates the 20th anniversary of the historic events that took place in Central and Eastern Europe, particularly the Velvet Revolution in Czechoslovakia, and also reaffirms the bonds of friendship, the bonds of cooperation between the United States and the Slovak and Czech Republics.

I would like to thank my friend and Florida colleague, and my fellow ranking member, Mr. MICA, for introducing this important and timely resolution.

Mr. Speaker, in 1989, the world witnessed momentous events in which the people of Eastern and Central Europe broke the chains of their communist oppressors. Among the many important events which took place, the trade union Solidarity won its historic victory in Poland; 2 million people living in Latvia, Lithuania, and Estonia linked hands to form a human chain almost 400 miles long in a peaceful protest against Soviet rule; and the Berlin Wall fell.

A prominent place among the events of 1989 is held by the so-called Velvet Revolution, which rose spontaneously from protests in Czechoslovakia that led directly to free and democratic elections in that country. That revolution, in what was then Czechoslovakia, began on November 17, 1989, as a peaceful student demonstration to commemorate the murder of Czech students by the occupying Nazi forces 50 years earlier. But riot police severely beat many of these peaceful protesters. Yet the demonstrations grew, and they continued, eventually leading to the abolishment of the communist hold on power and the election of Vaclav Havel, a dissident critic of the communist regime, to the presidency of Czechoslovakia.

After their subsequent peaceful decision to become independent states, the Czech Republic and the Slovak Republic have flourished, establishing free

and democratic societies, and becoming members of the NATO alliance and the European Union.

As a political refugee from Cuba's communist regime, Mr. Speaker, I view the events that took place in Europe in 1989 as a source of tremendous inspiration. They truly provided me with the hope that the freedoms now enjoyed in Central and Eastern Europe will soon reach the oppressed people of Cuba, where a brutal communist dictatorship still rules. As its fellow Communists did in Eastern Europe, until they were overthrown by their oppressed people, the Cuban communist regime engages in gross violations of human rights and fundamental freedoms; detains, tortures and disappears anyone who disagrees or dares to challenge the regime; engages in corrupt activities that enrich its leaders; conducts espionage against the United States and its citizens; and engages in activities that threaten U.S. security interests and global peace and stability.

Still, we can and we must hope that the events of 1989 show us what the future could hold for Cuba, and hopefully soon. I would like to again thank my good friend and colleague, Congressman MICA, for introducing this important and so timely resolution. I strongly support its passage. I urge my colleagues to do the same.

I reserve the balance of my time.

Mr. ACKERMAN. I continue to reserve.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. MICA), the ranking member of the Committee on Transportation and Infrastructure and the author of this important resolution.

Mr. MICA. Mr. Speaker, I have to thank the ranking member, Ms. ROS-LEHTINEN, for having this resolution come before the House this afternoon, as well as Mr. ACKERMAN and Mr. BERMAN, and I thank the staff on both sides of the aisle.

I have been here 17 years, and I have never had a resolution with my name on it. This is an historic occasion. It is historic for me personally for several reasons. First, I have never had a resolution with my name on it; and, secondly, because of my personal ethnic background. Many people know the name John Mica and think it is Italian. And actually, my mother's side is Italian, but Mica is not an Italian name; it is a Slovak, a Czech-Slovak name. John Mica, my great-grandfather, came to the United States about 100 years ago this year, a century ago, and settled in upstate New York.

Some of you know, the Mica family has a unique place in the history of the Congress. My brother, Dan Mica, was a Member of Congress from 1978 to 1988, some 10 years. He was a Democrat Member, and I am a Republican Member. We are the only brothers to serve since 1889 from different political parties. Maybe that is part of our rich Slovak American, Italian American heritage. But it is kind of neat to bring this resolution.

I would venture to say most Americans probably even today couldn't find the Slovak Republic or the Czech Republic on a map. But there are, as Mr. ACKERMAN pointed out, millions of Americans, many in Congress, too, who have roots and heritage with what is today the Czech Republic and the Slovak Republic.

The Czech and Slovak people for centuries, actually millennia, lived under somebody else's rule or oppression. I appreciate the comments of the ranking member, Ms. ROS-LEHTINEN. She and her family only lost their country for the last half a century or so; but these people in Europe, some of my ancestors lost their freedom and independence and were dominated by someone else for millennia. Maybe that is why they appreciated so much the opportunity, some 20 years ago, when students came out in commemoration of a slaughter that had taken place some half century before; 20 years ago yesterday they came out into the streets of Prague, led by students.

I have to tell you, that sounds like not much, but I have been there. The first time I traveled to what was Czechoslovakia was in the 1960s, and then again in the 1980s. I went through the barbed wire, the dogs, and the landmined areas to get to the area where my grandparents came from. When I got there, everything was gray. Everything was dark. It was one of the most depressing things I had ever seen. People when they walked down the street would not look you in the eye; they looked down. The repression under several regimes, under the Communist, was one of the worst in the world and the worst in Europe. The economic situation was deplorable. The rape of the beautiful landscape of Czechoslovakia—the Communists polluted the streams and destroyed the landscape and the economy.

Before that, they had the misfortune of being dominated by the Nazis. I saw some villages where they took the Jews out, and nobody still lived there. They loaded them into boxcars and they loaded them into trucks and trucked them off, and in 1980, no one lived in those homes, because they had taken the people and destroyed them and their lives. All that was left was the vacant houses. I still remember that.

These people, led by students 20 years ago, came out into the street. After the students came out, then the average citizens came out. They came out by the tens of thousands, and they filled the streets. They basically said they had had enough.

And you know, people weren't killed in 1989. There weren't the killings that they had had over their history. That is why it is called the Velvet Revolution. Most people don't understand that. But in the Czech Republic and the Slovak Republic, they had had enough. And within no time at all, they had cast their communist bonds aside.

One of the most incredible experiences I have ever had, I wasn't a Member of Congress, but I sat up in the gallery across from me as a citizen, and I heard Vaclav Havel, the just-elected President of the Czechoslovakia Republic, Mr. Speaker, come up and speak from just below where you are, and I will never forget his words. Here are his words, The last time they arrested me on October 27 last year, I didn't know whether it was for 2 days or for 2 years.

Here was someone who had been in jail just weeks and months before speaking before the House of Representatives in a joint session. He went on to say, Today, less than 4 months later, I am speaking to you as the representative of a country that has set out on the road to democracy, a country where there is complete freedom of speech, which is getting ready for free elections and which wants to create a prosperous market economy and its own foreign policy.

He said that to us here.

□ 1445

So thank you for bringing this resolution up to commemorate the Velvet Revolution. Thank you for recognizing that people, no matter how much you repress them, whether it's in Cuba, whether it's in Myanmar or Burma, as they call it, whether it's in China, Tibet, somewhere in the heart of mankind is a quest, a yearning to be free and independent. And that's what this resolution today recognizes is that 20 years ago people stepped up and they'd had enough. They wanted to be free. And they have turned into two of the most incredible allies, the Czech Republic and the Slovak Republic, great economies, some of the strongest of the former Eastern bloc, productive citizens, incredible citizens, and not only of their country but of the world community, and great allies to the United States.

So I thank you for allowing me to have the opportunity along with many of my colleagues to bring to the floor this special resolution with that little name on it.

And for those who were interested in linguistics, ''Mica'' there its pronounced ''Meecha.'' It has a caret over, like, the ''c.''

I'm very proud to have this resolution offered today in the House in commemoration of my grandparents and those that came before them and those who on the 17th of November 1989 and today we celebrate the 20th anniversary of that occasion yesterday to recognize their freedom.

Ms. ROS-LEHTINEN. Will the gentleman yield?

Mr. MICA. I yield to the gentlewoman from Florida.

Ms. ROS-LEHTINEN. I congratulate you for this resolution. It speaks to the heart of every freedom-loving American in this Chamber, which is each and every one of us. So, Mr. ''Meecha,'' I believe that we should have a roll call

vote because a legislative virgin no more.

Mr. MICA. Thank you. And I think that would be very fitting, too, to show the people again and the House and the Senate that have their roots there and across the great country that we remember all they did to become free and independent.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

Mr. ACKERMAN. Mr. Speaker, it's now my pleasure to yield 4 minutes to the gentleman from Minnesota, the distinguished chairman, JIM OBERSTAR.

Mr. OBERSTAR. I thank the distinguished Chair, Mr. ACKERMAN, for the time and compliment my colleague.

Hvala lepa, moj Slovaski prijatelj, and we're all together. What I said simply was thank you. And I'm Slovene, you're Slovak, and we're all together in the spirit of the Slovak peoples yearning for freedom after conquest by foreign powers, domination by other governments, subjection to cultures and language of other peoples. I recall my grandmother who emigrated from Sodrazica in Slovenia telling me that in her youth they were required in the morning to study in German because it was the Austro-Hungarian empire, and only in the afternoon could they speak their native language, Slovene.

This sense of Congress on the occasion of the 20th anniversary particularly of the Velvet Revolution in Czechoslovakia is one that we must pay attention to, that we must address. As the distinguished gentleman from Florida so warmly, thoughtfully, with deep spirit, a deep personal sense of understanding so well expressed, the freedom that peoples of formerly Eastern Europe felt in their heart, the courage they took, the courage it took for them to stand up against oppression.

It's not just the Velvet Revolution. A hundred sixty-one years ago was the great Prague Revolution. The Prague Spring of 1848 when the people of this great historic cultural center, Prague, marched to the streets, led by the students, to proclaim a time of freedom and democracy and liberty and opening and were suppressed.

In 1939, the Nazis closed the Czech institutions of higher learning and those of the Slovak people as well. Many were sent off to concentration camps. Student leaders were executed. And 50 years later, students again led the way. On November 17, they took to the streets to mark the anniversary of the execution of Czech student leaders and the closure of universities by the Nazis. The government used violence once again to move in, break up this peaceful gathering of students.

So we have the Prague Spring, the 1939 suppression, the Velvet Revolution, suppression once again. Those 42 days of the Prague-Velvet Revolution were momentous, popular demonstrations, public outpouring, people taking to the streets.

But by December 10, the Czechoslovak President Gustav Husak appointed the first largely noncommunist government since 1948. And in 1990, Czechoslovakia held its first democratic elections and then split into both the Czech Republic and the Slovak Republic.

It has very special meaning for me both at the Prague Spring, the 1939 events, closing of the universities and the Prague student Velvet Revolution. In 1956, I was a student at the College of Europe in Brugge, Belgium.

The SPEAKER pro tempore (Mr. RAHALL). The time of the gentleman has expired.

Mr. ACKERMAN. I'm happy to yield an additional minute.

Mr. OBERSTAR. I was a student at the College of Europe in Brugge, Belgium, when Hungarian students took to the streets to rise up against the Soviet occupation and oppression of their homeland, and they too were suppressed brutally as tanks rolled down the street and machine-gunned students. We were only 600 miles away from those momentous events in Brugge, Belgium. And students of the College of Europe organized a grand bal des etudiants du College de L'Europe, raised a scholarship to bring a Hungarian student to the College of Europe to study with us. And when he arrived, we asked him, What was your first reaction on coming into the West? And his comment was, The ability to walk up to a policeman on a street corner and ask direction without fear of being put in prison.

That's what freedom means. So simple. That's what the gentleman from Florida was talking about. That's what this resolution recognizes. A revolution is not simply a continuous movement in one direction to come back where you started but an opportunity to change direction and move the human spirit ahead, and that is what we recognize in this 20th anniversary recognition of the Velvet Revolution.

Mr. ACKERMAN. Mr. Speaker, I'm pleased at this time to yield 3 minutes to the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. Mr. Speaker, I'm rising today in strong support of House Concurrent Resolution 212.

Twenty years ago this week, the brutal crackdown occurred on the student-led demonstration in Prague. The students were commemorating the 50th anniversary of the execution of Czech student leaders and closure of universities by the Nazis, it turned out, would be silenced no longer by the repressive Soviet-backed regime. A mere 8 days after the fall of the Berlin Wall, they set events in motion which would culminate in the dissolution of the politburo and which would lead to the peaceful establishment of independent Czech and Slovak states in 1993.

As a son of a Slovakian immigrant, these bonds that join us together are so strong. I can remember in the midst of my 30-year naval career going over to see Czechoslovakia in the mid 1980s. Lots of top secret clearances and special access programs I had, and I had to get special permission to go there, but I wanted to see my father's hometown.

I went through Prague. What a city. So beautiful that the movie ''Amadeus'' about the great composer Mozart was filmed there because it was kept so whole in its beauty as Vienna had been. And then to Bratislava and the small village outside where my father grew up. I spoke English, not Slovak, so we conversed. And I had a wonderful dinner and evening and breakfast the next day. And to this day, I'm still not sure they were my relatives. But what a great homecoming I felt I had in that land. I think that's because the backbone of revolutions, both of theirs and ours, was against the greatest empires of the time. A mere spontaneous gathering in the case of Slovakia, like ours, but theirs was of workers, students, and common citizens, not unlike ours, able to shrug off decades of Soviet oppression.

When enough people realize their God-given right to liberty is within reach, they just can't be stopped. Victor Hugo, that great chronicler of revolution, said it best: ''Nothing can resist an idea whose time has come.''

I can remember the evening in Bratislava walking to the border and overlooking the barbed wires into Austria, and the man I walked there with said, ''Some day.''

If there is anything to be called a march of history, it must be this struggle between power and justice, between violence and the endurance of human dignity, the steady triumph of those who meet brute force with the power of a self-evident ideal. Justice, the prerequisite to equality.

Americans of Slovakian descent, such as football player Chuck Bednarik; Tom Ridge, former Governor of my home State of Pennsylvania; Andy Warhol; Stefan Banic, inventor of the parachute; the inventor of the radio, Jozef Murgas; Paul Newman; Michael Strank, the one who raised the American flag on Iwo Jima, have contributed greatly through their wonderful thread in this great national security fabric of the United States of America to our future. I'm proud to honor them today for the revolution so similar to ours.

Mr. ACKERMAN. Mr. Speaker, I would like to note at this time that all of us here in the House bask in the obvious and well-felt pride that has been expressed especially from our Czech and Slovak colleagues that are here. Congratulations to them as well as in a few moments we pass this resolution.

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 New York (Mr. ACKERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 212, as amended.

The question was taken.

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

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

FIRE GRANTS REAUTHORIZATION ACT OF 2009

The SPEAKER pro tempore. Pursuant to House Resolution 909 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3791.

□ 1459

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3791) to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, and for other purposes, with Mr. SERRANO (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose earlier today, amendment No. 5 printed in part B of House Report 111–340 by the gentleman from California (Mr. CARDOZA) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 111–340 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. PERLMUTTER of Colorado.

Amendment No. 3 by Mr. FLAKE of Arizona.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. PERLMUTTER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. PERLMUTTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 358, noes 75, not voting 7, as follows:

[Roll No. 899]

AYES—358

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Bono Mack
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Giffords
Gingrey (GA)
Gonzalez
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
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Mack
Maffei
Maloney
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—75

Akin
Bachus
Bartlett
Barton (TX)
Bishop (UT)
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Burgess
Buyer
Campbell
Cantor
Carter
Chaffetz
Conaway
Deal (GA)
Dreier
Duncan
Flake
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Goodlatte
Hensarling
Hoekstra
Inglis
Issa
Johnson (IL)
Johnson, Sam
King (IA)
Kingston
Lamborn
Lewis (CA)
Linder
LoBiondo
Lummis
Lungren, Daniel E.
Manzullo
McCarthy (CA)
McClintock
McMorris Rodgers
Miller (FL)
Myrick
Neugebauer
Nunes
Paul
Pence
Petri
Poe (TX)
Price (GA)
Radanovich
Rogers (AL)
Rohrabacher
Royce
Ryan (WI)
Scalise
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Simpson
Souder
Stearns
Sullivan
Thornberry
Walden
Westmoreland
Wilson (SC)
Wittman

NOT VOTING—7

Barrett (SC)
Brown (SC)
Faleomavaega
Gerlach
Moore (WI)
Rothman (NJ)
Tanner

□ 1529

Messrs. WALDEN, DEAL of Georgia, RYAN of Wisconsin, CANTOR, GOODLATTE, BOOZMAN, WITTMAN, CHAFFETZ, BUYER, MANZULLO, HOEKSTRA, DREIER, STEARNS, SIMPSON, BACHUS and LoBIONDO and Mrs. McMORRIS RODGERS changed their vote from ''aye'' to ''no.''

Mr. NEAL of Massachusetts and Ms. FALLIN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 371, noes 63, not voting 6, as follows:

[Roll No. 900]

AYES—371

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (TX)
Halvorson
Harman
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kennedy
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Linder
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
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Norton
Nunes
Nye
Olson
Ortiz
Owens
Pallone
Pascrell
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Putnam
Quigley
Radanovich
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Rush
Ryan (WI)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—63

Abercrombie
Becerra
Berman
Bordallo
Brady (PA)
Brown, Corrine
Carson (IN)
Clyburn
Cohen
Costello
Cummings
Delahunt
DeLauro
Doyle
Farr
Fattah
Filner
Fudge
Garamendi
Grijalva
Hall (NY)
Hare
Hastings (FL)
Hinchey
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kaptur
Kildee
Kilpatrick (MI)
Kucinich
Lee (CA)
Lewis (CA)
Lewis (GA)
Lipinski
McDermott
Moore (WI)
Moran (VA)
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pastor (AZ)
Paul
Payne
Price (NC)
Rahall
Roybal-Allard
Ruppersberger
Ryan (OH)
Sherman
Sires
Thompson (CA)
Thompson (MS)
Towns
Wasserman Schultz
Waters
Watson
Watt
Woolsey

NOT VOTING—6

Barrett (SC)
Brown (SC)
Faleomavaega
Gerlach
Rothman (NJ)
Tanner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1538

Ms. ROYBAL-ALLARD, Messrs. NEAL of Massachusetts, PASTOR of Arizona, and CARSON of Indiana changed their vote from ''aye'' to ''no.''

Mrs. LUMMIS changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CUELLAR) having assumed the chair, Mr. SERRANO, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3791) to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, and for other purposes, pursuant to House Resolution 909, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

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

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

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

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

Mr. GORDON of Tennessee. 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 395, nays 31, not voting 8, as follows:

[Roll No. 901]

YEAS—395

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
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
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)

Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
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
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
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
Sullivan
Sutton
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
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)

NAYS—31

Akin
Bishop (UT)
Broun (GA)
Campbell
Carter
Chaffetz
Coffman (CO)
Conaway
Culberson
Flake
Franks (AZ)
Hensarling
Herger
Inglis
Issa
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Lamborn
Linder
Lummis
Mack
McClintock
Mica
Neugebauer
Paul
Royce
Sensenbrenner
Shadegg
Thornberry

NOT VOTING—8

Barrett (SC)
Brown (SC)
Gerlach
Hill
Neal (MA)
Rothman (NJ)
Stupak
Tanner

□ 1556

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 648

Mr. COHEN. Mr. Speaker, I ask for unanimous consent to withdraw my name as a cosponsor of H. Res. 648.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 648

Mr. TERRY. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of House Resolution 648.

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

There was no objection.

HONORING THE 25TH ANNIVERSARY OF REV. JESSE JACKSON'S PRESIDENTIAL CAMPAIGN

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

Mr. COHEN. This morning during 1-minutes, 15 Members of the Democratic Caucus honored Rev. Jesse Jackson on the 25th anniversary of his Presidential run. He was the first African American male to run for President, and his contributions to our society cannot be overstated. He has a long career in civil rights work, and his leadership in forming the Rainbow Coalition is well known to all Americans.

It is important to note his place on the world stage, a role in which he has been an effective leader, negotiator, and voice for America around the world. Rev. Jackson's skills have been applied to international relations in Syria, where he freed Navy Lieutenant Robert Goodman in 1983. President Reagan recognized Rev. Jackson's essential contribution by hosting Rev. Jackson and Lieutenant Goodman at the White House. In 1984, Rev. Jackson negotiated the release of 22 Americans held in Cuba.

Although Rev. Jackson declined an opportunity to become Ambassador to South Africa because he wanted to help his son Congressman Jesse Jackson, Jr., seek election—which he did, as he was elected to this body in 1996—President Clinton had requested he be named Ambassador. He, instead, named him a special envoy for democracy in 1997. Subsequently, Jesse Jackson met with Kenyan President Daniel arap Moi to promote free and fair elections in Kenya. In 1999, he was in Kosovo and negotiated the release of three POWs.

Jesse Jackson's career on the international stage has been spectacular, and his place in history is assured. His passion, his dedication, and his continuing influence for change are hallmarks of his life. We need look no further than today's tribute to him when a group of House pages, a Rainbow Coalition themselves, excitedly sought to have their picture taken with the Reverend Jackson and did, after he finished his appearance here in the gallery and listening to the 1-minutes this morning.

I join my fellow House Members in recognizing this 25th anniversary of the Presidential run of Rev. Jesse Jackson and appreciate what he's done for our Nation.

HONORING RYAN DILLON DURING NATIONAL EPILEPSY AWARENESS MONTH

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

Mrs. EMERSON. Mr. Speaker, I stand here today to tell you about Ryan Dillon, a remarkable young man from Missouri's Eighth Congressional District, which I represent.

As a teenager, Ryan was highly active in school and clubs when, one day while brushing his teeth, his world went black. Ryan had had a seizure. Ryan went on to Westminster College in Fulton, Missouri, where he majored in political science. At Westminster, Ryan remained politically active, became vice president of the Student Government Association, and was elected Homecoming King during the fall of his senior year. All the while, he hid his epilepsy from his peers.

Epilepsy is one of the most common disorders of the nervous system. It affects people of all ages, races, and ethnic backgrounds. More than 3 million Americans of all ages are living with epilepsy, and every year, 200,000 Americans will develop seizures and epilepsy for the first time. Epilepsy can develop at any time of life, especially in early childhood and old age. It's a neurological condition that makes people susceptible to seizures.

Ryan is now 25 and serves as a congressional aide. He hopes to use his experiences and influence to raise awareness. As November is designated National Epilepsy Awareness Month, I am honored to help Ryan promote his message for increased research, awareness, and education to openly work toward a cure.

□ 1600

AMERICA'S LIFE LINE FOUNDATION

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the America's Life Line Foundation, a local nonprofit committed to serving our south Florida community. As part of its many activities, this caring group provides assistance to the many members of our Armed Forces and their families. Their upcoming event, Tribute to Our

Troops, will be on December 12 at the Kendall Hotel to honor the men and women who continue to preserve our freedom with service to this great Nation.

This event will help make the holidays a little bit brighter for our military families. I applaud everyone who is a volunteer at America's Life Line Foundation for their continuing efforts, especially for the members of this worthy organization who motivate and inspire our community to patriotism and action during this season of giving.

I encourage everyone in south Florida to join America's Life Line Foundation at their tribute to our troops event in December.

CONGRATULATIONS TO OCALA RECYCLING

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

Mr. STEARNS. Mr. Speaker, I rise today to congratulate the Ocala Recycling Company, which is located in my home town of Ocala, Florida, for becoming the first RIOS certified scrap recycling facility in the world. RIOS, which stands for Recycling Industry Operating Standard, was developed by the Institute of Scrap Recycling Industries and is an integrated standard encompassing environmental and health and safety controls into one streamlined management system.

Since 1988, Ocala Recycling's 34-acre facility has recycled everything from bottles and paper to automobiles and even washing machines. Each month, Ocala Recycling collects more than 16,000 tons of recycled goods. This unique honor and certification demonstrates the ongoing commitment of Ocala Recycling to recycle and process quality products in an efficient, safe, and environmentally responsible manner in a manufacturing environment.

THE REALITY OF THE FORUM ON JOBS AND ECONOMIC GROWTH

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

Mr. BURTON of Indiana. Mr. Speaker, the Associated Press reported that President Barack Obama says creating jobs is not the goal of the upcoming White House forum on jobs and economic growth. The President told NBC News on Wednesday that the purpose of the December 3 summit is to figure out how to encourage hiring by businesses still reluctant to do so.

Businesses are being taxed too much. And I'll tell you, if I were talking to the President, I would say, Mr. President, if you want to create jobs, cut government spending, cut taxes, and not raise taxes. It's the wrong thing to do in this economic climate.

GUANTANAMO TERRORISTS IN NEW YORK

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

Mr. DUNCAN. Mr. Speaker, people all over the Nation are upset and angry about five of the Guantanamo terrorists being scheduled for trial in New York.

This is happening only because President Obama issued an executive order in the early days of his administration stopping the military tribunal process. The Congress, both House and Senate, voted by large margins in 2006 to try these terrorists by military tribunals.

This could have been done in Guantanamo, but President Obama overruled Congress by his executive order and the Defense and Justice Departments then started the process of bringing the terrorists to trial in this country. This will result in very large legal and security expenses that would not have been necessary if these men were tried at Guantanamo.

To try all of these terrorists here—the first five and others later—creates a very unnecessary security risk for untold numbers of people.

I hope President Obama will listen to the outcry of the American people and not continue to insist that all of these terrorists be tried in the United States. The families of our victims deserve better.

HONORING CAPTAIN WILLIAM ECKER

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

Mr. ROONEY. Mr. Speaker, I rise today to honor the life of Captain William B. Ecker of Punta Gorda, Florida, in my district, who passed away earlier this month. Captain Ecker flew combat missions in the Pacific during World War II, serving 32 years in the United States Navy. Most notably on October 23, 1962, Ecker led low-level sorties over Cuba collecting photographic evidence of the Soviet missiles fueling vehicles and other related equipment.

Flying the F–8 Crusader, Captain Ecker was able to fly at lower altitudes than the U–2 spy plans. At the lower level, Ecker took close-up pictures of a site near the town of San Cristobal in western Cuba proving without a doubt that Soviet missiles were in Cuba.

Captain Ecker received the Distinguished Flying Cross for his quick and risky flights over Cuba. The unit Ecker commanded, VFP–62, received the first peacetime Navy Unit Commendation in history by President John F. Kennedy.

Captain Ecker leaves behind his wife, Kit, of 62 years and his two sons, Richard and David, and a Nation grateful for his distinguished service.

SYSTEMIC REGULATORY EXPANSION BILL

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

Mr. KINGSTON. Mr. Speaker, you know, last year without a single vote from anyone in Congress, the Federal Reserve spent $29 billion bailing out Bear Stearns and then $85 billion to bail out AIG, which has now gone to about $140 billion.

Now, if that is not bad enough, the House Banking Committee wants to codify that authority. That's right: they want to give the Federal Reserve and the FDIC permanent bailout authority so that anyone who comes around that they call a systemic risk can now get permanent TARP money without having to come back to Congress for our scrutiny.

What does this lead to? Well, number one, the Federal Reserve is in charge of monetary policy, not bailouts. It will take the eye off the monetary policy, and if you think the economy is going great now, think what happens when the Federal Reserve is even more distracted.

It will also lead to unfair competitive advantage because if you're too big to fail, that means you can do anything you want to and compete against regular banks who won't get the bailout money. So it is an unfair competitive advantage.

And, finally, it will increase the moral risk, that is to say, you can make crazy loans because you know good old Uncle Sugar is going to stand behind you and bail you out time and time again after your fiscal irresponsibility.

This is a bad bill. This is a bad idea. We need to vote ''no'' on this systemic regulatory expansion bill.

HONORING THE REVEREND JESSE JACKSON

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

Mr. PAYNE. Mr. Speaker, I rise today to pay tribute to Rev. Jesse Jackson who is celebrating his 25th anniversary of active civil rights activities.

As we all know, Rev. Jackson was born in South Carolina and began his activities in civil rights at an early age. He became a confidant to the late Rev. Dr. Martin Luther King and was one of the leading advocates for peace and justice in this Nation.

His successful run for President had America spellbound when he addressed the House. He started Operation Bread Basket, then the Rainbow Coalition. And I would just like for all of us to pay tribute to a great American, Rev. Jesse Jackson and thank him for coming to New Jersey for my election back in the 1980s.

NEW YORKERS ARE BEING USED IN TERRORIST TRIALS

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

Mr. GOHMERT. Mr. Speaker, our Attorney General intends to bring self-confessed terrorists to the most densely populated area in America. I know we have friends from New York that think this is a grand idea. They don't realize they're being used. We even have friends from New York who say, Bring these terrorists to New York; we want to try them so we can look them in the eye and sentence them to death.

Well, coming from a judge, a former judge, who has looked people in the eye and sentenced them to death, I know something about it. They're being used.

Once those terrorists set foot on New York—probably not before—the change of venue motion will be filed and people's comments like that—''we want to try them, then put them to death''—those will be used in support of the motion to change venue. They are not likely to be tried there with or without the terrorist activity and the threats and all that will follow. It is a bad idea. I hope cooler minds will prevail so they get the punishment they deserve.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the 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.)

DESERT RAT

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. Mr. Speaker, yesterday the United Nations had an update on the government of the tiny tyrant in the desert of Iran. The U.N. nuclear watchdog agency, the International Atomic Energy Agency, or the IAEA, has released their new report on Iran's nuclear site. This facility, called Fordo, is being built inside a mountain near the religious city Qom. The IAEA concluded the facility had no relevance to any alleged civilian power program.

Western analysts say Fordo's small size will only allow enrichment of small amounts of uranium enough to make a nuclear bomb, but not enough to fuel a nuclear power station. Are we surprised with this finding.

The IAEA said in its report that Iran was not able to convince them that they weren't hiding other nuclear sites. Well, imagine that.

The Government of Iran sponsors acts of terrorism all over the world. Now this thuggish government seeks to threaten the world with nuclear holocaust. For 30 years, Iran has used terrorism, assassination squads, and hostages as their foreign policy.

And, Mr. Speaker, just look at the way this government treats its own people. The people of Iran live in fear of their own government and their own President. Iranian state television yesterday reported that five Iranian citizens were sentenced to death for peaceably protesting the fraudulent Presidential elections in June. That's right. They got the death penalty for exercising the human right to peaceably assemble. And in this Third World country, the death penalty rules the day.

Further, Mr. Speaker, the world witnessed earlier this year how the government even murdered its own people in the streets who peacefully protested the Presidential elections that were rigged by Ahmadinejad.

□ 1615

The cries of the murdered are from the blood of the Iranian freedom patriots who want freedom in their own country. More than 100 prominent opposition leaders in Iran are now being tried for peacefully protesting. Brave men and women of Iran who refuse to be trampled by the tiny tyrant, Ahmadinejad.

The United States should stand with the people of Iran that oppose this illegitimate reign of terror by their government and by their president. The government of Iran is the threat to world peace, especially peace in the Middle East. The sanctions that have been imposed by the U.N. and other Nations on Iran have failed to get the attention of the desert rat, Ahmadinejad. He continues to build his nuclear weapons. He continues to build intercontinental ballistic missiles so that he can fire those nuclear weapons. He continues to finance terrorist groups like Hezbollah and Hamas. He continues to meddle in the lawful affairs of Iraq, including supporting assaults and assassinations against the Iranian people that are in Camp Ashraf.

He sends aid and comfort to al Qaeda and to the Taliban in Afghanistan that war against American troops and NATO troops. The key to world peace and peace in Iran is a regime change sponsored by the freedom-loving citizens of Iran. Those noble citizens who have now become the enemy of their own government deserve our support and our encouragement here in America.

Mr. Speaker, deep down in the soul of every person who ever has been or ever will be born is the spark for freedom. The sons of liberty and the daughters of democracy in Iran have in their hearts that spark for liberty, and they will not be quenched by the tiny tyrant of Iran.

It is imperative that the United States recognize the true threat to world peace, Ahmadinejad, and that we as a Nation and that we as a people stand shoulder to shoulder with the good folks of Iran, the citizens of Iran that want a change in their government.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FLORIDA'S FISHERMEN NEED OUR HELP

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I have been to the floor of this Chamber on several occasions to discuss the tremendous economic hardships being shouldered by the residents of my congressional district of south Florida. This evening I would like to highlight the men and women of Florida's commercial and recreational fishing industries, and their efforts to weather this economic storm.

Mr. Speaker, Florida's recreational fishing industry is the largest in the Nation. Its economic impact to our State is to the tune of $5.3 billion, and more than 5,400 jobs are generated by this industry. Similarly, Florida's commercial fishing industry is nearly 13,000 strong and contributes a staggering $1.2 billion to our economy.

The strength of Florida's fishing industries is due largely to the diversity and the abundance of species within the Gulf of Mexico and the South Atlantic area. There are grouper and snapper, wahoo and yellowfin tuna, not to mention Keys lobster and stone crab. Thanks to this diversity, Florida's fishing industry is particularly resilient in the face of increased zoning regulations, bag limits, and even fishery closures. Our fishermen understand that maintaining a robust, healthy fishery through appropriate regulation is the key to their economic success.

However, present Federal action to implement multiple fishing regulations will have a chilling effect on this historic and important industry. In particular, Mr. Speaker, the South Atlantic Fishery Management Council is considering regulations which include but are not limited to: a complete ban on deepwater grouper fishing; annual catch limits on black grouper and red grouper; and catch limits on red snapper fishing.

The comprehensive nature of these prohibitions will leave our fishermen with little or no alternative for their economic livelihood. These prohibitions, compounded by a reduction in tourism throughout south Florida, and that includes the Florida Keys, will force generations of Florida fishermen to walk away from their boats in search of other types of employment. This is unacceptable.

That is why I have called on Secretary of Commerce Gary Locke to reconsider these ill-timed proposals. Additionally, I have asked Secretary Locke to refrain from implementing any emergency rules which impose short-term restrictions on Florida's fisheries. These emergency rulings completely circumvent the public comment process, which is an essential element to any fishery management plan. Sound science is also a critical component to sound management.

My congressional colleagues and I have called on the House Natural Resources Committee to conduct a hearing on the legislation introduced by Congressman JOHN MICA and Congressman HENRY BROWN which would require the Department of Commerce to conduct a non-biased, science-based study on the health of the red snapper population in the South Atlantic.

My colleagues from Florida understand that scientific data collection processes need to be improved, and economic impacts must be taken into account when considering a fishery closure. I have also asked the Department of Commerce to provide economic assistance to those fishermen and businesses that cannot survive the restrictions that are being implemented.

For Keys recreational angler Andy Griffith, the upcoming 4-month grouper closure has resulted in a 90 percent loss of business for the 2010 fishing season. His season for 2010 will only be 2 months long. For the rest of the year his boats will sit by the dock racking up insurance costs. Fishermen like Andy need economic relief. They need our help.

The Magnuson-Stevens Fishery Conservation and Management Act, last amended by Congress in the year 2007, directs how the Federal Government will manage saltwater fisheries. But the lack of flexibility provided to local managers in this law is of serious concern to many of us. That is why I support legislation which would amend the Magnuson-Stevens Act to provide flexibility to State regulators and regional fishery management councils in their work to rebuild healthy fisheries.

Mr. Speaker, the livelihood of Florida's fishing industry demands that we act.

HOUSING CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, unemployment and foreclosures are on the rise. In my hometown of Toledo, Ohio, unemployment is officially at 11.1 percent, but that is just those who are looking for jobs. The real number is much higher as so many people have dropped out or are working part time and they really want full-time jobs. Many, many more people are discouraged and are no longer trying to find jobs. Kids are moving in with their parents. These are people, many of whom are losing their homes. The housing crisis continues.

Before the financial crisis unfolded, our housing crisis was unfolding. In fact, it triggered the financial crisis. Congress acted, passing the Housing and Economic Recovery Act of 2008 at the end of July last year. I didn't vote for it because I knew it would not work. And you know what, it hasn't worked.

The HOPE for Homeowners program has failed so miserably that HUD had to change the program, and Congress since has had to pass fixes to try to get more participation into it. It hasn't worked. As of mid-July this year, the program that the Congressional Budget Office estimated would help up to 400,000 people rework their mortgages has closed 50. Fifty mortgages. That's five-zero, from a program that was supposed to help 400,000 people. Fifty homeowners have been helped?

The administration announced the Making Homes Affordable Program in February, released rules and regulations in March, and they told us that the program would help 3 million to 4 million homeowners. As of September 30, Treasury reported that 758,000 modification offers, listen to the words, my friends, had been extended with 487,000 trial modifications begun. Hmm. I will be interested to hear when the first modification moved from a trial to a real modification that actually kept somebody, a real person or family, in their homes.

There is no peace for the family while they are in this trial period. They still have to have a backup plan in case something falls through. They are still stressed beyond what you and I can imagine.

The servicers get to sit back and wait, keep making their money. Either way, they make plenty, either from the homeowner or from the government. They have got it at both ends. This program probably won't even help a handful of homeowners.

So we have just 487,000 homeowners with these trial modifications out of the millions of people who are losing their homes. Now that's not 4 million people, like the program said it would take care of. And again, it is just trial modifications. Trial, not real. They get 3 months to show they can handle the modification payments. What happens if they lose their job? If they have already lost their job, unemployment income does not count as income for modification. Can you believe that? We can still tax it, but it does not count to banksters and servicers when they are looking to rack up fees, kick people out, sell the homes for a fraction of what they are worth and maybe pull a profit; and if not, they move that property and destroy the stability of the family that once resided in the home.

I still hear that servicers and banks are hard to work with on modifications. Boy, is that an understatement.

I heard that the Making Homes Affordable Program isn't working. Well, it isn't. The solutions are not working because the system does not work. The housing crisis will continue as long as the job situation is so poor. It takes employment to make house payments. It takes workouts to keep people in their homes, even with lease-to-own programs over a 40-year mortgage.

That is why I am joining my colleague, BOBBY RUSH, in forming the Jobs Now Caucus. Please join us in taking a stand for putting our communities, our families, our Nation back to work and keeping them in their homes. This new caucus will advocate for policy initiatives that stimulate and maintain a strong economy that is based on sustainable development that will lead to one common goal across the political spectrum: Creating jobs again in America.

The American people want to work. Employment brings stability, and the ability to stay in your home or buy a home and build your community makes this Nation truly strong. Please join Congressman BOBBY RUSH, myself, and Congresswoman CANDICE MILLER in our bipartisan Jobs Now Caucus.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GRAYSON) is recognized for 5 minutes.

(Mr. GRAYSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ABOLITION OF THE ESTATE TAX

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

Mr. GRIFFITH. Mr. Speaker, I rise today to ask Congress and the administration to permanently eliminate a punitive tax that has plagued family farms and businesses for over 100 years. The estate tax only serves as a double taxation to those who have worked tirelessly to build their estates for themselves and their family. These entrepreneurs are not only working for themselves; they are working for their children and their grandchildren, and future generations of Americans.

Building a small business from the ground up is the very fabric of the

American dream, and the estate tax tears that fabric apart. This punitive tax inflicts great harm on the hard-working families of America. The estate tax costs small business owners thousands of hours in manpower and millions of dollars in legal counsel. It is time to eliminate the estate tax.

Madam Speaker, I urge Congress to prioritize the quick and permanent abolition of the Federal estate tax in order to accelerate our economic recovery and foster a greater environment for business and rural development.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

(Mr. LINCOLN DIAZ-BALART of Florida 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 Georgia (Mr. DEAL) is recognized for 5 minutes.

(Mr. DEAL of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1630

TRIBUTE TO PRIVATE FIRST CLASS BRANDON M. STYER, U.S. ARMY, OF LANCASTER, PENNSYLVANIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PITTS) is recognized for 5 minutes.

Mr. PITTS. Mr. Speaker, I rise today to remember and honor Private First Class Brandon M. Styer of Lancaster, Pennsylvania.

On October 15 of this year, Brandon lost his life from injuries sustained when an improvised explosive device detonated near his vehicle in Kandahar province, Afghanistan.

Brandon exhibited a willingness and enthusiasm to serve and defend his country by joining the United States Army. He understood what it means to live a life with purpose. He served a cause greater than himself. He served the cause of liberty. He gave his life so that we might be safer.

Brandon told his father that he loved the camaraderie and excitement of serving in the Army. He enlisted just last year, his senior year at Conestoga Valley High School. Upon graduation, Brandon completed his basic training at Fort Leonard Wood, Missouri, and Fort Benning, Georgia. He then was transferred to Fort Carson, Colorado, for additional training.

In March of 2009, Brandon deployed to Iraq for 7 weeks before being transferred to Afghanistan. Assigned to the 569th Mobility Augmentation Company, Fourth Engineer Battalion as a combat engineer, Brandon worked to dismantle, remove, and destroy improvised explosive devices. The 569th MAC Company has a storied history of participating in campaigns in World War II and Vietnam and, more recently, Operation Iraqi Freedom and Operation Enduring Freedom. It is entirely fitting that Brandon joined their ranks.

As an exceptional young man, Brandon was determined to serve our country and keep his fellow soldiers safe from roadside bombs. It is tragic that one of these bombs claimed his life.

Brandon was also a noble and selfless friend and family man, a compassionate son, brother, and uncle. He leaves behind a family proud of all that he accomplished throughout his distinguished life and career in the military. His valor and service cost him his life, but his sacrifice will live on forever among the many dedicated heroes this Nation has sent abroad to defend freedom.

Brandon earned a number of awards throughout his brief career in the Army, which demonstrates his professionalism and his outstanding ability as a soldier. His awards include the National Defense Service Medal, the Afghanistan Campaign Medal with Bronze Service Star, the Iraq Campaign Medal with Bronze Service Star, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon and Bar, and the Weapons Qualification Badge.

Posthumously, Brandon received the Bronze Star Medal, the Purple Heart Medal, the Army Good Conduct Medal, the NATO Medal, and the Combat Action Badge.

May God grant to Brandon's family the peace that surpasses all understanding. Our prayers and most heartfelt gratitude go out to them, and I offer them my deepest condolences.

I am humbled by the dedicated service and sacrifice of their loved one.

Brandon joins the revered ranks of the many thousands of men and women throughout American history who have gone before him in battle to secure the freedom of the people of United States of America and people around the world.

He is an inspiration to us all.

AMERICANS DESERVE MORE THAN OVER-THE-TOP RHETORIC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes.

Mr. STEARNS. Mr. Speaker, in recent floor speeches and in numerous media appearances, some Members of Congress continue to repeat the mistaken idea that a significant number of people will die automatically because of lack of access to health insurance. Now, as Franklin Roosevelt said, ''Repetition does not transform a lie into truth.'' The American people deserve better than this kind of rhetoric. The American people deserve a Congress that can work together to find solutions to our most pressing problems.

This argument is based upon a questionable study conducted by biased researchers, inaccurate characterizations, and faulty ideas. Oftentimes these Members quote from a Harvard study, which estimates that 45,000 deaths per year in the United States are associated with the lack of health insurance. What they neglected to tell you was that the two authors of this study, Dr. Himmelstein and Dr. Woolhandler, are cofounders of the Physicians for a National Health Program. And what do they support? This program supports government-backed, single-payer health coverage.

In fact, Dr. Woolhandler testified before the Energy and Commerce Committee, where I serve on the Health Subcommittee, on June 24. What did he testify on? On the absolute need, in his opinion, for a single-payer system. So he is totally biased. This report reflects his demand and his desire for a one-payer system. It's clear that this study was conducted by researchers who knew what they wanted the outcome to show before they even conducted the study.

Furthermore, this study used questionable methodology to reach its conclusion. According to analysis by John Goodman of the National Center for Policy Analysis, the authors of this Harvard study ''interviewed the uninsured only once and never saw them again. A decade later, the researchers assumed that participants were still uninsured''—this is after 10 years they assumed it—''and, if they died in the interim, lack of insurance was blamed as one of the causes.'' Obviously, that's faulty logic.

Yet, like unemployment, uninsurance happens to many people for short periods of time. It happens to a lot of people. Most people who are uninsured again regain insurance within 1 year, yet they forgot about this statistic. The authors of this study did not track what happened to the insurance status of the subjects over the decade examined, what medical care they received, or even the causes of their death. How can they make those claims?

In Massachusetts, for example—the public option here in Congress is patterned after Massachusetts. It has the highest percentage of its residents insured in the United States at 97 percent. We can see the effects of a government-run health care system by looking at Massachusetts. According to a 2009 survey by Merritt Hawkins & Associates, there is a 63-day wait to see a family medical doctor in Boston, the longest of the 15 cities surveyed. This

long wait is, in large part, due to Massachusetts' health care initiative. So, instead of waiting over 2 months to see a doctor, patients are flooding the emergency room since they cannot find a doctor, and this is putting a major strain on already overburdened and crowded emergency rooms. Obviously, these supporters of the public option here in Congress don't tell you how many people would die waiting for a medical doctor.

The United States has the best health care in the world, especially in comparison to countries that have a one-payer system. In 10 of 16 specific cancers, American patients have statistically better outcomes than their European counterparts. A new report released found that up to 15,000 lives could be saved every year if patients in Britain's National Health Service received the same type of quality care that patients in the United States receive. British Government responded by saying it's going to give patients the ''right'' to see a cancer specialist within 2 weeks of diagnosis.

I could go on. There are horror stories all around this world from countries that are practicing socialized medicine. From 2001 to 2003, the British health system would only allow doctors to prescribe a treatment to preserve vision for those suffering from age-related macular degeneration after the patient had lost vision in one eye. Only after they lost one eye. A woman with epilepsy in the United Kingdom faced a 56-week wait to see a doctor. Also, in the United Kingdom, Christine Preuth, 72 years of age, was told she was too old to receive treatment for a head injury at a 24-hour walk-in center. While walking in, she tripped and fell on the pavement. Bleeding from the head, the nurse said she was not able to receive full treatment because she was over 65 years of age and her complaint was a head injury.

We need to support health care reform that provides greater access to private insurance, lowers costs, and allows people who like their insurance to keep it. The public option does not allow that. Unfortunately, Democrats believe that the government-run health care system, spending over a trillion dollars, will solve the problem. The facts in all socialized countries do not bear that out. The numbers just don't add up, and future generations will be on the hook for paying for this dangerous Democrat health care experiment.

CLEAN ENERGY ECONOMY FOR THE FUTURE

The SPEAKER pro tempore (Ms. KOSMAS). Under the Speaker's announced policy of January 6, 2009, the gentleman from New York (Mr. TONKO) is recognized for 60 minutes as the designee of the majority leader.

Mr. TONKO. Madam Speaker, we're going to utilize our 60 minutes this evening on the floor so as to have Democrats speak to jobs as they relate to this energy rethinking so that we can address the energy reforms that are essential for the strengthening of this Nation, to embrace our intellectual capacity, and to provide opportunities in job growth by promoting a strong sense of energy security, enhancing our energy independence, and therefore addressing favorably, Madam Speaker, our national security. All of these fine dynamics are met as we think outside the barrel, if you will, on energy policy.

How do we create these jobs? Well, there is just a sampling in the American Recovery and Reinvestment Act that, when passed in early February, spoke to the creation of a half million jobs. That will now be invested through the Department of Energy, other resources, other agencies on the Federal level of government to make certain that we grow these opportunities through research and development investment, through energy efficiency, through renewables that are available through wind, solar, and the Earth, through geothermal; making certain that we can go forward with a progressive agenda so as to speak to a cleaning up of the environment and the security strengthener for the American economy by growing less reliant on fossil-based fuels. That gluttonous dependency that this Nation has on those fossil-based fuels is driving down our economy, and we have the potential here to enter a clean energy race, a global energy race, and win that race.

I am joined this evening, Madam Speaker, by two of our colleagues who have asked to participate so as to insert their thinking and to share their enthusiasm with the American audience and those here in the House about the job potential as it relates to energy reforming and energy transformation. We're joined by Representative JAY INSLEE from the State of Washington, the First District of the State of Washington, and we're also joined by Representative BEN LUJAN from the Third District in the State of New Mexico. Both are outstanding Representatives as it comes to energy transformation but also outspoken voices about job creation, job retention as it relates to energy policy.

Representative INSLEE, because we are all, the three of us, partners in this new developed SEEC, the coalition that is provided for a Sustainable Energy and Environment Coalition, a group that has brought together soundness of thinking and the advancement of progressive policy. You serve as a cochair of that panel on which both Representative LUJÁN and I serve. And so this evening if you would just share your comments with us about job potential as it relates to energy as an arena.

Mr. INSLEE. Well, with 10 percent unemployment, we know this country needs to act and we need to act quickly, and we need to act quickly in the job front of jobs that just won't be temporary and just won't be make-work jobs but will be part of the transition of our Nation to a Nation that can lead the world in the clean energy economy of the future. And we know that we have to get in that race for those jobs right now. We have bills pending, as we have already passed in the House the energy bill, which is now pending in the other Chamber; the stimulus bill, which is still in the process of being implemented; and we may have another bill on the floor of this House within the next month. All three of those bills are ways that we can jump-start the job growth in this economy by putting people to work on the jobs that are going to be the long-term jobs.

I want to note something. Our President was in China yesterday. I believe he's still there today. I was there about 4 months ago meeting with Speaker PELOSI, the President, and the Premier of China, and I will tell you the risk our country really has is that there is a country across the Pacific who fully understands where the jobs of the future are going to be. And when we talked to the President and Premier of China, they made very clear that they were going to try to dominate these industries and dominate job creation in building electric cars, electric motors for electric cars, wind turbines, solar voltaic plants, solar thermal plants. The Chinese are spending about $12 million an hour on renewable energy job creation. They spent three times as much on their stimulus bill as we did on ours in job creation in clean energy. They want to dominate the job creation of the future. And we are determined in this Chamber to get in that race both in the energy bill we passed in August and in this job creation bill we hope to be considering in the next month on the floor to continue this job creation.

I just want to mention two things that I think we ought to do very quickly. Number one, we should be putting thousands of Americans to work in retrofitting our homes and our businesses and our public buildings and our schools to make them energy efficient.

□ 1645

We started down that road in the stimulus bill, but there's more we can do to put people to work putting insulation in our homes, putting new windows on our homes, putting more energy efficient heating and cooling systems in our homes, in our schools and our buildings; and we will be proposing to leadership in the House, actually, this afternoon of this Sustainable Energy and Environment Caucus four or five ways to promote that type of job creation.

Second, we hope to use the Tax Code to continue incentive for Americans to make these kind of investments. We have a tax credit for homeowners right now, but it's just a credit you could take at the end of the year. We want to make that an advance so homeowners

possibly can get the cash to work with this right now to hire people to put people to work in retrofitting their homes. We want to use the Tax Code to extend a couple of the tax credits that we're now using to develop job creation, for instance, the bio-fuel industry, that is expiring this December if we don't extend it. So there's just two ideas. I know we'll have some time tonight, but I would suggest that we could at least start at those two ideas.

Mr. TONKO. Absolutely. Thank you, Representative INSLEE.

You talk about energy efficiency. I think we need to regard energy efficiency as our fuel of choice. We should give it highest priority because, for too long, supply-side solutions were encouraged without any addressing of demand side. We have a gluttonous dependency on whatever fuel mix we have in this country. We have got to do it with more efficiency. And I think that the kilowatt hours saved represent those cheapest that we need address into the future. The plant you never have to build will be the outcome here that provides for the cheapest kilowatt addressed.

We set a record, an historic record, with the $70 billion worth of investment in energy transformation, in renewables and energy efficiency and R&D through ARPA–E. All of this is a record proportion in this country's history. If it were a stand-alone bill outside of the Recovery Act, that would be the case. And so we can take great pride. There are people who are advancing this agenda because we know it is the right thing to do. And as you indicated, competing nations out there are already deeply invested into the race. We do not have the luxury to sit by idly and lull in some sort of sense of complacency and believe that we can escape this race. We need to be in it as we were in the Space Race in the sixties.

Mr. INSLEE. And I may note, if I can, efficiency, some people think that means just turning off your lights when you're not in the room. Efficiency needs to be seen as a job creation engine because when you become efficient you do two things: one, you make investments in your infrastructure to make it more efficient. And when you make those investments, you hire sheet metal workers to do the duct work, you hire people in the construction trades to do the retrofitting, you hire people who are manufacturing energy efficient refrigerators and energy efficient air conditioners, and a whole slew of these new businesses. So efficiency is a job creator first.

Secondly, after the efficiency is installed, you free up money for other investments. A business that can save 20 percent on its energy costs, and many businesses can, there's a company called McKinstry in Seattle which is leading the world and putting thousands of people to work. They're freeing up that money for businesses to make other investments. This is a job creator. We've just got to use the Tax Code on something like the PACE bonds, another idea that we will be proposing to leadership, to allow municipalities to float bonds, use that money to give to homeowners, let the homeowners retrofit their home and pay back the municipality on their property taxes. It's a surefire winner for everyone to get money to homeowners fast so that they can hire people to fix up their homes and have security for municipalities of getting paid back.

Mr. TONKO. You're absolutely right. And I'm very proud to serve on Science and Tech as a committee assignment in this House with Representative BEN LUJÁN. We see, firsthand by that committee assignment the innovation that is sparked, that the policy we're developing is investing in all of this intellect here in the States, in the United States where we can provide these opportunities; many are shelf-ready. We're not even utilizing those. So we need to advance those efforts. Science and Tech is a good way. The SEEC Coalition, the Sustainable Energy and Environment Coalition, is a great opportunity on which all three of us serve.

Representative LUJÁN, I know you have great thoughts about where we can go with energy policy. You're an outspoken voice, to your credit. It's great to have you here this evening.

Mr. LUJÁN. Thank you, Mr. TONKO. It's an honor to be here with you tonight. I just want to say thank you for making sure we got this hour moving, and especially to be here with such a distinguished Member as Mr. INSLEE to talk about these important projects that are moving forward.

If I could just pick up a little bit where Mr. INSLEE left off there, when we talk about energy efficiency and the investments that are made in people's homes, let's walk through with everybody tuning in what that entails. So, at the most basic level, someone that owns a home or someone that has a place where they live, they walk down to the local hardware store, they purchase, whether it's caulking or some insulation that they can install on their own, maybe change out some light bulbs, some basic things that they can do on their own. So they go and they support the local store, make some investments there, help that local economy churn a little bit. They go back home, they make these installations, they're going to see that utility bill drop a little bit.

Now with the investments that we've put forward in both the Recovery Act and what we hope to see with the energy bill that we passed out of this House and out of this Chamber and what the Senate is working on right now, we're expanding those opportunities. All across the country and going on right back at home, we've been part of going into people's homes where they've had some weatherization projects recently, where it's a little more complex, where they're working with local contractors; local contractors that are going to the community college or going back to some of those apprenticeship programs and learning some new skills so that way they can further their business, take advantage of some of the investments that we've put forward when they're installing now more insulation in the roof tops, those shinglings that Mr. INSLEE was referring to that sheet metal workers are now putting in businesses and homes, maybe changing out that furnace if it's been there for 20 or 30 years, maybe it's even that water heater which has been there for 50 years, doing something with that second refrigerator that's maybe taking up a lot of energy.

Now we're putting people to work. We're making investments in homes. We're adding value to the home, so now we're helping people in their communities, putting a little bit more money in their pockets. If we can do this in every home and people across the country are taking advantage of these programs and we're making these investments, how much less energy is needed? When we talk about that we go to rates, rates that they're going to see coming from utility companies as a whole. If we can prevent one more coal plant from being built or one more big facility from being built in an old conventional way and we're able to employ new technologies, so that way we're bringing in more job skills and more job creation, looking at the way we can take advantage of abundant resources we have here in the U.S., making sure we're building out transmission in a smart way, taking advantage of new materials, employing the scientists, the engineers, the researchers who are looking at these applied technologies, making sure that they're looking at modeling, employing and bringing in the expertise from our national laboratories into this now?

We've got everyone from the person that's in the home that can pick up that hammer and could do a little bit of work themselves, to the contractor who can go into those homes and make sure that they're making those investments, the local hardware person making some investments, to physicists, engineers, researchers who are adding to this. Now, we don't see the possibility from a job creation perspective, and it's unfortunate that we still hear from some of those that are opposed to investing in America and in investing in energy, from creating these new jobs and making things happen, I don't know what more we need to do to convince them, because all across the country this is happening. That's why we need to continue making these strides forward and making these investments in America, because if we do things smarter and we do things better, we're going to get this economy turned around. And making sure that we're investing and taking advantage of a new way of investing in energy, investing in energy efficiency, investing in weatherization and investing in renewable

generation, we can make all these wonderful things happen.

And even going a step further to what Mr. INSLEE was talking about with the bio-fuel tax credit extension, so we're being less dependent on foreign sources of fuel, foreign sources of oil, and we're able to build that right here in America. What a great idea. It's just an honor to be a part of that.

Mr. TONKO. Thank you. It's also a way to clean the environment. You know, the ripple effects of this whole exercise are so great that they reach out over the spectrum of jobs in so many dimensions. There are the trades that Representative INSLEE mentioned a while ago. There are those with a bachelor's degree or an associate's degree, a master's degree, a Ph.D., all are brought to the table because we need the strengths of every one of those sectors of the work force to respond to this energy innovation. And I saw from where I sat prior to my entry here in Congress, as President and CEO of NYSERDA, the New York State Energy, Research and Development Authority, where job creation was a big part of the outcome, whether we're retrofitting a factory to make it smarter.

Many are suggesting, well, we can't compete in a global marketplace because the workforce is paid so little in some other communities, in some other global communities. That may be true. But what we also can do is work smarter, and the working smarter is where you embrace the intellectual capacity of this country and put it to work for our manufacturing sector, put it to work for the businesses across this country, where we can reduce that cost of energy, reduce the cost of their products and then make them more viable on the global scene, where we sharpen that competitive edge, don't dull it with the exorbitantly high cost of energy, and where innovation and intellect are not embraced in a way that can really make a difference. We see it all the time.

Representative INSLEE, I know you want to hop in here because you are that outspoken voice from the west coast, if we might add.

Mr. INSLEE. You made me think of something. You mentioned smart people and smart ideas.

I had a very smart person in my office today. His name is Mike Town. He's an environmental science teacher at Redmond High School, the Redmond High School Mustangs in Redmond, Washington. Mike is leading a national effort called Cool Schools. It's something he started at Redmond High School to try to see if his high school could figure out how to not waste so much energy and save the school district money. They now have saved something like, it's about $25,000 a year just for their high school by doing some commonsense efficiency things that they have done and in investments they've made at Redmond High School.

They now have a group called Cool Schools which are trying to get schools across the country to engage in this kind of a challenge to see how much energy you can save; and the brilliant ideas a lot of the kids are coming up with—kids meaning 15-, 16-, 17-, 18-year-olds—the ideas on how to green their schools that are making their schools a lot more cost effective so the taxpayer can save money, and a lot more green for the environment. And the kids learn a lot about science as well. I just mention it because the schools can be a factory of ideas, but it's a place to put some investment to save taxpayers money. When we make the public buildings more efficient, we save taxpayers money.

But here's the challenge, and here's where I think our last energy bill, and perhaps our next jobs bill which might be on this floor in December sometime can really do a service. The challenge has been for homeowners, how to get the up-front financing to pay the contractor to fix your house up. Everybody knows that you might spend a few thousand dollars fixing your home up, and you're going to save a lot more over the long run because it's going to reduce your energy bill. But the question is, how do you come up with the scratch to do the first contract?

Well, where we can help, and we're going to be proposing several ideas in this jobs bill that will essentially help the homeowner finance that, and there are several ways to do that: one, to give them an advance credit on the credit that now exists on your income taxes, to actually give an advance so you can pay the contractor to get it going.

Second, we want to make it easier for cities to do what some cities like Boulder, Colorado are doing. They have a program where basically the city gives the money to the homeowner, the homeowner hires the contractor, then the homeowner pays the city back on their property tax. And it's a lien on the house, so the city knows they're going to get their money back. The city then issues a bond to generate the capital to pay for this program. We want to help some cities by guaranteeing that bond, they can sell it on the bond market for less money then and generate more bang for their buck.

This is the kind of program that is just difficult really to see how it will fail, because almost any investment that people make to their homes seem to pay off in the long run in reduced energy bills. It's just getting that original capital to get going. So, as part of our jobs bill, we're going to be proposing a way to accelerate the ability of homeowners, small businesses, school districts, public utilities, can generate that capital to get the money investment done and then save money over the long run. And when we do that, everybody wins.

I mean, I know this seems likes a no-brainer. Why isn't it happening naturally? It's not happening naturally because people can't get the capital to make these worthwhile investments. And when we do this we're putting carpenters to work, we're putting plumbers to work, we're putting sheet metal workers to work, we're putting truck drivers to work, we're putting architects to work, we're putting designers to work. This is really a sweet spot for us, and I hope that we can accelerate this.

Mr. TONKO. I think the point you make is a very important one. There are so many strategies that we can utilize, so many approaches to network with consumers out there, be they residential, business, commercial, industrial, we can reach them because there are ways with these quick payback periods that come with much of this retrofitting or with the energy or conservation measures that we can utilize the efficiency efforts.

□ 1700

We can show people where they can recapture that money that was invested simply through savings in their energy bill. And I think what happens also is that as it catches on in a way that inspires one another, neighborhoods, communities and States start getting into programs, and it spreads; the good news spreads.

We did, when I was at NYSERDA, a dairy program that invested in energy efficiency at dairy farms. Now they were not getting what they believed was a fair enough price, and I agree with them, for their product. We couldn't control that at a State level, but we could reduce their costs of production. And we did it by reducing, through energy efficiency, their energy bill. And they would take pumping and cooling processes at the farm, they would take all of the elements that needed to be put into the process, the business plan of that dairy farmer, and reduced, in a very clever way, by working with Cornell University, working with the local utility, working with NYSERDA, and working with the Farm Bureau, we came up with a program that really saved a lot of farms.

Today that program is very popular in a couple of counties in the State of New York where the demonstration was begun. And it is something that could be stretched through time over a larger bit of geography for many farmers to utilize such a program.

When Representative INSLEE talked about the school system and saving the schools money so that they could then, with that fungible notion of that budget, transfer some of those savings over to investment in the classroom, that's great. But I also think we teach by example.

Our students watch what we are doing. I spoke at a high school graduation this summer at North Colonie School System at Shaker High, about 500 or so graduates, and incorporated all of the talk about energy transitioning, innovation economy and the need to protect the environment and strengthen the environment. I have to tell you, throughout the course

of the summer, so many students from that high school reached out to me. They would see me and in casual conversation they would support the statements that you offered, the ideas that you were sharing at their graduation. They are going to push us. They are going to push these generations that are today making decisions to move forward with a progressive plan, with an idea that really saves our Earth and allows this economy to jump-start.

I think of that idealism, and I take myself back 40 years. what a great opportunity to shake the hands of the Apollo 11 team a couple months ago in July when everyone was in town celebrating the 40th anniversary of having won that space race. The U.S. landed a person on the Moon, and look at the technology improvements that came from that race. And we won it.

We need that same passionate resolve to enter into this race. We don't have the luxury to say we won't enter this clean energy global race. We know there are other partners already out there. And in my heart, I totally believe that we can win this race. But we can't afford to sit by because China, India, Japan and Germany—Germany is investing in solar PV hot water systems where they are training a niche of plumbers to retrofit homes where they are using the sun to power the hot water needs that they need. It's available.

All these opportunities are there. We simply need to move forward.

Representative INSLEE, you wanted to jump in.

Mr. INSLEE. I just want to make one comment before I leave. There is some really good news out here for America on the job front in clean energy. Two weeks ago on the Microsoft campus out in Washington State, I drove a Ford Focus, which will probably be the first American, mass-produced all-electric vehicle. And this car is the bomb. When Americans get in an all-electric car and understand how much torque an all-electric car can generate, this is the fastest car I've been in since I was in my buddy's Chevy 404 in 1968. When you hit the pedal, it's not a gas pedal, I guess we will call it the accelerator, they will still call it the gas pedal anyway, even though it's all-electric, unbelievable power is generated because an electric engine gives you immediate torque. In an internal combustion engine, you have the pistons and you have to get the momentum up. Electricity is immediate torque.

Now everybody has been talking about electric cars because they are so efficient. They can wean us off of our Middle Eastern oil addiction, which is so dangerous to us. They can reduce global warming. But what Americans will really love is how fast they are and the acceleration you get from them. That will be the fun thing about them.

The good news is we now have an opportunity to get thousands of Americans to work building electric cars, building plug-in hybrid cars. And General Motors has the Volt, which will be coming out. You plug it in, and it goes 40 miles on all electric, and then it has an internal combustion motor so you can go another 200, 250 miles without having to get another charge.

They have taken a little different approach. Americans will have a choice of how to move forward in electric cars. The Tesla is already on the street, which is all-electric, which is the sportiest, fastest and most amazing-looking car you've ever seen. They're a little expensive right now, but they're working very well.

The point I want to make, though, is we have got to jump-start this progress because the Chinese want to dominate this industry. And once they get a foot in the door internationally, you don't want to be the second place coming out of the chute in the provision for the electric car. And what we did in our energy bill and our stimulus bill has given very significant investment capability in the industry to produce these cars.

We also did it for the batteries. We had $2 billion in the stimulus bill to try to jump-start a domestic lithium ion battery system to run these cars. Now there are some other things we can do perhaps even to move further to get jobs in these industries.

The point I want to make is we can't sit around for 10 years and maybe do this 10 years from now. We have to do it right now for two reasons: one, we've got a 10 percent unemployment rate, and people are desperate out there. We know how trying and the anxiety that unemployment creates. It is one of the most difficult things for people who want to be productive, who want to take care of their families. This is very difficult for thousands of our fellow Americans right now.

But, two, this is the opportunity of the lifetime or maybe several generations that we can't lose to these other countries. And so that is why it's important that the other Chamber pass this energy bill. That's why it is important in our upcoming jobs bill to investigate other ways.

Here is one idea I hope will be considered in the jobs bill: we need to provide charging stations for people. If we are going to have electric cars, we need charging stations. And helping municipalities build these charging station networks is something we might be able to do to get electrical workers, IBEW members, machinists, electrical engineers employed, working with the infrastructure to create charging stations around the Nation. Now we don't need as many as you might think because 60 percent of all our trips are under 40 miles anyway, and these cars are going to have at least a 100-mile range. So most of our trips don't require a car that has 300 mileage. But we still need some in case you want to go a long distance.

So I hope in our jobs bill we will consider ways to jump-start the building out of these electrical systems to get that job done. I want to thank you for letting me participate tonight. I look forward to our next discussion.

Mr. TONKO. Thank you, Representative INSLEE, and thank you not only for your dedication to the efforts of reforming energy policy, but your determination to keep fighting to that finish line. And it's that kind of advocacy that will get it done. We thank you for joining us this evening.

Representative LUJÁN, we hear about the messaging that is so important about creating jobs. We have an environment out there that needs to be strengthened, cleaned and protected. We have energy crises of various types that need to be resolved. And all of this can respond to a job crisis in this Nation and in this world.

There are hurting economies. There's a recession that went deeper and longer than many projected. There was a deficit inherited by this administration that was developed over the course of 8 years that really puts this economy into a hurting situation.

And so now it's our task, the Obama administration's challenge, to take that deficit inherited that really destroyed an economy, and now we have the opportunity to rebuild that economy but, at the same time, to respond in a way to the dynamics out there of energy reform, of environment, of strengthening the environment response, and at the same time, developing jobs of all types, from the trades on over to the Ph.D.s.

I know that you're in the middle of that battle. I know from your statements made in the Science and Technology Committee and from your statements made on the floor that no one can second guess where your heart is and where your thinking is on this issue.

Mr. LUJÁN. Mr. TONKO, we have an opportunity to work on these issues together, to move legislation and work with our colleagues to talk about what tomorrow will look like and not wait for a few years to come before we get a lot of this policy in place to create these jobs, to be smart about the way we do things, to invest in this technology and to really embrace this opportunity that we have now.

As I travel around the district, I remind people how, not too long ago, we had $4.50 gasoline. If you were using diesel and you were out on the farm in some of the rural parts of the country, we had $5 diesel fuel, and how a lot of those people that were making the profits off of that, where this money was going overseas, they weren't really our friends. And they still aren't. We see where that money is going. We have an opportunity now to change that as a way that we look at energy in the country, in the United States of America, in this beautiful place that we call home.

Now, as we talk about the tax incentives necessary for homeowners and businesses to be able to invest in their homes, I think Mr. INSLEE is right on

track there. As we talk about what we can do, in looking at being smarter about the way that we look at policy, adopting better ways of doing things, encouraging people to invest in their homes in a way that's going to save them money in the long run, that's going to add value to their home in the long run is brilliant, I hope that we have something like that in the new jobs bill.

Now, Mr. TONKO, you were talking about how you were able to work with schools in your community, with Cornell, with leading institutions and universities, to work with the local public schools or with the dairies to create more efficiency so that way they could put more money back into their pockets, have a more competitive cost structure with their products as well.

When we invest in our schools, we create living classrooms. We create classrooms where we are teaching our students these jobs skills of tomorrow by encouraging them to go learn a trade or go to college to become that electrical engineer, the mechanical engineer, to become the entrepreneur to start a business so that way they can go and make these investments in our community.

What better way to get more young people encouraged and to really get that ingenuity moving, to get the creativity alive and well again in our country? This is the way to get it done. There is no reason that we can't be working more closely with our students, teaching them in the classroom, leaning on our universities, our national laboratories, to be able to partner up with our businesses and show them how to do things better, how to use less energy, how to take these products to market better and how to build them right here in the good old U.S. of A.

We talked a little about vehicles. Now as we transition and we are investing in these technologies where we have hybrids and plug-ins, we need to look to see how we can do better here in this country as well. And that's something where I'm encouraged where a little more people are talking about how even natural gas can be used in our vehicles, which burns a lot less carbon, but is abundant in different parts of our country that can go into our vehicles.

Now it's being smarter about the way we do things, and it's using technology a little differently; and it allows us to be able to not have to depend on foreign sources of oil while we're getting there. And those investments will be used in electric vehicles and hybrids and making sure we are making these technologies available to everyone. And it is just so exciting because as I go home and I talk to our national laboratories and I talk to businesses. I have seen an opportunity now where we can maybe build and retrofit a refinery back in New Mexico to have a biofuel refinery.

These are exciting things that we can do to put people to work, to bring people back to work and to even show this technology off to the rest of the world.

It's happening right here at home. And it's only going to continue, though, if we make these investments and we get more people on board and the people around us, people all across America realize that this is something that we can do. It's a job starter. It's a job creator. And it's really where we need to go as a country to get back in front of everything.

Mr. TONKO. Well, Representative LUJÁN, what I believe you're expressing here is the greatness of America. And that is driven by a belief, a set of values, a skill set, an investment in education that says we have succeeded in the past, we can continue to succeed, and we will succeed because the success that is driven oftentimes is determined by a tone that is established. This administration has said, enough with these deficits that were created that we inherited and now we have to resolve. We have to move forward with an investment that carries us through these dark times that were developed.

□ 1715

And how do we do that? Well, you and I, both working through the Sustainable Energy and the Environment Coalition—SEEC, as is commonly referenced—heard from the former minister of energy from Denmark. He talked about transitioning that economy of Denmark, transitioning their energy thinking. Afterward, I talked to him and said, Just how did you do it? Some of the ideas were driven by the American think tank. They took patents from this country and they deployed that thinking into their economy and they invested in their economy. Well, now that's sharp thinking. That's the sort of efficiency that we all should strive for in government.

Now, in this process we need to invest, yes, in the R&D, but we need to then transition those discoveries in the lab, those whiz-kid ideas. We need to take those and deploy them to manufacturing, we need to deploy them to the commercialization sector, so as to realize the discovery here in a way that provides for improvements in society and new responses to energy crises.

Well, just recently the President traveled to my district, to the capital region of New York, to Hudson Valley Community College. We have been talking about the wonderful economy, regional economy, that has been a foundation, a fertile ground for fostering the thinking of nanoscience and semiconductor as an industry. There is that fertile investment that now is anxious to couple with Federal thinking, with Federal resources.

And so the President showcased this wonderful thinking in the region, through the community college, developing curricula for green-collar workforce development; dealing with construction majors who will know state-of-the-art solar or PV installation; working with all those budding scientists and skill sets from the trade sector that are going to be there to transition us.

So he talked about the investment in human terms, in capital terms, in ways that will allow us to now transition. This is how we grow out of this deficit situation, which we inherited from no sense of vision and from poor management of resources. Now we're going to work together to develop energy plans, to work on a situation that grows jobs.

This is all about growing jobs. We hear it all across America. People are looking for jobs. This is a good way to develop those jobs—R&D jobs, manufacturing jobs. Once you invest in that so-called ''valley of death'' where there isn't that network of Federal resources to be matched with the angel network and the venture capitalists that take the idea from the lab, from the investment, from both the private sector, academia, or maybe even government, taking that and transitioning it over into the commercial sector, into the manufacturing sector—that is the resource we need.

And when the President traveled to the district, he heard how we needed to connect those dynamics so that the confluence of those ideas and those resources spell success, spell new ideas. The American intellect is so very capable of making that happen. That is the greatness of America. And we can underscore that greatness by investing and inserting the sort of policy that makes the total difference here.

Again, we don't have the luxury to wait. We cannot sit by in some sort of idle complacency that finds us comfortable with where we're at today without stretching, without transforming, without moving forward in a way that we did 40 years ago with the space race. And we were proud when we won that.

When I was a kid, we heard Sputnik all the time—in school, at home, at church, wherever you traveled in the community. People were passionate about making that happen. We were going to move forward, we were going to invest. We shared a vision. We fine-tuned that vision as an American people and then won that prize by landing that person on the moon. That influenced all sorts of technology growth and inspiration.

We have that same golden opportunity here. What a mistake if we're to let it go by. We will fail generations to come if we do not seize this moment and make it work in policy terms, in investment terms, in resource terms, in a way that spells a new day for energy generation, energy efficiency, and energy investment through R&D.

Representative LUJÁN, I know that working on these several projects, we can make a difference.

Mr. LUJÁN. Mr. TONKO, well said. As we talk about what this has to offer the country, where we can go from here and how we can learn from some of the mistakes that were made in the past, you know, this notion of the over $4 a

gallon gasoline and up to $4.50 and $5 that we saw recently, not too long ago—we saw what was happening and how we're creeping, yet the investments weren't made.

Now, those that are critical of the President and of this Congress for making investments that are going to make a difference tomorrow so that we're solving these problems, we don't have the dependence on these foreign sources of oil; we're going to take the latest and greatest, the scientists, the smartest people, the individuals that are starting their own businesses, those contractors, the tradespeople, the builders, and bring everyone together to do it better, to do it smarter. I don't understand it, why there are still those that don't think these are good ideas.

We talked a lot about the space program. Now let's put this into perspective. When we won the space race here in the United States and we developed the technologies that enabled us to win that space race, solar panels were part of that. And where are we now, Mr. TONKO? With the rest the world, falling behind when it comes to solar technology, to using it and integrating it into everyday use. Now this is a technology that we developed here that enabled us to win the space race and generate the power needed to keep the men that were in space safe and get them back home. We can use it to power our homes. We can use it to diversify the way that we generate power for the country. We can use it to create jobs. We can use it to develop more and more exciting, innovative ways of looking at the way we do things. And, as you so eloquently put it, talking about nanotechnology; building things smaller and smaller, where we have been able to do this with the way that we use computers now, where they use less energy; the phones that we use.

All the technology that has come out of what we achieved with the space race, and how we in the country have fallen behind now—that's what we're talking about here. It's investing in America. It's staying ahead of the curve here. It's making sure that we provide the best education for our kids, that we're making this commitment in science and technology and engineering and math, and that we're keeping it here to build the things here, to build these components, to create these jobs back here at home. That's what we're talking about here. And I just hope that more and more of our colleagues, Democrats, Republicans, independents, that we can come together to make this investment in America, because we can't afford not to.

We have always been leaders when it comes to innovation. Now let's take that leap, let's take that step, and let's make that commitment to invest in America, invest in ingenuity, create these jobs, and do things better and smarter for tomorrow.

Mr. TONKO. Representative LUJÁN, I couldn't agree more. And I really do believe that many of us were sparked—our interest was sparked by just the vision that we shared and by the news that we would hear on a daily basis. We'd come home from school and hear it on the night news. That sparked so many people to look at math, at science, at engineering, because we had leaders that really saw that we had this greatness of potential within us.

So everyone marched along in this chorus of belief that we could make the world a better place. There was a sense of global community. There was a commitment of this Nation to really lead in a way that provided for great outcomes.

That sort of leadership is coming back here. I think that this administration, the leadership here with Speaker PELOSI and the leaders of so many committees in this House see it, they get it. They know we can solve this job crisis by bringing in the nuances of energy reform, of health care reform, of providing for a jobs agenda.

You know, when you look at some of these issues where you take nanoscience within my district, where they're really developing this precision testing—the mass production of the past Industrial Revolution was about a great idea, perhaps started in your garage and then developed into a factory-size space because you had to meet demand. Well, today it's about precision. As you pointed out, something as thin as a strand of hair will be what they're working on.

And so the prototyping, the testing, the evaluating, are all elements of success. Very pricey. And so there's a role here for the Federal Government to insert itself, to say, Look, you're an entrepreneur; you're a budding scientist; you're an emerging technology that's being driven by your intellect. Let us partner with you, let us partner with the angel network, with the investor communities, so that we can take this idea and make it real and put it on the shelf. That's what it's all about.

Other countries are using our ideas—and our ideas are still those that are driven by an investment in education, in higher education. So this is a full set of circumstances by which we will govern ourselves, our thinking, in a way that transitions this economy. That's what it's about, the innovation economy. And yes, there's a jobs crisis. But yes, we saw what the deficit that had been going far too long did to our employment issue. Did this happen overnight? Did this just happen 3 months ago? Did we just start to lose jobs just weeks ago? I don't think so. But now the transitioning into an innovation economy is driven by heart and the mind—the thinking here that we can do better and we will do better. And that's what it's all about. It's taking the stand and making certain that we invest our way through some very difficult times.

Mr. LUJÁN. Mr. TONKO, I'm glad that you're reminding everyone watching today that these job losses and what's happening with the economy and the deficit, that this just didn't happen 3 weeks ago or 3 months ago or even 6 months ago. That this is something that was developing and building.

We're going to hear those that say we can't invest in the country when it comes to clean energy, we can't do this, we can't do that. Well, I say to them: We can't afford not to. We're going to continue to hear how others want to scare the American people and don't want to see this President succeed or this Congress succeed in investing in America. We need to do things better here. And I know, Mr. TONKO, we're both new to Congress. But when it comes to putting the American people first and remembering why we came here and continuing to invest in this great Nation of ours to make it stronger and better and providing an environment where we can let people that want to start a business, start a business; where we invest in that science and that ingenuity and that creativity which allows them to do it, that's what we can do.

Mr. TONKO. Absolutely. And it's responding to the needs of middle-income America, working families across this country, who are part of the solution. They are part of the solution. We need simply to bring everybody together into a working semblance that then allows us to move forward.

You know, I think of the wind energy efficiency bill that I got passed in this House that started in the Science and Tech Committee, taking a step back to look at how we can improve not only the placement but the wind forecasting. But also the manufacturing, the materials that are utilized. The gear assembly. How do we do this? Well, you couple that with the nanoscience sector and you can take that nanoscience growth, that intellect that's being developed, that's being fostered in the various centers of nanotechnology, and couple them with perhaps agriculture or pharmaceutical as an industry, or the health care industry, certainly the energy industry, and produce stronger materials, lighter materials, more durable materials, working on situations that provide for the greatest efficient outcome with the resources that we invest.

I look at kinetic hydropower that was used as a demonstration project at NYSERDA, where I used to serve as president and CEO. We used the turbulence of the East River along the island of Manhattan, and we utilized that water movement to turn the turbines sub water to create power needs for Roosevelt Island. Well, that's just a snippet of the imagination that can be tapped into.

Today, after improvements through the DOE lab in Colorado, we're now looking at the potential of 1,100 megawatts of power produced by kinetic hydro. That's just a sampling of what can happen. We see geothermal and its potential. I was there for a ribbon-cutting for a project at the Culinary Institute of America utilizing

geothermal to help run the campus activities.

All of this has immense potential, immeasurable at times, and all we have to do is unleash the talent. A leading Nation such as ours cannot, again, be complacent. And we need to continually energize our thinking and our behavior. No lead nation can allow itself to slip backward. Unless we encourage our workforce and our students out there, our youth, to desire, to invent, and discover and explore, we will not maintain a leadership status.

So I agree with you, for those who are agents of no, for those who wanted to settle for the status quo, those who are perhaps using partisan approaches to deny progress with this administration, need not put the burdens and the hurdles before us.

□ 1730

We need to march forward in progress, sharing a boldness of vision, created by a situation here that has really triggered the need for the American ingenuity, the American intellect, and the American resolve to move us forward.

Representative LUJÁN, it's great to have you here this evening.

Mr. LUJÁN. Well, it's great to be with you, Mr. TONKO. I'm not sure if there is anything to add after that.

When you talk about the piece of legislation that you brought to the floor and we were able to get passed that would make new investments in wind energy, back home in a little community by the name of Tucumcari, New Mexico, we have the North American Wind Research and Training Center at Mesalands Community College where they're training young people how to maintain these wind turbines across New Mexico, across Texas, up to Colorado, and across the country. I will tell you, job creation, investments in new energy, investments in clean energy, they're all connected. That's one example of a piece of legislation that's allowing us to achieve this and make it happen.

It's just great to be on the floor with you this evening, Mr. TONKO, as we're able to talk to the American people and those that want to see this happen, those that are hungry for this investment, those that are hungry to see their kids have these opportunities for years to come, that they want more generations behind them to have as well. I'll tell you, we're almost there, Mr. TONKO, and we're going to make this happen, and it's going to be the American people to help push us over the top.

Mr. TONKO. Well, I agree. And thank you for leadership like that that you have provided, because it's that advocacy, that voice of can-do that will make the difference. I think of the opportunity that we have to make solar a legacy piece.

Representative GIFFORDS introduced her solar efficiency roadmap legislation, and allowing for us to look again at the efficiencies that we can drive into the solar discussion, the solar outcome, we should create a legacy piece of that. We need to look at thin film and R&D that can put us into a situation where we discover the materials that can shave the priciness of some of these renewable opportunities that then make them all the more competitive, make them all the more connected to consumer behavior out there.

You know, if we can utilize the sun, and if we can utilize water, and if we can utilize the wind, and if we can utilize the soil to provide for our needs in a benign way, then what a tremendous legacy, what a tremendous bit of progress to leave that next generation as they will continue to grow upon our success stories. But what a tragedy if we're to look back and say that we thought status quo was fine, that 40 years ago we won a space race and we were content to sit still. Nothing could be more un-American than that thinking.

So in this House, in this loftiness, we require lofty thinking, and that's what it's about. I'm so proud of this majority in that they do speak in lofty terms, Madam Speaker. I think this is the way we get things done, and I am just impressed with what I see here being brought forward not only in resolve for an energy problem or problems or with environmental concerns, but in job creation, where we're allowing as a down payment a half million jobs with the American Recovery and Reinvestment Act, but then looking at the millions of jobs that come forward through a program like ACES, the American Clean Energy and Security Act, that allows us to, again, think outside that barrel and say, That's not good enough for us.

Fossil-based fuels, you know, the dependency to send hundreds of billions of dollars to foreign economies where there are unfriendly governments that are utilizing those monies in their Treasury that are poured in from the American pockets and then fight us as terrorist regimes or what have you, we have got to step back and say, There is a better way. And there is a better way, and we're promoting it. We're advancing it here, and it's all in the name of job creation, job retention, which I believe is a benefit that is immeasurable in its kind.

Madam Speaker, we thank you for the opportunity this evening to share sentiments on behalf of Democrats in the House who are advancing the notion of progressive energy policy, of resources that will enable us to think in new capacity as we speak to the energy needs of this Nation all while advancing the notion of jobs. We thank you for that opportunity.

Representative LUJÁN, any closing comments?

Mr. LUJÁN. Madam Speaker, we just appreciate the time this evening to remind the American people what we can do, the jobs that can be created when we can come together and make investments in this great Nation of ours. Investing in energy and being smart about the way we do things, it's all part of the mix. It's just great to know that this Congress and this President are serious about getting something done to be able to put the American people first.

GROWING THE GOVERNMENT

The SPEAKER pro tempore (Ms. KOSMAS). Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Thank you, Madam Chair.

It's a pleasure to join you this evening and to join my friends as we take a look once more at a debate which has stirred the imaginations and minds of Americans and has perhaps even tried the patience of many Americans now for many months, but something that is not complete, it's not done, and that is the question of health care.

One of the things that I want to do is to recognize the speakers from the previous hour, as they were talking in glowing terms about free enterprise and about the possibilities of what America can do in the future and about setting bold new objectives and all. All of that sounded pretty good. I agreed with all of it. Except the only trouble is what we've really been doing for the last 10 months, which is the government's taking everything over. So it's a vision, but it's not a bold vision.

I don't know of any nation that really set any great records or achievements in a positive sense by the government taking over more and more things. In fact, most nations, when the government takes over more and more things, they do more and more mischief and damage. Indeed, we have many nations that are government-run that have given us the worst tyrannies in history. For instance, the history of communism, a phenomenon of the last century. The communist nations of the world killed more of their own populations than all of the wars in history. So the idea of expanding government at a rapid and radical pace and sort of saying that this is free enterprise is amusing.

There was also a comment made that all of this unemployment was, implied that that happened a long time ago. It was somebody else's fault. The only thing I remember was that just a few months ago we had a stimulus bill. It was a guarantee. They said we're supposed to pass the stimulus bill. I called it the porkulus bill. If we didn't pass the stimulus bill, by golly, unemployment could get all the way to 8 percent. So you have got to jump on and spend $787 billion by expanding Medicare and giving money to community organizing organizations like ACORN because this is really important stimulus money. So we passed, not with my vote and not with one Republican vote,

the stimulus bill. That was to make sure that we didn't have this problem of unemployment. Well, now it's 10.2, and that stimulus bill doesn't seem to have worked.

Now, you don't have to be a rocket scientist to know it wouldn't work. All you had to do was look back at the Great Depression. Look at Henry Morgenthau. He was a guy that marched right along with Little Lord Keynes, saying, Hey, if we're going to stimulate the government, we're going to stimulate the economy by having the government spend tons of money. Well, Henry Morgenthau comes to the Congress, to the Ways and Means Committee in 1939, and he said, Well, we tried the stimulus idea. Friends, it didn't work. We have got unemployment as bad as ever, and we're in a tremendous amount of debt to boot. Now, we aren't going to learn from that. We're going to march on with this bold new vision of the government spending money like mad, and they justify it in the name of free enterprise. I find that amazing.

We have another example of this bold new spending initiative, and that is what happens in the area of health care when the government tries to take over one-sixth of our economy.

I am joined by my very good friend, Congresswoman FOXX, who has agreed to come here in spite of an extremely busy schedule this evening, a young lady that adds tremendous vigor to the Republican Caucus. And anybody gets out of line, you've got the grandmother to deal with. So everybody knows you've got to line up.

Congresswoman FOXX, we've just heard a vision of tremendous free enterprise, new materials, all sorts of things, and we're marching boldly because we don't want to stay in the staid ways of the past. But the solution seems to be more government spending, more government takeover of things. Can you think of any civilization that you can think of that became great because the government grew and took over everything?

Ms. FOXX. No, I can't. And I want to thank the gentleman from Missouri for taking on this Special Order tonight and for bringing up issues that are very, very important to the American people and doing it on such a consistent basis. You've done a terrific job.

I think, as I heard today in a meeting—I'm not sure if you were in that meeting when somebody pointed out—when the Communist Chinese start lecturing us on having too large a deficit, something is out of kilter in the world. And we know that in the last few days the President's been in China, and they have been lecturing us about this issue.

Mr. AKIN. Just reclaiming my time, there is something that's almost funny about that. It shouldn't be funny. It should be sad, I suppose, that the Communist Chinese are lecturing us about the government spending too much money and taking too many things over. It's, of course, because they own a whole lot of American treasuries, and they don't want to see us mess the whole system up. So here we have the Communist Chinese talking to us about excessive big government. I mean, this has been a year of amazing things, hasn't it?

We saw the government fire the president of General Motors. Just on the face of it, that's kind of a weird thing to see. We've got czars now in charge of all kinds of areas of government, people that have never been approved by the Senate. They're unconstitutional, and they're setting the prices of American executives, how much they're paid. So we've got the government doing that. Now they want to take over a sixth of the economy in this health care situation, and they're not thinking of this as any kind of problem at all.

But Congresswoman FOXX, you know, when the government does too much, we see these kinds of typical symptoms: bureaucratic rationing, inferior quality, inefficient allocation, excessive expense. We've seen that in department after department of Federal Government when they grow and try to do too much. It has led to the quip, ''If you think health care is expensive now, just wait until it's free.''

Ms. FOXX. Would the gentleman yield?

Mr. AKIN. I do yield.

Ms. FOXX. You mentioned a minute ago about the fact that this has been a year of very unusual things to have happen. I learned just recently that there is a poll that was done, and we know people are polling in this country all the time. But a poll was done that said that two-thirds of Americans believe it is more likely that we'll discover life in outer space than that the Democrats' health plan will be deficit-neutral.

Now, I think that's a good sign for our country. It's a good sign that people are paying attention to what is happening in this country and what is happening in this House and in the Senate, the fact that two-thirds of our citizens don't believe the line that's being fed to them that this health care bill is deficit-neutral.

That deficit, as you say, is causing tremendous harm, not just because the Chinese are nervous about it, but from the money it's taking out of the private sector and the problems it's causing small businesses. I know you want to talk a little bit about that tonight, and I hope that you will. I'm not going to be able to stay with you for the whole hour because I have the great pleasure of going over to be with Senator Jesse Helms' family who are in town for the unveiling of his portrait tonight, but I want to stay with you for a few minutes. I can just imagine Senator Helms watching us from heaven thinking, ''Oh, I wish I were there to be in this fight.'' The Senate right now is behind closed doors, behind closed doors despite all the promises of transparency, working on a bill that's going to create havoc. But the American public has awakened, and it knows this is not right.

Mr. AKIN. You just tickled my imagination. So we're saying that two-thirds of Americans in this poll said that they think there is more chance to discover life in outer space than there is that this health care bill is going to be budget-neutral. That gets to the very top excessive expense.

Let's just talk about the big picture of what's going on. You remember just a year or so ago, we heard that President Bush spent too much money. Do you remember hearing that? The Democrats said it all the time, and some Republicans said it a fair amount, too. So let's take a look at President Bush's worst year in deficit spending.

□ 1745

His worst year was 2008—and the Democrats controlled Congress—and his worst spending was about $450 billion, which was too much deficit spending but was 450.

Now this year, the bold new vision says we are going to do things differently. And so what is our deficit spending now? Well, it's $1.4 trillion. So we've tripled the deficit this year, and we are kind of wondering, Gosh, gee, I wonder why we have got problems with unemployment.

You know, one of the things that the Democrats, at a minimum, should do is they ought to learn from other Democrats even if they won't listen to Republicans. I can understand they don't want to listen to Republicans because we say things that are uncomfortable truths that they want to ignore such as laws of supply and demand and gravity and other miscellaneous things.

But they could listen to JFK. He was met with a recession, and what he figured out was he wanted more jobs. He thought, Gosh, gee, where did the jobs come from? Oh, small businesses, where most of the jobs are. If you look at America, 80 percent of the jobs are in small businesses, that is 500 or fewer employees.

So he says, How are we going to get these small businesses to hire people? Well, maybe let's back off on taxes, give them some more room, some money to work with. Then they will add wings on the buildings, new machines, new ideas, innovation. We have heard a lot about innovation. Innovation doesn't come from the Federal Government, taking everybody's money. JFK understood that. So he backed off on taxes, and the small businesses started producing jobs, and we pulled out of the recession.

Now, Ronald Reagan understood that. He did the same thing, and we pulled out of a recession because we allowed small businesses to create jobs. And Bush, II, did that with dividends, capital gains, death tax. He allowed the small businessman—instead of taxing him into the dirt, he gets them going.

What we're seeing under the Pelosi plan, this is a repeat of FDR. We're going to turn a recession into a depression because they haven't learned even from the Democrats, which is such as Henry Morgenthau or JFK.

Ms. FOXX. Will the gentleman yield?

Mr. AKIN. I yield.

Ms. FOXX. I have quoted Morgenthau many, many times saying we've spent, we've spent, we've spent, and we can't do anything about the unemployment rate. And I think we need to keep repeating that quote. And I know you have it, and it's a little more eloquent than what I have summarized here.

But I wanted to go back for a moment when you started out talking about our colleagues who were here earlier on the floor talking small businesses and about small government. You know, we hear that talk from our colleagues across the aisle all the time; and it reminds me of the North Carolina motto, which I've occasionally used on the floor when I have heard those kinds of speeches being made. The North Carolina motto is ''To be, rather than to seem.''

Unfortunately, our colleagues talk a good line, but when it comes down to doing what needs to be done, they want to seem rather than to be. So they try to tell their folks at home—they act like they're conservatives. They act like they're going to be good people with the purse, that they're protecting people. Then they come up here and they vote to spend money. Day after day after day we see all of these bills coming up authorizing expenditures, spending money. And as you said, we have the largest deficit right now that we have had, than we had with our first 43 Presidents. And it is really dragging down our economy.

You know, my daughter runs our nursery and landscaping business, a business my husband and I started a long time ago; and I can remember going to my husband at times and saying, You know, I'd like to do this in the garden shop and spiff it up a little bit. And he would say to me, Well, how much is that going to help our bottom line? Is it going to bring in more money? And I would sometimes say, No, it will just make things look better. He would say, If it isn't going to bring in more money, then we shouldn't be doing it.

That is the decision small business people have to make every day of their lives. Some of them lay awake at night worrying how am I going to pay my bills, how am I going to make my payroll. They personally sacrifice to take care of their employees. I know. We've been there. And yet we have people up here who've never worked a day in their life, a real job. They have been in Congress for 50, 40, 30 years, and they have no concept of how hard it is to run a business and how dedicated small business people are.

Mr. AKIN. They seem to understand one thing, which is what Ronald Reagan always said: taxing and spending.

Let's take a look at what we've got here. We're talking about just this year. Here's $350 billion for the Wall Street bailout. Here's another $787 billion. That's the one that's supposed to make sure we don't have unemployment, right?

Ms. FOXX. Will the gentleman yield?

Mr. AKIN. I yield.

Ms. FOXX. If I remember right, the promise was if that passes, unemployment will not go above 8 percent; is that correct?

Mr. AKIN. Yeah.

Ms. FOXX. What is our unemployment right now?

Mr. AKIN. Last time I checked it was 10.2, and you know those were conservative numbers because it doesn't include somebody being unemployed more than a year. They take their name off the list. It doesn't mean they got the job.

Ms. FOXX. I have heard from many economists that the actual unemployment rate is probably 17 to 20 percent because of the folks you mentioned, those who've given up looking for jobs, those who have gone to work part time. So it was not supposed to go above 8 percent.

This really has damaged the credibility, I think, of both this Congress and this administration because all these promises have been made and none of them have been kept.

Mr. AKIN. The implication is that the unemployment that we're having trouble with was really Bush's fault. Everything that doesn't work right, well, it was Bush's fault. Bush, when he came in—I was here; I came in the same year he did—and we had a problem with a sagging economy. We were going into a recession, and he dealt with it the same way that JFK had done it and Ronald Reagan had done it, and that is he got off the back of the small businessman because he knew he had to let that guy have some breathing room to get those jobs going. We're doing the exact opposite, which is what Henry Morgenthau did, and we're going to turn a recession into a depression if we're not careful.

And when this thing passed, this stimulus bill, we stood here on the floor—and I think you were with me, young lady—and we said it's not going to work. I don't mean to be an ''I told you so.'' You don't have to be an ''I told you so.'' All of history is screaming that this is not the way to solve this problem.

And now we hear, well, because we have unemployment, it must be the Republicans' fault somehow when we're 40 seats in the minority.

Ms. FOXX. Will the gentleman yield?

Mr. AKIN. Yeah.

Ms. FOXX. My recollection is every single Republican voted against the stimulus package in the House.

Mr. AKIN. That's correct.

We've been joined, as you know, by my very good friend, Congressman BISHOP from Utah, a gentleman that is so commonsense and so straightforward in explaining himself. He has already made a great reputation here, and I would like to yield time to my good friend.

Mr. BISHOP of Utah. You're very kind, Mr. AKIN. I wish I believed what you said about me.

You know, I was intrigued by the original chart that you had up there when government does too much. Sometimes we tend to overlook that.

I have always contended that the issue of health care we saw was foretold by our Founding Fathers over 200 years ago when they instituted a system of federalism, because they knew back in that time even though there were only 13 States in the original country—actually 11 when we started, eventually 13—that the Federal Government would always be too big to take—to do anything other than a one-size-fits-all approach. And that if indeed you wanted to have justice, take in the circumstances, creativity or perhaps a program if it failed, it didn't destroy an entire country. You had to have it done by State and local government. That is the value of it.

Mr. AKIN. It's called federalism, as I recall.

Mr. BISHOP of Utah. You know, they didn't limit the power of the Federal Government just for the fun of it. There was a reason and a purpose to it.

One of our great Justices on the Supreme Court once said, The Constitution protects us from our own best intentions. It divides power precisely so that we will resist the temptation to concentrate power in one location as an expedient solution to the crisis of the day.

Now, he was not writing, obviously, about the health care bill that passed this House, but it applies. And what we did was simply lose sight of the structure the Founding Fathers put in place to create balance and creativity and empowerment of individuals.

I'd like to talk simply about one of the things the States are doing, specifically in my State, because my State recognizes we have a unique demographic.

Mr. AKIN. What you were talking about I think at one point it was viewed that States were, in a way, kind of a laboratory of creativity. So you have got now with 50 different States, if some State wants to get a little bit out in the land of fruits and nuts, and California wants to spend a whole lot of money and do things one way, there is some flexibility to do that. But that doesn't mean that Missouri or Utah has to do it the same way.

And certainly in the area of health care we've seen that. We've seen a couple of States try some innovative ideas in health care. One was Massachusetts, and one was Tennessee. And both fell flat on their faces because they did the same thing that is being done here.

I don't want to get ahead of you.

Mr. BISHOP of Utah. That is part of the issue.

Massachusetts has a program that is expensive. They appear to like it, but

it's very expensive. It would not work in Utah. Our program would not fly back in Boston.

Utah has unique demographics. We're a very young State. We have a lot of kids, whereas most small businesses, 42 percent of the Nation, provide insurance. In Utah it's only 32 percent. That's a unique demographic challenge that we have to face.

What would happen, though, if we simply go along with the PelosiCare that we passed is that every one of the small businesses in Utah rather than getting help to solve the problem would be hit with a 5 percent tax that would attack 5,500 small businesses already nickled and dimed. What they really want is for us to get off their backs with mandates and out of their pockets with taxes so they can solve problems.

So what the State legislature in Utah provided is a way of solving those problems by recognizing that small business has a great concern once they get into health care because they don't know what their costs will be over the period of time, and it's very marginal.

So what they have tried to do is come up with a concept which empowers individuals to choose. Small businesses now can give a pot of money they would be giving to an employee as a defined contribution, they could then go and buy the health care service that they want.

Mr. AKIN. That idea sounds like freedom. I am really liking this already.

Go ahead.

Mr. BISHOP of Utah. It's dangerous, isn't it? It's almost scary as we think about it.

But the goal is to have a clear, transparent index in which all of the options that are legal in the State of Utah—and right now there are 66 options from which people can choose. They are easily adaptable, easily accessible, easily understandable. If you change jobs, you're still in the insurance. So there's a portability.

Mr. AKIN. So you have portability?

Mr. BISHOP of Utah. Costs are stabilized for the business; employers now have options from which to choose. And this is only in the first year. It has had a phenomenal response, and we are just beginning.

If the Federal Government were then to try and help that out by doing simple things like allowing—removing barriers for cross-state purchases, doing tort reforms which would bring down the costs, the number of people who are truly uninsurable because of preexisting conditions can be shrunk to an area that is possible for States to easily handle and maybe even the Federal Government could give grants to that.

Mr. AKIN. Can I ask you about what you've got, because that's really an exciting concept.

First of all, what you're saying is that a small business has some employees, they want to treat their employees right but they also have to make the small business make money so they can say, Look, we're going to put aside this amount of money for each of our employees to help them with health care, but we're going to allow those employees to have some choices as to what they buy.

So, for instance, let's just say that I am a husband. I've got a job in small business. I have a wife. And it turns out we know that we're never going to have any children. So I don't really need to get the coverage for childbirth or something that maybe somebody else does. So I could find a policy that would suit, that would be more tailor-made to our family and therefore could get better coverage in some other areas possibly.

So you have a way to fine-tune something that meets your particular situation.

Mr. BISHOP of Utah. And by controlling your own money with your own choices.

When I go into a grocery store to pick up cereal, there's an entire wall of choices. I pick the kind I like. You would go in with me and you'd go over and pick another one. Why isn't the role of government to allow people to have choices?

I have one of my fellow teachers who was upset because in his plan the district only allowed him two options. If you actually go to a single-payer system by the Federal Government, you get one.

The State of Utah is saying there are 66 options, which is a comparative advantage of that. It also means one of the situations that we have in large business provides insurance for its workers. The owner or the manager picks what company it is and everybody has to follow along. In this program, the large business already providing insurance could do the same thing by providing the amount of money to an individual who could then go on the State index and pick what he or she wants to do.

□ 1800

Here is the kicker: this is a great idea.

Mr. AKIN. Of course this Pelosi bill is going to absolutely torpedo everything that you are talking about, isn't it?

Mr. BISHOP of Utah. You just took the words out of my mouth because that is the kicker. States have the ability of becoming creative. They are, as you were earlier quoting Louis Brandeis, becoming laboratories of democracy. They have the idea of making a system that meets the demographic needs of that particular State. What we should be doing is encouraging that kind of creativity, encouraging those kinds of options. But you are exactly right, with the bill that we passed the other week, that stops that concept dead in its tracks.

Mr. AKIN. First of all, the Pelosi bill has all of these mandates in it, and let's just talk about this mandate. This one here is the mandate for, let me get it on the chart, this is the mandate for employers. First of all, employers have to offer a qualified health care plan to all full and part-time employees. What do you think that ''qualified health care plan'' means?

Mr. BISHOP of Utah. We may be comfortable today with what is defined as qualified. Unfortunately, and this is what the Supreme Court Justice was saying, the Constitution protects us from our own instincts of doing this, that by creating a commission that in the future will tell what the private sector will do when it is in competition with the Federal Government. What may be qualified in the future is not necessarily what is qualified today.

As you stated very convincingly earlier, if you have a specific need, what is your need may not be what some distant bureaucrat in Washington determines to be qualified. And, in fact, one of the biggest problems we have when people talk about health care, no one has ever really defined what health care actually is. Is cosmetic surgery part of it? Is mental health part of it? Nursing homes, are they part of it? What is the goal or purpose of it? We have yet to do that. See, that is what we are allowing a bureaucrat in the future to do as opposed to what some of the States wish to do in allowing citizens, employees, to have options and choices so they have control over their own lives.

Mr. AKIN. There will be a number of our colleagues who may be watching, and other Americans who are hearing this discussion. Which would you prefer to have? The option that you are offering, which is what Utah is doing—your employer gives you some money, you can go out and use that money to buy something. You can buy one of, what was it, 66 different policies, and try and find something that really fits the need of you and your family. That is one alternative.

This is the old Henry Ford alternative: you can have any color car you want as long as it is black. This is the government plan: employers must offer a qualified plan. Who says what qualified is? The Federal Government says what qualified is.

How does it work? First of all, the employer has to pay somewhere between 65 and 72 percent of the cost of the plan. Now we have already defined this because the government knows what the employer should provide. It shouldn't be 50, it shouldn't be 80; it has got to be this.

Or if you don't do that, you have to pay a tax of 8 percent of the payroll costs. Here is how this works. You have 20 employees. One employee decides he wants something else. That means just one out of 20 doesn't take your plan that the business offered, and now the business gets hit with 8 percent, regardless if the other 19 employees were happy with it. So now they are going to get whacked with this 8 percent tax off of payroll, so you are hammering small business, which makes it less efficient

and forces everybody into, guess what, Henry Ford's one color, black. You've got a qualified health care plan. Which qualified health care plan? The one by the Federal Government.

You have a choice of one, one, or one. The insurance companies, what are they going to write? The qualified plan. Because if you don't write the qualified plan, what happens is, you get fined by the Federal Government, because you had a nice health plan that fits some people's needs that you thought was a good deal, and you are going to get fined instead. That is mandate. That is not freedom.

Mr. BISHOP of Utah. If I can add one thing here, because I notice that we have been joined by two other colleagues who have given their entire professional career in this area. They know what they are talking about. I would add our Founding Fathers, sitting over there with their knee britches and their powdered wigs, knew exactly what we needed today because their highest goal was to provide individual liberty for the citizens so that people could make choices for themselves. They realized it is not the role of government to tell people what is best for them. That is a risk-aversive system of nanny government where we tell people what to do because we know what is best, and it is cheaper as we see it.

Our goal should be to provide people with choices and options that ennoble their souls and allow them to control their own destinies. The only way of doing that is allowing States to move forward on their own, as Utah is trying to do, and not be stopped by this Pelosi care bill which will stop the States' progress and all of the innovations that are taking place out there.

Some time we have to realize that you don't solve problems by putting a lot of experts in a room in Washington, D.C. There is a font of knowledge out there that is waiting to blossom and provide new solutions. Our salvation as a Nation is to go back to the Constitution and believe in federalism. That is how we move forward.

Mr. AKIN. Well, I very much appreciate the gentleman from Utah. Congressman BISHOP, you are just an inspiration, and that really is a breath of fresh air flowing through this Chamber, the idea of freedom and the idea of limited government and the idea that we will allow States to solve their own problems instead of the Federal Government, the one-size-fits-all Pelosi plan. And it also takes the pressure off of intense levels of Federal spending that are bankrupting our Nation. We talked about earlier—can you believe that the communist Chinese were telling us that our government is spending too much money and getting too big? That is a wrong day in American history. It is something else.

I am joined by Dr. GINGREY from Georgia, who has some great charts. They look more interesting than mine, so I yield to Dr. GINGREY.

Mr. GINGREY of Georgia. Thank you, Mr. AKIN. Referring to the gentleman from Utah (Mr. BISHOP), the historian, what he was talking about, I carry this with me in my pocket all the time, and I am sure many of my colleagues do, a pocket Constitution. This is the inconvenient truth, and this is exactly what my colleague was just talking about.

You go in the back and look up in the glossary or the index and try to find anything about health care, it is not in there. It is not in there. My colleague, Mr. Speaker, referred to some of the posters that I have with me. I do want to point those out to Members on both sides of the aisle, because I think in many instances a picture is worth a thousand words. In this instance these posters are worth a thousand words.

Focusing in on the first one, Mr. Speaker, it shows the ship of state and the captain of the ship. That would be the administration, that would be the President of the United States, and that ship is the economy. Down here at the bottom of the poster it shows a trailer as we see on television news a lot of times: Alert, bulletin: 10.2 percent unemployment, and then the caption, ''Good news, I'm almost done reorganizing the medicine cabinet'' as the ship of state is sinking.

Mr. Speaker, it is a point that I have made over and over and over again. When the President sat right where you are, or stood right in front of where you are and spoke to the Nation before a Joint Session of Congress and said our number one priority is to reform our health care system. One-fifth of our economy, colleagues, I believe we are talking about, and yet we have spent $787 billion on an economic bailout when our unemployment rate was 8 percent, now 10.2 percent, and I think we have lost, and correct me if I'm wrong, Mr. Speaker and my colleagues, the loss of jobs since February of 2009 when we passed this so-called economic stimulus, which was supposed to stem the unemployment at 8 percent, it is now 10.2, and we have 16 million people out of work, an additional 3.5 million since February of this year. Why is that not our number one priority instead of reorganizing the medicine cabinet?

I have some other posters that I want to refer to as well, but I want to yield back to the gentleman controlling the time because there are other Members who would like to speak. Hopefully you will have an opportunity to come back to me.

Mr. AKIN. I appreciate that, and I look forward to doing that. I thought you were going to bring some sort of gory medical pictures here.

Mr. GINGREY of Georgia. If the gentleman would yield, I definitely do have some of those that I will bring up.

Mr. AKIN. We also have my good friend, G.T., joining us. I think it is good to have different people from different States to have a part in this discussion. We haven't had too much of a part because all of the doors have been closed and we have been on the outside, but we have a few ideas.

One thing we know how to do is to reduce the cost of health care; and we also know that one size fits all doesn't sound like freedom. Mr. THOMPSON, I would like to yield to you at this time.

Mr. THOMPSON of Pennsylvania. I thank my good friend from Missouri.

I came here in January, and I came here knowing that I had a pretty good handle on health care. I worked in health care for almost 30 years. I actually think we have a pretty good health care system, but it can be improved. And much of the improvements that I saw was getting government out of the way. The frustrations I had as a health care professional, as a health care manager, as a therapist, as a nursing home administrator, is when the government was creating problems, preventing access to cost-effective care, increasing costs because of these arbitrary ways that it gets involved.

To me, I think, as my good friend Mr. BISHOP talked about, it is about the wisdom that our Founders had, and it is about free market.

You look at all the Republican proposals we have; they are free market proposals. It is not about inserting more government; it is getting government out of the way. And it is about the arbitrary rules that we have on where we can buy our health insurance from. The government tells us we can only buy within the confines of our own State, and it is about the government telling us we can't group together and form association health plans, that we have to endure medical liability. That becomes legislated and codified into our lives and adds just hundreds of billions of dollars of waste onto the health care system.

I am just so proud of the proposals that Republicans have put forward. I don't know how many in total we have, but between 35 and 40, I believe.

Mr. AKIN. I heard there are over 50 different bills at this point. Some are a combination of different ideas and put together in different ways.

You know, you used to be an administrator and you had to deal with red tape and bureaucracy. What we have just done is we have got a 1,990 page bill. It passed with less than 72 hours for the public to review it. It creates 118 new boards, bureaucracies, commissions and programs, and it is full of new mandates. And it contains the word ''shall'' 3,425 times. This is what it looks like. And that doesn't even have all of those 118 new boards on it. This is just a simplified version of it. Now, does that look like something to you that gives you much choices? And second of all, talk about overhead, talk about redtape.

You know, we were thinking about, and I see my colleague has come out here with some great sort of cartoons and things, and we were thinking about turning this into a cartoon. We were going to put patients over here and

doctors over here, and turn it into a place mat, and we are going to have lines like a maze, and the trick is, before your dinner is cold, to try to get the patient to the doctor. We were going to set the maze up so there wasn't any way to get there, because that is really what this tells you.

If you really want good, efficient health care, this thing here is in your way. That's the reason why a great majority of Americans don't believe that the Federal Government can take this thing over and manage it efficiently and effectively without the costs going through the roof and also without degrading health care, because the trouble is no other country has ever been able to do this.

I yield to the gentleman.

Mr. THOMPSON of Pennsylvania. Let me reflect on my experiences as someone who was a manager of health care services in a rural hospital, skilled nursing, rehabilitation service—across the board, on what this means. Because you talked about increased costs to the taxpayers of this country.

I have to tell you, what I see there is a nightmare in terms of costs for hospitals and for providers. Hospitals alone, when you look at over 1,990 pages of new text, and that is just the bill. The regulations to be promulgated as a result of over 2,000 pages of law will be—it will just take a forest to be able to print those regulations. Those regulations all need to be administered.

Here is my prediction: For those hospitals that are not bankrupt in the near future, they are going to have to add tremendous employees to deal with that bureaucracy. Those employees' only job will be to interact with all those agencies, not health care, not people providing direct care. They will have to lay off people who provide direct care to be able to afford what will be required to administer those regulations, to make those regulations work within a hospital. That is not good health care.

□ 1815

Mr. AKIN. That's overhead.

Mr. THOMPSON of Pennsylvania. That's overhead. That's the complete opposite of access to quality care. That's preventing access.

Mr. AKIN. I would like to go to my friend Dr. GINGREY. He's got another very heavy medical concept for us. I can tell. He's got it all cued up here.

Mr. GINGREY of Georgia. I thank the gentleman for yielding back to me. In fact, I would ask him to put the previous poster back up, the one that showed all those additional bureaucracies that are created by H.R. 3962. In fact, that poster was created when it was H.R. 3200 and, as the gentleman from Missouri said, a thousand pages, now 2,000 pages. But he said something about, Madam Speaker, putting that in cartoon form. Well, I've got the cartoon for my colleagues, and here it is.

When you put a gown on that chart, this is what it looks like: a bloated, bloated patient called the House health bill. And this is a cartoon actually from the San Diego Union Tribune a few days ago. And, my colleagues, look at the poor patient, and, of course, I don't know if you can see up at the top corner, ''nip/tuck.'' And these two Senators are standing over here. I guess that may be the majority leader of the Senate, HARRY REID, and possibly the chairman of the Senate Finance Committee or the chairman of the Senate Health Committee standing next to Majority Leader REID, and the caption is, ''Hey, this might take a while'' to nip/tuck this bloated 2,000-page bureaucracy that's depicted by my colleague Representative AKIN.

It just shows you in a cartoon form, but unfortunately it's not funny, is it? It's not funny, my colleagues and Madam Speaker. This is serious business. And I hope and pray that the Senate will be the saucer that cools the drink of the hot cup that has come over from the House, because Lord help this country if we don't do a whole lot of nipping and tucking if not downright eliminating this bill, H.R. 3962.

Mr. AKIN. I appreciate your keeping it in a sort of a big picture form as to what we're talking about on cost.

Mr. GINGREY of Georgia. No pun intended, of course, about the cartoon.

Mr. AKIN. But the cost supposedly by the Congressional Budget Office was that this was going to cost a trillion dollars, so your figure over there was overweight in costing a trillion dollars. The trouble with this estimate is it's wrong because the Congressional Budget Office took some assumptions when they built it because they were told we've got to keep this thing under a trillion dollars.

The problem is, first of all, the Democrat Governor of the State of Tennessee, who has already tried this lovely idea, has taken a look at this and called it the ''monster of unfunded mandates.'' What that means is that that trillion dollars was trimmed one way, was to dump a bunch of the costs down to the various States, aside from the fact that it destroys everything that the State of Utah has set up, which is actually kind of an innovative idea. It destroys that because it says every single health insurance plan has to follow what the Federal Government says. So now they're going to define what health insurance is and that's all there is, one definition. And anybody else that doesn't follow that definition, you know what the bill says. You're going to get fined if you're offered health insurance that doesn't fit with what the government guidelines say. So this trillion dollars is wrong.

The other thing they did was they took the trillion dollars and they took the time to calculate this in such a way that the revenue was coming in but the real expenses of the program hadn't hit their peak yet. So they cheated on the two different time scales as to when the money was coming in versus when the costs were going to come. So, in fact, the trillion as the Senate has calculated it is closer to $2 trillion, which is $2 trillion we don't have.

I think the gentlewoman Congresswoman FOXX said that there was a survey done that said that Americans believe there is more probability that we're going to discover aliens in outer space than the fact that this thing is ever going to be anything other than a big budget-busting deficit, driving deficit spending. And, you know, there is a pretty good reason why Americans have that common sense, because we've tried these things before. The Federal Government has tried Medicare and Medicaid, and we see their costs are going out of control, and we're told, Trust us. Medicare and Medicaid are going out of control, so we're going to take the whole system over and run it by the government and it's not going to go out of control.

I yield to my good friend from Pennsylvania.

Mr. THOMPSON of Pennsylvania. I appreciate that, Mr. AKIN.

To that point on Medicare, because of the baby boomer generation, utilization is going up. Those costs are climbing. But just this past week we heard from the Centers for Medicare and Medicaid Services. They released their 31-page actuarial report on the Pelosi health care plan on what would this do to Medicare. You know what? You're going to have to make that poster a little larger because what the Centers for Medicare and Medicaid Services—which is the Medicare agency, and they're nonpartisan. That's not a partisan report. It comes from the people who actually run the Medicare and Medicaid systems in the country. As they looked at this bill when they scored it, they said that this would increase costs to the Medicare program over the next 10 years by $289 billion. So I'm afraid we're going to have to budget for a little larger poster, because with the Pelosi health care bill, it's going to take quite a steep climb beyond where Medicare is already on——

Mr. AKIN. So you're saying that the cost of Medicare is going to go up with this program.

Mr. THOMPSON of Pennsylvania. Absolutely, $289 billion is what the Medicare agency——

Mr. AKIN. Now, wait a minute. My understanding was that what we were cutting was 400 or $500 billion out of Medicare in order to pay for that trillion. How then is the cost of Medicare going to go up if we're cutting $500 billion? How do the mathematics work?

Mr. THOMPSON of Pennsylvania. You know what? I have asked that question many times since I came here in January, how does the math work in this Chamber, because it doesn't add up.

Mr. GINGREY of Georgia. If the gentleman from Missouri would yield.

Mr. AKIN. I yield to my good friend Dr. GINGREY.

Mr. GINGREY of Georgia. On this issue, as the gentleman from Pennsylvania just said, the actuaries of CMS, Medicare and Medicaid Services, just said exactly what he said, that over a 10-year period of time, the amount of Medicare expenditures are going to go up by something like $289 billion.

Look, colleagues, Madam Speaker, we are going to face something on this floor tomorrow, something called ''doc fix.'' I think the bill number is H.R. 3961. And I want to use my reference to my last chart to bring this home to our colleagues that this is nothing but a Trojan horse. Here's the Trojan horse with this 3961. I know, my colleagues and Madam Speaker, it's hard to see this, but it says ''Democrat doc fix,'' but what's inside that Trojan horse, of course, is the $500 billion cut to the Medicare program that the gentleman from Pennsylvania was just talking about. And also it says H.R. 3200. We now know with the Pelosi health reform act, as H.R. 3962, the poor horse is back because it's gone from a thousand pages to 2,000 pages. But that's what's inside this Trojan horse.

Make no mistake about it, my colleagues. Members back home and, yes, your physician constituents, your physician constituents are going to recognize this Trojan horse because they were promised in this massive bill, H.R. 3962, that there would be this permanent ''doc fix'' in there. But the leadership and the President got together and said, oh, no, that's going to make the cost go over $900 billion, and I promised not one dime more than $900 billion. So let's pull the doctor fix out and then we'll bring it forward as a stand-alone bill. But guess what, colleagues? It's not paid for. And the gentleman from Pennsylvania, I know that he knows this. That adds another $250 billion to the deficit.

Don't vote for this Trojan horse tomorrow, 3961.

Mr. AKIN. Reclaiming my time, you were speaking clearly except there was one word I didn't quite catch. I thought you said, was it ''doc fix'' or was it ''doc tricks''?

Mr. GINGREY of Georgia. I said ''doc fix,'' Madam Speaker. But I probably misspoke. I think the gentleman from Missouri is absolutely on target. Doc trick. Amen.

Mr. AKIN. So it's a trick to make it seem like everything is going to go right with Medicare, but, in fact, it's not. In other words, the idea was it was going to fix the formula in Medicare so that the doctors wouldn't keep having their salaries cut a certain—what was it, 5 percent a year or something like that?

Mr. GINGREY of Georgia. If my colleague would yield, and I'll yield right back to him because I know we've got another Member that wants to speak.

Mr. AKIN. I yield.

Mr. GINGREY of Georgia. It is a doc trick. And what it does is it does not solve the problem. It just substitutes one bad formula for another. And I think, unfortunately, our doctors, if this thing passes, are going to wake up and find out that they are now working for the Federal Government and they're making far less on Medicare reimbursement than they are today.

Mr. AKIN. My friend is a medical doctor, and you're planning to vote ''no'' on the bill.

Mr. GINGREY of Georgia. In fact, the gentleman is right. I wish there was a ''heck no'' button, but I don't think there is. But I will be a definite ''no.''

Mr. AKIN. Thank you very much, Dr. GINGREY. Thank you for joining us, and I appreciate your at least trying to put somewhat of a humorous face on a very, very serious situation.

We're joined by a very good friend of mine from Louisiana. I hope you would join us here on our discussion we've got going here tonight.

I yield to the gentleman.

Mr. SCALISE. I thank the gentleman from Missouri.

You're talking about these tricks, and, of course, the American people are saying Halloween's over, we're tired of all these tricks. In fact, for most American people right now, the only treat they get is when Congress adjourns and during those times when Congress isn't trying to pass all of these policies that literally are adding millions and billions of new taxes on the backs of American families, adding billions of debt onto the backs of our children and grandchildren, and running millions of jobs out of our country. All of this happening under Speaker PELOSI's leadership. The public's had enough of the tricks, and like I said, that's the only treat they want.

But one trick that they just found out about the other day, this goes back to the stimulus bill, something that we talked about a long time ago. We opposed that pork-laden bill, that bill that massively grows the size of government, over $787 billion of money we don't have. But the White House promised the American people there would be a full accounting of the money. And now we find out, in fact, that people just in the last few days went to the White House's own Web site that was set up to track the spending in the supposed job creation, which they initially said it was going to create all these jobs and then they changed the wording and said there will be jobs created or saved, and there's no definition of a job saved. I guess every job that's out there they can try to claim they've saved. But then what we've seen is we've only had millions more jobs lost since that massive spending bill that grew the size of government.

But now talk about another trick on the American people, just Monday night when they would go to the Web site that the White House had set up, and maybe this was good news for States like yours, mine. In Louisiana, we found out, according to the White House's Web site, we had 15 congressional districts.

Mr. AKIN. How many was that, gentleman?

Mr. SCALISE. Fifteen, according to the White House. In fact, Louisiana's Eighth Congressional District, according to the White House's own Web site, created more jobs than the First Congressional District that I represent. That all sounds really good until you realize Louisiana doesn't have 15 congressional districts. Louisiana only has seven congressional districts.

So we did a little bit of research, and some people did some calling around on their own and they actually called the White House. And they said, Can you explain to us, you said there would be all this transparency. You said there would be accountability. How is it, how is it that somebody can go to the White House Web site and pull up in Louisiana Congressional District 26 or Congressional District 45? And the response from the White House was, ''Who knows, man, who really knows.''

That was Ed Pound, who is the spokesperson for the White House's recovery.gov Web site. The best he could come up with was ''who knows.'' And then he further went on to say, ''We're not certifying the accuracy of the information.'' That's the White House's spokesperson on the stimulus bill actually saying that they're not going to certify the information after they said they would be so transparent.

So when the American people say what happened to $787 billion of money that was borrowed from our children and grandchildren, money we don't have, money that surely hasn't done anything to create jobs because it was going to cap unemployment at 8 percent and now we've got unemployment at 10.2 percent, and then you go to the White House, what about that accounting that the American people deserve to know where their money is being spent, and the best the White House can say is, ''Who knows, man, who really knows,'' well, the American people have had enough.

Mr. AKIN. Reclaiming my time, I would like to take a look at your chart here. You were boggling on my poor brain here. You're the Congressman from District One, and they're saying there are 40 some congressional districts in Louisiana, which is real news to me. I suppose that was news to you, too. And you finally get ahold of the White House, and they spent millions of dollars to create this Web site to track down where we spent the $787 billion, which was guaranteed or supposed to keep us under 8 percent unemployment, and we get some guy that says, ''Who knows, man, who really knows.'' It's like Woodstock lives on.

□ 1830

And we've spent billions of dollars to get that kind of answer?

Mr. SCALISE. Right.

And what the American people are really asking is, where are the jobs and where is the accountability? And when the White House actually goes out and

made these statements back months ago and they told the American people that that stimulus bill needed to be passed, we said back then it was a mistake, we shouldn't do it because it wouldn't create jobs. We proposed alternatives.

Mr. AKIN. Gentleman, you were here on the floor when we talked about this. We said, Look, all of the mathematics, all the common sense says this is wasting a lot of money that we don't have. We said, It's not going to create jobs. It didn't for Henry Morgenthau when he turned the recession into the Great Depression. We said, The reason it's not is because jobs come from businesses, particularly small businesses. You're hammering the small businesses. At least learn from the Democrats, learn from FDR, learn from Henry Morgenthau.

Instead, we've got this half-baked Web site telling us that there's 40 some congressional districts. I mean, you'd think they would at least check how many congressional districts there are in a State.

Mr. SCALISE. If this was just a mistake limited to Louisiana, maybe you could understand their excuses. But, of course, this was all across the country. I talked to a colleague of mine from Arizona where they claim there was a 99th District from Arizona.

But one final word on that. President Obama himself just yesterday said, and I'll quote another quote from the President: ''If we keep on adding to the debt, people could lose confidence in the U.S. economy in a way that could actually lead to a double dip recession.''

Now, of course, those words ring true to us. They would really ring true to the American people if it weren't for the fact that this is the same President that passed a budget just a few months ago out of Congress that doubles the national debt in the next 5 years. And yet here he is quoted just yesterday saying, If we keep on adding to the debt, people could lose confidence in the U.S. economy in a way that could actually lead to a double dip recession.

Now, I would agree with that. The only problem is, the President needs to start living up to the comments that he's actually making and pull back his bill that doubles the national debt and actually work with us to balance the budget, which is what we've said from the beginning needs to happen, not only to create stability in our economy, but actually to go out and start creating jobs as opposed to his policies that are running millions of jobs out of our country.

Mr. AKIN. Do you really think that we're going to balance the budget with a socialized medicine bill that they've said is going to be a trillion? Do you know what the budget estimate on Medicare was when it was passed? The Congressional Budget Office, they tried to estimate it. They were off by a factor of seven times. This thing is clearly over 2 trillion when you do honest math with it. If that's off by a factor of seven, that's $14 trillion. No wonder the Chinese were giving us a lecture telling us we've got the government spending too much money. They've got some American Treasury bills. It's not like they don't mind big government, but they just don't want to see us ruin their treasuries.

I've got my good friend from New Jersey here, Congressman GARRETT. Please join us.

Mr. GARRETT of New Jersey. I appreciate the opportunity to join you, and I commend the gentleman for leading tonight and also for those very interesting quotes from the White House with regard to the Web sites that are out there.

I think the American public are asking some very basic questions—Where is the transparency? Where is the accountability? Where are the jobs?—on all this legislation that's coming through. And when they see this, when they see Web sites that you just pointed out talking about congressional Web sites that don't even exist, when they see about job creation that doesn't even exist.

You probably recall that the majority leader was on this floor back in the early part of this year when he was exclaiming that we had to vote for a seven or $800 billion stimulus bill and you had to vote for it today. Why? Because it would make or create 3 million new jobs, not next year but this year. And, of course, we now know what the facts are. What are the facts? Instead of making or saving 3 million new jobs—and I never did quite get an explanation of what is saving a job—but making or saving 3 million jobs, we, of course, have lost upwards of 3 or 4 million jobs, just the inverse of that, just the opposite of that.

So the people are asking, where is the honesty in that aspect of things? Where is the accountability with the job creation? They're also asking about, and you're talking about all the money that we're spending, the trillion dollars with regard to the health care legislation and the like. Actually, I think the number was a little bit larger than what you were saying as far as the discrepancy with the projections with regard to Medicare which was created back in the mid sixties. They said by 1990, that program would cost around 10 or $11 billion. It actually cost $112 billion, so it was off by a factor of 10.

Mr. AKIN. So seven—I was being too generous.

Mr. GARRETT of New Jersey. You were being too generous.

Mr. AKIN. So if you take the 10 factor, how much congressional budget—I mean, they're making assumptions trying to guess what something is going to be years into the future. But if you take that 10, if you put the unfunded mandates from the States and you put in the fact that they skewed the time schedule to try to keep it under a trillion, say, they're over 2 trillion, that's $20 trillion?

Mr. GARRETT of New Jersey. Those numbers are just so mind boggling you can't get your arms around it. But you know what you can get your mind around is something that's happening to everybody right now, and that is, I'm getting phone calls to my office with regard to the swine flu situation that's going across this country, and they're saying, We can't get the swine flu vaccine. This is something that's supposed to be administered by this administration, that they promised would be out there for everybody who needed it, and in my counties, my district, you can't go to a doctor or a county clinic or to a county hospital and get that. But you know who is getting it? People who work at the Federal Reserve in New York, people who work for some of the largest financial institutions in this country. And the people who absolutely need it are not getting it. The people who are in jail down at Guantanamo are getting it as well. I just use that as a real life example of the administration running a program for health care and not getting the job done.

I yield back to the gentleman as the time comes to an end.

Mr. AKIN. Looks like we're just starting to have fun and the clock has already run out. I just want to thank all of my gentleman friends here. Congressman GARRETT, thank you so much for joining us. Hearing from the east coast, that's very refreshing. From down in the South, from Louisiana, Congressman SCALISE. And also G.T., all that health care experience that you bring here to the floor managing, we appreciate that.

Thank you. Have a great evening.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Ms. TITUS) laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, November 18, 2009.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: On November 5, 2009, the Committee on Transportation and Infrastructure met in open session to consider 20 resolutions to authorize appropriations for the General Services Administration's (GSA) FY 2010 Capital Investment and Leasing Program, including five construction resolutions (authorizing $221.4 million) and 15 lease resolutions (authorizing $121.4 million). The Committee adopted the resolutions by voice vote with a quorum present.

Enclosed are copies of the resolutions adopted by the Committee on Transportation and Infrastructure on November 5, 2009.

Sincerely,

JAMES L. OBERSTAR, M.C.,
Chairman.

Enclosures.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

AMENDED COMMITTEE RESOLUTION

ADDITIONAL SITE AND DESIGN
U.S. LAND PORT OF ENTRY
CALEXICO, CA
PCA-BSD-CA10

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for additional site acquisition and design for the reconfiguration and expansion of the existing land port of entry in downtown Calexico, CA, at additional site costs of $3,000,000 (site acquisition costs of which $2,000,000 were previously authorized) and design costs of $6,437,000 (design costs of which $12,350,000 were previously authorized), for a combined cost of $9,437,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends the Committee on Transportation and Infrastructure resolution of April 5, 2006.

Provided, that the General Services Administration (GSA) will plan, design, and construct a minimum of five privately owned vehicle (POV) southbound lanes, as recommended by the "BorderWizard" traffic simulation model used for Land Port of Entry (LPOE) studies.

Provided further, that GSA, in coordination and consultation with the U.S. Army Corps of Engineers, shall submit a report to the Committee on Transportation and Infrastructure, within 180 days of adoption of the resolution, on options to plan, design, and construct covering and or piping underground the New River, north from the International Border to Highway 98 in the City of Calexico.

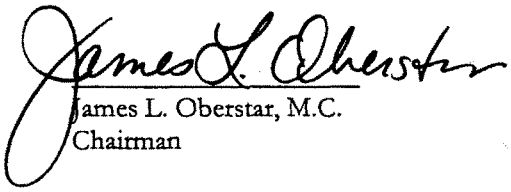
Provided further, that to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, GSA shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of adoption of the resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rationale for GSA's decision.

Provided further, each alteration, design, or construction prospectus submitted by GSA shall include an

estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Adopted: **November 5, 2009**



James L. Oberstar, M.C.
Chairman

GSA PBS

AMENDED PROSPECTUS – ADDITIONAL SITE & DESIGN
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSD-CA10
Congressional District: 51

Description

The General Services Administration (GSA) requests additional site acquisition and design for the reconfiguration and expansion of the existing land port of entry (LPOE) in downtown Calexico, CA. The project includes new pedestrian processing and privately owned vehicle (POV) inspection facilities, a new headhouse and new administration offices. The expanded facilities will occupy both the existing inspection compound and the site of the old commercial inspection facility.

Project Summary

Site Information

Government-Owned ..... 13.5 acres
To be acquired ..... 3 acres

Building Area

Building (including canopies) ..... 260,410 gsf
Building (excluding canopies and inside parking) ..... 106,605 gsf
Number of outside parking spaces 300
Number of inside secure spaces 40

Cost Information

Site Development Cost[1] $160,629,000
Building Costs (includes inspection canopies) ($308/gsf) $80,226,000

[1]Site development costs include grading, utilities, paving, extensive fill work for soil stabilization and demolition of existing facilities.

AMENDED PROSPECTUS – ADDITIONAL SITE & DESIGN
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSD-CA10
Congressional District: 51

Project Budget

Site Acquisition

Site Acquisition (FY 2007)	$2,000,000
Additional site	3,000,000
Total Site Acquisition	**$5,000,000**

Design

Design (FY 2007)	$12,350,000
Additional design	6,437,000
Total Design	**$18,787,000**

Estimated Construction Cost (ECC)

Phase I	$65,646,000
Phase II	175,209,000
Total ECC	**$240,855,000**

Management and Inspection (M&I)

Phase I	$5,058,000
Phase II	5,299,000
Total M&I	**$10,357,000**

Estimated Total Project Cost * **$274,999,000**

*Tenant agencies may fund an additional amount for emerging technologies and alterations above the standard normally provided by the GSA.

Authorization Requested

Additional Site Acquisition & Design ..... **$9,437,000**[2]

[2]GSA has worked closely with DHS program offices responsible for developing and implementing security technology at the Land Ports of Entry (LPOE's). These programs include United States Visitor and Immigrant Status Indicator Technology (US-VISIT), Radiation Portal Monitors (RPM's) and Advanced Spectroscopic Portal (ASPs) monitors, Western Hemisphere Travel Initiative (WHTI) and Non-Intrusive Inspection (NII). This prospectus contains the funding of infrastructure requirements for each program known at the time of prospectus development since these programs are at various stages of development and implementation. Additional funding by a Reimbursable Work Authorization (RWA) may be required to provide for as yet unidentified elements of each of these programs to be implemented at this port.

GSA PBS

AMENDED PROSPECTUS – ADDITIONAL SITE & DESIGN
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSD-CA10
Congressional District: 51

Prior Authority and Funding

- The House Committee on Transportation and Infrastructure authorized $14,350,000, including $2,000,000 for site acquisition and $12,350,000 for design, on April 5, 2006.
- The Senate Committee on Environment and Public Works authorized $14,350,000 for site acquisition and design on May 23, 2006.
- Through Public Law 110-5, GSA's Spending Plan included $14,350,000 for site acquisition and design.

Schedule	**Start**	**End**
Design	FY2007	FY2011
Construction		
Phase I	FY2011	FY2012
Phase II	FY2012	FY2014

Overview of Project

The existing LPOE is a pedestrian and vehicle inspection facility constructed in 1974. It comprises a main building and a decommissioned commercial inspection building. The project involves the creation of new pedestrian and POV inspection facilities, expanding the port onto the site of the former commercial inspection facility. The commercial inspection facility operation was moved to Calexico East in 1996. Primary POV inspection facilities will include 16 northbound lanes and three southbound lanes. There will be new administration space, a new headhouse and 32 secondary inspection stations serving northbound and southbound traffic. A total of 340 parking stalls will be provided.

The project, as originally authorized, included construction all in one phase. This prospectus proposes the project to be completed in two phases. Phase I will consist of ten northbound POV inspection lanes, a headhouse and sitework necessary to accommodate those facilities on the sloping site. Phase II will consist of the balance of the project including additional sitework, a pedestrian processing facility, administrative offices, three southbound POV inspection lanes and six additional northbound POV inspection lanes. This request for additional site acquisition and design is to address changes in requirements and the two-phased approach. The two-phased construction approach will allow additional time for site acquisition and minimize the impact to the operations of the port.

AMENDED PROSPECTUS – ADDITIONAL SITE & DESIGN
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSD-CA10
Congressional District: 51

Tenant Agencies

Defense - Joint-Mexican-U.S. Commission; Department of Homeland Security (DHS) – Animal Plan Health Inspection Service (APHIS); DHS - Customs and Border Protection (CBP); DHS - Immigration and Customs Enforcement (ICE); United States Department of Agriculture (USDA) - Food Safety and Inspection (FSIS).

Location

The site is located at the existing LPOE in Calexico, CA at 200 First Street.

Justification

On an average day, over 16,000 POVs and 20,000 pedestrians enter the U.S. through this POE. The existing facilities are undersized relative to existing traffic loads and obsolete in terms of inspection officer safety and border security. The space required for modern inspection technologies is not available in the existing facility. Current workspace is too small to accommodate additional staff, systems and equipment required at the facility following the events of September 11, 2001. The ability of DHS to accomplish its rapidly changing mission is seriously compromised by the inadequacy of the existing facilities. When completed, the project will provide the port operation with adequate operational space, reduced traffic congestion and a safe environment for port employees and visitors.

Since design was authorized, the overall square footage of the project has changed. At CBP's request, the project now includes canopy structures in the pre-primary area to protect inspectors and canines from sun, heat, and wind. Other elements of the project, such as the building footprint, have decreased due to CBP program requirements. Similarly, the number of total parking stalls increased due to program adjustment, as well as the site acreage to be acquired. Overall, the number of northbound inspection lanes remained the same while the southbound inspection lanes reduced to less than half.

Summary of Energy Compliance

The Calexico LPOE project will be designed to conform with the requirements of the Facilities Standards for the Public Buildings Service and to earn Leadership in Energy and Environmental Design (LEED) certification. It will also meet Congressionally-required energy efficiency and performance requirements in effect during design. GSA will encourage exploration of opportunities to gain increased energy efficiency above the measures achieved in the design.

GSA PBS

AMENDED PROSPECTUS – ADDITIONAL SITE & DESIGN
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSD-CA10
Congressional District: 51

Alternatives Considered

GSA owns and maintains the existing facilities at this port of entry; thus no alternative other than Federal construction was considered.

Recommendation

ADDITIONAL SITE ACQUISITION AND DESIGN

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on July 11, 2009

Recommended: _____
Acting Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

Housing Plan
US La. rt of Entry

PC D-CA10
Calexico, CA

Locations	Current							Proposed						
	Personnel		*Usable Square Feet (USF)*				*RSF*	*Personnel*		*Usable Square Feet (USF)*				*RSF*
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**	**Total**
US BORDER STATION														
DHS - Customs & Border Protection	155	155	31,569	31,455	10,169	73,193	98,042	277	277	30,347	506	50,875	81,728	88,471
DHS - APHIS	10	10	1,708	1,008	771	3,487	4,864	1	1	657	0	500	1,157	1,375
Department of Army	0	0	0	0	0	0	0	2	2	660	0	0	660	784
DHS - Immigration And Customs Enforcement	0	0	0	0	0	0	0	35	35	6,913	0	0	6,913	8,210
Public Bldgs Service, Field Office	0	0	0	0	0	0	0	1	1	2,157	0	0	2,157	2,562
SD Consular Affairs	0	0	0	0	0	0	0	0	0	0	0	125	125	148
Joint Use	0	0	0	0	0	0	0	0	0	0	0	720	720	855
Total:	**165**	**165**	**35,457**	**32,463**	**11,736**	**79,656**	**107,057**	**516**	**516**	**41,334**	**4,378**	**186,667**	**232,379**	**255,081**

Special Space	
Laboratory	1,600
Holding Cell	11,379
Restroom	5,136
Physical Fitness	990
Conference	3,780
ADP	1,040
Vehicle Lift	336
Inspection Canopy	153,805
Control Booth	995
Vaults	400
Interview Rooms	1,605
Break Rooms	990
Lockers	3,780
Sallyport	491
Secured Elevator	176
Hazmat Shower & Eyewash	64
Telephone Room	100
Total:	**186,667**

USF means the portion of the building available for use by a tenant's personnel

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

AMENDED COMMITTEE RESOLUTION

CONSTRUCTION
U.S. COURTHOUSE
MOBILE, AL

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for the construction of a new U.S. courthouse, up to 346,691 gross square feet, located in Mobile, AL, at additional site costs of $2,603,000, additional design costs of $6,009,000, management and inspection costs of $7,922,000, and construction costs of $173,506,000 at a proposed total cost of $190,040,000, for which a May 11, 2000 11(b) report and a fact sheet is attached to, and included in, this resolution. This resolution amends the Committee on Transportation and Infrastructure resolution of July 23, 2003.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of adoption of the resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rationale for GSA's decision.

Provided further, that beginning on the date of adoption of the resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that the Administrator of General Services shall ensure that a sharing plan approved by the Judicial Conference on September 15, 2009, for courtrooms for magistrate judges is adopted and is implemented in the design of the courthouse.

Provided further, that the Administrator of General Services shall ensure that the design provides courtroom space for senior judges for up to 10 years from eligibility for senior status, not to exceed one courtroom for every two senior judges.

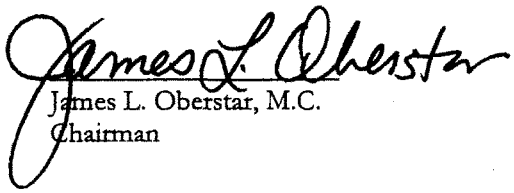
Provided further, that the Administrator of General Services shall ensure that the Mobile, Alabama

Courthouse contains no more than seven courtrooms.

Provided further, that the Administrator of General Services submit a flood plain mitigation plan to the Committee on Transportation and Infrastructure of the House of Representatives before a construction award is made.

Provided further, that the Judicial Conference of the United States shall specifically approve each departure from the *U.S. Courts Design Guide* for each U.S. courthouse construction project that results in additional estimated costs of the project (including additional rent payment obligations) and that the Judicial Conference provide a specific list of each departure and the justification and estimated costs (as supplied by the GSA) of such departure for each U.S. courthouse construction project to the GSA. Each U.S. courthouse construction prospectus submitted by GSA shall include a specific list of each departure and the justification and estimated cost (including additional rent payment obligations) of such departure and GSA's recommendation on whether the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate should approve such departure.

Adopted: November 5, 2009



James L. Oberstar, M.C.
Chairman

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

Introduction

In accordance with a resolution adopted April 11, 2000 by the Committee on Transportation and Infrastructure of the House of Representatives, the General Services Administration (GSA) has investigated the feasibility and need to construct or acquire a facility to house the United States District Court for Southern AL, in Mobile, AL.

Current Housing Situation

The Administrative Office of the United States Courts (AOC) projects that within ten years, 17 judges will be in Mobile: eight district; four magistrate; three bankruptcy; and two circuit. The existing Campbell CT neither meets the United States Courts Design Guide (USCDG) standards, nor provides expansion space for future court requirements Because of the inadequate expansion space in the Campbell CT, the court currently occupies space in five leased buildings.

The Campbell CT currently has eight courtrooms. Of those eight courtrooms, only three meet the minimum USCDG for space requirements. Based on the Design Guide standards, two judges who will be eligible for senior status, will remain in two of the existing courtrooms. Three courtrooms, two of which are just below the minimum size standards, will be occupied by the bankruptcy judges. The leased space currently housing the bankruptcy court operations will be released. The remaining courtrooms will be converted to office space to accommodate increased space requirements of the U.S. Attorneys and U.S. Marshals.

The Campbell CT also provides inadequate security. For instance, separate access or egress for judicial officers or prisoners is not provided. There are no secured private corridors to courtrooms, chambers, or U.S. Marshals' areas, and there are no secure elevators in the building. Holding cells are not contiguous to the courtrooms and secured parking is not available to the courts.

Tenant Agencies

The Campbell CT and the CT-Annex will house the Judiciary, Justice, Senate and a GSA customer service center.

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

Option Based on Courtroom Sharing Model

Space Requirements of the Courts

The Five Year Courthouse Plan 2001-2005, as approved by the Judicial Conference of the United States, proposes site acquisition and design of a new court facility for Mobile for fiscal year 2001.

The CT-Annex will provide seven courtrooms and ten chambers for four district judges, two senior district judges and four magistrate judges. In addition, the CT-Annex will provide chambers for two circuit judges.

A physical connection between the CT-Annex and the existing Campbell CT will enable co-location of the entire court in a Government-owned court complex and continued utilization of the Campbell CT.

Fifty secured inside parking spaces will be incorporated into the construction of the CT-Annex and made available to judges, probation officers, pretrial officers, U.S. Marshals and U.S. Attorneys. GSA proposes buying sufficient land to enable future construction to accommodate the 30-year space requirements. In the interim, the portion of the site reserved for future expansion will be used to provide approximately 50 secured surface parking spaces for the court.

The table below outlines the current and future courts requirements.

	Current		Proposed		Number of Courtrooms		Change	
	No. of Court-rooms	No. of Judges	No. of Court-rooms	No. of Judges	No. of Existing	No. of New	No. of Court-rooms	No. of Judges
District								
- Active	2	3	4	4	0	4	2	1
- Senior	3	3	2	4	2	0	(1)	1
Magistrate	3	4	3	4	0	3	0	0
Bankruptcy	2*	2	3	3	3	0	1	1
Circuit	0	1	0	2	0	0	0	1
Total	10	13	12	17	5	7	2	4

* Bankruptcy Court is currently housed in leased space.

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

Alternatives Considered (30-year, present value costs)

Lease:	$117,171,000
New Construction:	$83,464 ,000

The 30-year, present value cost of construction is $33,707,000 less than the cost of leasing, an equivalent annual cost advantage of $2,193,000.

Project Summary

Site Information

To be purchased ..... Approximately 3 acres

Building Area

Gross square feet (excluding inside parking) 278,434
Gross square feet (including inside parking) 298,434

Project Budget

Site Cost $2,895,000
Design (Annex) 4,507,000
Management and Inspection (M&I Annex) 3,543,000
Estimated Construction Cost ($195/gsf including inside parking) 58,237,000
Estimated Total Project Cost* **$69,182,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

Option Based on No Departures from the U.S. Courts Design Guide

Space Requirements of the Courts

The Five Year Courthouse Plan 2001-2005, as approved by the Judicial Conference of the United States, proposes site acquisition and design of a new court facility for Mobile for fiscal year 2001.

The CT-Annex will provide eight courtrooms and ten chambers for four district judges, two senior district judges and four magistrate judges. In addition, the CT-Annex will provide chambers for two circuit judges.

A physical connection between the CT-Annex and the existing Campbell CT will enable co-location of the entire court in a Government-owned court complex and continued utilization of the Campbell CT.

Fifty secured inside parking spaces will be incorporated into the construction of the CT-Annex and made available to judges, probation officers, pretrial officers, U.S. Marshals and U.S. Attorneys. GSA proposes buying sufficient land to enable future construction to accommodate the 30-year space requirements. In the interim, the portion of the site reserved for future expansion will be used to provide approximately 50 secured surface parking spaces for the court.

The table outlines the current and future requirements of the courts.

	Current		Proposed		Number of Courtrooms		Change	
	No. of Court-rooms	No. of Judges	No. of Court-rooms	No. of Judges	No. of Existing	No. of New	No. of Court-rooms	No. of Judges
District								
- Active	2	3	4	4	0	4	2	1
- Senior	3	3	2	4	2	0	(1)	1
Magistrate	3	4	4	4	0	4	1	0
Bankruptcy	2*	2	3	3	3	0	1	1
Circuit	0	1	0	2	0	0	0	1
Total	10	13	13	17	5	8	3	4

* Bankruptcy Court is currently housed in leased space.

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

Alternatives Considered (30-year, present value costs)

Lease:	$121,623,000
New Construction:	$86,250,000

The 30-year, present value cost of construction is $35,373,000 less than the cost of leasing, an equivalent annual cost advantage of $2,301,000.

Project Summary

Site Information

To be purchased ..... Approximately 3 acres

Building Area

Gross square feet (excluding inside parking) 285,361
Gross square feet (including inside parking) 305,361

Project Budget

Site Cost	$2,895,000
Design (Annex)	4,642,000
Management and Inspection (M&I Annex)	3,627,000
Estimated Construction Cost ($197/gsf including inside parking)	60,174,000
Estimated Total Project Cost*	**$71,338,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

Option Based on Original Requirements of the U.S. Courts

Space Requirements of the Courts

The Five Year Courthouse Plan 2001-2005, as approved by the Judicial Conference of the United States, proposes site acquisition and design of a new court facility for Mobile for fiscal year 2001.

The CT-Annex will provide ten courtrooms and chambers for four district judges, two senior district judges and four magistrate judges. In addition, the CT-Annex will accommodate chambers for two circuit judges.

A physical connection between the CT-Annex and the existing Campbell CT will enable co-location of the entire Court in a Government-owned court complex and continued utilization of the Campbell CT.

Fifty secured inside parking spaces will be incorporated into the construction of the CT-Annex and made available to judges, probation officers, pretrial officers, U.S. marshals and U.S. attorneys. A 200-space deck is proposed to meet additional employee and visitor parking requirements. GSA proposes buying sufficient land to enable future construction to accommodate the 30-year space requirements. In the interim, the portion of the site reserved for future expansion will be used to provide approximately 50 secured surface parking spaces for the court.

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

The table outlines current and future requirements of the courts.

	Current		Proposed		Number of Courtrooms		Change	
	No. of Court-rooms	No. of Judges	No. of Court-rooms	No. of Judges	No. of Existing	No. of New	No. of Court-rooms	No. of Judges
District								
- Active	2	3	4	4	0	4	2	1
- Senior	3	3	4	4	2	2	1	1
Magistrate	3	4	4	4	0	4	1	0
Bankruptcy	2*	2*	3	3	3	0	1	1
Circuit	0	1	0	2	0	0	0	1
Total	10	13	15	17	5	10	5	4

* Bankruptcy Court currently housed in leased space.

Alternatives Considered (30-year, present value costs)

Lease:	$124,989,000
New Construction:	$91,850,000

The 30-year, present value cost of construction is $33,139,000 less than the cost of leasing, an equivalent annual cost advantage of $5,426,000.

Project Summary

Site Information

To be purchased ..... Approximately 3 acres

Building Area

Gross square feet (excluding inside parking) 301,722
Gross square feet (including inside parking) 321,722

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

The table outlines current and future requirements of the courts.

	Current		Proposed		Number of Courtrooms		Change	
	No. of Court-rooms	No. of Judges	No. of Court-rooms	No. of Judges	No. of Existing	No. of New	No. of Court-rooms	No. of Judges
District								
- Active	2	3	4	4	0	4	2	1
- Senior	3	3	4	4	2	2	1	1
Magistrate	3	4	4	4	0	4	1	0
Bankruptcy	2*	2*	3	3	3	0	1	1
Circuit	0	1	0	2	0	0	0	1
Total	10	13	15	17	5	10	5	4

* Bankruptcy Court currently housed in leased space.

Alternatives Considered (30-year, present value costs)

Lease: $124,989,000
New Construction: $91,850,000

The 30-year, present value cost of construction is $33,139,000 less than the cost of leasing, an equivalent annual cost advantage of $5,426,000.

Project Summary

Site Information

To be purchased ..... Approximately 3 acres

Building Area

Gross square feet (excluding inside parking) 301,722
Gross square feet (including inside parking) 321,722

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
MOBILE, AL

Report Number: BAL-01001
Congressional District: 01

Project Budget

Site Cost	$2,895,000
Design (Annex)	4,887,000
Management and Inspection (M&I Annex)	3,782,000
Estimated Construction Cost ($198/gsf including inside parking)	63,837,000
Estimated Total Project Cost*	**$75,401,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Recommendation
SITE AND DESIGN

Schedule

FY 2001	Site and Design
FY 2002	Construction
FY 2005	Occupancy

Certification of Need

New construction is the best solution to meet a validated Government need.

Submitted at Washington, DC, on May 11, 2000

Recommended Paul Christoline
for Commissioner, Public Buildings Service

Approved Thurman M. Davis Sr.
Deputy Administrator, General Services Administration

GSA PBS

FACTSHEET
NEW U.S. COURTHOUSE
MOBILE, AL

BACKGROUND:

- Project Description: The construction of a 346,691 gsf Courthouse; including 50 inside parking spaces
- Project Justification: The CT will meet the 10-year needs of the court and court-related agencies and the site/building design is flexible enough to accommodate the 30 year needs of the court.

CURRENT STATUS:

- The design of the project is 100% complete, but storm mitigation concerns and modification to the HVAC systems now require redesign.
- The project is on hold pending receipt of additional funds for acquisition of remaining site parcels, design revision, and construction.

Site and Design	FY 2002
Construction	FY 2011
Occupancy	FY 2015

FUNDING:

The House Transportation and Infrastructure Committee authorized $97,033,000:

- $7,537,000 for site and design for a 305,361 gsf CT, including 50 inside parking spaces on 7/26/2000;
- $3,753,000 for additional site and design for a 325,452 gsf CT, including 50 inside parking spaces, on 7/18/2001; and
- $85,743,000 for additional design and for construction and management and inspection for a 342,273 gsf CT, including 50 inside parking spaces on 7/23/2003.

The Senate Environment and Public Works Committee authorized $141,861,000:

- $7,782,000 for site and design for a 321,722 gsf CT, including 50 inside parking spaces, on 7/26/2000;
- $3,753,000 for additional site and design for a 325,452 gsf CT, including 50 inside parking spaces, on 9/25/2001; and
- $141,861,000 for additional site and reduced design for construction and management and inspection for a 346,691 gsf CT, including 50 inside parking spaces on 9/13/2006.

Congress appropriated $11,290,000 for FY 2002 (Public Law 107-67).

Authorization and funding required for FY2010 is $190,400,000

Estimated Total Project Cost $201,690,000

Recent recommendations from Congress (in the ARRA conference report) concerning courtroom sharing may reduce the number of courtrooms and total space in the proposed building.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

CONSTRUCTION
U.S. COURTHOUSE ANNEX
GREENBELT, MD

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for the construction of an expansion, up to 262,579 gross square feet, of the U.S. courthouse located in Greenbelt, MD at design costs of $10,000,000, for which a February 12, 1990 11(b) report and fact sheet is attached to, and included in, this resolution.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of adoption of the resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rationale for GSA's decision.

Provided further, that beginning on the date of adoption of the resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that the Administrator of General Services shall ensure that a sharing plan approved by the Judicial Conference on September 15, 2009, for courtrooms for magistrate judges is adopted and is implemented in the design of the courthouse.

Provided further, that the Administrator of General Services shall ensure that the design provides courtroom space for senior judges for up to 10 years from eligibility for senior status, not to exceed one courtroom for every two senior judges.

Provided further, that the Administrator of General Services shall ensure that the Greenbelt, Maryland Courthouse Annex contains no more than 12 courtrooms;

Provided further, that the Judicial Conference of the United States shall specifically approve each departure from the *U.S. Courts Design Guide* for each U.S. courthouse construction project that results in additional estimated costs of the project (including additional rent payment obligations) and that the Judicial Conference provide a specific list of each departure and the justification and estimated costs (as supplied by the GSA) of such departure for each U.S. courthouse construction project to the GSA. Each U.S. courthouse construction prospectus submitted by GSA shall include a specific list of each departure and the justification and estimated cost (including additional rent payment obligations) of such departure and GSA's recommendation on whether the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate should approve such departure.

Adopted: November 5, 2009

James L. Oberstar, M.C.
Chairman

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

INTRODUCTION:

In accordance with the resolution adopted by the House Committee on Public Works and Transportation on June 22, 1989, the General Services Administration (GSA) has investigated the space requirements of all components of the U.S. Courts, as well as the U.S. Marshals Service and the U.S. Attorneys, for a courthouse to serve the newly created Southern Division of the Judicial District of Maryland. This report supports a recommendation to construct a courthouse to serve the 5 counties comprising the Southern Division - Prince George's, Montgomery, Calvert, Charles, and St. Mary's. The courthouse shall be constructed within 5 miles of the Prince George's-Montgomery County boundary.

COMMUNITY PROFILE:

The Suburban Maryland portion of the National Capital Region (NCR) encompasses 2 of these counties - Prince George's and neighboring Montgomery. Suburban Maryland is one of the three areas comprising the National Capital Region (NCR), the other two being the District of Columbia and Northern Virginia. Suburban Maryland includes Prince George's and Montgomery County. The Northern Virginia component includes the counties of Arlington, Fairfax, Loudoun, and Prince William; and the independent cities of Alexandria, Fairfax, and Falls Church.

In 1987, the population of the Suburban Maryland portion was nearly 1.4 million, up almost 10 percent from its 1980 population. Suburban Maryland accounts for well over one-third of the population of the entire Washington, DC metropolitan area, which is approximately 3.7 million. Prince George's County has less office and retail development space than Montgomery County, and is slightly less populous.

COMMERCIAL SPACE DATA:

The metropolitan area has been the focus of substantial commercial development over the past several years, although the pace has leveled off during the past year. Construction of new office space in the suburban areas has surpassed that of the District of Columbia in recent years with overbuilding occurring in some areas, causing a higher than usual vacancy rate in the suburbs. The real estate industry predicts that much of the space now being completed will not be absorbed until the mid-1990's.

Much of this commercial and retail development has occurred in Montgomery County, especially along the Interstate 270 corridor.

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

COMMERCIAL SPACE DATA: (cont'd)

In addition, the extension of the Metrorail system has been critical to Montgomery County's development. Not only has substantial office and retail development already occurred along the Metrorail corridor, but additional large-scale facilities are in the planning stages. However, developmental constraints, created by traffic limitations, have recently slowed this pace.

Prince George's County, however, continues to be extremely interested in attracting new office development, both for Government agencies and private industry. Presently, Prince George's County has much less major office development than Montgomery County. Part of this difference is due to the timing of Metrorail construction. Much of the Metrorail system in Prince George's County has yet to be completed, and certain portions are not funded. As such, there has not been the opportunity for dense development along its future Metrorail corridors.

Further differences between the 2 counties are reflected by their rental and vacancy rates. Since land has been cheaper in Prince George's County, more warehouses have been built there; but there has been a recent increase in first class office space. However, the office real estate market in Prince George's County has generally reflected a lower rental rate and higher vacancy rate than in Montgomery County. During 1988, the vacancy rates have varied between 13 and 23 percent in these 2 counties.

In both counties, locations closest to DC, Metrorail, and highway access tend to command the highest rates. Rental rate estimates for first class office space in Maryland are $22 to $35 per occupiable square foot for fiscal year 1991.

FEDERAL SPACE SITUATION:

In suburban Maryland, GSA controls 2.8 million Government-owned square feet and 5.6 million leased square feet. This 8.4 million total square feet of space in Suburban Maryland is 13 percent of the region's total. By contrast, 57 percent of the total is located in DC, which houses most agency headquarters; and 30 percent is in Northern Virginia, where the Department of Defense is headquartered at the Pentagon. Northern Virginia also has the headquarters of the Patent and Trademark Office (Department of

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

FEDERAL SPACE SITUATION: (cont'd)

Commerce), and major components of the Departments of Justice and Interior. The GSA space in Suburban Maryland is concentrated in the Montgomery County communities - such as Bethesda and Silver Spring - closest to Washington, DC, and along the Interstate 270 corridor between Bethesda and Germantown. Furthermore, nearly 1 million square feet will become occupied in Silver Spring during the next 2 years when the National Oceanic and Atmospheric Administration (NOAA) consolidates from several leased locations within Montgomery County.

Suburban Maryland	Gov't-owned	Leased	Total
Number of Bldgs.	27	79	106
Occupiable Sq. Ft.	2,837,702	5,455,916	8,293,618
Employees	11,282	21,406	32,688

Within Suburban Maryland, the current ratio of Government-owned space to leased space is 34:66. The current ratio of Federal employees in Government-owned space to those in leased space, in Suburban Maryland, is also 34:66.

Steady economic growth in the Washington area in recent years has resulted in a steep rise in the cost of commercial office space. Accordingly, GSA is facing a sharp increase in leasing costs over the next decade. This has been one of the catalysts for a number of the consolidation projects noted in this report.

GOVERNMENT-OWNED BUILDINGS AND SITES:

Suburban Maryland has 7 Government-owned office buildings of more than 100,000 square feet, all of which are in Prince George's County or Montgomery County. Four are in Prince George's County (all 4 are in Suitland) and 3 are in Montgomery County:

1) In Germantown (Montgomery County), the Department of Energy's largest Building, with 374,205 square feet;

2) One White Flint North (a building purchase) in North Bethesda, with 238,076 square feet occupied by the Nuclear Regulatory Commission (NRC);

3) Silver Spring Metro Center (a building purchase, and first building of the NOAA complex), with 126,441 square feet; and

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

GOVERNMENT-OWNED BUILDINGS AND SITES: (cont'd)

4) In Prince George's County, the Suitland Federal Center has several major office buildings: Federal Office Buildings (FOB) 3 and 4, at 500,085 and 239,160 square feet; and Naval Intelligence Command (NIC) 1 and 2, at 146,590 and 143,785 square feet respectively. Suitland serves as the headquarters for the Bureau of the Census (Department of Commerce) as well as NIC.

In Suburban Maryland, GSA controls one major development area - the Suitland Federal Center, cited immediately above. In addition to the office buildings at Suitland, there is a 798,000 square foot Federal Records Center, plus a power plant. GSA is preparing a Master Plan to guide development for the site, including the 1989 transfer of 44 acres to the Department of Navy to construct a new building for NIC which will house elements now located in NIC 1 and 2. The Master Plan will propose a combination of new construction plus renovation of selected Government-owned buildings. Some existing buildings may be demolished to make way for new development.

In addition to space that GSA controls, there are several major installations under other agencies' purview. In Montgomery County, these include the Department of Health and Human Services' (HHS) National Institutes of Health (NIH) campus in Bethesda. NIH is adding a 500,000 square foot building to house its administrative offices. The Bethesda Naval Hospital is across the street. In Gaithersburg, the Department of Commerce has the National Institute of Standards and Technology (NIST) (formerly the National Bureau of Standards) campus.

In Prince George's County, the Department of Agriculture controls a large research facility in Beltsville, but shares its jurisdiction with the Food and Drug Administration of HHS. The National Archives and Records Administration (NARA) has received approval for a 1.4 million square foot research facility and records center in College Park. This is scheduled for completion in 1994.

LEASED SPACE:

The Government leases 8 office buildings in Suburban Maryland with more than 100,000 square feet of space:

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

LEASED SPACE: (cont'd)

1. In Hyattsville, Center Building No. 1 with 220,590 square feet and Center Building No. 2 with 301,049 square feet. The Departments of Agriculture, Treasury, and Health and Human Services, are the primary tenants in these buildings;

2. The Gramax Building in Silver Spring with 159,530 square feet, which houses NOAA;

3. The Washington Science Center in Rockville with 235,280 square feet, occupied by NOAA;

4. The Parklawn Building, occupied by HHS in Rockville, with 1,317,255 square feet; and

5. In Bethesda, the Westwood Main Annex, 225,455 square feet, and Westwood Towers, 112,325 square feet. HHS and the Consumer Product Safety Commission (CPSC) are the primary tenants.

NOAA will vacate the Gramax Building and the Washington Science Center in 1990 and 1992, respectively, and relocate to Silver Spring as part of the NOAA consolidation. Ten leased locations in Maryland will be vacated as part of this consolidation.

There are numerous other leased locations in suburban Maryland which house agency functions required to be close to their headquarters. For example, there are several leased buildings near the Census Bureau at Suitland which house Census functions. Because of this constraint, there is no need to provide general office space within the proposed Courts complex discussed below.

SPACE REQUIREMENTS:

Public Law 100-487 established the new Southern Division of the Judicial District of Maryland in October 1988. Previously, the Maryland Bar Association had established a Task Force on the Organization of the United States District Court for the District of Maryland. This task force recommended the establishment of a Southern Division to better cope with the enormous growth in population, economic development, and court activity in the 5 counties comprising the Southern Division of Maryland. The Public Law states that the new courthouse shall be within 5 miles of the boundary of Prince George's and Montgomery counties.

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

SPACE REQUIREMENTS: (cont'd)

By 1990, the Bureau of the Census projects that nearly 1.6 million residents, or almost 35 percent of the population of the entire State of Maryland, will reside in the five counties. In addition, these counties are the fastest growing in Maryland in terms of population, sales, and business development, as well as legal activity, as measured by civil, criminal, and bankruptcy court filings. Since there is not an existing courthouse in Prince George's or Montgomery counties, a new facility will have to be constructed. The Court's requirements cannot be satisfied in any existing Government-owned building or land site within Prince George's or Montgomery counties.

While there is no District Court in the 5 counties comprising the Southern Division, there are District Court functions in Prince George's and Montgomery counties. GSA leases space for Magistrates, U.S. Attorneys, and the Marshals Office in the Presidential Building in Hyattsville, and the Bankruptcy Court occupies leased space in Exchange Place in Rockville. The U.S. Marshals' space includes offices for Marshals personnel as well as holding cells for prisoners who are awaiting court appearances. A new courthouse will consolidate the existing Courts, Attorneys, and Marshals offices that are presently located in these two counties.

The elimination of constant shuttling among Court facilities by the Attorneys and Court personnel will create significant time saving as well as more efficient management of the judicial functions. Furthermore, public service will be improved by eliminating confusion about the various court locations.

The proposed facility would require a site of approximately four and a half acres to be acquired within 5 miles of the boundary of Prince George's and Montgomery counties. The courthouse should be located close to the Beltway and should be accessible to public transportation.

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

SPACE REQUIREMENTS: (cont'd)

The proposed United States Courthouse will contain 96,887 occupiable square feet of space plus parking for 155 vehicles. The building will house all components of the U.S. Courts, as well as the U.S. Marshals Service and the U.S. Attorneys. There will be 7 courtrooms (three for the District Court, two for the Magistrates, and two for the Bankruptcy Court) which will meet the Court's projected requirements for the scheduled 1994 occupancy. The building will satisfy the expansion requirements of all the agencies, while consolidating them from three locations into one modern, functional, and secure facility.

The current (fiscal year 1990) commercial market rents in suburban Maryland average from $22 to $30 per square foot, fully serviced. However, due to the cost of altering leased space to accommodate courtrooms, chambers, and special facilities for handling prisoners, the rent incurred by the Government for a facility with these features would be well above these rates.

Approximately 86 percent of the nearly 12 million square feet of building space occupied by the Courts, nationwide, is in Government-owned buildings. GSA's policy to house Courts in Government-owned space, wherever practical, was reinforced by the Public Buildings Amendments of 1988. This legislation directed GSA to avoid leasing space to accommodate the U.S. Courts, in order to alleviate the high costs of alterations to commercial space.

ALTERNATIVES:

LEASE - This alternative proposes that GSA negotiate a lease to house the Courts and associated agencies in 96,887 occupiable square feet plus 155 parking spaces. The 30-year, present value cost of this alternative is $39,930,000.

CONSTRUCTION - This alternative proposes construction of a building to house the Courts and associated agencies in 96,887 occupiable square feet plus 155 parking spaces. The 30-year, present value cost of this alternative is $31,614,000.

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

CONCLUSION:

The 30-year, present value of Federal construction is $8,316,000 less than the leasing alternative, or an equivalent annual cost advantage of $809,000. In addition, since it is GSA's policy to house the Courts in Government-owned buildings to alleviate the high cost of alterations to commercial space, the recommended alternative is direct Federal construction.

RECOMMENDATION:

CONSTRUCTION is recommended.

Occupants ..... Multiple Agencies
(Judiciary, U.S. Attorneys, U.S. Marshals)

Area
Gross ..... 156,100 Square Feet
Occupiable ..... 96,887 Square Feet
Parking*..... 50 inside spaces

Site..... To be acquired**

Estimated Construction Cost*** $21,883,000

Authority Requested in this Prospectus $21,883,000

*In addition, there are 105 outside spaces, for an overall total of 155 spaces.

**$3,000,000 was appropriated in fiscal year 1990 for site acquisition.

***Design, management and inspection, and construction supervision are funded in a single design and construction services budget activity. For design, $1,700,000 was appropriated in fiscal year 1990. Also, it is anticipated that the agencies will fund an additional amount for space alterations above the standard normally provided by GSA.

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

Statement of Need:

It has been determined that the above project is a Government need, and that the proposed solution is the best method to meet that need within the timeframe required.

Submitted at Washington, DC, on February 12, 1990

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

GSA PBS

REPORT OF BUILDING PROJECT SURVEY
United States Courthouse, Southern Division of Maryland
Suburban Maryland

Report Number: BMD-91W02

ECONOMIC ANALYSIS

	CONSTRUCTION	LEASE
DATA: Term used (yrs)	30	30
Occupancy Year	1994	1993
Square feet in analysis		
Leased	-	96,887
Government-owned	96,887	-
PRESENT VALUE COSTS ($ x 1,000)		
Net, net rent	-	26,147
Construction cost	16,061	-
Design	1,451	-
Management and inspection	1,243	-
Land	2,525	-
Less: Building reversion	(4,358)	-
Land reversion	(679)	-
Interim housing	2,215	1,595
Major R&A	1,959	-
Tenant alterations	1,347	1,439
Services & utilities	6,793	7,257
Property taxes, ins.	2,264	2,419
Property management	793	605
Total Tax Benefits to Lessor	-	468
Total Present Value Cost	31,614	39,930
PROPOSAL VALUE		31,614
PRESENT VALUE COST ADVANTAGE		8,316
OR		
EQUIV. ANNUAL COST ADVANTAGE		809

Factors Used (10/1/89 Values):
Net Rent: $30.00/osf
Operating Cost: $6.00/osf
Construction Cost to Build a New Building: $129.69/gsf
Land Cost: $2,774,000
Discount Rate: 9.0%

Housing Plan
United States Courthouse, Southern District of Maryland
(as of November 1989)

	CURRENT						PROPOSED					
	Total OSF	Total Pers.	Office OSF	Office Wksta.	Storage OSF	Special OSF	Total OSF	Total Pers.	Office OSF	Office Wksta.	Storage OSF	Special* OSF
U.S. COURTS:												
Exchange Place	9,315	52	7,890	52	75	1,350						
Presidential	16,304	55	13,718	55	42	2,544						
New Courthouse	–	–	–		–	–	67,652	150	36,140	150	–	31,512
Subtotal	25,619	107	21,608	107	117	3,894	67,652	150	36,140	150	–	31,512
U.S. MARSHALS:												
Presidential	2,149	–	1,859	–	–	290						
New Courthouse	–	–	–	–	–	–	12,100	40	5,400	40	200	6,550
Subtotal	2,149	–	1,859	–	–	290	12,100	40	5,400	40	200	6,550
U.S. ATTORNEYS:												
Presidential	598	–	598	–	–	–						
One Metro Square	2,774	9	1,670	9	–	1,104						
New Courthouse	–	–	–	–	–	–	14,635	53	8,360	53	300	5,975
Subtotal	3,372	9	2,268	9	–	1,104	14,635	53	8,360	53	300	5,975
CONGRESSMAN HOYER:												
New Courthouse	–	–	–	–	–	–	1,500	–	1,500	–	–	–
Subtotal	–	–	–	–	–	–	1,500	–	1,500	–	–	–
GSA CONCESSIONS:												
New Courthouse	–	–	–	–	–	–	1,000	–	–	–	–	1,000
Subtotal	–	–	–	–	–	–	1,000	–	–	–	–	1,000
TOTAL	31,140	116	25,735	116	117	5,288	96,887	243	51,400	243	500	44,987

Current U/R (Marshals + Attorneys) = N/A (9 employees)

Proposed U/R (Marshals + Attorneys) = 148

Parking = 155 spaces

*Special Space Includes:

Lab and clinic	1,050
Food service	1,100
Structurally changed	27,812
ADP	500
Conference/training area	12,850
Light Industrial area	1,675
Total	44,987

GSA PBS

FACT SHEET
U.S. COURTHOUSE ANNEX
GREENBELT, MD

Description

The General Services Administration (GSA) proposes expansion of the U.S. Courthouse (CT) in Greenbelt, Maryland from 424, 816 gsf to 687,395 gsf. The 262,579 gsf courthouse addition will be accomplished by:

1) adding a tower onto the existing half-round portion of the building to increase the functionality of the Courtrooms by adding jury deliberation suites;

2) add to the existing building District Court chambers and U.S. Marshal Service (USMS) space;

3) add other court and court-related functions such as Bankruptcy courtroom and chambers, Pretrial and Probation, U.S. Attorney's Offices, and U. S. Trustee's, and 11 inside parking spaces; and

4) expand the parking structure from 463 parking spaces to a number to be determined during design.

Project Summary

Site Information

Government-Owned	9.3 acres
Building Area	
Existing gross square feet (including 50 inside parking spaces)	424,816
Additional gross square feet (including 11 inside parking spaces)	262,579
Total gross square feet (including 61 inside parking spaces)	687,395
Existing parking structure parking spaces	463
Additional parking structure parking spaces	TBD*
Total parking structure parking spaces	TBD

Project Budget

Design	**$10,280,000**
Estimated Construction Cost (ECC) ($473/gsf including inside parking)	**109,332,000**
Management and Inspection (M&I)	**8,786,000**
Estimated Total Project Cost (ETPC)**	**$128,398,000**

*Non court parking for the new facility will be affected by the consolidation of traffic court functions. The total number of parking spaces will be determined during design.
**Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

FACT SHEET
U.S. COURTHOUSE ANNEX
GREENBELT, MD

Prior Authority and Funding

None

Overview of Project

The Greenbelt Courthouse was built in 1994. This expansion project provides:

- two additional District courtrooms with four additional chambers,
- two additional Magistrate courtrooms and chambers,
- two additional Bankruptcy courtrooms and chambers,
- additional space for the inclusion of Probation and the US Trustees (from leased space),
- expansion space for the US Attorney's Office and
- additional space for the USMS holding requirements.

Tenant Agencies

District Court; Bankruptcy Court; Federal Public Defender; Probation; Pretrial; Department of Justice – U.S. Marshals Service; Department of Justice – Office of the U.S. Attorney; Department of Justice – U.S. Trustees; U.S. House of Representatives Office

Justification

Renovation of the existing offices will provide more efficient usage of the existing facility. These additions will meet the Judiciary's 10-year need corresponding with the year 2020. The Five-Year Courthouse Project Plan for FYs 2010-2014 approved by the Judicial Conference on March 17, 2009, which reflects construction priorities approved by the Judicial Conference, includes expansion of the CT in Greenbelt, MD for site and design funding for FY 2011. (The Five-Year Courthouse Project Plan for FYs 2009-2013 approved by the Judicial Conference on March 11, 2008 included the project for site and design funding for FY 2010.)

The court's southern division has grown rapidly since the existing building opened and it needs to be expanded to accommodate current and future growth. The existing building lacks sufficient space to adequately house existing personnel and accommodate projected growth for the court and court related agencies through 2020. The existing building is structurally and functionally incapable of accommodating the projected expansion.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

AMENDED COMMITTEE RESOLUTION

CONSTRUCTION
U.S. COURTHOUSE
SAVANNAH, GA

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for the construction of a new U.S. courthouse, up to 184,955 gross square feet, located in Savannah, GA, at design costs of $7,900,000, for which a March 15, 1994 prospectus and fact sheet is attached to, and included in, this resolution. This resolution amends the Committee on Transportation and Infrastructure resolution of July 23, 2003.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of adoption of the resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rationale for GSA's decision.

Provided further, that beginning on the date of adoption of the resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that the Administrator of General Services shall ensure that a sharing plan approved by the Judicial Conference on September 15, 2009, for courtrooms for magistrate judges is adopted and is implemented in the design of the courthouse.

Provided further, that the Administrator of General Services shall ensure that the design provides courtroom space for senior judges for up to 10 years from eligibility for senior status, not to exceed one courtroom for every two senior judges.

Provided further, that the Administrator of General Services shall ensure that the Savannah Courthouse Annex contains no more than four courtrooms;

Provided further, that the Administrator of General Services shall prepare a feasibility report on the need for the courthouse and re-evaluate the design. The report shall be submitted to the Committee on Transportation and Infrastructure of the House of Representatives before proceeding with construction of the Savannah, Georgia Courthouse.

Provided further, that the Judicial Conference of the United States shall specifically approve each departure from the *U.S. Courts Design Guide* for each U.S. courthouse construction project that results in additional estimated costs of the project (including additional rent payment obligations) and that the Judicial Conference provide a specific list of each departure and the justification and estimated costs (as supplied by the GSA) of such departure for each U.S. courthouse construction project to the GSA. Each U.S. courthouse construction prospectus submitted by GSA shall include a specific list of each departure and the justification and estimated cost (including additional rent payment obligations) of such departure and GSA's recommendation on whether the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate should approve such departure.

Adopted: November 5, 2009

James L. Oberstar, M.C.
Chairman

GSA PBS

PROSPECTUS - SITE AND DESIGN
U.S. Courthouse - Savannah, GA

Prospectus Number: PGA-95005
Congressional District: 1

Description:

This prospectus proposes the acquisition of a site and the design of a Courthouse (CT) in Savannah, GA. The CT will provide 233,626 gross square feet of space including 100 inside parking spaces for the U.S. Courts and court-related agencies. The proposed building will be designed to meet the 10-year needs of the courts in conjunction with the continued use of the existing Federal Building-Courthouse (FB-CT). Five new courtrooms will be provided: two district, two bankruptcy, and one magistrate. The CT will also provide offices for the U.S. attorneys, the U.S. Trustees, the U.S. marshals, and the U.S. Postal Service (USPS). The new building will house approximately 331 employees.

Currently, the courts and related activities occupy space in three locations in Savannah. There is a total of four judges: two district, one magistrate, and one bankruptcy judge. The primary location of the courts is in the Government-owned FB-CT, which was completed in 1899 and is listed on the National Register of Historic Places. It provides a total of four courtrooms, two assigned to the district court, one to the magistrate, and one to bankruptcy. Two courtrooms meet the U.S. Courts Design Guide minimum requirement of 2,000 square feet for district courtrooms. The other two courtrooms are less than 1,500 square feet and below the standard for magistrate and bankruptcy judges.

The FB-CT cannot house the total current requirements of the courts and related activities. In May 1993, the U.S. attorneys required expansion space and were relocated from the FB-CT to leased space in the nearby J.C. Penny Building. The lease expires May 27, 2003, and has termination rights after May 28, 1998. The U.S. Trustees are located in leased space in the Commerce Building, 222 West Oglethorpe Street in downtown Savannah. The lease expires October 31, 1997.

The AOC wishes to retain the FB-CT because of its significance and prominence in the heart of the Savannah historic district. The courts are aware that the proposed project will result in split court functions. A site for the proposed project has been identified adjacent to the existing FB-CT. Its convenient location will permit construction of a tunnel between the new CT and FB-CT to facilitate operations. The two district courtrooms will continue to be utilized. The two courtrooms now assigned to the magistrate judge and bankruptcy judge will be converted to office space upon completion of the proposed project. In addition, the FB-CT will continue to provide space for the Clerk of the Court, Probation, and the U.S. marshals. The USPS will relocate from the ground floor of the FB-CT to the CT to provide expansion for the Clerk of the Court. A small amount of space will be retained by executive agencies.

GSA PBS

PROSPECTUS - SITE AND DESIGN
U.S. Courthouse - Savannah, GA

Prospectus Number: PGA-95005
Congressional District: 1

Space Requirements of the U.S. Courts:

	CURRENT COURTROOMS/JUDGES		10-YEAR REQUIREMENT COURTROOMS/JUDGES			
	Courtrooms FB-CT	Judges	Courtrooms FB-CT	Courtrooms New CT	Total	Judges
Circuit Court	0	0	0	0	0	1
District	2	2	2	2	4	4
Magistrate	1*	1	0	1	1	1
Bankruptcy	1*	1	0	2	2	2
TOTAL	4	4	2	5	7	8

*These hearing rooms provide 777 and 1,200 square feet of space. They are below minimum requirement and will be converted to office space.

Time Out and Review:

After careful consideration of the client agencies' housing needs and an analysis of current market alternatives, GSA has determined that site acquisition and design of this facility should proceed. However, a review of the original estimated construction costs resulted in a $4,623,000 reduction for construction. In addition, there will be opportunities to realize savings during the design stage and procurement and execution of the construction contract through value engineering techniques. Should savings be realized, they will be made available upon completion of the construction phase of the project.

Delineated Area:

The new courthouse will be located in the CBD of Savannah, GA, on a site that has been identified adjacent to the existing FB-CT. Acquisition of this site is instrumental for the courts' consolidation and continued utilization of the existing FB-CT.

Justification:

The Administrative Office of the United States Courts (AOC) completed a Long-Range Facility Plan for the Southern District of Georgia in June 1991. Based on projections, a total of seven courtrooms will be required in the Savannah division within the next 10 years. Three additional judgeships are anticipated for Savannah: one district judgeship is currently vacant and pending appointment; one district judge is projected within 10 years; and one bankruptcy judge is projected within 5 years. In addition, it is anticipated that within the next 10 years a circuit judge will be appointed to the district. The district court will require a total of four courtrooms, the magistrate judge will require one courtroom, and bankruptcy will require two courtrooms. In accordance with the Long-Range Facility Plan and the U.S. Courts Design Guide, additional space will be required by the district court, the Circuit Court, magistrate judge, clerk of the court, bankruptcy court, U.S. attorneys, U.S. Trustees and U.S. marshals.

GSA PBS

PROSPECTUS - SITE AND DESIGN
U.S. Courthouse - Savannah, GA

Prospectus Number: PGA-95005
Congressional District: 1

Justification (Cont'd):

The existing FB-CT cannot accommodate the increased space requirements of the U.S. courts and related agencies. Two courtrooms in the FB-CT are below the minimum standard size for both the magistrate and bankruptcy court. The proposed CT will provide the required expansion space and courtrooms that meet the minimum standard requirements. The office utilization rate will be 120 square feet per person excluding the judiciary and GSA joint-use space. The new building will be designed with ceiling heights that can accommodate the construction of six additional courtrooms, if necessary, beyond the 10-year needs because of the historic nature of Savannah and its structures and the difficulty in obtaining sites for future construction. To allow for expansion of the Judiciary, offices of related agencies such as the U.S,. attorneys and Probation, will be relocated to other space.

The proposed project includes 100 inside parking spaces consisting of 51 official, 39 employee, 5 visitor, and 5 handicapped spaces. The proposed parking will serve the needs of new CT and the existing Savannah Federal Complex that includes the FB-CT and the Juliet Gordon Low Federal Building where approximately 986 Federal employees are currently housed.

The 30-year, present value construction cost is $6,004,000 less than the cost of leasing the required space, or an equivalent annual cost advantage of $489,000.

Alternatives:

CONSTRUCTION - This alternative proposes the construction of a new courthouse facility to provide for the long-term housing of the U.S. courts and related activities. The 30-year, present value cost for this alternative is $43,626,000.

LEASE - this alternative proposes the leasing of a facility to provide for the long-term housing of the U.S. courts and related activities. The 30-year, present value cost of this alternative is $49,630,000.

Recommendation:

SITE ACQUISITION AND DESIGN are recommended.

Occupants: ..... U.S. Courts and Related Agencies

Building Area:
Gross Square Feet 186,567
Gross Square Feet (including inside parking spaces) 233,626
Parking Spaces ..... 100 inside

Site Information:
To be purchased ..... 1.4 acres

GSA PBS

PROSPECTUS - SITE AND DESIGN
U.S. Courthouse - Savannah, GA

Prospectus Number: PGA-95005
Congressional District: 1

Cost Information:

Site	$3,211,000
Estimated Design*	2,104,000
Management and Inspection	2,065,000
Estimated Construction Cost ($126 per gsf including inside parking)**	29,587,000
Total Project Cost	$36,967,000

Authority Requested in this Prospectus (Site and Design): $5,315,000

*If there are any additional design costs above the $2,104,000 due to increased project scopes that are not anticipated at this time, they will be accommodated within this line item of the new construction budget. Accordingly, GSA does not plan to request additional design authority for this project. Also, it is anticipated that the tenant agencies will fund an additional amount for the design of space alterations above the standard normally provided by GSA.

**A detailed construction prospectus will be submitted for this project with a future year construction budget request.

Statement of Need:

It has been determined that the above project is a Government need and that the proposed action is the most cost effective method to meet that need within the timeframe required.

Submitted at Washington, DC, on March 15, 1994

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

GSA PBS

PROSPECTUS - SITE AND DESIGN
U.S. Courthouse - Savannah, GA

Prospectus Number: PGA-95005
Congressional District: 1

ECONOMIC ANALYSIS

	CONSTRUCTION	LEASE
DATA: Term used (years)	30	30
Occupancy Year	1998	1997
PRESENT VALUE COSTS ($ x 1,000)		
Net, net rent	-	31,943
Construction cost	23,127	-
Design	1,834	
Management and Inspection	1,614	-
Land	3,091	-
Less: Building reversion	(7,860)	-
Land reversion	(1,025)	-
Interim housing	4,028	832
Major R&A	3,119	-
Tenant alterations	2,209	2,345
Services & utilities	8,431	8,951
Property taxes & insurance	2,529	2,685
Property management	2,529	2,077
Total tax benefits to lessor	-	797
Total Present Value Cost	43,626	49,630
PROPOSAL VALUE		-43,626
PRESENT VALUE COST ADVANTAGE		6,004
OR		
EQIV. ANNUAL COST ADVANTAGE		489

Net Rent: $23.50/sf
Operating Cost: $5.00/sf
Discount Rate: 7.1%

HOU: PLAN
U.S. Courts and ..ated Activities
Savannah, GA
(As of August 1993)

CURRENT							PROPOSED					
Total OSF	Total Pers	Office OSF	Office Pers	Storage OSF	Special OSF	AGENCY/ LOCATION	Total OSF	Total Pers	Office OSF	Office Pers	Storage OSF	Special OSF
19,587	24	15,114	24	1,412	3,061	District Court	23,500	15	9,800	15	500	13,200
9,793	20	7,569	20	945	1,279	Bankruptcy	To relocate to USCT-Annex					
8,330	11	7,450	11	880	0	Probation	11,000	30	7,980	30	1,000	2,020
3,530	4	3,226	4	80	224	Clerk of Court	13,000	20	8,800	20	1,200	3,000
5,226	19	4,157	19	0	1,069	U.S. Marshals	3,500	12	1,900	12	400	1,200
900	0	900	0	0	0	U.S. Attorneys	To relocate to USCT-Annex					
7,059	8	129	8	0	6,930	USPS	To relocate to USCT-Annex					
881	6	881	6	0	0	USGS	1,000	7	900	7	100	0
3,020	15	2,766	15	254	0	Fish & Wildlife	3,000	17	2,600	17	400	0
In leased space						EEOC	3,400	14	2,200	14	200	1,000
1,339	0	0	0	705	634	Joint Use	1,265	0	0	0	560	705
59,665	107	42,192	107	4,276	13,197	SUBTOTAL	59,665	115	34,180	115	4,360	21,125
						LEASED SPACE						
3,320	25	3,320	25	0	0	U.S. Trustees	To relocate to Proposed CT					
26,050	83	22,013	83	0	4,037	U.S. Attorneys	To relocate to Proposed CT					
29,370	108	25,333	108	0	4,037	SUBTOTAL						
						PROPOSED CT**						
						District Court	29,710	13	3,270	13	300	26,140
						Magistrate	5,740	10	1,380	10	150	4,210
						Bankruptcy	25,055	60	11,410	60	2,525	11,120
						Circuit Court	2,900	6	0	6	110	2,790
						U.S. Trustees	8,200	44	6,790	44	500	910
						U.S. Attorneys	33,025	155	24,525	155	1,000	7,500
						U.S. Marshals	5,975	26	3,375	26	400	2,200
						USPS	10,000	17	2,550	17	1,000	6,450
						Joint Use	4,395	0	1,795	0	800	1,800
						SUBTOTAL	125,000	331	55,095	331	6,785	63,120
89,035	215	67,525	215	4,276	17,234	TOTALS Occupiable Square Feet	184,665	446	89,275	446	11,145	22,925
8,272		6,273		397	1,601	Square Meters	17,156		8,294		1,035	2,130

Current Office Utilization Rate = 229

*FB-CT contains 59,665 sf

Proposed Office Utilization Rate = 120
(Excludes Judiciary, joint use, and 8,193 sf support space)

**Special Space in Proposed CT Includes:

Private restrooms..	2,450
Food service.....	1,140
Courtrooms/chambers	23,170
Vaults.....	250
Library.....	6,800
Secured areas.....	2,450
ADP.....	1,200
Records storage/mai	6,250
Conference/training	19,410
TOTAL	63,120

Note: The occupiable square foot measure is used by GSA to assign space to client agencies. All rent to tenant agencies is calculated and billed on an occupiable square foot basis. The occupiable square foot measurement is defined as the actual area that is available for exclusive tenant use.

GSA PBS

FACTSHEET
U. S. COURTHOUSE ANNEX
SAVANNAH, GA

Description

This project involves the construction of a 166,955 gross square foot U.S. Courthouse Annex (Annex) in Savannah, GA. In conjunction with the renovation of the existing Federal Building-Courthouse (FB-CT), the Annex would be constructed to meet the 10-year space needs of the courts and court-related agencies. The Judiciary's Five Year Plan, which reflects priorities approved by the Judicial Conference, includes a CT Annex in Savannah, GA, for construction funding.

Project Summary

Site

Government-owned ..... 1.4 acres

Building Area

Gross square feet (no inside parking) 166,955

Project Budget

Site (Demolition) (FY 1995)	$3,211,000
Design (FY 1996)	2,386,000
Additional Design	668,000
Management and Inspection (M&I)	4,250,000
Estimated Construction Cost (ECC)($274/gsf)	45,818,000
Estimated Total Project Cost*	**$56,333,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

House Authorization Required (Additional Design, ECC and M&I) $50,736,000

Prior Authority and Funding

- The Senate Committee on Environment and Public Works authorized $5,315,000 for site and design on May 26,1994 and $46,462,000 for additional design, construction, management and inspection on September 23, 1998.
- The House Committee on Public Works and Transportation authorized $3,211,000 for site and $2,104,000 for design, for a combined cost of $5,315,000, on September 28, 1994.
- Through Public Law 103-329, Congress appropriated $3,000,000 for site. (FY95)
- Through Public Law 104-52, Congress appropriated $2,597,000. (FY96)

FACTSHEET
U. S. COURTHOUSE ANNEX
SAVANNAH, GA

Schedule

FY 1995/1996	Site and Design
FY 2004	Construction
FY 2007	Occupancy

Overview of Project

Over the next 10 years, a total of seven courtrooms would be required in Savannah. The District Court would require a total of five courtrooms and the Bankruptcy Court would require two courtrooms. The Annex would provide two district courtrooms, one magistrate courtroom, and two bankruptcy courtrooms and would meet the ten-year expansion requirements of the courts and court-related agencies. The Annex would be designed with ceiling heights that allow for the construction of four additional courtrooms to meet the courts' long-term housing requirements. Increased ceiling heights will eliminate the need to acquire a new site, which is difficult in the Savannah Historic District. In order to accommodate future expansion of the courts, related agencies can be relocated from the building.

Tenant Agencies:

Major tenants would be the District Court, the Bankruptcy Court, U.S. Marshals Service, and U.S. Attorneys.

Delineated Area:

The site for the Annex is Federally owned and is adjacent to the existing FB-CT. Two smaller, non-historic Federal buildings will be demolished to make room for the new building.

Justification:

The Judiciary wants to retain the FB-CT due to its significance and prominence in the NHL Savannah Historic District. This historic building was not designed to accommodate more than the original number of courtrooms. Two district courtrooms in the FB-CT will continue to be utilized, while the courtrooms assigned to the magistrate judge will be converted to conference and training rooms upon completion of a future renovation project in the FB-CT. In addition, the FB-CT will continue to provide space for the District Court and the U.S. Marshals.

The existing FB-CT cannot accommodate the increased space requirements of the U.S. Courts and related agencies. Two courtrooms in the FB-CT do not meet minimum United States Courts Design Guide (USCDG) standards. Furthermore, the FB-CT requires modernization to meet the USCDG standards for operational efficiency, maximum accessibility and safety. The completion of the Annex is planned to tie in with the subsequent modernization of the FB-CT. This schedule will ensure the courts and court-related agencies adequate swing space, thus mitigating adverse impacts to these agencies' operations.

FACTSHEET
U. S. COURTHOUSE ANNEX
SAVANNAH, GA

After completion, the existing FB-CT would be retained to provide space for the District Court, U.S. Probation Office, U.S. Attorneys, U.S. Marshals Service and the U.S. Trustee. The U.S. Attorneys and the U. S. Trustees will relocate from leased space. These leases would be extended or terminated to coincide with the occupancy of the new Annex and renovated FB-CT.

Space Requirements of the U.S. Courts

	Current		10-Year		
	Courtrooms	Judges	Courtrooms FB-CT	Courtrooms Annex	Judges
District					
- Active	2	2	1	1	2
- Senior	0	1	1	1	3
- Visiting	0	2	0	0	2
Magistrate	1*	1	0	1	1
Bankruptcy	1*	1	0	2	2
Total:	4	7	2	5	10

* These courtrooms do not meet minimum USCDG standards.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

AMENDED COMMITTEE RESOLUTION

CONSTRUCTION
U.S. COURTHOUSE
SAN ANTONIO, TX

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for the construction of a new U.S. courthouse, up to 334,335 gross square feet, located in San Antonio, TX, at additional design costs of $4,000,000, for which prospectus PTX-CTSD-SA04 and a fact sheet is attached to, and included in, this resolution.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of adoption of the resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rationale for GSA's decision.

Provided further, that beginning on the date of adoption of the resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that the Administrator of General Services shall ensure that a sharing plan approved by the Judicial Conference on September 15, 2009, for courtrooms for magistrate judges is adopted within 30 days of this resolution and is implemented in the design of the courthouse.

Provided further, that the Administrator of General Services shall ensure that the design provides courtroom space for senior judges for up to 10 years from eligibility for senior status, not to exceed one courtroom for every two senior judges.

Provided, that the Administrator of General Services shall ensure that the San Antonio, Texas Courthouse contains no more than seven courtrooms;

Provided further, that the Judicial Conference of the United States shall specifically approve each

departure from the *U.S. Courts Design Guide* for each U.S. courthouse construction project that results in additional estimated costs of the project (including additional rent payment obligations) and that the Judicial Conference provide a specific list of each departure and the justification and estimated costs (as supplied by the GSA) of such departure for each U.S. courthouse construction project to the GSA. Each U.S. courthouse construction prospectus submitted by GSA shall include a specific list of each departure and the justification and estimated cost (including additional rent payment obligations) of such departure and GSA's recommendation on whether the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate should approve such departure.

Adopted: November 5, 2009

James L. Oberstar, M.C.
Chairman

GSA PBS

PROSPECTUS – SITE AND ADDITIONAL DESIGN
U.S. COURTHOUSE
SAN ANTONIO, TX

Prospectus Number: PTX-CTSD-SA04
Congressional District: 20

Description

The General Services Administration (GSA) proposes the acquisition of a site and the design of a 377,691 gross square foot courthouse (CT), including 37 inside parking spaces, in San Antonio, TX. The new CT would be constructed to meet the 10-year from occupancy requirements of the District Court and the U.S. Marshals Service, and the site would accommodate the 30-year from design requirements. The Judiciary's Five-Year Plan, which reflects priorities approved by the Judicial Conference, includes a new courthouse in San Antonio, TX for site and design funding.

Project Summary

Site Information

To be acquired ..... Approximately 3-4 acres

Building Area

Gross square feet (excluding inside parking) 359,691
Gross square feet (including inside parking) 377,691

Project Budget

Site	$18,000,000
Design	8,177,000
Management and Inspection	5,856,000
Estimated Construction Cost ($237/gsf including inside parking)	89,383,000
Estimated Total Project Cost*	**$121,416,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

House Authorization Requested (Site) **$18,000,000**
Senate Authorization Requested (Site and Additional Design) **$19,251,000**

PROSPECTUS – SITE AND ADDITIONAL DESIGN
U.S. COURTHOUSE
SAN ANTONIO, TX

Prospectus Number: PTX-CTSD-SA04
Congressional District: 20

Prior Authority and Funding

- The House Committee on Transportation and Infrastructure authorized $6,926,000 for design for a 325,113 gross square foot Courthouse, including 37 inside parking spaces, on July 24, 2002, and $1,251,000 for additional design for a 377,691 gross square foot Courthouse, including 37 inside parking spaces, on July 23, 2003.
- The Senate Committee on Environment and Public Works authorized $6,926,000 for design for a 325,113 gross square foot Courthouse, including 37 inside parking spaces, on September 26, 2002.
- Through Public-Law 108-199, Congress appropriated $8,000,000. (FY 04)

Schedule

FY 2005	Site Selection and Design
FY 2008	Construction
FY 2011	Occupancy

Overview of the Project

The new CT will consolidate all of the District Court and U.S. Marshals Service space into one facility, thus improving efficiency of operations. The new CT will provide eight district courtrooms and five magistrate courtrooms.

Once the new CT is completed, the existing Training Center for the Administrative Office of the U. S. Courts (AOUSC) and the existing John H. Wood Jr. Courthouse (Wood CT) will be reported excess.

Tenant Agencies

The new CT will house the U.S. District Court, the U.S. Marshals Service, Probation, Pre-Trial Services, and the Public Defender.

Delineated Area

The new CT will be located in the Central Business District of San Antonio, TX.

PROSPECTUS – SITE AND ADDITIONAL DESIGN
U.S. COURTHOUSE
SAN ANTONIO, TX

Prospectus Number: PTX-CTSD-SA04
Congressional District: 20

Justification

This project is driven by the court's projection for additional judgeships within the next ten years, and by the need to consolidate their space to improve efficiency. The courts have projected a need for one additional district judgeship and two additional magistrate judgeships. Also, four district judges will be eligible for senior status in the 10-year period and require replacements. Court support functions, including the clerk's office, probation, pre-trial services, and the public defender, also require expansion space. These requirements are based on a Long-Range Facility Plan for the Western District of Texas completed by the courts in February 2000. The Wood CT cannot provide this amount of expansion space, nor provide the consolidation needed for operations.

There are currently four active district judges, one visiting district judge, and three magistrate judges in San Antonio. These judges are all housed in the Wood CT and utilize eight available courtrooms. The district court also occupies space in the Federal Building for clerks and support space, and in the Training Center for other support space. The U.S. Marshals occupy space in the Wood CT and in the Federal Building. There are two bankruptcy judges located in the PO-CT, and one circuit judge in leased space. These three judges will remain in place.

The Wood CT sits between the Training Center and the Federal Building. Upon completion of the new CT, the Wood CT and the Training Center will be reported excess. The current occupants of the Wood CT will move to the new CT. The occupants of the Training Center will move to the new CT or the PO-CT.

The Wood CT does not lend itself to the court's and marshal's special security needs. There are few instances where separate circulation exists for judges and prisoners, or for the general public. Its circular design reduces the space efficiency factor, and its lack of windows (except in the lobby area) reduces tenant satisfaction.

GSA originally planned to use the existing Government-owned site to meet the courts needs. This would have first required demolition of the Training Center to provide the site for the new CT. Subsequent to the construction and occupancy of the new CT, the Wood CT was to be demolished to provide a site for future courts expansion. Executing this plan, however, would not have met the courts security setback requirement, because continued occupancy of the Wood CT during construction of the new CT restricts initial development to the Training Center portion of the site. Consequently, GSA now proposes to acquire a new site that will meet the security requirements of the courts in San Antonio. Design of the new CT can commence once the site has been selected, with subsequent purchase of the site pending the future availability of funds.

PROSPECTUS – SITE AND ADDITIONAL DESIGN
U.S. COURTHOUSE
SAN ANTONIO, TX

Prospectus Number: PTX-CTSD-SA04
Congressional District: 20

Space Requirements of the U.S. Courts

	Current		10-Year	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	4	4	5	5
- Senior	0	0	3	4
- Visiting	1	1	0	0
Magistrate	3	3	5	5
Total:	8	8	13	14

Alternatives Considered (30-year, present value costs)

Construction: $120,133,000
Lease: $161,682,000

Recommendation

SITE AND ADDITIONAL DESIGN

The 30 year, present value cost of construction is $41,549,000 less than the cost of leasing, an equivalent annual cost advantage of $2,954,000.

GSA PBS

PROSPECTUS – SITE AND ADDITIONAL DESIGN
U.S. COURTHOUSE
SAN ANTONIO, TX

Prospectus Number: PTX-CTSD-SA04
Congressional District: 20

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, D.C. on JUN 2 3 2004

Recommended _____
Commissioner, Public Buildings Service

Approved _____
Administrator, General Services Administration

May 2(| Ho' | Plan | S' | 'tonio, TX
i | CT | P1 | .SD-SA04

Locations	Current							Proposed							Changes		
	Personnel		Usable Square Feet (USF)				RSF	Personnel		Usable Square Feet (USF)				RSF	Personnel	USF	RSF
	Office	Total	Office	Storage	Special	Total	Total	Office	Total	Office	Storage	Special	Total	Total	Total	Total	Total
Wood CT																	
Jud-District CT	91	91	22,605	-	41,790	64,395	97,371	-	-	-	-	-	-	-	(91)	(64,395)	(97,371)
JD-US Marshals	51	51	6,550	122	1,934	8,606	13,013	-	-	-	-	-	-	-	(51)	(8,606)	(13,013)
Jud-Ct of Appeals	0	0	1,962	-	175	2,137	3,231	-	-	-	-	-	-	-	0	(2,137)	(3,231)
Joint Use	0	0	165	219	-	384	581	-	-	-	-	-	-	-	0	(384)	(581)
Subtotal	142	142	31,282	341	43,899	75,522	114,196	-	-	-	-	-	-	-	(142)	(75,522)	(114,196)
Training Center																	
Jud-AOC	32	32	6,575	-	1,122	7,697	10,358	-	-	-	-	-	-	-	(32)	(7,697)	(10,358)
Jud-District CT	27	27	5,689	-	-	5,689	7,655	-	-	-	-	-	-	-	(27)	(5,689)	(7,655)
Subtotal	59	59	12,264	0	1,122	13,386	18,013	-	-	-	-	-	-	-	(59)	(13,386)	(18,013)
Federal Building																	
Jud-District CT	141	141	31,436	969	2,559	34,964	44,996	-	-	-	-	-	-	-	(141)	(34,964)	(44,996)
Jud-Pub Def	36	36	11,875	168	303	12,346	15,888	-	-	-	-	-	-	-	(36)	(12,346)	(15,888)
JD-US Marshals	27	27	4,091	-	941	5,032	6,476	-	-	-	-	-	-	-	(27)	(5,032)	(6,476)
Other Agencies	400	400	73,965	2,018	4,963	80,946	104,172	600	600	121,367	3,155	8,766	133,288	171,532	200	52,342	67,360
Subtotal	604	604	121,367	3,155	8,766	133,288	171,532	600	600	121,367	3,155	8,766	133,288	171,532	(4)	0	0
Total	805	805	164,913	3,496	53,787	222,196	303,741	600	600	121,367	3,155	8,766	133,288	171,532	(205)	(88,908)	(132,209)
New CT																	
Jud-District CT	-	-	-	-	-	-	-	96	96	69,450	-	70,610	140,060	161,069	96	140,060	161,069
Jud-Probation	-	-	-	-	-	-	-	165	165	36,587	-	1,015	37,602	43,242	165	37,602	43,242
Jud-Pub Def	-	-	-	-	-	-	-	39	39	12,393	-	400	12,793	14,712	39	12,793	14,712
Jud-PreTrial	-	-	-	-	-	-	-	50	50	13,577	-	785	14,362	16,516	50	14,362	16,516
JD-US Marshals	-	-	-	-	-	-	-	100	100	22,834	775	9,890	31,114	35,781	100	31,114	35,781
Joint Use	-	-	-	-	-	-	-	-	-	2,500	-	-	2,500	2,875	0	2,500	2,875
GSA	-	-	-	-	-	-	-	-	2	1,750	812	-	2,562	2,946	2	2,562	2,946
Subtotal	-	-	-	-	-	-	-	450	452	159,091	1,587	82,700	240,993	277,142	452	240,993	277,142
Total	805	805	164,913	3,496	53,787	222,196	303,741	1,050	1,052	280,458	4,742	91,466	374,281	448,674	247	152,085	144,933

	Current	Proposed	Change
	Utilization		
Rate	N/A	N/A	N/A

Special Space	USF
Toilets	4,682
Food Service	2,050
Vaults	1,920
Detention Cells	7,930
Courtrooms	29,760
Library	1,260
ADP	1,200
Judges Chambers	19,960
Conference/Training	12,738
Sallyport	1,200
TOTAL	82,700

Usable square footage means the portion of the building available for use by an tenants' personnel and furnishings and space available jointly to the occupants of the building (e.g. auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g. craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

NEW U.S. COURTHOUSE
SAN ANTONIO, TX

BACKGROUND:

- Project Description: Construction of a 384,335 gsf Courthouse; including 55 inside parking spaces.
- Location: San Antonio, TX
- Project Purpose: To construct a courthouse that will include 12 courtrooms and 14 chambers to house the District Court, a Court of Appeals judge, and the U.S. Marshals Service (USMS).
- Project Justification: The project is driven by the court's projections for additional judgeships during the planning period and the need to consolidate the District Court and USMS (currently split between two buildings).

SCHEDULE:

- Design would start in October 2009.
- Construction is scheduled for FY 2012 if funded.

AUTHORIZATION AND FUNDING:

The House Transportation and Infrastructure Committee authorized $26,177,000:

- $6,926,000 for design for a 325,113 gsf Courthouse, including 37 inside parking spaces, on July 24, 2002; and
- $1,251,000 for additional design for a 377,691 gsf Courthouse, including 37 inside parking spaces on July 23, 2003; and
- $18,000,000 for site for a 377,691 gsf Courthouse, including 37 inside parking spaces on July 21, 2004.

The Senate Environment and Public Works Committee authorized $26,177,000:

- $6,926,000 for design for a 325,113 gsf Courthouse, including 37 inside parking spaces, on September 26, 2002; and
- $18,000,000 for site and $1,251,000 for additional design, or $19,251,000, for a 377,691 gsf Courthouse including 37 inside parking spaces, on June 23, 2004.

Congress appropriated $8,000,000 for FY2004 (Public Law 108-199).

Authorization and funding required for FY 2010 is $3,266,000 for additional design.

Estimated Total Project Cost: $142,612,000

Recent recommendations from Congress (in the ARRA conference report) concerning courtroom sharing may reduce the number of courtrooms and total space in the proposed building.

CONGRESSIONAL INTEREST:

Senator Kay Bailey Hutchison is a member of the Senate Committee on Appropriations.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, D.C.
PDC-05-WA10

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease extension of up to 71,914 rentable square feet for the Federal Emergency Management Agency, currently located 395 E Street, SW, Washington, D.C., at a proposed total annual cost of $3,523,786 for a lease term of up to five years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar

James L. Oberstar, M.C.
Chairman

PROSPECTUS –LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, DC

Prospectus Number: PDC-05-WA10

Project Summary

The General Services Administration (GSA) proposes a lease extension for up to 71,914 rentable square feet (rsf) for the Federal Emergency Management Agency (FEMA) currently located in the Patriots Plaza Building at 395 E Street, SW, Washington, DC.

GSA proposes to extend the current lease at Patriots Plaza to coincide with the occupancy of FEMA's new headquarters space at St. Elizabeths. Funding for design for a consolidated FEMA facility at St. Elizabeths has been requested in fiscal year 2009 and has been funded as part of the American Recovery and Reinvestment Act of 2009 (P.L.111-5). Construction funding will be requested in a future fiscal year to commence construction of the new FEMA headquarters. The space is currently scheduled to be ready for occupancy in 2014. GSA will negotiate termination rights with the current landlord to provide the flexibility needed as the occupancy date for St. Elizabeths approaches.

Description

Occupants:	FEMA
Delineated Area:	Washington, DC
Lease Type:	Extension
Justification:	Expiring lease (August 2011)
Expansion Space:	None
Parking:	None
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	5 years
Maximum Rentable Square Feet:	71,914
Current Total Annual Cost:	$3,012,192
Proposed Total Annual Cost: [1]	$3,523,786
Maximum Proposed Rental Rate: [2]	$49.00

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

PROSPECTUS –LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, DC

Prospectus Number: PDC-05-WA10

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009

Recommended: _____
Acting Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 2009

Housing Plan
Department of Homeland Security
Federal Emergency Management Agency

Washington, DC
PDC-05-WA10

Location	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Patriots Plaza	300	300	64,071			64,071	300	300	64,071			64,071
TOTALS	**300**	**300**	**64,071**	-	-	**64,071**	**300**	**300**	**64,071**	-	-	**64,071**

	Current	Proposed	
	Utilization Rate		
	167	167	

Current UR excludes 14,096 usf of office support space
Proposed UR excludes 14,096 usf of office support space

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
U.S. ARMY CORPS OF ENGINEERS
PORTLAND, OR
POR-02-PO10

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 126,500 rentable square feet for the U.S. Army Corps of Engineers, Portland District Office, currently located at Robert Duncan Plaza, 333 SW First Avenue, Portland, OR, at a proposed total annual cost of $5,060,000 for a lease term of up to 15 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar, M.C.
Chairman

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
U.S. ARMY CORPS OF ENGINEERS
PORTLAND, OR
POR-02-PO10

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 126,500 rentable square feet for the U.S. Army Corps of Engineers, Portland District Office, currently located at Robert Duncan Plaza, 333 SW First Avenue, Portland, OR, at a proposed total annual cost of $5,060,000 for a lease term of up to 15 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: **November 5, 2009**

James L. Oberstar, M.C.
Chairman

GSA PBS

PROSPECTUS - LEASE
U.S. ARMY CORPS OF ENGINEERS
PORTLAND, OR

Prospectus Number:	POR-02-PO10
Congressional District:	01, 03

Project Summary

The General Services Administration (GSA) proposes a replacement lease of 126,500 rentable square feet (rsf) of space and 25 parking spaces for the U.S. Army Corps of Engineers (USACE), Portland District Office, currently located at Robert Duncan Plaza, 333 SW First Avenue, Portland, OR.

Description

Occupants:	USACE
Delineated Area:	Portland CBD
Lease Type:	Replacement
Justification:	Expiring lease (September 17, 2011)
Number of Parking Spaces:	25
Expansion Space:	2,186 rsf
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	126,500
Current Total Annual Cost:	$3,195,097
Proposed Total Annual Cost[1]:	$5,060,000
Maximum Proposed Rental Rate[2]:	$40.00 per rentable square foot

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[2]This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS - LEASE
U.S. ARMY CORPS OF ENGINEERS
PORTLAND, OR

Prospectus Number: POR-02-PO10
Congressional District: 01, 03

Authorizations

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009

Recommended: _____
Acting Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

Hor Plan

Pe d, OR

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**
Robert Duncan Plaza	528	528	108,099	0	0	108,099	0	0	0	0	0	0
New Lease	0	0	0	0	0	0	549	549	98,400	0	11,600	110,000
Total:	**528**	**528**	**108,099**	**0**	**0**	**108,099**	**549**	**549**	**98,400**	**0**	**11,600**	**110,000**

	Current	Proposed
Utilization		
Rate	160	140

Current UR excludes 23,782 USF of office support space
Proposed UR excludes 21,648 USF of office support space

Special Space	
Laboratory	662
Clinic	568
Conference	3,229
Library	5,600
ADP	491
Retail	1,050
Total:	**11,600**

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

U.S. House of Representatives
Committee on Transportation and Infrastructure

James L. Oberstar
Chairman

Washington, DC 20515

John L. Mica
Ranking Republican Member

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
PHILADELPHIA, PA
PPA-01-PH10

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a superseding lease and space alteration of up to 345,000 rentable square feet for the National Archives and Records Administration, currently located at 14700 Townsend Road, Philadelphia, PA, at a proposed total annual cost of $3,795,000 for a lease term of up to 20 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar

James L. Oberstar, M.C.
Chairman

GSA PBS

PROSPECTUS - LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
PHILADELPHIA, PA

Prospectus Number: PPA-01-PH10
Congressional District: 08

Project Summary

The General Services Administration (GSA) proposes a superseding lease and space alterations to the National Archives and Records Administration (NARA) facility currently located at 14700 Townsend Road, Philadelphia, PA. This facility, which was occupied in 1994 under a 20 year, firm term, non-cancelable lease, provides 1.58 million cubic feet of records storage in 345,000 rentable square feet (rsf).

The proposed alteration project, to be amortized in the rent paid to the lessor, will allow the conversion of approximately 40,000 usf of soon-to-be vacant record storage bays into bays capable of housing archives and permanent records. In order to comply with NARA's 2010 archive standards as detailed in 36 CFR 1228 Subpart K, the archive and permanent records space requires more stringent paper storage conditions and requires improvements to the HVAC, filtration, humidification, and fire protection systems, and light diffusion improvements.

Approximately 40,000 usable square feet (usf) of IRS taxpayer records, currently housed at this location will be destroyed in 2009 resulting in extra storage capacity. Upon completion of the conversion, archives currently housed in two existing federal facilities, the Robert NC Nix US Post Office and Courthouse in Philadelphia, PA and the Federal Building on Varick Street in New York, NY will be transferred into this space.

Justification

The existing federal facilities cannot be upgraded economically to meet NARA's archival facility standards. The archive vaults at the Nix Post Office and Courthouse are below grade and are incapable of meeting the proposed 2010 archival standards, and it would be cost prohibitive to upgrade the Varick Street Federal Building to meet these standards. In both locations NARA will keep its offices and public contact functions. The vacated archive vaults will be marketed to Philadelphia federal tenants with basic record storage needs.

The 30-year, present value cost of a superseding lease with alterations in the NARA records center is $28,965,000 less than the cost of new construction and $12,742,000 less than the cost of a leasing new space that would meet NARA's requirements.

PROSPECTUS - LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
PHILADELPHIA, PA

Prospectus Number: PPA-01-PH10
Congressional District: 08

Alternatives

CONSTRUCTION - This alternative proposes the construction of a new 345,000 rsf NARA facility. The 30-year, present value cost of this alternative is $123,035,000.

NEW LEASE - This alternative proposes leasing a new 345,000 rsf NARA facility. The 30-year, present value cost of this alternative is $106,812,000.

SUPERSEDING LEASE WITH SPACE ALTERATIONS - This alternative proposes alterations and a 20-year superseding lease of the existing 345,000 rsf building. The 30-year, present value cost of this alternative is $94,070,000.

Recommendation

SPACE ALTERATIONS AND SUPERSEDING LEASE are recommended.

Major Work Items

Mechanical	$2,069,000
Electrical	993,000
Interior Architectural	1,071,000
Demolition	167,000
Estimated Construction Cost (ECC)	$4,300,000
Management and Inspection Costs (M&I)	$200,000
Total Alteration Authority Requested in this Prospectus[1]:	$4,500,000

[1] Design funding in the amount of $90,000 is being provided by NARA; ECC and M&I totaling $4,500,000 will be amortized in the rent paid to the lessor.

GSA PBS

PROSPECTUS - LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
PHILADELPHIA, PA

Prospectus Number:	PPA-01-PH10
Congressional District:	08

Description

Occupants:	National Archives And Records Administration
Delineated Area:	14700 Townsend Road Philadelphia, PA 19154
Lease Type:	Lease/Alterations in Leased Space
Justification:	Consolidation and Relocation of Government-Owned Space
Number of Parking Spaces:	0
Expansion Space:	None
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	20 years
Maximum Rentable Square Feet:	345,000
Current Total Annual Cost[2]:	$3,039,700
Proposed Total Annual Cost[3]:	$3,795,000
Maximum Proposed Rental Rate[4]:	$11.00 per RSF

Authorizations

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to alter approximately 40,000 rsf and enter into a superseding lease at the existing NARA facility.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

[2]Current Total Annual Cost includes $338,341 of operating costs only for the Government Owned Locations.
[3]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[4]This estimate is for fiscal year 2010 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS - LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
PHILADELPHIA, PA

Prospectus Number: PPA-01-PH10
Congressional District: 08

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009

Recommended: _____
Acting Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

National Records av chives Administration

Philadelphia, PA
PF -PH10

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**
NARA RECORD STRG CTR												
NARA - Records Depositing Operations	40	40	9,000	1,200	289,800	**300,000**	40	40	9,000	1,200	289,800	**300,000**
Sub Total:	**40**	**40**	**9,000**	**1,200**	**289,800**	**300,000**	**40**	**40**	**9,000**	**1,200**	**289,800**	**300,000**
ROBT N C NIX FB USPO												
NARA	63	63	8,250	0	21,105	**29,355**	63	63	8,250	0	0	**8,250**
Sub Total:	**63**	**63**	**8,250**	**0**	**21,105**	**29,355**	**63**	**63**	**8,250**	**0**	**0**	**8,250**
FEDERAL BLDG--201 Varick Street												
NARA	10	10	14,434	0	11,000	**25,434**	10	10	14,434	0	0	**14,434**
Sub Total:	**10**	**10**	**14,434**	**0**	**11,000**	**25,434**	**10**	**10**	**14,434**	**0**	**0**	**14,434**
Total:	**113**	**113**	**31,684**	**1,200**	**321,905**	**354,789**	**113**	**113**	**31,684**	**1,200**	**289,800**	**322,684**

	Current	Proposed
	Utilization	
Rate	216	216

Special Space	
Other - Record and Archive Storage	289,800
Total:	**289,800**

Current UR excludes 7,279 USF of office support space
Proposed UR excludes 7,279 USF of office support space

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
INTERNAL REVENUE SERVICE
WASHINGTON, D.C.
PDC-07-WA09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 100,500 rentable square feet for the Internal Revenue Service, currently located at 1750 Pennsylvania Avenue, NW, Washington, D.C., at a proposed total annual cost of $4,924,500 for a lease term of up to 10 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar, M.C.
Chairman

PROSPECTUS – LEASE
INTERNAL REVENUE SERVICE
WASHINGTON, DC

Prospectus Number: PDC-07-WA09

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 100,500 rentable square feet (rsf) for the Internal Revenue Service (IRS) currently located at 1750 Pennsylvania Avenue, NW, Washington, DC.

Description

Occupants:	IRS
Delineated Area:	Washington, DC: Central Employment Area, North of Massachusetts Avenue and Waterfront
Lease Type:	Replacement
Justification:	Expiring lease (7/31/2010)
Expansion Space:	None
Number of Parking Spaces:	None
Scoring:	Operating
Proposed Maximum Leasing Authority:	10 Years
Maximum Rentable Square Feet:	100,500
Current Total Annual Cost:	$3,167,833
Proposed Total Annual Cost:[1]	$4,924,500
Maximum Proposed Rental Rate:[2]	$49.00 per rsf

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2010 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
INTERNAL REVENUE SERVICE
WASHINGTON, DC

Prospectus Number: PDC-07-WA09

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 27, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 2008

Housing Plan
Internal Revenue Service

Washington, DC
PDC-07-WA09

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1750 Penn Ave. NW	420	420	83,026	700		83,726					-	
Proposed Lease		-					420	420	81,000	676	2,050	83,726
Total	420	420	83,026	700	-	83,726	420	420	81,000	676	2,050	83,726

	Current	Proposed
Utilization Rate	154	150

Current UR excludes 18,266 USF of office support space
Proposed UR excludes 17,820 USF of office support space

Special Space	USF
Conference	1,350
Food Service	250
Mail room	250
Copy room	200
Total	2,050

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C.
PDC-04-WA09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 254,267 rentable square feet for the Small Business Administration (SBA), currently located at 409 Third Street, SW, Washington, D.C., at a proposed total annual cost of $12,459,083 for a lease term of up to 10 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that within six months of the date of the resolution and prior to exercising the authority granted in the resolution, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives a draft housing plan, including Federal Government ownership options, for the SBA in the National Capital Region.

Provided further, that within two years of the date of the resolution, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives a final housing plan approved by the Office of Management and Budget that provides Federal Government ownership for the SBA in the National Capital Region.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar, M.C.
Chairman

PROSPECTUS – LEASE
SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC

Prospectus Number: PDC-04-WA09

Project Summary

The General Services Administration (GSA) proposes a replacement lease for up to 254,267 rentable square feet (rsf) of space for the Small Business Administration (SBA), currently located at 409 Third Street, SW, Washington, DC.

Description

Occupants:	SBA
Delineated Area:	Washington, DC: Central Employment Area, North of Massachusetts Avenue, and Waterfront
Lease Type:	Replacement
Justification:	Expiring Lease (11/23/2010)
Expansion Space:	None
Number of Parking Spaces:	4 (Inside)
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	10 years
Maximum Rentable Square Feet:	254,267
Current Total Annual Cost:	$9,324,171
Proposed Total Annual Cost:[1]	$12,459,083
Maximum Proposed Rental Rate:[2]	$49.00

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2011 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC

Prospectus Number: PDC-04-WA09

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 27, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

Octobe[illegible]97

W[illegible]gton, DC
[illegible]J4-WA09

Ho[illegible] Plan
Small Bus[illegible]dministration
409 Third Street, SW

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)*				Personnel		Usable Square Feet (USF)*			
	Office	*Total*	*Office*	*Storage*	*Special*	*Total*	*Office*	*Total*	*Office*	*Storage*	*Special*	*Total*
LEASED												
409 Third Street												
Small Business Administration	636	636	184,613		27,276	211,889						
Proposed Lease			-	-	-	-	636	636	184,613	-	27,276	211,889
Total	636	636	184,613	-	27,276	211,889	636	636	184,613	-	27,276	211,889

Utilization Rate (UR)		
	Current	Proposed
Rate	226	226

Current UR excludes 40,615 USF of office support space.
Proposed UR excludes 40,615 usf of office support space.

Special Space	USF*
ADP	7,500
Auditorium	8,000
Conference	7,977
Food Service	2,799
Laboratory	1,000
Total	27,276

*Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
SUBURBAN MARYLAND
PMD-01-WA09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a succeeding lease of up to 159,731 rentable square feet for the National Institute of Allergy and Infectious Disease, currently located 6700 Rockledge Drive, Bethesda, MD, at a proposed total annual cost of $5,430,854 for a lease term of up to five years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar

James L. Oberstar, M.C.
Chairman

PROSPECTUS – LEASE
NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
SUBURBAN MARYLAND

Prospectus Number: PMD-01-WA09
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a succeeding lease of up to 159,731 rsf for the National Institute of Allergy and Infectious Diseases (NIAID) located at 6700 Rockledge Drive, Bethesda, MD.

GSA is considering a consolidation of the tenants at 6700 Rockledge Blvd with other NIAID entities in neighboring buildings and plans to extend the 6700 Rockledge Blvd lease on a short-term basis. NIH leases in neighboring buildings were acquired directly by NIH through a delegation of authority from GSA and will expire on September 30, 2011 and March 31, 2012. NIAID plans to consolidate into a single leased location by 2012 under the authority of a consolidation prospectus to be submitted in a future fiscal year program. Since the present prospectus covers a short-term requirement, GSA has determined that it is not practical to consider relocating NIAID.

Description

Occupants:	NIAID
Delineated Area:	6700 Rockledge Drive, Bethesda, MD
Lease Type:	Succeeding
Justification:	Expiring lease (5/31/2010)
Expansion Space:	None
Number of Parking Spaces:	None
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	5 years with termination rights
Maximum Rentable Square Feet:	159,731
Current Total Annual Cost:	$4,991,221
Proposed Total Annual Cost[1]:	$5,430,854
Maximum Proposed Rental Rate[2]:	$34.00

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2010 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES
SUBURBAN MARYLAND

Prospectus Number: PMD-01-WA09
Congressional District: 8

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 27, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 2008

Housing Plan
National Institutes of Health

Suburban Maryland
PMD-01-WA09

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
NIAID 6700 Rockledge	603	603	128,635		8,800	**137,435**	603	603	128,635		8,800	**137,435**
Total	**603**	**603**	**128,635**	**-**	**8,800**	**137,435**	**603**	**603**	**128,635**	**-**	**8,800**	**137,435**

Utilization Rate		
	Current	Proposed
Rate	166	166

Current UR excludes 28,300 USF of Office for support space
Proposed UR excludes 28,300 USF of office for support space

Special Space	USF
Food Service	500
ADP	1,800
Conf/Training	6,500
Total	**8,800**

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
FEDERAL EMERGENCY MANAGEMENT AGENCY
ARLINGTON, VA
PVA-01-WA09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a succeeding lease of up to 102,238 rentable square feet for the Federal Emergency Management Agency, currently located at 1800 South Bell Street, Arlington, VA, at a proposed total annual cost of $3,885,044 for a lease term of up to 10 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar
James L. Oberstar, M.C.
Chairman

PROSPECTUS – LEASE
FEDERAL EMERGENCY MANAGEMENT AGENCY
ARLINGTON, VA

Prospectus Number: PVA-01-WA09
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a succeeding lease of up to 102,238 rentable square feet of space for the Federal Emergency Management Agency (FEMA), currently located at 1800 South Bell Street, Arlington, VA, known as Crystal Mall One. GSA plans to continue to house FEMA in this building until FEMA can be consolidated at St. Elizabeths West Campus. The succeeding lease term will be aligned with the date FEMA is scheduled to consolidate into the St. Elizabeths campus. The new proposed lease expiration date would coincide with the occupancy of FEMA's new headquarters space at St. Elizabeths West Campus. GSA requested a portion of design funding for a consolidated FEMA facility at St. Elizabeths in its fiscal year 2009 budget request. Construction funding will be requested in a future fiscal year. GSA will also negotiate cancellation options with the current landlord to permit flexibility should there be a change in the St Elizabeths schedule.

Description

Occupants:	FEMA
Delineated Area:	1800 South Bell Street, Arlington, VA
Lease Type:	Succeeding
Justification:	Expiring Lease (October 2010)
Expansion Space:	None
Number of Parking Spaces:	None
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	10 years with cancellation rights
Maximum Rentable Square Feet:	102,238
Current Total Annual Cost:	$3,119,281
Proposed Total Annual Cost:[1]	$3,885,044
Maximum Proposed Rental Rate:[2]	$38.00

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2011 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
FEDERAL EMERGENCY MANAGEMENT AGENCY
ARLINGTON, VA

Prospectus Number: PVA-01-WA09
Congressional District: 8

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 27, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

October 2007

HOUSING PLAN
Federal Emergency Management Agency

Northern Virginia
PVA-01-WA09

Location(s)	Current						Proposed					
Leased Space	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Crystal Mall One	400	400	83,456	-	-	83,456	400	400	83,456	-	-	83,456
TOTALS	400	400	83,456	-	-	83,456	400	400	83,456	-	-	83,456

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings and space available jointly to the occupants of the building (e.g. auditorium, health units, and snack bars).

Utilization Rate		
	Current	Proposed
	163	163

Current UR excludes 18,360 usf of office support space
Proposed UR excludes 18,360 usf of office support space

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF DEFENSE
HOFFMAN I
NORTHERN VIRIGINA
PVA-03-WA09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a succeeding lease of up to 312,976 rentable square feet for the Department of Defense, currently located at the Hoffman I building, 2461 Eisenhower Avenue, Alexandria, VA, at a proposed total annual cost of $10,641,184 for a lease term of up to five years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN I
NORTHERN VIRGINIA

Prospectus Number: PVA-03-WA09
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a succeeding lease of up to 312,976 rentable square feet (rsf) for the Department of Defense (DoD) located at the Hoffman I building, 2461 Eisenhower Avenue, Alexandria, VA.

The 2005 Base Realignment and Closure Act (BRAC) requires that DoD tenants in leased space relocate to DoD owned space by September 2011. The current lease expires September 30, 2010 and will need to be extended until DoD moves to owned space. Since this is a short-term requirement, GSA has determined that it is not practical to consider relocating DoD prior to their BRAC relocation date. GSA will negotiate with the lessor for termination rights.

Description

Occupants:	DoD
Delineated Area:	2461 Eisenhower Avenue Alexandria, VA
Lease Type:	Succeeding
Justification:	Expiring lease (9/30/2010)
Expansion Space:	None
Number of Parking Spaces[1]:	5 outside
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	5 years (termination rights to align with final relocation date)
Maximum Rentable Square Feet:	312,976 rsf
Current Total Annual Cost:	$7,031,741
Proposed Total Annual Cost[2]:	$10,641,184
Maximum Proposed Rental Rate[3]:	$34.00 per rsf

[1] The Department of Defense security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.
[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[3] This estimate is for fiscal year 2011 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN I
NORTHERN VIRGINIA

Prospectus Number: PVA-03-WA09
Congressional District: 8

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 27, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

April 2008

Housing Plan
Department of Defense
Hoffman 1

Northern Virginia
PVA-03-WA09

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Hoffman 1												
DoD	1,500	1,500	259,021		13,291	272,312	1500	1,500	259,021		13,291	272,312
Vacant *			13,024			13,024						
BRAC Swing									13,024			13,024
Total	1,500	1,500	272,045	-	13,291	285,336	1,500	1,500	272,045	-	13,291	285,336

*** Vacant space will be used to temporarily house DOD BRAC requirements moving from other locations.**

	Current	Proposed
Utilization		
Rate	141	141

Current UR excludes 59,850 USF of office support space
Proposed UR excludes 59,850 USF of office support space

Special Space	USF
Auditorium	451
Food Service	232
Loading Docks	184
Conference/Training	12,424
Total	13,291

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRIGINA
PVA-04-WA09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a succeeding lease of up to 204,783 rentable square feet for the Department of Defense, currently located at the Hoffman II building, 200 Stovall Street, Alexandria, VA, at a proposed total annual cost of $6,962,622 for a lease term of up to five years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: **November 5, 2009**

James L. Oberstar

James L. Oberstar, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA09
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a succeeding lease of up to 204,783 rentable square feet (rsf) for the Department of Defense (DoD) located at the Hoffman II building, 200 Stovall Street, Alexandria, VA.

The 2005 Base Realignment and Closure Act (BRAC) requires that DoD tenants in leased space relocate to DoD owned space by September 2011. The current lease expires September 30, 2010 and will need to be extended until DoD moves to owned space. Since this is a short-term requirement, GSA has determined that it is not practical to consider relocating DoD prior to their BRAC relocation date. GSA will negotiate with the lessor for termination rights.

Description

Occupants:	DoD
Delineated Area:	200 Stovall Street Alexandria, VA
Lease Type:	Succeeding
Justification:	Expiring lease (3/2/2010)
Expansion Space:	None
Number of Parking Spaces[1]:	None
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	5 years (termination rights to align with final relocation date)
Maximum Rentable Square Feet:	204,783 rsf
Current Total Annual Cost:	$4,718,795
Proposed Total Annual Cost[2]:	$6,962,622
Maximum Proposed Rental Rate[3]:	$34.00 per rsf

[1] The Department of Defense security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[3] This estimate is for fiscal year 2010 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA09
Congressional District: 8

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 27, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

October 2007

Housing Plan
Department of Defense
Hoffman II

Northern Virginia
PVA-04-WA09

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Hoffman II	1,000	1,000	179,355			179,355	1,000	1,000	179,355			179,355
												-
Total	1,000	1,000	179,355	-	-	179,355	1,000	1,000	179,355	-	-	179,355

	Current	Proposed
Utilization Rate	140	140

Current UR excludes 39,458 USF of Office for support space
Proposed UR excludes 39,458 USF of office for support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
FEDERAL AVIATION ADMINISTRATION
FORT WORTH, TX
PTX-02-FW09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement/expansion lease of up to 530,039 rentable square feet for the Federal Aviation Administration, currently located at the 2601 Meacham Blvd., Fort Worth, TX, at a proposed total annual cost of $18,551,365 for a lease term of up to 20 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that any lease agreement entered into pursuant to this resolution shall include an option to purchase and obtain fee title to the facility leased to the Federal Government. The lease agreement shall provide for the exercise of the purchase option on such dates prior to the expiration of the leasehold interest and under such terms and conditions deemed by the Administrator to be in the best interest of the Federal Government.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar

James L. Oberstar, M.C.
Chairman

GSA PBS

PROSPECTUS - LEASE
FEDERAL AVIATION ADMINISTRATION
FORT WORTH, TX

Prospectus Number: PTX-02-FW09
Congressional District: 12

Project Summary

The GSA proposes a replacement/expansion lease for 530,039 rentable square feet (RSF) of space and 2,532 surface parking spaces for the Federal Aviation Administration (FAA) in Fort Worth, TX. FAA currently occupies 254,630 RSF at the FAA Building, 2601 Meacham Blvd., Fort Worth, TX. The current lease expires on October 28, 2013 (with termination rights in October 2011). Because the FAA has changed their business model on a national scale, they requested expansion space to meet their continuing space requirements in Fort Worth. It is anticipated that lease construction will be required to meet this need.

The FAA recently realigned their largest group, the Air Traffic Organization (ATO) from nine regions into three service areas. The ATO Central Service Area (CSA) is headquartered in Fort Worth, TX and includes the legacy Southwest, Central, and Great Lakes Regions and serves a seventeen state geographic area. Currently authorized positions are already relocating from Central ATO, Kansas City, MO and Great Lakes ATO, Chicago IL, to Fort Worth. Due to this realignment, the existing leased building no longer has adequate space to meet FAA's present and future requirements. The FAA has leased temporary space under their own authority to handle this ongoing expansion in Fort Worth, but the existing building is nevertheless overcrowded. Expansion space is needed as soon as possible to alleviate the overcrowding, and to consolidate operations. The existing GSA and FAA leases will be terminated when the new space is available.

Description

Occupants:	DOT - FAA
Delineated Area:	An area of Fort Worth, including the CBD, which is roughly bounded by Beach Street and Texas 121 on the east, IH 30 on the south, Texas 199, IH 820, and Farm Road 156 on the west, and North Tarrant Parkway on the north.
Lease Type:	Replacement/Expansion
Justification:	The FAA is consolidating operations from three regions into the Fort Worth region.
Number of Parking Spaces:	2,532 surface spaces
Expansion Space:	119,790 rsf

PROSPECTUS - LEASE
FEDERAL AVIATION ADMINISTRATION
FORT WORTH, TX

Prospectus Number:	PTX-02-FW09
Congressional District:	12

Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	20 years
Maximum Rentable Square Feet:	530,039
Current Total Annual Cost:	$4,866,745
Proposed Total Annual Cost[1]:	$18,551,365
Maximum Proposed Rental Rate[2]:	$35.00 per rentable square foot

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

Authorizations

Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.

Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

[1]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[2]This estimate is for fiscal year 2012 and may be escalated by 2.1 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS - LEASE
FEDERAL AVIATION ADMINISTRATION
FORT WORTH, TX

Prospectus Number: PTX-02-FW09
Congressional District: 12

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 27, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

Apr[illegible]008 | Ho[illegible]g Plan | PTX[illegible]-FW09

Federal Aviatio[illegible]ministration (FAA)
Fort Worth, TX

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
FAA Building - 2601 Meacham Blvd.												
DOT - FAA	915	915	188,530	9,651	36,683	234,864	0	0	0	0	0	0
FAA Leases - Various Locations												
DOT - FAA	659	659	98,850	0	15,000	113,850	0	0	0	0	0	0
Replacement Lease												
DOT - FAA	0	0	0	0	0	0	1,704	1,704	305,850	12,100	132,583	450,533
Total:	**1,574**	**1,574**	**287,380**	**9,651**	**51,683**	**348,714**	**1,704**	**1,704**	**305,850**	**12,100**	**132,583**	**450,533**

	Current	Proposed
Utilization		
Rate	156	140

Current UR excludes 41,477 USF of office support space
Proposed UR excludes 67,287 USF of office support space

Special Space	
Laboratory	1,216
Restroom	208
Physical Fitness	7,209
Conference	34,015
Auditorium	10,422
Library	1,130
ADP	12,680
Food Service	15,779
Control Booth	1,928
Vaults	2,693
Press Room	1,737
Training Room	5,159
File Storage	32,519
Command Room	5,888
Total:	**132,583**

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
FEDERAL AVIATION ADMINISTRATION
RENTON AREA, WA
PWA-01-RE09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a new lease of up to 518,865 rentable square feet for the Federal Aviation Administration, currently located in multiple locations in the Renton, WA area, at a proposed total annual cost of $24,386,655 for a lease term of up to 20 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that any lease agreement entered into pursuant to this resolution shall include an option to purchase and obtain fee title to the facility leased to the Federal Government. The lease agreement shall provide for the exercise of the purchase option on such dates prior to the expiration of the leasehold interest and under such terms and conditions deemed by the Administrator to be in the best interest of the Federal Government.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: **November 5, 2009**

James L. Oberstar

James L. Oberstar, M.C.
Chairman

PROSPECTUS – LEASE
FEDERAL AVIATION ADMINISTRATION
RENTON AREA, WA

Prospectus Number:PWA-01-RE09
Congressional District: 7th, 9th

Project Summary

The General Services Administration (GSA) proposes a new lease of up to 518,865 rentable square feet (rsf) and 1,600 parking spaces to consolidate the Department of Transportation, Federal Aviation Administration (FAA) currently located in multiple locations in the Renton, WA, area.

Background

FAA's largest organization and one of their 24 Lines of Business (LOB), the Air Traffic Organization (ATO), has recently restructured from a nine (9) region to a three (3) Service Center Model. As a result of this restructuring, the Northwest Mountain regional office in the Renton area is now recognized as the Western Service Center (WSC) for the ATO LOB and consists of current FAA offices in Renton and surrounding communities as well as in California and Alaska. This reorganization is expected to spur tremendous growth in personnel for 2009 and beyond. This growth will be phased in over several years.

Currently, the FAA is scattered in over 419,000 rsf of space throughout several locations in the Renton area. FAA personnel are currently housed in 251,003 rsf of space at two separate GSA leased locations: the Federal Administration Building, 1601 Lind Avenue, and Valley Office Park, 1801 Lind Avenue; and in 115,164 rsf in three separate FAA leased locations: Seattle Manufacturing Inspection District Office (MIDO), Alaska Certificate Management Office (ACMO), Seatac City Hall 188th Street and, the Landmark Building, 1601 East Valley Road. A portion of FAA's warehouse space in GSA's facility in Auburn, WA will be moved to the proposed location and lastly, additional FAA personnel (approximately 230) will relocate to Renton from FAA and GSA leased locations in other western states (primarily CA and AK) as FAA's LOB structure evolves.

The existing FAA facilities are incapable of meeting FAA's enhanced security requirements and providing the square footage necessary to support the new expansion and consolidation requirements of the FAA. A new consolidated location will provide FAA with the space to meet the future requirements of its new functions.

PROSPECTUS – LEASE
FEDERAL AVIATION ADMINISTRATION
RENTON AREA, WA

Prospectus Number:PWA-01-RE09
Congressional District: 7th, 9th

Description

Occupant:	DOT/FAA
Delineated Area:	Cities of Renton, Tukwila, SeaTac, Des Moines and Kent
Lease Type:	New
Justification:	Consolidation/Expansion
Expansion Space:	101,398 USF
Number of Parking Spaces:	1,600 surface
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	20 years
Maximum Rentable Square Feet:	518,865 RSF
Current Total Annual Cost[1]:	$6,667,485
Proposed Total Annual Cost[2]:	$24,386,655
Maximum Proposed Rental Rate[3]:	$47.00/RSF

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1] Current Total Annual Cost is for GSA locations only.
[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[3] This estimate is for fiscal year 2012 and may be escalated by 2.1 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
FEDERAL AVIATION ADMINISTRATION
RENTON AREA, WA

Prospectus Number:PWA-01-RE09
Congressional District: 7th, 9th

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide interim lease(s) if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 27, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

June 2008

Housing Plan
Federal Aviation Administration

Renton, WA
PW01-RE09

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**
FAA (RENTON AREA)												
GSA Leased												
1601 Lind Ave.	981	981	139,357	5,820	33,005	**178,182**	-	-	-	-	-	-
1801 Lind Ave.	300	300	50,898	0	0	**50,898**	-	-	-	-	-	-
Sub Total:	**1,281**	**1,281**	**190,255**	**5,820**	**33,005**	**229,080**	-	-	-	-	-	-
GSA Owned												
Auburn GSA Center Warehouse 5	0	0	0	44,475	0	**44,475**	-	-	-	-	-	-
Sub Total:	**0**	**0**	**0**	**44,475**	**0**	**44,475**	-	-	-	-	-	-
FAA Leased												
Seattle MIDO	15	15	3,600	0	0	3,600	-	-	-	-	-	-
Seatac City Hall on 188th St.	43	43	8,900	0	0	8,900	-	-	-	-	-	-
Landmark Bldg. on 1601 E. Valley Rd.	200	200	63,734	0	0	63,734	-	-	-	-	-	-
Sub Total:	**258**	**258**	**76,234**	**0**	**0**	**76,234**	-	-	-	-	-	-
Proposed GSA Lease												
DOT - FAA	-	-	-	-	-	-	1,950	1,950	343,533	37,000	70,654	**451,187**
Total:	**1,539**	**1,539**	**266,489**	**50,295**	**33,005**	**349,789**	**1,950**	**1,950**	**343,533**	**37,000**	**70,654**	**451,187**

	Current	Proposed
	Utilization	
Rate	135	137

Current UR excludes 58,628 USF of office support space
Proposed UR excludes 75,577 USF of office support space.

Special Space	
Restroom	531
Physical Fitness	5,810
Child Care	10,000
Conference	31,704
Auditorium	3,320
ADP	9,329
Food Service	8,300
Joint Use/Retail	1,660
Total:	**70,654**

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.
PDC-03-WA09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 136,787 rentable square feet for the U.S. Department of Agriculture (USDA), currently located at 800 9th Street, SW, Washington, D.C., at a proposed total annual cost of $6,702,563 for a lease term of up to 10 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that prior to exercising the authority granted in the resolution, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives a draft housing plan, including Federal Government ownership options, for the USDA in the National Capital Region.

Provided further, that within 60 days of the date of the resolution, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives a final housing plan approved by the Office of Management and Budget that provides Federal Government ownership for the USDA in the National Capital Region.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: **November 5, 2009**

Jim Oberstar

James L. Oberstar, M.C.
Chairman

PROSPECTUS – LEASE
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, DC

Prospectus Number: PDC-03-WA09

Project Summary

The General Services Administration (GSA) proposes a replacement lease for up to 136,787 rentable square feet (rsf) of office space for the U.S. Department of Agriculture (USDA), Cooperative State Research, Education, and Extension Service (CSREES), currently located in the Waterfront Center Building at 800 9th Street, SW, in Washington, DC. CSREES is responsible for administering competitively awarded grant programs.

Description

Occupants:	USDA
Delineated Area:	Washington, DC Central Employment Area, North of Massachusetts Avenue and Southwest Waterfront
Lease Type:	Replacement
Justification:	Expiring Lease (1/17/2010)
Expansion Space:	None
Number of Parking Spaces:	None
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	10 years
Maximum Rentable Square Feet:	136,787 rsf
Current Total Annual Cost:	$3,295,780
Proposed Total Annual Cost:[1]	$6,702,563
Maximum Proposed Rental Rate:[2]	$49.00

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages vendors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

[2] This estimate is for fiscal year 2010 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, DC

Prospectus Number: PDC-03-WA09

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 20, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

June 2008

Housing Plan
U.S. Department of Agriculture

Washington, DC
PDC-03-WA09

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
800 9th Street	430	430	113,989			113,989						
Proposed Lease							435	435	113,989			113,989
Total	**430**	**430**	**113,989**			**113,989**	**435**	**435**	**113,989**			**113,989**

Utilization Rate		
	Current	Proposed
Rate	207	204

Current UR excludes 25,078 usf of office support space.
Proposed UR excludes 25,078 usf of office support space.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF LABOR
SEATTLE, WA
PWA-03-SE-09

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a consolidation lease of up to 85,608 rentable square feet for the Department of Labor, currently located at 1111 Third Avenue, and 719 Second Avenue, Seattle, WA, at a proposed total annual cost of $4,109,184 for a lease term of up to 15 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: **November 5, 2009**

James L. Oberstar

James L. Oberstar, M.C.
Chairman

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF LABOR
SEATTLE, WA

Prospectus Number:	PWA-03-SE-09
Congressional District:	07

Project Summary

The General Services Administration (GSA) proposes a consolidation lease of up to 85,608 rentable square feet (rsf) of space for the Department of Labor (DoL) currently located at 1111 Third Avenue and 719 Second Avenue in Seattle, WA. The proposed lease will accommodate approximately eight percent growth in personnel while achieving more shared support spaces and the agency consolidation initiative.

Description

Occupants:	Department of Labor
Delineated Area:	Seattle CBD
Lease Type:	Consolidation
Justification:	Expiring leases (March 14, 2010)
Number of Parking Spaces:	25 (structured or outside)
Expansion Space:	7,561 rsf
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	85,608
Current Total Annual Cost:	$2,886,600
Proposed Total Annual Cost[1]:	$4,109,184
Maximum Proposed Rental Rate[2]:	$48.00 per rentable square foot

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

[1]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[2]This estimate is for fiscal year 2010 and may be escalated by 2.05 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF LABOR
SEATTLE, WA

Prospectus Number: PWA-03-SE-09
Congressional District: 07

Authorizations

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 20, 2008

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

Apr[illegible]08 | Ho[illegible] Plan | S[illegible], WA
Depar[illegible] of Labor | PW [illegible]SE09

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1111 Third Ave	83	83	18,889			18,889	-	-	-	-	-	-
Millenium Tower	215	215	48,784			48,784	-	-	-	-	-	-
New Lease	-	-	-	-	-	-	323	323	48,965	7,290	18,187	74,442
Total:	**298**	**298**	**67,673**	**-**	**-**	**67,673**	**323**	**323**	**48,965**	**7,290**	**18,187**	**74,442**

	Current	Proposed
	Utilization	
Rate	177	118

Current UR excludes 14,888 USF of office support space
Proposed UR excludes 10,772 SF of office support space

Special Space	
Conference	9,673
Library	3,748
ADP	1,755
Retail	3,011
Total:	**18,187**

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

John L. Mica
Ranking Republican Member

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

James W. Coon II, Republican Chief of Staff

COMMITTEE RESOLUTION

LEASE
FEDERAL AVIATION ADMINISTRATION
DES PLAINES, IL
PIL-05-DE10

Resolved by the Committee on Transportation and Infrastructure of the House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for an extension/expansion lease of up to 210,000 rentable square feet for the Great Lakes Regional Office of the Federal Aviation Administration currently located at 2300 Devon Avenue in Des Plaines, IL, at a proposed total annual cost of $4,979,100 for a lease term of up to 10 years, a prospectus for which is attached to, and included in, this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that, to the maximum extent practicable, the Administrator of General Services (Administrator) shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that,* if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in the resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by the resolution.

Adopted: November 5, 2009

James L. Oberstar, M.C.
Chairman

PROSPECTUS - LEASE
FEDERAL AVIATION ADMINISTRATION
DES PLAINES, IL

Prospectus Number:	PIL-05-DE10
Congressional District:	09, 06

Project Summary

The General Services Administration (GSA) proposes an extension/expansion lease for 210,000 rentable square feet of space at 2300 Devon Avenue in Des Plaines, IL for the Great Lakes Regional Office of the Federal Aviation Administration (FAA), currently located at that address. FAA has occupied space at this location since 1972.

In 1992, Congress authorized the current lease under Prospectus No PIL-93003 for 10 years with the exercising of renewal options requiring Congressional authorization. The current lease expires October 20, 2010. It includes two 5-year options, of which one must be exercised by October 20, 2009 and the other by October 20, 2010, to extend the occupancy under the current lease.

GSA conducted a rental rate survey from which it determined that fully serviced rates on similar space in the O'Hara Airport area range from $24.59 to $30.05 per rentable square foot, while the current lease rate is $21.46 per rentable square foot, and the extensions are $22.96 and $24.46 per rentable square foot for the first and second options, respectively, for a levelized rate of $23.71 per rsf.

It is in the best interest of the Government for FAA is to stay at the current location, owing to extensive improvements that were made specifically to address its operational needs. A location near O'Hara Airport is critical to its mission, given its functions are integral with the airport's key operations.

Description

Occupants:	DOT - FAA
Delineated Area:	2300 East Devon Ave, Des Plaines, IL
Lease Type:	Extension/Expansion
Justification:	Expiring Lease (10/20/10)
Number of Parking Spaces:	760 surface
Expansion Space:	4,748 rentable square feet
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	10 years
Maximum Rentable Square Feet:	210,000
Current Total Annual Cost:	$4,404,708
Proposed Total Annual Cost[1]:	$4,979,100
Maximum Proposed Rental Rate[2]:	$23.71 per rentable sq. ft.

[1]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.
[2]This estimate is for fiscal year 2011 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation.

GSA PBS

PROSPECTUS - LEASE
FEDERAL AVIATION ADMINISTRATION
DES PLAINES, IL

Prospectus Number: PIL-05-DE10
Congressional District: 09, 06

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages landlords to work with energy service providers to exceed minimum requirements set forth in the procurement.

Authorizations

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.

- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 11, 2009

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Paul F. Prouty
Acting Administrator, General Services Administration

August 2009

Housing Plan
Federal Aviation Administration

Des Plaines, IL
PIL-05-DE10

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
2300 E. Devon Ave, Des Plaines, IL												
DOT - Federal Aviation Administration	645	645	144,513	6,680	20,765	**171,958**						
New Lease							645	645	144,513	6,680	24,671	**175,864**
Total:	**645**	**645**	**144,513**	**6,680**	**20,765**	**171,958**	**645**	**645**	**144,513**	**6,680**	**24,671**	**175,864**

	Current	Proposed
Utilization		
Rate	175	175

Current UR excludes 31,792 USF of office support space
Proposed UR excludes 31,792 USF of office support space

Special Space	
Laboratory	110
Restroom	360
Physical Fitness	4,415
Conference	9,077
Library	970
ADP	8,799
Other - Health Space	940
Total:	**24,671**

There was no objection.

FUTURE INVOLVEMENT IN AFGHANISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Wisconsin (Mr. KAGEN) is recognized for 60 minutes.

Mr. KAGEN. Madam Speaker, I rise this evening to begin a bipartisan conversation about the future investments of our resources in both human and capital resources in the region of Afghanistan and Pakistan. Everyone will agree that we must do whatever it takes to protect America and keep hostilities from our shores. And over time, I believe we'll also come to understand that religious fundamentalism is civilization's real enemy, no matter if it is disguised in Muslim, Judeo-Christian, Hindu, Sikh or any other religious clothing.

Terrorism is not really the enemy, for violent extremists simply use terrorism as a tactic. Overcoming the violent extremists will require skilled and talented police work as coordinated between civilized nations, not only our mutual military might. And we must hunt, capture and prosecute the violent extremists wherever they seek to establish themselves, sharing the expense and doing so with our colleagues in our mutual nations overseas, our friends, particularly in NATO. Most importantly, throughout this process, we must continue to defend ourselves within the laws as established by our United States Constitution. We're still paying for the poor judgments of the previous administration which, in 2003, placed our children in the middle of a centuries' old religious civil war in Iraq, when, in fact, our invasion of Iraq was not necessary. By continuing to spend millions of our hard-earned tax dollars over there, we are unable to solve our own problems here at home.

The truth about Iraq is this: no weapons of mass destruction were present in Iraq, and al Qaeda extremists were not based there before President Bush convinced Congress to go to war. And remember this: Iraq was not involved in the attacks against America, and did not pose a risk to our national security, and it was not a danger to our national security at all.

We all have the same goal, to support our troops before, during and after they've served in harm's way, as we begin to build a better and safer and more secure Nation for all of us. Recent testimony before Congress, before the Armed Services Committee in the last several weeks, by our military leaders has made it clear: first, that they all don't agree on what we should be doing in the region, and secondly, that there is no purely military solution in either Iraq or Afghanistan, only a political one. We must, therefore, move our troops away from Iraq, focusing again upon al Qaeda.

Tonight, here on the House floor we will be discussing our ongoing involvement in Afghanistan and Pakistan, which for centuries has been the graveyard of invading empires, a place where our Nation's most precious resources, our soldiers, are presently engaged in efforts to, as President Obama has stated, ''disrupt, dismantle and defeat al Qaeda and its safe havens in Pakistan and to prevent their return to Pakistan and Afghanistan.''

I'm very grateful that President Obama has taken time to listen, taken time as well and trust that he will design a strategy that has as its first goal the safe return of all of our troops as soon as possible, for there is really no purely military solution to the complex global problems that we're all facing. And as history has proven time and time again, making war is our worst human failure.

So what are some of the numbers in Afghanistan? Suicides, post-traumatic stress disorder, a wound that we cannot see, but which our soldiers carry with them all their lives, a wound that damages not just themselves but their families and their businesses when they come home, amputations, burns, shrapnel wounds, fractured spines.

Thirty percent of our returning servicemen have PTSD, post-traumatic stress disorder. Seventy thousand of our soldiers have traumatic brain injury since 2007. In January of this year through October of this year, 1,800 have been wounded in Afghanistan, 1,000 being wounded in the last 3 months alone. And for the cause? The cause of helping, in part, to support the very fraudulent government, a government that has been formed by an election process not witnessed in our country, no matter what election you take a look at.

I will quote now from an article:

''You can't build a new political system with old politician accused of war crimes,'' said lawmaker, Ramazan Bashardost, who finished third in the country's fraud-marred August election. ''You can't have peace with warlords in control.''

Rights groups have accused soldiers and police loyal to the warlords of kidnapping, extortion, robbery and the rape of women, girls and boys. In the countryside, local commanders run their own fiefdoms with illegal militias. They intimidate people into paying them taxes, extracting bribes, steal their land, and trade drugs. They essentially rule with impunity, and no government official, no judge, no policeman can stand up to them. This is the Afghanistan world as we know it. This is the Afghanistan situation as President Karzai may soon be sworn in and give his speech in several hours in Kabul.

Earlier today, there was a newspaper report that is entitled Afghan Official Said to Take Bribe for Copper Deal. This is how business is being done in Afghanistan. $20 million bribe to a minister who gave a contract to a Chinese corporation who was coming in to mine their copper. Fraud and bribery are the rule of the day today in Afghanistan, where nearly 40 percent of the money that our taxpayers are sending into the region is taken down in bribes and plain thievery.

Well, some of the testimony that has been offered by the Armed Services Committee was put forward by people that we know and people we trust.

□ 1845

Wesley Clark finished his testimony with these words: ''But it is important to face the reality of the situation at this point: much has already been accomplished: our obligations are limited; there will never be a complete and wholly satisfactory solution, and we must focus on meeting our own—the United States' and NATO's—security needs. And the real security need in the region now is to reduce the continuing threat of al Qaeda, reportedly located principally in Pakistan. It is their decisive defeat that we must seek.'' These are the counsel and opinion of the former NATO commander, Wesley Clark.

There is somebody else that testified, Kimberly Kagan. And she spells it with an A-N, so we are not related by marriage or by genealogy. Perhaps the most interesting sentence in her publication, which is entitled—I want you to read it some day—''Why the Taliban Are Winning for Now,'' Kimberly Kagan, Foreign Policy Magazine, August 10, 2009, was ''The fact that we have not been doing the right things for the past few years in Afghanistan is actually good news at this moment.'' I don't know if that is ''Saturday Night Live'' material, but I've got to tell you, this is not something we should be sending our troops in to when we are doing the wrong thing.

Andrew Krepinevich wrote: ''Simply stated, the military foundation of our global dominance is eroding.'' That's his opinion. It's also a fact. The empire of the United States, the global reach, may be coming to an end.

And the final quote I will offer as we begin our discussions comes from Gilles Dorronsoro, who is a visiting scholar with South Asia Program, Carnegie Endowment for International Peace. And he concludes his remarks before the Armed Services Committee with this sentence: ''The only solution to this problem is a political negotiation and the awareness of what is really at stake here: the credibility of NATO as a military alliance.''

These are some of the problems that we face today, but this is not a new problem. For 2,300 years ago, 1 day after the Battle of Kalinga, in 265 B.C., where over 100,000 people perished in the lands our Nation has sent its own children, trained in war, the then-King of Maurya dynasty, Ashoka, recorded his thoughts for our Nation's guidance today.

And Ashoka wrote: ''What have I done? Is this a victory? What is a defeat then? This is a victory or a defeat. This is justice or injustice. It's gallantry or a rout. Is it a valor to kill innocent children and women? I do it to

enwiden the empire or for prosperity or to destroy the other's kingdom or splendor? Someone has lost her husband, someone a father, someone a child, someone an unborn infant. What is this debris of corpses? Are these marks of victory or defeat? Are these vultures, crows, eagles, the messengers of death or evil? What have I done? What have I done?''

After he conquered the region of Afghanistan, he transformed his own personal philosophies and his kingdoms to promote peace, to promote Buddhism and a nonviolent way of solving problems.

I believe there is a better way of doing things in America; and I am convinced that by working together, we are going to be able to find it and to do that in a very bipartisan way.

I yield to my friend, my colleague, a physician and Congressman, RON PAUL of Texas.

Mr. PAUL. I thank the gentleman for yielding, and I want to express my appreciation for your getting this Special Order on this very important subject.

Of course, a lot of people in this country are asking, What should we do about Afghanistan? It's a pretty important question. It might be one of the most important questions that we are asking right now. And yet nobody seems to have an answer. I think the difficulty in finding an answer comes sometimes from not having fully understood why we got there. I just can't imagine this debate that's going on within our government today, the executive branch, the legislative branch, and with the people—can you imagine this going on during World War II? How many troops should we have? What is our exit strategy? Who is our enemy? How are we going to impose democracy? It's so far removed from what a traditional responsibility is of our government, which is to provide national security.

Now they have practically run out of excuses for why we are over in Afghanistan. The only one that is left that they seem to cling to is that we are there for national security; we want to fight the bad guys over there because we don't want to fight them over here. I will talk a little about that later; but, quite frankly, I think that's a fallacious argument and actually makes things a lot worse.

It just bewilders me about how we get trapped into these situations. I happen to believe that it's because we get ourselves involved too carelessly, too easily and we don't follow the Constitution, because under the Constitution, you're supposed to declare the war, know who your enemy is, and know when you can declare victory and bring the troops home. And we did that up until and through World War II. But since then, that hasn't been the case.

I recall a book I read in the 1980s written by Barbara Tuchman. She wrote a book called the ''March of Folly,'' and she went back as far as Troy, all the way up through Vietnam and took very special interest in countries where they were almost obsessed or possessed with a policy, even though it was not in their interest, and the foolishness and the inability to change course. She died in 1989, but I keep thinking that if she had lived, she would probably write a history of our recent years, another ''march of folly.''

Just think of what has happened since the Berlin Wall came down and the Soviet system collapsed. It didn't take us long. Did we have any peace dividends? No. There were arguments for more military spending, we had more responsibility, we had to go and police the world. So it wasn't long after that, what were we doing? We were involved in the Persian Gulf war.

And then, following that, we had decades of bombing in Iraq which didn't please the Arabs and the Muslims of the world and certainly the Iraqis, but it had nothing to do with national security.

And then, of course, we continued and accelerated our support of the various puppet governments in the Middle East. In doing so, we actually went to the part of not only supporting the governments, but we started putting troops on their land. And when we had an air base in Saudi Arabia, that was rather offensive. If you understand the people over there, this is a violation of a deeply held religious view. It is considered their holy land; and foreigners, especially military foreigners, are seen as infidels. So if you're looking for a fight or a problem, just put troops on their land.

But also, as a result of the policy that we have had in the Middle East, we have been perceived as being anti-Palestinian. This has not set well either. Since that time, of course, we haven't backed off one bit. We had the Persian Gulf war, and then we had 9/11.

We know that 9/11 changed everything. We had 15 individuals from Saudi Arabia, a few from Yemen and a few from Egypt, but, aha, this is an excuse that we have got to get the bad guys. So where are the bad guys? Well, Iraq, of course. Of course, they figured, well, we can't quite do that, let's go into Afghanistan. Of course, not one single Afghani did anything to us. They said, oh, no, the al Qaeda visited there.

But I just can't quite accept the fact that the individuals that were flying those airplanes got their training by going to these training camps in Afghanistan doing push-ups and being tough and strong. What did they do? Where was the planning? The planning was done in Spain and they were accepted there in legal bases. They were done in Germany; they were accepted there. As a matter of fact, they even came to this country with legal visas. And they were accepted by the countries.

And, no, no, we said, it's the Taliban; it's the people of Afghanistan, never questioning the fact that a few years back, back in 1989 when the Soviets were wrecking the place, we were allied with the people who were friends of Osama bin Laden, and we were over there trying to support him. So he then was a freedom fighter.

And the hypocrisy of all this and the schizophrenia of it all, they were on again and off again. No wonder we get ourselves into these difficulties. And it doesn't seem to ever lead up.

The one assessment that was made after Vietnam, and I think you can apply it here, is how do we get in and why do we get bogged down? And two individuals that were talking about this, East and West, Vietnam and the United States, they sort of came to the conclusion that we, the Americans, overestimated the ominous power of our military, we could conquer anybody and everybody. And we underestimated the tenacity of people who are defending their homeland, sort of like we were defending our homeland in the Revolutionary War, and the invaders and the occupiers were the Red Coats. There's a big difference, and you can overcome all kinds of obstacles; but we have never seemed to have learned that. And unless we do, I don't think we can solve our problems.

Indeed, we have to realize that we are not the policemen of the world. We cannot nation-build. And Presidential candidates on both sides generally tell the people that's what they want, and the people say, keep our fingers crossed, hope it's true. But then, once again, our policies continue down the road, and we never seem to have the energy to back off of this.

I emphasize, once again, that I think we could keep our eye on the target, emphasize what we should be doing if we went to war a lot more cautiously, if we have an enemy that we have to fight in our national defense and then there is a declaration of war.

Mr. KAGEN. Would the gentleman yield for a moment?

Mr. PAUL. I will yield.

Mr. KAGEN. In the beginning in the formation of the United States, we had an outside observer come over here, Alexis de Tocqueville. And de Tocqueville observed that with our Republic, it would be very difficult to get this country, this Nation, to go to war. But once involved in a war, it would be very difficult to stop it. And I think that MO, that picture, that frame is in part what is happening here. Now that we are involved in a ground game in other areas of the world, it's very difficult for our Republic to pull back.

I would like now to welcome to the floor Congressman MCGOVERN from the State of Massachusetts. And I thank you for joining us on this discussion on Afghanistan and Pakistan and where do we go from here.

Mr. MCGOVERN. Thank you very much, and I want to thank you and my other colleagues here for taking the time to come to the floor to talk about this issue. We are at war, and there is very little debate about this war. I think it is important and it is incumbent upon every Member of this House

to encourage the fullest possible debate on our policy in Afghanistan.

We are told that the President any day now or any week is going to come up with a new policy. There are rumors that it will include an increase in the number of U.S. troops in Afghanistan.

That needs to be debated.

Part of our job is to be a check and balance on the executive branch. And it is our constituents who are going to war. It is our constituents who are dying over there. It is our constituents who are getting wounded over there and coming back to the United States and requiring a lifetime of care. And we need to make sure they get the care that they deserve. They have earned that.

I am very concerned about our policy in Afghanistan. I'm concerned for a whole number of reasons. I'm concerned because I don't think there is any definition to our policy. Depending on whom you talk to, you get a different answer as to what our goal is. Originally, our goal was to get al Qaeda. After September 11, I, and I think virtually every Member of this House and every Member of the Senate, voted to use force to go after al Qaeda, who were responsible for the terrible atrocities of September 11. It was the right vote then, and I think it's the right vote now.

But al Qaeda, which used to be in Afghanistan, has now moved to Pakistan. We are told by our military experts that there are no al Qaeda in Afghanistan, maybe less than 100, some say. Well, do we need 100,000 American troops to go after less than 100 members of al Qaeda? And if that is not our goal, then this is an example of mission creep where our mission has suddenly enlarged itself without any kind of input from this Congress.

Now some say we need to have more troops there to make sure that al Qaeda never comes back to Afghanistan. Well, al Qaeda has not only been in Afghanistan, they have been in Sudan, they have been in Somalia, they have been in Yemen. They have been in south Florida. Do we want to deploy more troops all over there?

I'm concerned because there is not a clearly defined mission. When I ran for Congress, I said I would never vote to send anybody to war without a clearly defined mission. That's a beginning, a middle, a transition period and an end. I have asked over and over of the previous administration and this administration, At what point does our military contribution to the political solution that you say will happen in Afghanistan, at what point does our military contribution to that political solution come to an end? And I usually get, ''Good question.'' I don't think anybody knows.

I think that that's a problem, and that's something that we need to address.

Let me just say I'm also concerned because Afghanistan is not accustomed to a centralized government. Well, we have helped give them a centralized government. And the government of Mr. Karzai is corrupt and incompetent. By conservative estimates, we are told that in the last election, 30 percent of his vote was fraudulent. Thirty percent of his vote was fraudulent. And then there was going to be a run-off election, and then the opposition candidate, I think understandably, said, I don't see how you can put together a credible election in a couple of weeks.

□ 1900

And he backed out. So here is our President by default—here's the President by default, who is about to be sworn in again, and the examples of corruption and fraud in his government, the examples of the Afghan government using American taxpayer money for things that they're not intended to be used for—basically stealing from the American taxpayer. The examples of that are too numerous to mention in this debate.

Mr. KAGEN. Will the gentleman yield for a question?

Mr. MCGOVERN. I yield to the gentleman.

Mr. KAGEN. Mr. MCGOVERN, is there any word or any sentence or phrase that the newly ''elected'' President of Afghanistan could say to convince you that the fraud is behind him, he didn't mean it?

Mr. MCGOVERN. The answer is no. He's had his chance. He blew it. I wouldn't trust that government to tell me the correct time after what they have done over the last 8 years. We have been supporting this system for 8 years. This war just didn't start. We have been there for 8 years. At some point, enough is enough. The idea of supporting a government that is corrupt and incompetent and saying that we're going to keep this government in power, we're going to help support them, our men and women are going to die for this government, and then at some point magically everything is supposed to be perfect, that we hand over everything back to this government that has stolen from the American taxpayers, this government that is guilty of fraud—I think that this is a mistake. And 57 Members of this House, bipartisan Members of this House, sent a letter to President Obama saying ''no'' to the increase in American forces there. And I think there's a lot more that feel that way. I'd like to insert this into the CONGRESSIONAL RECORD.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 25, 2009.

Hon. BARACK OBAMA,
President of the United States,
The White House,
1600 Pennsylvania Avenue NW,
Washington, DC.

DEAR MR. PRESIDENT, as you consider the latest assessment of U.S. military engagement in Afghanistan by General Stanley A. McChrystal, we urge you to reject any recommendation to increase the number of combat troops there, particularly in the absence of a well-defined military exit strategy.

We have enormous confidence in the ability of the U.S. military, but we question the effectiveness of committing our troops to a prolonged counterinsurgency war that could last ten years or more, involve hundreds of thousands of troops, and impose huge financial costs on taxpayers already saddled with trillions of dollars of government debt.

According to General Charles Krulak (retired), the 31st Commandant of the Marine Corps, the current strategy of protecting the people of Afghanistan with U.S. forces would require an escalation of several hundred thousand additional troops. He warns that our military has already been overburdened: ''Not only are our troops being run ragged but, equally important and totally off most people's radar screens, our equipment is being run ragged.'' It is unlikely that our NATO allies will be able to sustain the political support necessary for continuing such a mission placing even more of a burden on American forces and the American people.

2009 is already the deadliest year for U.S. forces since the war began eight years ago. Fifty-one of the seven hundred and thirty-eight U.S. soldiers who have lost their lives in Afghanistan were killed last month alone.

The national Afghanistan election that U.S. Ambassador Karl Eikenberry hoped would lead to a ''renewal of trust of the Afghan people for their government'' was a disaster and will almost certainly have the opposite effect. The official Electoral Complaints Commission in Afghanistan has announced that is has found ''clear and convincing evidence of fraud.'' A government already mired in allegations of widespread fraud and incompetence is now facing serious charges and compelling evidence that it has attempted to steal the national election.

A February 2009 ABC/BBC/ARD poll found that only 18 percent of Afghans support increasing the number of U.S. troops in their country. This should come as no surprise. Historically, Afghans have always forcefully resisted the presence of foreign military forces, be they British, Soviet or American. The presence of our forces strengthens the hand of Taliban recruiters. Indeed, an independent analysis early this year by the Carnegie Institute concluded that the presence of foreign troops is probably the single most important factor in the resurgence of the Taliban.

We support your administration's declared goals of defeating Al Qaeda and reducing the global terrorist threat. But, we believe that adding even more U.S. troops to the military escalation that your administration ordered in March would be counterproductive. We urge you to consider and pursue the full range of alternative options including applying the lessons of the Cold War where we isolate and contain those who pose a threat to our national security.

Mr. President, the last thing that our nation needs as it struggles with the pain of a severe economic crisis and a mountain of debt is another military quagmire. We believe that this is why recent polls consistently show that a majority of Americans are opposed to a military escalation in Afghanistan. We urge you to reject any recommendation for a further escalation of U.S. military forces there.

Sincerely,

List of Signatures on Bipartisan Letter to President Obama Urging the Rejection to an Increase in Number of U.S. Combat Troops in Afghanistan:

James P. McGovern, Walter Jones, Ron Paul, Ed Whitfield, Neil Abercrombie, Jim McDermott, Pete Stark, Bruce Braley, Phil Hare, Raúl Grijalva, Lynn Woolsey, Lloyd Doggett, Bob Filner, John Olver, Jośe Serrano, Barbara Lee, Jerry Costello, Ben Ray Luján Alan Grayson.

Peter Welch, Kurt Schrader, Tammy Baldwin, Ed Pastor, Yvette Clarke, Sheila Jackson-Lee, John Lewis, Carolyn B. Maloney, Richard Neal, Diane Watson, John Conyers, Jr., Dennis Kucinich, Tim Johnson (IL), Steve Cohen, Keith Ellison, Donna Edwards, Laura Richardson, Michael Honda, Jan Schakowsky.

Daniel Maffei, Steve Kagen, Michael Capuano, Sam Farr, Chellie Pingree, Luis Gutierrez, Maurice Hinchey, Maxine Waters, Mazie Hirono, Jared Polis, Roscoe Bartlett, John J. Duncan, Jr., Dana Rohrabacher, Mike Michaud, Earl Blumenauer, Rush Holt, Mike Quigley, Peter DeFazio, Jerrold Nadler.

I think the American people are way ahead of us on this issue. The American people get it. They know we're getting sucked into a quagmire, they know we're getting sucked into a war that has no end, and they don't want any part of it. All I'm simply saying is, if al Qaeda is our enemy, then let's focus on al Qaeda. Let's not get bogged down in a war that has no end.

Alexander the Great found out he wasn't so great in Afghanistan. Genghis Khan couldn't do anything in Afghanistan; the British, the Soviet Union. I think we got bogged down in a war there, and I think there's a strong argument to be made that's one of the reasons the Soviet Union fell.

So we need to debate this thoroughly. We need to know what we're doing. We owe this to our constituents, we owe this to our country. So I hope that before any escalation of American forces occurs that there is a full and thorough debate in this Congress and a vote up or down on whether or not we should send more troops.

I thank the gentleman.

Mr. KAGEN. I couldn't agree more. I really appreciate your being here with your busy schedule. I align myself with your remarks.

We're also joined by Walter Jones from North Carolina. You've had some experience in representing soldiers, haven't you?

Mr. JONES. Yes. Congressman KAGEN, I want to thank you for giving me a chance to be a small part of this debate tonight. I'm glad its a bipartisan support. Yes, I have Camp Lejeune Marine Base in my district; Cherry Point Marine Air Station; and also Seymour Johnson Air Force Base.

I want to take just a few minutes; a very few. I wanted to share with this debate tonight that this is not—as Mr. MCGOVERN said, this is an American issue. It's not a Democrat or Republican, it's not a liberal or conservative. But let me start with two conservatives.

This was written by George Will, a nationally syndicated column of September 1, 2009. George Will, ''Time to Get Out of Afghanistan.''

'' 'Yesterday,' reads the e-mail from Allen, a marine in Afghanistan, 'I gave blood because a marine, while out on patrol, stepped on a (mine's) pressure plate and lost both legs.' Then 'another marine with a bullet wound to the head was brought in. Both marines died this morning.'

'I'm sorry about the drama,' writes Allen, an enthusiastic infantryman willing to die 'so that each of you may grow old.' He says: 'I put everything in God's hands.' And: 'Semper fi!' ''

George Will further writes, ''Allen and others of America's finest are also in Washington's hands. This city should keep faith with them by rapidly reversing the trajectory of America's involvement in Afghanistan, where, says the Dutch commander of coalition forces in a southern province, walking through the region is 'like walking through the Old Testament.''''

Let me read from another conservative, Peggy Noonan. This was written on October 10 in The Wall Street Journal. ''So far, oddly, most of the debate over Afghanistan has taken place among journalists and foreign-policy professionals. All power to them: They've been fighting it out on op-ed pages and in journals for months now, in many cases with a moral seriousness, good faith, and sense of protectiveness toward the interests of the United States that is, actually, moving. But nobody elected them. We need a truly national debate.''

Those two articles, I wanted to read those parts because I want to thank you, Congressmen KAGEN, MCGOVERN, and RON PAUL and myself, WALTER JONES, for being here tonight, for this reason: Mr. MCGOVERN is exactly right, you're right, so is Mr. PAUL. This is a debate that needs to take place in the daytime with 435 Members of Congress, because our men and women in uniform will go to their death for this country, but they're worn out. There are four and five deployments to Afghanistan and Iraq. And if we don't meet our constitutional responsibility—and I agree with Mr. PAUL, we should declare war, but we don't do that any more. We just pass these resolutions to give the authority to the President. The time has come for the Congress to act on behalf of the American people and, more important, to act on behalf of our troops that we are about to break.

The last point. Today, I wrote Mr. Obama a note and thanked him for taking time to look carefully at what the options should be. And I want to say as a conservative Republican, again, thank you, Mr. Obama, for taking the time, because our boys and girls, our young men and women, they deserve the right decision as it relates to Afghanistan. Thank you.

Mr. KAGEN. I thank you for your remarks, and I align myself with everything you just said. And I want to just express for a few moments some of the experiences I've had as a physician caring for our soldiers—our soldiers who served not just in World War II, but also Korea and Vietnam and elsewhere. And having served as a physician taking care of our soldiers, I can just say it this way. You know, it's really hard to put Humpty Dumpty back together again. Once a soldier has been broken mentally and physically, it is very difficult to put him or her back into the world they came from.

More recently, one of my son's friends from his speed skating days, who was a tremendous athlete, signed up and served in Iraq. And then we got the phone call from Andy's mother that when he came back she was afraid to be in the same house with him because of his anger that would just come out. The only place he felt safe was back in theater in Iraq, guarding not just the people visiting Iraq and Congressmen and women, but the Vice President, then-Vice President Cheney.

A story about a four-star general whom I took care of in 1976, giving him his chemotherapy. I spent a lot of time with him on his way out. And he told me this about the Marines, and it stuck with me forever. The Marines, Dr. KAGEN, the Marines are a killing machine. When politicians call us into a theater, we already know before we go in, within 2 percent, how many body bags to bring. Our purpose is to destroy human life. Don't ask us to build a bridge, don't ask us to build institutions or a new financial system. Our purpose is to destroy human life. That is what the military's job is to do, from his perspective. To destroy human life.

That is the instrument of the military that is being used with a very wide swath today. I think we can do better. I am so proud of this President. And I understand, judging not only by the time that he's taking but also by the number of gray hairs he's generated on his head, that he really is taking this very seriously, trying to find a way forward.

In my view, it's incumbent upon all of us Members of the House to find a way, to help find a way to debate this issue. And I think there are going to be three questions. It's the three questions I ask myself when I look at any bill before the Congress. Number one: Will it work?

So, Mr. President, whatever strategy you're putting together, if you're listening tonight, make sure it's a strategy that's comprehensive, something that's going to work for the American people, because right now we need the help here at home. We should be building a better Nation not overseas but here at home, rebuilding our own infrastructure, the lives and families that we represent. Will it work?

Secondly, can we afford it? What's the real price, not just in dollars and cents, not just in debt accumulation, but in human cost.

The third question is: Is it the right thing to do? Is it ethical? These are the three questions.

Mr. MCGOVERN.

Mr. MCGOVERN. I agree with the gentleman. I want to again also thank our friend, Mr. KAGEN, for organizing this, and, again, my friend WALTER JONES, who's been unbelievably eloquent on the need for there to be more debate on this issue—I appreciate that—and my friend, Mr. PAUL, for all of his work.

The gentleman raises, I think, a very important point, and that is that

there's a cost to this war. There's a cost in terms of human life. My friend is a doctor. He has seen firsthand the trauma that war can inflict on our soldiers. We have all been to Walter Reed Hospital. We have visited many young men and women who have been wounded in this conflict. But there's also a cost, as he mentions, in terms of dollars and cents.

I always find it somewhat ironic that we have debates on this floor about health care or child care or feeding the hungry or making sure people have adequate housing or even in terms of giving our veterans more. People always get up and say, Boy, we can't spend any more; we can't spend any more. We have to worry about our debt and our deficit.

Well, where is the outrage over the fact that we have spent all this money on these wars in Iraq and Afghanistan off budget? It's all gone on our credit card. I introduced a bill along with Mr. OBEY and Mr. MURTHA last year, a couple of years ago, saying that we should have a war tax. It got shot down in a bipartisan way. But I think that we need to understand that in these wars it is only really a tiny sliver of our country that is actually sacrificing—our soldiers and their families. The rest of us are being asked to do nothing. But understand one thing. These wars are adding incredible amounts to our deficit and our debt. People need to understand there's a cost here. And we need to have that debate.

I'll just tell you one other thing, if I can. Look, I, too, am grateful that the President is deliberating on this issue. I wish the deliberation had occurred before we had the surge that we had a few months ago, because I think it was important to have this debate before any more soldiers got sent there. But I am grateful that he is deliberating. And we don't know what his policy will be. But I'm going to tell you I am personally offended by the fact that the President of Afghanistan is openly taking on the United States, criticizing the United States, for what our motives may be and what our role may be over there when we are supporting him and he is guilty of fraud, he is guilty of corruption. If he were in this country, there would be a special investigation and he would go to jail. This is the extent of the corruption over there. And at some point you have to say that this doesn't work.

We have to ask: Why are we there while al Qaeda's in Pakistan, no longer in Afghanistan? What are we trying to do? I don't think it is worth spending the money or sacrificing the lives to defend a corrupt regime. And I think that is where we are right now.

Mr. Karzai has had 8 years to show what he is about. That's why when you asked me before whether if he adds anything to his speech about finding corruption, whether I will believe him. No, I will not, because he's had 8 years to prove what he's about. And we have had good members of our Foreign Service community who have resigned over the fact that this government is so corrupt.

So, enough. We need to develop a policy that has an exit strategy and it includes a flexible withdrawal strategy.

□ 1915

I want to help the Afghan people. I'm not against development aid. I think we should try to help them any way we can, in a way that is sustainable, in a way that works, and in a way that they want. But let's understand that there is no military solution to be had here, and expanding our military footprint will only allow the Taliban greater propaganda points for recruiting and will cost us dearly. So enough. It's time to reevaluate this policy. It is time to figure out a way to end our military involvement, and we need to do so in a sensible and thoughtful way.

Mr. KAGEN. Mr. PAUL?

Mr. PAUL. I thank you for yielding.

I want to just make a couple of points in closing. The statement at the beginning of this war was made that it's different this time. Even though the history is well known about Afghanistan—it's ancient history, but it's different this time because we're different, and it's not going to have the same result. But so far, you know, they haven't caught Osama bin Laden, and we don't have a national government, really. We don't have really honest elections. We haven't won the hearts and minds of the people. There is a lot of dissension, and it is a miserable place. It is really a total failure, let alone the cost, the cost of life and limb and money. I mean, it is just a total failure. The thought that we would pursue this and expand it and send more troops just blows my mind.

I just want to mention a couple of things that I think are bad arguments. One thing is we are involved there, we have invested too much, and, therefore, we have to save face because it would look terrible if we had to leave. But it is like in medicine. What if we, in medicine, were doing the wrong thing, made the wrong diagnosis? Would we keep doing it to prove that we are right or are we going listen to the patient and to the results?

Mr. KAGEN. You would lose your license.

Mr. PAUL. Yes, that's right. But it seems like politicians don't lose their license. Maybe they should. Maybe there will be more this year or something. But the other argument they make is, if you take a less militant viewpoint as we all do that we're not supportive of the troops. The troops don't believe that. The troops I talk to and the ones Mr. JONES talks to, they know we care about them, and they shouldn't be put in harm's way unless it is absolutely necessary.

This other argument is, well, we have got to go over there to kill them because they want to kill us. Well, like I mentioned before, it wasn't the Afghans that came over here, but if we're in their country killing them, we're going to create more terrorists. And the more people we send, the more terrorists, and the more we have to kill. And now it's spreading. That's what I'm worried about in this war.

There was one individual—I don't know his name—but they believed he was in Pakistan, so he was part of the terrorist group, the people who were opposing the occupation. So they sent 15 cruise missiles, drones, over looking for him. It took the 15th one to kill him. But 14 landed, and there was an estimate made that about 1,000 civilians were killed in this manner. How many more terrorists have we developed under those circumstances?

I do want to have 1 minute here to read a quote, and then I will yield back. This quote comes from a Russian general talking to Gorbachev, and Gorbachev went into office in 1985, and this was a year later. The general was talking to Gorbachev. Just think, Gorbachev was in office 1 year. He had the problem. He was trying to get out. He didn't get out until 1989. But the general says, ''Military actions in Afghanistan will soon be 7 years old,'' and told Mr. Gorbachev at a November 1986 Politburo session, ''There is no single piece of land in this country which has not been occupied by a Soviet soldier. Nonetheless, the majority of the territory remains in the hands of rebels.'' It reminds me of the conversation between Colonel Tu and Sumner after Vietnam. And Sumner, our colonel, says, You know, we defeated you in every battle in Vietnam. And Tu looked at him, and he said, Yes, I agree, but it was also irrelevant.

I yield back.

Mr. KAGEN. Thank you very much.

And Gorbachev also publicly said recently that there is no military solution. In his words, he said, Say ''yes'' to domestic considerations, ''no'' to war. And dialogue, he said, is best along with an international solution. Why? Because there is a dangerous concentration of terrorism and violent extremists in the Hindu Kush area. There is a concentration of violent extremists who seek to solve their problems not by dialogue, not by debate and conversation, but by vengeance and violence. There is a better way of doing things.

Mr. JONES.

Mr. JONES. Congressman, thank you very much for yielding. I will be brief.

I think what's been said by Mr. MCGOVERN, you, as well as Congressman PAUL, is that Congress needs to meet its responsibility to debate these issues. That's why I want to read from the former commandant of the Marine Corps who e-mailed me this information. I just want to read one brief paragraph.

''With all due respect to the 'COIN experts,' to execute the clear, hold and build strategy being put forth will require far more than the 40,000 to 80,000 more troops being discussed. No one who knows anything about counterinsurgency would argue that fact. I can

promise you, our troops are so overextended right now that they couldn't produce the numbers needed . . . and the equipment would not be available.''

One other point. I am certainly skipping around but trying to pick out something that would be of interest to this debate. ''Finally, Afghanistan is not Iraq . . . or Vietnam . . . or Iran. It is totally different!

''This is a country (notice I don't dignify it with the term 'nation') that is totally tribal in nature. It has no real government. You cannot even imagine it as a nation-state that can be dealt with and considered an ally.''

This, again, is why we are frustrated, the four of us tonight on the floor. We have seen the pain, the hurt. You've talked about it; JIM'S talked about it; RON'S talked about it; I've talked about it. This country owes it to the families of our military to debate this on the floor of the House with 435 here on the floor of the House to be part of the debate or we're not meeting our responsibility to the men and women in uniform.

I yield back.

Mr. KAGEN. I thank you and align myself with those comments.

Mr. MCGOVERN.

Mr. MCGOVERN. Let me just say in closing, I want to associate myself with the comments of my colleague, Mr. JONES.

I also will insert in the RECORD two recent articles, one that appeared in The Washington Post, entitled ''U.S. Envoy Resists Increase in Troops: Concerns Voiced About Karzai,'' in which Ambassador Eikenberry apparently has raised many of the same issues that we have raised here, and the other from the L.A. Times, ''Ridding Afghanistan of Corruption Will Be No Easy Task,'' and it's an article that goes into great detail about the corruption that exists in Afghanistan.

[From the Washington Post, Nov. 12, 2009]

U.S. ENVOY RESISTS INCREASE IN TROOPS

(By Greg Jaffe, Scott Wilson and Karen DeYoung)

The U.S. ambassador in Kabul sent two classified cables to Washington in the past week expressing deep concerns about sending more U.S. troops to Afghanistan until President Hamid Karzai's government demonstrates that it is willing to tackle the corruption and mismanagement that has fueled the Taliban's rise, senior U.S. officials said.

Karl W. Eikenberry's memos, sent as President Obama enters the final stages of his deliberations over a new Afghanistan strategy, illustrated both the difficulty of the decision and the deepening divisions within the administration's national security team. After a top-level meeting on the issue Wednesday afternoon—Obama's eighth since early last month—the White House issued a statement that appeared to reflect Eikenberry's concerns.

''The President believes that we need to make clear to the Afghan government that our commitment is not open-ended,'' the statement said. ''After years of substantial investments by the American people, governance in Afghanistan must improve in a reasonable period of time.''

On the eve of his nine-day trip to Asia, Obama was given a series of options laid out by military planners with differing numbers of new U.S. deployments, ranging from 10,000 to 40,000 troops. None of the scenarios calls for scaling back the U.S. presence in Afghanistan or delaying the dispatch of additional troops.

But Eikenberry's last-minute interventions have highlighted the nagging undercurrent of the policy discussion: the U.S. dependence on a partnership with a Karzai government whose incompetence and corruption is a universal concern within the administration. After months of political upheaval, in the wake of widespread fraud during the August presidential election, Karzai was installed last week for a second five-year term.

In addition to placing the Karzai problem prominently on the table, the cables from Eikenberry, a retired three-star general who in 2006–2007 commanded U.S. troops in Afghanistan, have rankled his former colleagues in the Pentagon—as well as Gen. Stanley A. McChrystal, defense officials said. McChrystal, the top U.S. and NATO commander in Afghanistan, has stated that without the deployment of an additional tens of thousands of troops within the next year, the mission there ''will likely result in failure.''

Eikenberry retired from the military in April as a senior general in NATO and was sworn in as ambassador the next day. His position as a former commander of U.S. forces in Afghanistan is likely to give added weight to his concerns about sending more troops and fan growing doubts about U.S. prospects in Afghanistan among an increasingly pessimistic public and polarized Congress.

Although Eikenberry's extensive military experience and previous command in Afghanistan were the key reasons Obama chose him for the top diplomatic job there, the former general had been reluctant as ambassador to weigh in on military issues. Some officials who favor an increase in troops said they were surprised by the last-minute nature of his strongly worded cables.

In these and other communications with Washington, Eikenberry has expressed deep reservations about Karzai's erratic behavior and corruption within his government, said U.S. officials familiar with the cables. Since Karzai was officially declared reelected last week, U.S. diplomats have seen little sign that the Afghan president plans to address the problems they have raised repeatedly with him.

U.S. officials were particularly irritated by a interview this week in which a defiant Karzai said that the West has little interest in Afghanistan and that its troops are there only for self-serving reasons.

''The West is not here primarily for the sake of Afghanistan,'' Karzai told PBS's ''The NewsHour With Jim Lehrer'' program. ''It is here to fight terrorism. The United States and its allies came to Afghanistan after September 11. Afghanistan was troubled like hell before that, too. Nobody bothered about us.''

Karzai expressed indifference when asked about the withdrawal of most of the hundreds of U.N. employees from Afghanistan after a bombing late last month in Kabul. The blast killed five foreign U.N. officials.

''They may or may not return,'' he said. ''I don't think Afghanistan will notice it.''

Eikenberry also has expressed frustration with the relative paucity of funds set aside for spending on development and reconstruction this year in Afghanistan, a country wrecked by three decades of war. Earlier this summer, he asked for $2.5 billion in nonmilitary spending for 2010, a 60 percent increase over what Obama had requested from Congress, but the request has languished even as the administration has debated spending billions of dollars on new troops.

The ambassador also has worried that sending tens of thousands of additional American troops would increase the Afghan government's dependence on U.S. support at a time when its own security forces should be taking on more responsibility for fighting. Before serving as the commander of U.S. forces in Afghanistan, Eikenberry was in charge of the Afghan army training program.

Each of the four options that were presented to Obama on Wednesday were accompanied by troop figures and the estimated annual costs of the additional deployments, roughly calculated as $1 billion per thousand troops. All would draw the United States deeper into the war at a time of economic hardship and rising fiscal concerns at home.

Secretary of State Hillary Rodham Clinton and Defense Secretary Robert M. Gates have backed a major increase in U.S. forces to drive the Taliban from populated areas and provide Afghan security forces and the government the space to snuff out corruption and undertake development projects. They have argued that only a large-scale counterinsurgency effort can produce a strong Afghan government capable of preventing the country from once again become an al-Qaeda haven.

Those views have been balanced in internal deliberations by the hard skepticism of other Obama advisers, led by Vice President Biden. They have argued for a more narrow counterterrorism strategy that would not significantly expand the U.S. combat presence.

The most ambitious option Obama received Wednesday calls for 40,000 additional U.S. troops, as outlined by McChrystal in his stark assessment of the war filed in late August.

Military planners put the additional annual cost of McChrystal's recommendation at $33 billion, although White House officials say the number is probably closer to $50 billion. The extra troops would allow U.S. forces to attempt to take back and hold several Taliban havens in the southern and eastern regions of Afghanistan.

One compromise option put forward by the Pentagon, with the backing of Gates, would deploy an additional 30,000 to 35,000 U.S. troops—fewer than McChrystal's optimal number to carry out his strategy—and rely on NATO allies to make up the 5,000- to 10,000–troop difference. The third option, known by military planners as ''the hybrid,'' would send 20,000 additional U.S. troops to shore up security in 10 to 12 major population areas. In the rest of the country, the military would adopt a counterterrorism strategy targeting forces allied with the Taliban and al-Qaeda, primarily in the north and east, with fighter jets, Predator drones and Special Operations troops that leave a light U.S. footprint on the ground. The military puts the annual cost of that option at $22 billion.

The most modest option calls for deploying an additional 10,000 to 15,000 troops. While under consideration at the White House, the proposal holds little merit for military planners because, after building bases to accommodate 10,000 or so additional soldiers and Marines, the marginal cost of adding troops beyond that figure would rise only slightly.

[From the Los Angeles Times, Nov. 18, 2009]

RIDDING AFGHANISTAN OF CORRUPTION WILL BE NO EASY TASK

(By Alexandra Zavis)

Afghans have a name for the huge, gaudy mansions that have sprung up in Kabul's wealthy Sherpur neighborhood since 2001. They call them ''poppy palaces.''

The cost of building one of these homes, which are adorned with sweeping terraces

and ornate columns, can run into the hundreds of thousands of dollars. Many are owned by government officials whose formal salaries are a few hundred dollars a month.

To the capital's jaded residents, there are few more potent symbols of the corruption that permeates every level of Afghan society, from the traffic policemen who shake down motorists to top government officials and their relatives who are implicated in the opium trade.

Cronyism, graft and the flourishing drug trade have destroyed public confidence in the government of President Hamid Karzai and contributed to the resurgence of the Taliban by driving disaffected Afghans to side with insurgents and protecting an important source of their funding.

With casualties mounting and a decision on military strategy looming, President Obama and other Western leaders are finding it increasingly difficult to justify sending troops to fight for a government rife with corruption.

This month, when Karzai was declared the winner of an election marred by rampant fraud, the top United Nations official in Afghanistan warned that without major reforms, the Afghan president risked losing the support of countries that supply more than 100,000 troops and have contributed billions of dollars in aid since the Taliban was toppled in 2001.

Karzai has publicly acknowledged the corruption and pledged to ''make every possible effort to wipe away this stain.'' On Monday, the interior minister, national security director, attorney general and chief justice of the Supreme Court joined forces to announce a new crime-fighting unit to take on the problem.

But in the streets, bazaars and government offices, where almost every brush with authority is said to result in a bribe, few take the promises to tamp down corruption seriously.

''It's like a sickness,'' merchant Hakimullah Zada said. ''Everyone is doing it.''

In these tough economic times, Zada said, there's one person he can count on to visit his tannery: a city inspector.

The lanky municipal agent frowns disapprovingly when he finds Zada and five other leather workers soaking and pounding hides in the grimy Kabul River and demands his cut—the equivalent of about $40.

''He says we are polluting the river,'' Zada says. ''So we have to pay every day. Otherwise, he will report us to the municipality, and they will close down our shops.''

A 2008 survey by Integrity Watch Afghanistan found that a typical household pays about $100 a year in bribes in a country where more than half the population survives on less than $1 a day.

Government salaries start at less than $100 a month, and almost everything has its price: a business permit, police protection, even release from prison. When Zada was afraid of failing his high school exams, he handed his teacher an envelope stuffed with more than 1,500 Afghanis—about $30. He passed with flying colors.

The corruption extends to the highest government officials and their relatives. Even Karzai's brother, Ahmed Wali Karzai, has long been suspected of cooperating with drug barons, charges he denies.

Abdul Jabar Sabit, a former attorney general who between 2006 and 2008 declared a jihad, or holy war, against corruption, said he quickly learned that a class of high-ranking officials is above the law. They include members of parliament, provincial governors and Cabinet ministers.

''I wanted to tear that curtain down, but I could not do it,'' he said over tea in his modest sitting room at the top of a rundown apartment block.

As required by the constitution, he said, he wrote repeated letters to parliament requesting permission to investigate charges against 22 members ranging from embezzlement to murder. ''Despite all my letters, the issue never made it onto the agenda of either house,'' he said.

Sabit estimates that he filed corruption charges against more than 300 provincial officials before he was dismissed in 2008. Few were convicted, and ''none of them are in jail now,'' he said.

Obama and other world leaders have told Karzai that they expect him to take concrete steps to back up his promises to fight corruption. Karzai counters that donor countries share responsibility for the problem because of poor management of the funds pouring in for development projects, a concern shared by U.N. officials.

Among the practices raising alarm is the so-called flipping of contracts, which are passed along from subcontractor to subcontractor. Each one takes a cut until there is little money left for the intended project. The result is often long construction delays and shoddy workmanship.

Many foreign and local observers think Karzai can't begin to address corruption until he severs ties with former warlords who helped drive the Taliban from power in 2001 and shored up his administration when U.S. attention was focused on Iraq.

U.S. and other Western officials are pressing Karzai to form a government of competent professionals. But he will have to balance their demands against promises made to ethnic and regional strongmen who helped deliver the votes he needed for a second five-year term.

Western officials were particularly troubled by the recent return from Turkey of Abdul Rashid Dostum, a notorious former warlord who endorsed Karzai's campaign. He is accused of overseeing the deaths of up to 2,000 Taliban prisoners during the 2001 invasion, charges he denies. Karzai's two vice presidents, Mohammad Qasim Fahim and Karim Khalili, are also former warlords accused of rights abuses.

''There are also new figures who will try very hard to get their supporters in government,'' said Fahim Dashy, editor of the independent Kabul Weekly. ''They are coming with empty pockets and they will see this as a golden opportunity to make money, either by legal or illegal ways.''

Karzai has said there will be no place in his government for corrupt individuals. But his aides say that dismissals alone won't solve a pervasive and systematic problem.

An investigation by the High Office of Oversight and Anti-Corruption, set up more than a year ago to oversee the government's efforts to fight graft, found that on average it took 51 signatures to register a vehicle. Each signature had its price, for a total cost of about $400.

''It is hardly surprising if Afghans prefer to bribe policemen on a daily basis to turn a blind eye to their unregistered vehicles,'' said Ershad Ahmadi, the bureau's British-educated deputy director.

Ahmadi said his office helped streamline the process to four or five steps, and it requires that payments be made directly to the bank, thereby reducing the opportunities for corruption. But without the minister of transportation's cooperation, he said, his team would have been powerless.

''We do not have the necessary powers and independence to fulfill our mandate,'' Ahmadi said. For a start, it was never given the legal authority to investigate or prosecute corruption—only to refer cases to law enforcement agencies, themselves part of the problem.

''The police are corrupt. The prosecutors are corrupt. The judges are corrupt,'' Ahmadi said.

It was not clear whether the new anti-corruption unit, which was set up with the help of U.S. and British law enforcement agencies, would be more effective at pursuing individuals who indulge in corrupt practices. It is the third structure set up by Karzai's government to tackle the problem; the first was disbanded after it emerged that the head had been convicted and imprisoned in the U.S. on drug charges.

''The main problem . . . is that people have no confidence about the future,'' Ahmadi said. ''That makes them make hay while the sun shines.

''We need to persuade the people of Afghanistan that there is no returning to the miseries of the past,'' he said. ''The Taliban is not coming back. The international community is not abandoning Afghanistan, and there is going to be slow but steady improvement.''

Let me just say, finally, it doesn't take a lot of guts for a Member of Congress to stand up and say, Send more troops. And certainly I guess some think it is easier, more popular to say, Let's send more troops. The more troops we send, we can appear tough on terrorism. All of us want to be tough on terrorism, but what we're arguing here is that what is happening in Afghanistan is not helping us in the war against terror. If it was, if this was a war about holding to account those who committed these terrible atrocities on September 11, I wouldn't be here questioning what we're doing.

I think we're getting sucked into a war with no end. This is a quagmire. There is no end to this. And if we're going to enlarge our military footprint, then I think it is important for the American people to know that we're going to be there for a very, very long, long time; longer than any of us will be in Congress, longer probably than we're going to be on this Earth, that is how difficult it is in Afghanistan. I think, as Mr. JONES said, that we owe it to the men and women who serve in our Armed Forces to make sure that if we're going to send them into harm's way, that we had better be sure that we are doing it because the national security interest of this country is at stake.

I don't like the Taliban. They are a bad group of people, but they are not a threat to national security of the United States. We need to help the Afghan people because they have been neglected, and they have been abused for so long by so many people. We need to figure out a way to do that, and I think we will have better luck and we will encourage more sustainable development without a large military footprint.

But I'm going to end by saying that, at a minimum, we need to know what the exit strategy is here. When the President, after his deliberation, comes up with his policy, he needs to tell us how this all comes to an end, because I think that is the responsible thing to do. We owe that to our troops. We owe that to the American people. This war

has already cost us too much in terms of treasure and human life. I've been there. I think we need to change our policy dramatically, but we need to have this debate. We should not send one more American soldier over to Afghanistan without a full and thorough debate on this House floor about whether that's the right thing to do. And then every Member of this House, Republican and Democrat alike, will have to vote on it.

I am proud of this group that has gathered here today to continue to raise this issue. Mr. KAGEN, I want to thank you in particular for getting us all here tonight. This is an important issue. This is probably one of the most important issues that we're going to deal with during our service in Congress. I hope we get it right. And to me, getting it right is to change our strategy and begin a flexible exit strategy.

I thank the gentleman and yield back.

Mr. KAGEN. Thank you, Mr. MCGOVERN. There has never been a more important time in our Nation's history to get it right, to think it all the way through, and to make certain that we carry out our constitutional duties here in the House of Representatives.

Mr. PAUL.

Mr. PAUL. I would like to just make one more comment as we close the Special Order.

I opened my remarks talking about Barbara Tuchman's ''The March of Folly.'' We are on the same course. I would say it's time to march home. I'm not for sending any more troops. It is very clear in my mind that if the job isn't getting done and we don't know what we're there for, I would say, you know, it's time to come home, because I fear—and it's been brought up. Congressman MCGOVERN has brought it up, and everybody's talked about the finances of this because it is known that all great nations, when they spread themselves too thinly around the world, they go bankrupt. And that is essentially what's happened to the Soviet system. They fell apart for economic reasons.

So there are trillions of dollars spent in this operation. We're flat-out broke, a $2 trillion increase in the national debt last year, and it just won't continue. So we may not get our debate on the floor. We may not be persuasive enough to change this course, but I'll tell you what, the course will be changed. Let's hope they accept some of our suggestions, because when a Nation crumbles for financial reasons, that's much more dangerous than us taking the tough stance and saying, It's time to come home.

Mr. KAGEN. Thank you, Mr. PAUL.

Mr. JONES, go ahead, and I will wrap up afterwards.

Mr. JONES. I will be brief. I know time is getting limited. I want to thank you, Mr. MCGOVERN and Mr. PAUL for being here tonight because I've seen the pain as you mentioned earlier of PTSD, of TBI. I have seen the families when a marine came back and who needed counseling, and before it was all said and done, he killed his wife. We do not need to put these men and women under this pressure unless we know what we are trying to achieve and the end point. We need to have this debate. We will figure out some resolution that the four of us and other Members of Congress can force this House to come forward and have this debate.

Thank you for letting me be a small part of tonight.

Mr. KAGEN. I want to thank you, Mr. JONES, Mr. PAUL, Mr. MCGOVERN for this commencement of a conversation and a real discussion about what America's best interests are. I know that when we put our heads together, put our minds together, we'll find a more positive way forward in beginning to solve this problem. I will finish with a brief story.

In 1979, I was in training, in Milwaukee, at the Medical College of Wisconsin, and there training in the specialty of allergy and immunology with me was the son of a senator of Pakistan. And that was the time when Russia invaded Afghanistan. I came into the laboratory, and I said, Nassir, your country is going to be next. And he looked up at me, and he said, Oh, Steve, don't worry. It's easy to get into Afghanistan. It's very hard to get out, and when the Russians leave in 5 or 10 years, they'll be shot in the ''blank'' when they leave.

That same experience is being experienced today by our soldiers, by our Nation, by our pocketbook. So every time we hear about someone being wounded and injured, whether it's our own soldier or a civilian or an enemy, that bomb and that bullet has real echoes economically here at home. In the end, the exit strategy may be determined, as Mr. PAUL said, by our economy. The question is: Will the strategy work? Can we afford it? And is it the ethical thing to do?

At this point in time, I don't believe we can afford to stay on the current path we're on in Afghanistan and in Iraq. We have to make certain that our soldiers are safe here at home and that we have an economy that can support all of the people that we have the honor of representing.

□ 1930

AMERICA'S ROLE IN THE WORLD

The SPEAKER pro tempore (Mrs. HALVORSON). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Thank you, Madam Speaker. I appreciate being recognized to address you here on the floor of the House of Representatives.

Listening to the dialogue of the gentlemen in the previous hour, I generally have a pattern where I will discuss a bit of different viewpoints.

And returning to that subject matter, I understand their concern for military personnel and their families, for the lives and the health of all of our brave military personnel. In fact, I sympathize and support our military personnel and their families and the entire support network that is there. I've been six times to Iraq, twice to Afghanistan; and I meet with our military personnel as often as I possibly can. And, yes, like every congressional district—and perhaps every congressional district—we've lost soldiers and we've lost airmen and we've lost marines and we've lost sailors. And that has been the case, and it's ever been thus.

So as I listened to the gentlemen who argue that we should have a debate on the floor, it seems as though they come with a common purpose of arguing that we should not be in Afghanistan.

I would make the point, Madam Speaker, that they made the same argument when we were in Iraq. And the points that they made then were very similar to the points that are being made now and that is the position that it's not worth the price. It is a legitimate position to discuss, but I believe it is the one to have that debate before we engage in a war rather than when we're in the floor of it because the dialogue from the floor of this House echoes to our enemies; and they begin to wonder whether the Americans have the resolve to persevere and bring about the sustained effort that's necessary in order to win a war, especially a war that is protracted with an amorphous enemy that is scattered throughout the mountains that has sometimes the support of the network.

The Taliban is our enemy and al Qaeda is our enemy, and there are another six or seven organizations in that part of the world who are defined organizations that are our enemies, Madam Speaker.

But the position taken by these Members back during the Iraq war was to pull out, pull out at all costs, pull out immediately. Simply leave a rear guard to try to avoid being shot in the back as our troops loaded out of Iraq. Let it collapse, if that's what it would be. But they argued it wasn't worth the price—at least some of them, and I believe all of them, that were on the floor taking this position tonight.

And yet in spite of the naysayers, in spite of the distraction, in spite of the 45 votes that were brought to the floor of this Congress and led by the Speaker of the House, NANCY PELOSI, those votes were designed to undermine, unfund, and to damage the resolve of our troops. Those votes that came to this floor—and I have a collected Excel spreadsheet that links to each one of those resolutions, each one of those votes, 45 votes and debates on the floor of this House—these Members can't argue that we didn't have the debate on Iraq. It was pushed by the Speaker of the House. And whatever the motives, it demoralized our troops and encouraged our enemies.

And the result of those resolutions and different acts that were brought to

this floor was that this Congress stuck together. This Congress didn't crack. We stood with our military; we stood with our troops. We're at a time of war. And a decision was made, and this Congress made the decision to go into Iraq and to provide for the authority for the President of the United States to command the military forces to do what was necessary to protect the American people. We were operating off the best information we had at the time. That's what any nation does at any time in any crisis. And I think at any time in history if there has been a question whether it was a right decision, there's always the question of what was the information they had to work with at the time.

Regardless, the situation remains this: the people that were here on the floor that would like to pull us out of Afghanistan immediately are the ones who also predominantly were for pulling out of Iraq immediately. We know that the President of the United States, the current Commander in Chief, as a candidate for the Presidency, argued that Bush had taken his eye off the ball, that the ball was Afghanistan and the target was Osama bin Laden and that he would bring Osama bin Laden to justice. Even denigrated Senator JOHN MCCAIN for saying he would follow Osama bin Laden to the gates of hell if necessary, but not being willing to take on some of the tasks that the President thought should be taken on.

And so our current President, our current Commander in Chief, as a candidate and United States Senator, continually made the speech that President Bush had taken his eye off the ball, if the ball was Osama bin Laden and Afghanistan, and that we should immediately pull all of our troops out of Iraq without regard to those consequences, and diminished the calamity that almost certainly would have ensued.

And that calamity, just to paint that picture again, Madam Speaker, for the American people's benefit, the calamity that was pending in 2005, 2006, especially early 2007 and on into 2008, would have likely been this scenario: if we'd pulled out, the Kurds would have likely declared independence and found themselves in a two-front war: Iran on one side that had been throughout those years lobbing artillery rounds into Kurdistan, and war with the Turks on the west side who have gone in and done several raids against the Kurds there in the last few years.

So there's that open-arm conflict that exists on the east and west border of Kurdistan that likely would have swallowed up the Kurds that would not have had the help of the United States if we had pulled out of Iraq, and neither would they have had the help from Iraq because the Iraqis themselves were having significant difficulty in providing security for their own people.

Other problems that we had were militia groups that were warring against each other, Sunnis and Shias and the power vacuum that brought about this violence. There were neighborhoods that were purged and taken back over again. And we had, if not forgotten, the Mahdi militia and the other militias that had emerged within Iraq that were in the process of enforcement, and some might say ethnic cleansing and sectarian violence.

And al Qaeda was entrenched in the al Anbar province. Al Qaeda ruled al Anbar province. Al Anbar province was so bad that I could not go there during that period of time throughout all of 2006 and probably well before then. The cities of Ramadi and Fallujah had been fought over, and they needed to be fought over again before they could be liberated for the Iraqi people to take control of.

That was the scenario. And not only that, the great threat of the Iranians and their involvement and engagement in subversive activities across their border into Iraq was all part of this competition that was almost—almost—a military, political, economic conundrum.

And you have most of the oil in Iraq is over against the Straits—very, very close to the oil that's in Iran. And then in the south where you had the Shias, the Shias had some affinity to the Iranian Shias.

So that entire scenario, the worst-case scenario that I can paint for this—and it's the one that actually looked like it was the most likely it would be if the United States had pulled out of Iraq and an instantaneous sectarian violence situation where the Shias and the Sunnis would go at each other in an unrestrained way, where al Qaeda would have continued to maintain al Anbar province and expand their hold and a base camp for the world, the predictions—and they still remain true—that there are significant oil reserves in al Anbar province that would have been the wealth of that oil that could have gone into the pockets and the treasure chest of al Qaeda and funded their global operations.

The only significant refinery—I will say it this way—the most significant refinery in all of northern Iraq is in al Anbar province where Saddam put it so he could bring the Kurdish oil down and control the oil from Kurdistan for political reasons. That could have all been an al Qaeda base camp with lots of oil to fund it.

And it could have been the Shias and the Sunnis and the remaining Shias at battle with each other, and the Iranians making common cause with the Shias and taking over the oil fields in the south of Iraq where about 70 percent of the oil is and having control of both sides of the Straits of Hormuz and control of a lot more of the oil in the world, and the ability to shut off around 40 percent of the world's oil while the Kurds find themselves in a two-front war having declared independence.

That's just part of what would have happened if we had pulled out of Iraq, Madam Speaker. That was the advice of the gentlemen on the floor that argue against our involvement in Afghanistan.

And today, today, due to a brave and difficult decision made by our then-Commander in Chief, George W. Bush, who ordered the surge, that the courageous notion of investing American might and preserving a victory that may have been achieved in March and April and May primarily in 2003 that needed to be reachieved in a number of the cities that were taken over by al Qaeda and other forces that were contrary and in opposition to the United States, that order for the surge and noble bravery of our military, of all branches of service, came together in Iraq and provided the kind of security that has allowed the Iraqis to develop their own security forces.

And those forces now exceed—by the time—if you talk all of their security forces, they meet and exceed a number in the area of 600,000 that are providing for the safety of the Iraqi people.

The stability in Iraq today? Even though there are flareups of violence and flareups of suicide bombs that take place from time to time, there is a control of that country that has been taken over by the Iraqi people exactly within the design of President Bush—but not something that the gentlemen that spoke ahead of me could actually admit to, I don't believe, the level of success in Iraq.

I did introduce a resolution in February of this year that declares that we have achieved a definable victory in Iraq, and it defines the victory and it lays out the milestones along the way. A definable victory and by measure of a civil government that can provide for safety and security for its people at a level significantly higher than it was. American casualties that went down to the point of where it was as likely that we would lose an American in Iraq due to an accident as to the enemy.

The civilian government establishments there, the distribution of the oil revenue, the list of accomplishments ratifying a Constitution far faster than we were able to do so in the United States when we established our first Constitution. The drafting and the writing and the passage and the ratification process in its entirety were quicker in Iraq than it was in the United States of America.

So of all of the milestones, of all of the benchmarks that were imposed by this Congress on the Iraqi Government and the Iraqi people and the responsibility of our President Bush at the time and the Commander in Chief of our military and our military personnel, of the 18 benchmarks, 17 of the 18 benchmarks—even as of last February—had been wholly or substantially achieved. And the 18th benchmark was an amorphous benchmark that is moving in that direction. What matters is how you define it.

That's what happened. We've achieved a definable victory in Iraq,

and that accomplishment was done not because of people who wanted to pull out, that didn't have the resolve, that didn't understand the price that America pays down the line for lack of resolve in this moment of history.

I would use an example, Madam Speaker, and that would be on June 11 of 2004, I was sitting in a hotel room in Kuwait City waiting to go into Iraq the next morning. And I was watching Al-Jazeera TV. And on Al-Jazeera TV, June 11, 2004, with the English closed-caption, Moqtada al-Sadr came on—the head of the Mahdi militia who gave us so much trouble. And he said—judging by the closed caption that I read, and presumably it was in Arabic—he said, If we continue attacking Americans, they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu. He was predicting that the Americans would not have the resolve to achieve a victory in Iraq.

And had that been the case, if the President of the United States, if the balance of the Republicans in this Congress and some of the national security Democrats had not had resolve, today we would be seeing the calamity in Iraq that I have just laid out as the likely scenario. And we would also be listening to Osama bin Laden and perhaps Khalid Sheikh Mohammed before a courtroom in New York say, Well, the Americans left Vietnam, and they left Lebanon, they left Mogadishu, and they pulled out of Iraq. Americans don't have resolve. All it takes to defeat American might is persistence and perseverance and a willingness to fight a war of attrition and accept the casualties. And if you do that long enough, Americans will lose their patience and will lose their will. That was the message that Moqtada al-Sadr got. He said it directly into Al-Jazeera TV, June 11, 2004. It was the message that Osama bin Laden got when he was inspired to attack the United States because he didn't believe that we had the resolve to strike back or the resolve to keep the pressure on.

□ 1945

And because America sent a weak message—Vietnam, Lebanon, Mogadishu—it inspired our enemies to take us on and challenge us because if they see a sign of weakness, that is where they would attack.

The Japanese didn't think that America had that kind of resolve when they attacked us on December 7, 1941. We did show the resolve when we were attacked, and we showed the resolve after September 11, 2001, and we need to show the resolve in Afghanistan, although it is a much more difficult nut to crack. To that extent, I will give my colleagues in the previous hour their due.

My first trip to Afghanistan, it was in the middle of the most difficult times in Iraq, when most didn't see a way out that would be victorious in Iraq. I came back and said, We will be in Afghanistan a lot longer than we will be in Iraq because Afghanistan is a lot closer to the Stone Age than Iraq. They don't have the transportation. They don't have the infrastructure. They don't have a modern education system. They are living closer to the Stone Age. There is only one highway that transfers assets across the country, and that is a highway that we turned into a paved highway. Other than that, it was a trail.

The Afghanis, many of them live up in valleys in the mountain, and that zone in a particular valley is where the tribe is. So it is much more difficult to maintain security in a country that has been at war and has been able to reject or eject any of its conquerors.

The difference is that Americans are not invaders and occupiers. We are liberators. Where we have gone, we have liberated people. And wherever American soldiers have gone, there has been a tremendous blessing that is left in the aftermath, especially if we stay and pass along American values.

Some few years ago, I was at a hotel here in downtown Washington, D.C., to hear a speech from President Arroyo of the Philippines, and I guess this was about 2004. She said, Thank you, America. Thank you for sending the Marine Corps to our islands in 1898, thank you for freeing and liberating us. Thank you for sending your priests and pastors who taught us your faith. Thank you for sending us 10,000 American teachers—and she had a Filipino name for them which I missed—and the American teachers and the priests and pastors and the soldiers.

She forgot to mention actually the Army, she said marines, they taught us the American way of life. You taught us the English language. You taught us the values, and I will summarize it in my words, not hers, the values of Western civilization. She said today, 1.6 million Filipinos leave the islands to work wherever in the world they want to go, and they send a lot of their money back to the Philippines, representing, and she gave the number, but a high percentage of the gross domestic product of the Philippines.

The benefit of having the American civilization arrive in the Philippines is evident more than 100 years later, and we are thanked for it by the President of the Philippines.

And now we look around the world and we see, is Japan better off or worse off in the aftermath of Imperial Japan, in the aftermath of Hiroshima and Nagasaki? Is Japan better off because the Americans went into Japan and helped set up a free market capitalistic system, a system of representative government that is no longer run by the Emperor that our Commander in Chief gave a 90-degree bow before a couple of days ago?

Madam Speaker, I wasn't particularly alarmed when I heard that the President had bowed to the Emperor of Japan until I saw the videotape of the President of the United States bowing 90 degrees. It was almost a genuflection before the Emperor of Japan, so far different than it was before the ceremonies of surrender on the USS Missouri. And never in the history of the country do we have the record of a President of the United States bowing before any foreign leader, and no President of the United States should ever bow before another foreign leader. And yet we have seen this happen and we have seen this unfold around the country, around the world, a global tour of contrition that has diminished the power and the influence of the United States.

Some Nation has to be the superpower in the world. We should have adjusted to this fairly easily. It was a struggle that we were involved in. At the beginning of the Cold War, and you can pick your date on when that starts. Was it the blockade that brought about the Berlin Airlift? Was it the 1948 speech at Fulton, Missouri, when Winston Churchill laid out the identification of the Cold War when he said an Iron Curtain has descended across Europe? But some place between 1945 and 1948, the Cold War began.

The Russians and the East Germans began building their Berlin Wall in 1961, and that wall stood until November 9, 1989. That period of time clearly is Cold War time, and you can expand onto that, back it up to about 1948 or earlier, and the Cold War wasn't quite over for some months after the Berlin Wall started to come down, about the time the Soviet Union imploded, and the date I will pick on that, the specific date, would be December 31, 1990. That is about as close a date as we can get to the end of the Soviet Union.

At that period of time, we could celebrate that the Cold War was over and that the United States of America had emerged as the world's only superpower, and that this contest, this struggle, that was between this communism, hardcore socialism, militarily imposed economies with a regime that believed that the person, the individual, the human being, God's unique gift of the now six billion plus of us on this planet, that people existed for the State. That was their position. That was Karl Marx's position, and that is what has evolved in the thought process of the utopianists for 150 or more years.

And yet we saw the Soviet Union implode after we saw freedom echo across Eastern Europe in nation after nation. We just celebrated yesterday or the day before the Velvet Revolution in Czechoslovakia, where thousands and thousands of Czechs stood in the square in Prague peacefully and held their keys up, Madam Speaker, and rattled their keys for hours on end, rattling their keys for freedom. We can hear what that is like. That echoes back 20 years, and we saw Vaclav Havel step forward and become the leader of that nation, and they divided it into the two separate parts also in a peaceful way.

A little bit of violence along throughout Eastern Europe, but from the

standpoint of the hundreds of millions of people who became free in the aftermath of the fall of the Berlin Wall, and part of that was the Velvet Revolution in Czechoslovakia, the maximum number of people breathe free air for the least amount of blood I believe in the history of the world, and that freedom echoed, I would argue then, all of the way across Eastern Europe, from the wall in Berlin, all of the way across Eastern Europe, all of the way across Russia, all of the way to the Pacific Ocean, at least for a time.

And the optimism that I had, and that hope, that faith, that belief that the Cold War was really over and that then the free market capitalism and the freedom that we have that the rights—our rights come from God, and they are enumerated in our Constitution, but they are God-given rights, we hold these truths to be self-evident, that the image of that, the inspiration of our freedom and the power of the free market system had set aside, had pushed away, had defeated every competing model for a civilization that had been designed by the world, Madam Speaker.

I have to characterize this another way, more succinctly in the words of another, and that was Jeanne Kirkpatrick who in the early part of the Reagan administration was the ambassador to the United Nations. Jeanne Kirkpatrick, as she stepped down as ambassador to the United Nations to pursue other endeavors, she said, What is going on in this Cold War is this: That the Soviet Union and the United States of America, these two superpowers clashing in this Cold War, are the equivalent of, the contest is the equivalent of playing chess and monopoly on the same board. With our free market economy and monopoly, and with the Soviet Union's massive buildup in military ability, she said playing chess and monopoly on the same board, and the only question is will the United States of America bankrupt the Soviet Union economically before the Soviet Union checkmates the United States militarily. Chess and monopoly on the same board. Do the Russians go bankrupt before they checkmate us with their ICBM missiles and their other military equipment and hardware, the massive military that they were developing?

We know the answer to that now. That was about 1984 that Jeanne Kirkpatrick made that statement. And November 9, 1989, and the ensuing months up until the last day in 1990 when the Soviet Union was I think officially imploded, we saw that free market capitalism, freedom, the inspiration of the rights that come from God that are enumerated in our Constitution and that flow, that the government is of, by, and for the people, and that the people grant the authority that comes from God to their legitimate elected representatives to govern them in an orderly fashion, that that system of government, our constitutional Republic prevailed, prevailed over the utopian mistake, the colossal error that cost the lives of hundreds of millions of people, Karl Marx's approach to utopianism. That is what we saw happen, Madam Speaker.

I believed then, in 1989, in the early winter of 1989 and throughout 1990, 1991, through the early part of the 1990s until the late 1990s some time, I believed that it was clear to the rest of the world that freedom had won, that free market capitalism had won. I didn't think it was arguable, and I thought somehow that those leaders in the world would realize the reality that they couldn't compete with a system that tapped into the vitality of the inspiration of every individual who had their own franchise and their own opportunity and their own rights to engage in making their lives better for themselves and their family, and to do so in a moral and ethical fashion within the framework of the rule of law. I believed the rest of the world would see that clearly.

Look at Eastern Europe, the region that so recently had won its freedom: How could they begin to think in this myopic, utopian fashion of, let's say, of Marx and Hegel and others that are part of the utopian philosophers in that part of the world. How could they think that? So they went underground for awhile and they drifted away and they became this amorphous, loosely and most often disorganized group of people who were still Marxists, they were still Communists, they were still believers in a managed society, a managed economy, a utopian world, the kind of world where liberal-thinking elitists would manage the resources of humanity and that every human being was a tool of the state and you were there to glorify the state.

And so they emerged again, Madam Speaker. And as they emerged, they began to form alliances against the United States. And those alliances that were formed brought about these alliances that we are faced with today.

I mean, it wasn't unpredictable that the Islamic fundamentalists would rise up and begin to attack the United States. That wasn't unpredictable. In fact, it was predicted, not by me, but by other people who had an insight into human nature and history that went beyond the things that I could sense at that time at least.

And so we have seen the philosophy of ''the enemy of my enemy is my friend.'' There is a certain factor, and I will just called it national jealousy, that envy factor that comes into play. Europe had lost a lot of its glory. They had formed in the 1970s, at least, and perhaps earlier than that, the European Union. The goal of the European Union was to establish the United States of Europe, to establish the United States of Europe incrementally by a common currency and opening up borders and providing for open and free trade in the European Union.

It was designed and it was in print as a policy position and objective and a goal. And the mission statement was to shape the European Union into the United States of Europe and to provide, quote, ''a counterbalance to the United States of America,'' close quote.

You can see where Europe didn't like the idea that the United States of America—the progeny of Europe is what we have been—could become the unchallenged superpower in the world. So that resistance and objection emerged from Western Europe, the Western Europe that represents, I think, the ancestors to modern day Western civilization. But there is a little nation envy that goes on, and there is an aspiration of a wannabe in trying to make the world a better place.

In Eastern Europe they hung onto their freedom a little bit more, and I have observed that those people who have most recently achieved their freedom are the ones who protect it and guard it the most jealously. That has been the case with the Eastern Europeans who remember what it was like to live under the yoke of communism who celebrated in this month, and will celebrate every November 9 of every year from here on, the fall of the Wall, the literal crashing of the Iron Curtain and the end of the Cold War and the beginning of freedom that echoed across Eastern Europe, and by some estimations all of the way across Asia to the Pacific Ocean, until the utopianists, the control people, the dictators began to emerge and to take away the freedoms.

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We believed, I think, for some time that in Russia, the remainder of the old Soviet Union, that they had that level of freedom that the people in Russia wanted. We believed they had free elections and freedom of press and a free market economy. At least it was emerging, and people were willing to learn how to compete in a free market economy. But today we see that Putin has diminished that dramatically, that the elections are not the legitimate elections that we had hoped we would see in Russia, that free market capitalism is instead controlled often by a Russian mob, a Russian mafia, and favoritisms that take place and the payoffs that go on within indicate a corrupt society that's now run for the glorification and the power and the enrichment of the rulers. That's the case in a number of other countries in the world.

But we're unique here in the United States of America. Madam Speaker, we're a unique people. And, yes, we are the progeny of Western Europe, and we are the progeny that came from primarily Western European stock. And at the time that we received the best that Western Europe had to offer, we also received a fundamental Christian faith as the core of our moral values.

This is a Judeo-Christian Nation, Madam Speaker. The core of our moral values is embodied within the culture. Whatever church people go to or

whether they go to church, wherever they worship or whether they worship, we still have the American people who, as a culture, understand Christian values and Christian principles, the Judeo-Christian values that are timeless.

So I would illustrate that, Madam Speaker, in this way. An example would be this: Let's just say if an honorable man from Texas were to pull into his driveway and his neighbor's dog had gotten loose and had run underneath the tire of his car. If you're in Texas or Iowa or most of the places in the country, if you run over your neighbor's dog, what do you do? This is how I'm going to illustrate this is a Christian Nation. You go over and knock on your neighbor's door and you say, Well, Joe, I just killed your dog. I'm sorry.

Well, there are two things that happened there. One of them is confession, I just killed your dog. I'm sorry, his repentance. The third thing you say is, Will you forgive me? I didn't mean to. It was an accident. So you would have confession, repentance, and you ask for forgiveness. And the neighbor, Joe, will say, Well, it wasn't your fault. Of course you're forgiven. And that is the path of Christian forgiveness that takes place even when we run over our neighbor's dog.

This is a Christian Nation, and the foundation of Western civilization are those kinds of values. And this is rooted going as far back as the Age of Reason in Greece where the foundations and the principles of logic and reason and science were developed, and it flows through Western civilization into the division of the Age of Enlightenment that took place, the English speaking half where we got our free enterprise and our freedom from and the non-English-speaking half of the Age of Enlightenment where we got a lot of these utopian ideas that flowed down here. And some of them have polluted the thought process, and they clearly pollute the thought process here in the United States Congress where many have suspended their ability to reason.

I recall even this week being criticized by a professor of political science who assigned me a belief system and then attacked the belief system that he assigned to me. You wouldn't have gotten by with that in front of Socrates or Milton Friedman, for example, and you shouldn't get by with that in this society either. If person after person in this Congress takes the posture that we should be legislating in part by anecdotes and by feelings and by emoting, by something sympathetic so that no one falls through anything, that we create a sieve that there are no cracks in, truthfully, Madam Speaker, society doesn't work that way. There is good and there is evil in all of us.

We're predominantly good. We have to punish the evil and reward the good. And our job in this Congress is to enhance and increase in public policy, to the extent we can, the average annual productivity of our people. And if that is brought about in a moral fashion, that improves the quality of life, the standard of living of everyone in the United States of America, and it strengthens us from a military, economic, social, and cultural standpoint. And we are being weakened by people who undermine our national security, by people who are constantly assaulting free enterprise, capitalism, by people who are constantly assaulting the rule of law. And the rule of law does apply and it applies in securing our borders.

I see my friend from Missouri has arrived on the floor, and whatever is on his heart at the time, I'd be so happy to yield to the gentleman. The gentleman from Missouri (Mr. AKIN).

Mr. AKIN. I thank my good friend from Iowa for yielding.

A number of the different words that you're using are so important to the foundation of the whole logic of how the American system works. You were talking about the idea of a rule of law, and that's one of those terms that sounds pretty straightforward. We believe in the rule of law.

What's the alternative to the rule of law? We have been seeing a whole lot of it this year. The alternative to the rule of law is special deals. If you recall, rule of law is depicted frequently by the marble statue of Lady Justice. And she has the blindfold across her eyes. She's holding up the scales. And regardless of who you are, man or woman or big or little or rich or poor, Lady Justice just simply says, Just the facts. So that's what is called the rule of law. People are equal before the law. But the alternative to that is, of course, rule by whims of mankind. It's special deals.

Mr. KING of Iowa. It could be anarchy.

Mr. AKIN. So we have the ''too big to fail'' rule. So we tax Americans, not so much Americans that live now but their grandchildren we're going to tax, and we pass these things like the porkulus bill, which is supposed to be stimulus, and we pass the Wall Street bailout. We take all this money and we give it to whom? Every small mom and pop shop that might fail? No. We give it to the ''too big to fail.'' So, therefore, you've moved from the rule of law to a special deals society. And that's the problem. Of course, that's really what socialism is. It's special deals administered by guess who, Big Brother government.

That's not what made America great. That's not what allowed our great Nation, my good friend Congressman KING, that's not what allowed us to have a list of the different nations throughout the world that Americans freed from horrible dictatorships. That's a long list. I saw it actually listed on a cartoon. It had the list of all of these countries that American GIs and that American treasure through the ages have freed. Places like Germany. Places like Japan where you have some dictator, where we went in and we freed them from that. Places like Grenada, where our sons and daughters went in and took a risk and left a free country. That's not why we were able to do that because we're another socialist Big Government-run country. It's because we're a country that was based on a different set of principles.

The thing that strikes me the most, and I don't want to overuse the welcome that you've extended to me, is this. There was a country not so many years ago, and this is how their thinking worked: They said, look, if you've got somebody and they don't have a house to stay in and it gets cold in the winter, they're going to freeze to death. And if they don't have food to eat, they're going to starve to death. And if they don't have medical care, they're going to die of some kind of medical condition. So they ought to have a right to housing, a right to food, a right to health care. And if they haven't had an education and they can't read, they ought to have a right to know how to read and to study and be educated. So that government created those rights for its citizens, and they marched forward boldly into the future until they became bankrupt and were disbanded. And it was called the Union of Soviet Socialist Republics. We call it the USSR. And we knew it wasn't a very good system because it was based on communism and socialism.

Yet here in America, we have heard, even as I have stood here on the floor with you my friend, Democrats say that you have a right to health care. So as a government, we are now saying that we're going to have the government get involved in housing. The government's going to get involved in food, in food stamps. The government is now going to take over health care. The government has now taken over most of the loans for colleges and education. And it's like how come we're repeating the same things that the Soviet Union did and anticipating that we'll get different results?

Instead, our Founders had a different concept. They said that our rights are basic things that come from God. In our Declaration of Independence, all are endowed by their Creator with certain inalienable rights. Among these are life, liberty, and the pursuit of happiness. If you'll note, those rights are not rights to something that somebody else has a claim to.

Those of you from Iowa do some farming. I think you grow some corn in Iowa. I know we do some in Missouri, but our next-door neighbor does a lot of wheat and corn. And when you have one of your Iowa farmers combine the sweat of his brow with the produce from the field, they own that corn. It is their corn because it was grown on their land. They worked hard and it belongs to them. We call that private property. We call that free enterprise. And because I'm hungry doesn't give me a right to something that belongs

to someone else. That's theft. That's stealing. And if the government takes someone's corn and gives it to someone else who didn't grow it, that's called stealing, except we just call it institutionalized theft. That's socialism. You never have a right to something that's the unique property of another person.

The Founders said you have a right to your life because God gives that uniquely to an individual. You see, you have a right to liberty because God gives you just one life and you can go choose a career of your choosing. Nobody else chooses your career. You get to do it yourself. But it doesn't say you own somebody else's career and should tell them what they should do with their life. That's what the Soviet Union thought.

So our system was based on freedom, was based on limited government; limited in the sense that it was the job of government to protect just those basic rights that God gives to all men. And we have been setting aside that formula that works, instead trying to adopt something that the Europeans have never made work, and, of course, it never worked in the Soviet Union. We're going in the wrong direction, and we need to go back toward freedom.

I didn't mean to get on too long a dissertation, but those distinctions between equal before the law as opposed to special deals, that's a very big part of what we're dealing with, Congressman.

Mr. KING of Iowa. I thank the gentleman from Missouri for coming in to add that.

The components of this freedom that seem to be completely disregarded over on this side of the aisle and the debate that we've gone through on health care and the argument that there are certain freedoms in that fashion, I recall Franklin Delano Roosevelt's Four Freedoms speech. And if you go down to the memorial down here at FDR's memorial, you can walk along and look at the display. He's the longest serving President of the United States. He had some ideas. I think he was very strong in leading this country through victory in World War II. I think that his economic leadership throughout the Great Depression extended and made the Great Depression greater than it might have been if we had allowed free market capitalism to prevail.

But Franklin Delano Roosevelt gave the famous Four Freedoms speech, and the four freedoms were painted and drawn by Norman Rockwell on the cover of Life Magazine, as I recall it. And the four freedoms were freedom of speech, good. Freedom of religion, also good. Both of those are constitutional freedoms. They are protected in the Constitution specifically. Freedom of speech, freedom of religion. The other two were freedom from want and freedom from fear.

Now, if any people can be free of want, that means that they don't have any desire to get up and go do anything. They don't want for anything. We know back during the 1970s when the American people were worried about the economic juggernaut of Japan swallowing our free market up because Japan was growing so fast and they were such intense competitors and they had cash left over and they were buying into the United States and competing directly, and I remember this from being a little boy.

We first started getting products from Japan that were little New Year's toys like the little whistles and those that spring out like that when you blow it. I don't know what you call those. I think the Japanese made the Chinese handcuffs we had to play with, too, if I'm not mistaken. Little paper products that came from Japan. And then things got a little better, and I can remember about the time I was in junior high school, I had a little Toshiba transistor radio where you could listen to a radio with a battery in it and walk around. That was a pretty neat deal. And as things went on, we started to see the Japanese make optics, and so the optical equipment today is state of the art. Very good. Very good recording, a very good electronic device.

The quality of what they were doing was pretty primitive just after World War II, which one would expect, and it got better and better and better. And by the 1970s, the Japanese were doing many things better than we were here in the United States. And we were worried that Japan was going to take us over, defeat us economically and eclipse the American economy because our production, our export markets were diminishing and theirs were increasing, and that was the first time, I think, in my lifetime we were worried about the balance of trade.

I said then and I will say today that if you wanted to destroy a culture, a free enterprise culture, a dynamic culture and civilization, the United States has a simple solution. What we would do is we would just go in and airdrop money over in Japan, and as long as they didn't work, we'd fly them in money. If you drop money down in the streets of Tokyo and if people could gather that up every day and spend it and buy what they needed, they wouldn't want for anything and they wouldn't work for anything. It would destroy the work ethic of a culture and a civilization. That's how you would do it. If you want to create a socialist state, I can tell you how to do that, too, Madam Speaker.

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And that is, go out into the middle of the Sahara Desert, where there isn't a soul, not even a camel, for 100 miles, and hang a pipe there from a sky hook—that's our expression for when you don't have anything to hang it to, you just hang it to a sky hook—and hang a pipe there and drop Federal dollars down out of that pipe, let them billow out onto the sand in the desert; and pretty soon somebody would find that money and they would go there to grab that money and somebody else would come, somebody else would come. It wouldn't be earned income. That would just be something free that comes from the sky.

Federal money comes from the sky. It's been dumped all over America by this President: $787 billion in the stimulus plan; $700 billion in the TARP fund. And when you give people something for nothing, they lose their desire, they lose their want. They have freedom from want as long as they're dependent upon the benefactor. We could create a socialist state in less than a generation in the middle of the Sahara Desert if we just dumped money out there and gave it to people, and they would become dependent upon it. That is how you destroy a culture or a civilization. We've got to have want. We've got to have desire. I think Milton Friedman talked about how greed was a good quality. As long as it is a greed that's built upon a moral foundation and aspiration. And aspiration is a good thing.

And why anybody would think that greed doesn't exist in a socialist state is amazing to me. The people that are advocating for a socialist state, don't tell me you aren't. You are. You've taken all kinds of steps to move this Nation into a socialist state. If anybody wants to step into that debate, just stand up, I will yield right now; but I don't think you believe strongly enough to take me on.

You're moving us towards a socialist state. The people in this Congress on the left side have nationalized eight large entities: three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors and Chrysler. $787 billion in the stimulus plan. They have nationalized several congressional districts in my State. They don't exist, but they must have nationalized them. They've dumped money in there now and created these jobs where districts don't exist, where jobs don't exist, but it's put out here.

The freedom of the free market system has been dramatically diminished. And the people that advocate for this socialist state, this freedom from want, simply create a dependency class in America. FDR's inspiration is not a right. You don't have a right to not wanting for something. The heart of the American people, the heart of free people, has to want for something. We've got to desire for something. We've got to desire that the next generation lives better than we do. We've got to desire that we live in a moral and virtuous and a faithful society. We've got to raise our children that way. If we tie this together, then the world is a better place, and more people succeed and more people live better. And the harder we work, and the more we produce, it raises the average annual productivity. But if we don't want, we don't produce and, therefore, our productivity diminishes, and the sun sets on the American empire. That's freedom from want's mistake.

FDR's other mistake is freedom from fear. Freedom from fear. Now, if we don't fear anything, we don't move away from anything or we don't face those fears either. How can any government guarantee that you have a right to freedom from fear? Yet the belief over here, on the ever-encroaching socialist side of the aisle, is that we have a right to be free from want, free from fear, a right to health care, a right to your own personalized health insurance program, a program that will be delivered to every American human being, probably to the chimpanzees too like they want to do in Austria and have tried, but to every American human being a health insurance policy of your very own. That's what's in the bill; for illegals as well.

Here's how it works, Mr. Speaker. It works in this fashion. They have now covered every possible scenario of someone who is illegally in the United States and made sure everybody's covered if this bill finally becomes law. First of all, they undermined the proof of citizenship requirements in the Medicaid language and did so in the SCHIP rewrite, where they expanded health insurance for children and families of four, for example, in my State, making less than $75,000 a year, and providing that health insurance at 300 percent of poverty. In that bill, which, by the way, provided health insurance premiums for families that were also paying the alternative minimum tax; they had to pay the rich man's tax, then we had to subsidize the health insurance premiums for their children. And in that same bill, they wiped out the proof of citizenship requirements, the requirements for a birth certificate and other documents that are the foundation of verification for Medicaid eligibility so we are not providing Medicaid to illegals. That got wiped out.

Now an illegal person in the United States just simply has to attest to a Social Security number. Here's a number. It's mine. Fine. Here are your benefits. There are 9.7 million people who, in the United States, don't bother to sign up. They're here in this list. I won't go into that so far, Mr. Speaker, except to say, now, here, they want to give health insurance policies to every illegal in America. I've just talked about those that now just have to sign up for Medicaid. But some of them have jobs. Those that are working, the employer will be required to give them a health insurance policy, legal or not, and prohibited from verifying whether they are legal because E-Verify doesn't allow an employer to check their current employees; only new hires.

So under these scenarios that are there, and, by the way, if they make too much money to qualify for Medicaid and the employer doesn't provide that health insurance, then the alternative is we will just cut them a check. We'll give them a refundable tax credit and say, take that and buy your health insurance, and they can go to the exchange that's created by this bill and they can buy health insurance from there. There is no scenario that can be contrived, Mr. Speaker, that an illegal in America would be denied, conceivably, a health insurance policy, much of it, we might even go so far, I'll say almost all of it, funded by the American taxpayer.

That's how far out of touch with reality the people over on this side of the aisle are. It is a lust for political power, and it's a direct assault on the rule of law in the United States of America, an assault on the producers in America, and it undermines the core of our character and who we are, and it dispirits the patriotic Americans. It undermines and erodes and corrodes our soul. That is what's at stake here.

I would yield to the gentleman from Missouri.

Mr. AKIN. I really appreciate your yielding to me.

One of the things that happens down here, as you're aware of, this legislative process gets a little bit complicated. Sometimes people pay attention to people like you and I on the floor of the Chamber of the House. People may even pay attention to what we're voting on here on the floor. But when you talk about this Nancy Pelosi health care/socialized medicine bill, on the floor, you're not going to have an amendment that says, yeah, but the illegal immigrants can't get free health care here. They're not going to have that amendment out here because people don't want to vote that because that might not be very popular back home.

But the interesting thing is, gentleman, as you know, in various committees, they do take those votes. In fact, that very amendment was offered in one of the committees where the Pelosi health care bill was for some number of months, and they offered an amendment saying that there will be no one that's eligible for any of this insurance pool, any of these insurance pools that has not passed the eligibility of citizenship, and they spelled out what that was. That was an amendment that was offered.

The bill had said originally, we're not going to give this to illegal immigrants. But there was no enforcement mechanism. So in order to add the enforcement mechanism, that amendment was proposed. That amendment then went up for a vote in the committee. Can you guess on you how the voting went? It was supported 100 percent by Republicans and rejected by the Democrats.

So, is there a protection in the bill for illegal immigrants to be able to get health insurance? The answer is, of course they can get it, because that amendment was defeated. Now there were all sorts of protest. Oh, it's not our intent that illegal immigrants are going to get this free health care. But the fact of the matter is, if that were really the intent to protect that, there would have been an amendment in the bill to say, we don't mean for people to get this unless they pass the citizenship eligibility requirements. But that amendment was defeated by the Democrats in committee. They knew that. It came to the floor without that protection, and it passed this floor without that protection. And that says that the way the Pelosi health care bill stands now, that you've got illegal immigrants that come to this country and they're going to get health care. And guess who's going to pay for it? The U.S. taxpayers are going to pay for it, or their children or their grandchildren with the multi-trillion dollar bill that has been proposed.

It's interesting that what you're saying, a lot of people say, Well, I don't like this partisan stuff. The Democrats claim this. The Republicans claim this. Can't you all just get along? The fact of the matter is you put an amendment like that up in committee and you see there's just this polar division of opinion as to what should be in this health care bill. And what you saw was that all of the Republicans said we need to protect against illegal immigrants getting this health care. And the Democrats voted—I think there may be one or two that voted with the Republicans, but certainly clearly a great majority, so that that amendment failed, and that's the way that Pelosi health care bill is now.

And so I just thought it interesting because people don't know about what happens in committees.

Mr. KING of Iowa. I just would inject this into our discussion. This was what James Russell Lowell had to say, a contemporary of Abraham Lincoln's, by the way. This is what he had to say about compromise: Compromise makes a good umbrella but a poor roof. It is temporarily expedient, often wise in party politics, almost sure to be unwise in statesmanship. That's James Russell Lowell's statement on compromise. A good umbrella but a poor roof.

I would yield back to the gentleman from Missouri.

Mr. AKIN. Well, I think that's something we need to be paying some attention to, too. So we've got the illegal immigration question that's part of these uninsured. There were other kinds of amendments that were offered, too, in committees. I don't know if you wanted to talk about them.

I thought another one that seemed to me to be very important and, that is, what's the heart of good health care? It seems like to me that the heart of it is that when a doctor and a patient come to a decision as to what they should be doing medically, that other people shouldn't butt in and tell the doctor and the patient what should happen. That seems to be fairly fundamental to the way we work. Maybe you want to get a second opinion with another doctor to make sure what you're doing is right. But that doctor-patient relationship is something that is very important. Most of the doctors go into the field assuming that they're going to

have that relationship with their patient, and so we put some emphasis on that.

Now one of the things that we don't like is when some insurance company injects themselves into that doctor-patient relationship. I've heard the Democrats complain about that. They say, Those greedy insurance companies, they get in between the doctor and the patient. As a Republican, we don't like that either. And so one of the things we did was we put in the bill, as an amendment, that no government bureaucrat would insert themselves between the doctor and the patient. That was another amendment that was passed, was offered by a Republican doctor, I think it was Dr. GINGREY if I remember, from Georgia. Again, Republicans voted for it 100 percent. The Democrats, with maybe one exception, voted against it.

And so we have this Pelosi health care bill, and it has no doctor-patient relationship protection in it at all. Now there is something, believe it or not, worse than some insurance person coming between you and your doctor, and that's when it's a bureaucrat, a Federal Government saying, No, we're sorry, STEVE. You're too old. You don't get to have this. You can take a bottle of aspirin home with you. But we're not going to do it.

Mr. KING of Iowa. I would just reclaim my time. You've inspired a recent recollection. I believe it was just yesterday when the Federal Government panel came out and said to women, You no longer need to start getting mammograms when you're 40 years old. Wait till you're 50. You no longer need to get them every year. You can wait 2 years and space them out for a 2-year period of time. This is the precursor of the panels that we're likely to see if this bill that's before this Congress becomes law.

I will put the diagram of these 111 new agencies up here just so we have a little bit of an image of what is coming at us in America if we're not able to kill this bill. In any case, the advice that came from the panel on breast cancer is the kind of advice you'll get from a death panel.

The freedoms have been dramatically diminished here in the United States of America. There's been an assault on them. The vigor and vitality of the United States is under assault from the liberal socialist left. This is socialized medicine. We've seen the nationalization of a third of our economy and we need to get it back. The President needs an exit strategy from the nationalization of our economy. We need to kill this bill, Mr. Speaker, and we need to reach out and grasp American freedom, American liberty and American vitality.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TANNER (at the request of Mr. HOYER) for today on account of travel from the NATO Parliamentary Assembly's Fall Plenary Session on November 16 and November 17, 2009.

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. LUJÁN) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. GRAYSON, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. DEAL of Georgia, for 5 minutes, today.

Mr. PITTS, for 5 minutes, today.

Mr. STEARNS, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. GRIFFITH, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Thursday, November 19, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4688. A letter from the Assistant Secretary of Defense, Department of Defense, transmitting proposed changes to the U.S. Army Reserve Fiscal Year 2008 National Guard and Reserve Equipment Appropriation; to the Committee on Appropriations.

4689. A letter from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting the final plan for the allocation of the Fiscal Year (FY) 2009 HIDTA discretionary funds; to the Committee on Appropriations.

4690. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2008-0020; Internal Agency Docket No. FEMA-8089] received October 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4691. A letter from the Program and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final rule — School Food Safety Inspections [FNS-2005-0002] (RIN: 0584-AD64) received October 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4692. A letter from the Secretary, Department of Health and Human Services, transmitting renewal of the July 26, 2009 determination of a public health emergency existing nationwide involving Swine Influenza A (now called 2009 — H1N1 flu), pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

4693. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2006 24-Hour Fine Particle (PM2.5) National Ambient Air Quality Standards [EPA-HQ-OAR-2007-0562; FRL-8969-2] (RIN: 2060-AP27) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4694. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; South Carolina; Clean Air Interstate Rule [EPA-R04-OAR-2009-0455(a); FRL-8969-9] received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4695. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2009-0384; FRL-8959-7] received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4696. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana [EPA-R05-OAR-2008-0783; FRL-8971-9] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4697. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Arizona State Implementation Plan, Maricopa County Air Quality Department and Maricopa County [EPA-R09-OAR-2009-0042; FRL-8902-6] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4698. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Arizona State PM-10 Implementation Plan; Maricopa County Air Quality Department [EPA-R09-OAR-2009-0558; FRL-8975-06] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4699. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District and South Coast Air Quality Management District [EPA-R09-OAR-2009-0272; FRL-8970-4] received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4700. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances; Technical Amendment [EPA-HQ-OPPT-2008-0251; FRL-8438-5] (RIN: 2070-AB27) received November 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4701. A letter from the Acting Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Petition to Establish Procedural Requirements to Govern Proceedings for

Forbearance Under Section 10 of the Communications Act of 1934, as amended [WC Docket No.: 07-267] received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4702. A letter from the Deputy Bureau Chief, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — Improving Public Safety Communications in the 800 MHz Band [WT Docket No.: 02-55] received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4703. A letter from the Program Analyst, OMD-FO, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2009 [MD Docket No.: 09-65] Assessment and Collection of Regulatory Fees for Fiscal Year 2008 [MD Docket No.: 08-65] received November 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4704. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Rules of Practice received October 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4705. A letter from the Chairman, Federal Reserve System, transmitting the System's Semiannual Report to Congress for the six-month period ending September 30, 2009, as required by the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

4706. A letter from the Chair, Council on Environmental Quality, Executive Office of the President, transmitting notifying Congress that the report due under Section 5 of the Oceans Act will be delayed until the spring of 2010; to the Committee on Natural Resources.

4707. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric, transmitting the Adminstration's final rule — Fisheries of the Economic Exclusive Zone Off Alaska; Pacific Cod by Vessels Subject to Amendment 80 Sideboard Limits in the Western Regulatory Area of the Alaska [Docket No.: 0910091344-9056-02] (RIN:0648-XR37) received October 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4708. A letter from the Deputy Assistant Administrator of Regulatory Programs, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Designation of Critical Habitat for Atlantic Salmon (Salmo salar) Gulf of Maine District Population Segement; Final Rule [Docket No.: 0808061060-91139-03] (RIN: 0648-AW77), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4709. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Critical Habitat for the Endangered Distinct Population Segment of Smalltooth Sawfish [Docket No.: 0707017355-91122-02] (RIN: 0648-AV74) received October 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4710. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Ocianic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XR36) received October 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4711. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes in Requirements for Signature of Documents, Recognition of Representatives, and Establishing and Changing the Correspondence Address in Trademark Cases [Docket No.: PTO-T-2008-0021] (RIN: 0651-AC26) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4712. A letter from the Federal Register Certifying Officer, Department of the Treasury, transmitting the Department's final rule — Administrative Offset Under Reciprocal Agreements with States (RIN: 1510-AB23) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4713. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Arbitration for Public Assistance Determinations Related to Hurricanes Katrina and Rita (Disasters DR-1603, DR-1604, DR-1605, DR-1606, and DR-1607) [Docket ID: FEMA-2009-0006] (RIN: 1660-AA63) received October 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4714. A letter from the Under Secretary of Defense, Department of Defense, transmitting notification to Congress on Transfer Authorities Used in Fiscal Year 2009; jointly to the Committees on Armed Services and Appropriations.

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. CONYERS: Committee on the Judiciary. House Resolution 871. Resolution directing the Attorney General to transmit to the House of Representatives certain documents, records, memos, correspondence, and other communications regarding medical malpractice reform (Rept. 111–341). 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 Ms. KILROY (for herself, Mr. BLUMENAUER, Mr. AL GREEN of Texas, Ms. HIRONO, Mr. ISRAEL, Mr. MOORE of Kansas, Mr. PERRIELLO, Mr. TONKO, Mr. WU, and Mr. SESTAK):

H.R. 4099. A bill to establish incentives to increase the energy efficiency of federally assisted housing; to the Committee on Financial Services.

By Mr. BROUN of Georgia (for himself, Mr. GOHMERT, Mr. HALL of Texas, Ms. GRANGER, Mr. COLE, Mr. FRANKS of Arizona, Mr. SHADEGG, Mr. BISHOP of Utah, Mr. MARCHANT, and Mr. POSEY):

H.R. 4100. A bill to amend the Internal Revenue Code of 1986 to provide individual and corporate income tax relief, to reduce the employee share of payroll taxes, and to rescind unobligated stimulus funds, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT:

H.R. 4101. A bill to amend the African Growth and Opportunity Act and the Trade Act of 1974 to provide improved duty-free treatment for certain articles from certain least-developed countries, and for other purposes; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Ms. BERKLEY, Mr. GINGREY of Georgia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MINNICK, Mr. ROYCE, Mr. ROSS, and Mr. BURTON of Indiana):

H.R. 4102. A bill to require the Secretary of State, in consultation with the Secretary of Defense, to provide detailed briefings to Congress on any recent discussions conducted between United States Government and the Government of Taiwan and any potential transfer of defense articles or defense services to the Government of Taiwan, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KLINE of Minnesota (for himself, Mr. GUTHRIE, Mr. MCKEON, Mr. HOEKSTRA, Mr. SOUDER, Mr. WILSON of South Carolina, Mrs. MCMORRIS RODGERS, Mr. CASSIDY, Mr. ROE of Tennessee, Mr. THOMPSON of Pennsylvania, and Mr. EHLERS):

H.R. 4103. A bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes; to the Committee on Education and Labor.

By Mr. ELLSWORTH:

H.R. 4104. A bill to direct the Secretary of Transportation to establish and carry out a highway emergency responders safety grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ENGEL:

H.R. 4105. A bill to prohibit smoking near executive, legislative, and judicial branch entryways; to the Committee on Transportation and Infrastructure, and in addition to the Committees on House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES (for himself, Mr. WELCH, and Mr. OLVER):

H.R. 4106. A bill to authorize the Secretary of Housing and Urban Development to make grants and loans to owners of federally assisted housing projects for costs of making green retrofit improvements to such projects; to the Committee on Financial Services.

By Mr. KING of Iowa:

H.R. 4107. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Education and Labor.

By Mr. MCCLINTOCK:

H.R. 4108. A bill to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California; to the Committee on Natural Resources.

By Mr. PASCRELL:

H.R. 4109. A bill to amend the Internal Revenue Code of 1986 to allow the low income housing credit to be carried back 5 years, and for other purposes; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself, Mr. WILSON of South Carolina, Mr. MCCARTHY of California, Mr. LEE of New York, Mr. PRICE of Georgia, Mr. LANCE, Mr. BURGESS, Mr. NEUGEBAUER, Mrs. BACHMANN, Mr. BACHUS, Mr. KLINE of Minnesota, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mrs. SCHMIDT, Mr. ROE of Tennessee, Ms. FALLIN, Mr. GARRETT

of New Jersey, Mr. THOMPSON of Pennsylvania, Mr. AKIN, Mr. CARTER, Mr. POSEY, Mr. MARCHANT, Mr. LAMBORN, Mr. KING of Iowa, Mr. ROONEY, Mr. SHADEGG, Mr. FRANKS of Arizona, Mr. CONAWAY, Mr. COLE, Ms. GRANGER, Mr. HALL of Texas, Mr. GOHMERT, Mr. SHIMKUS, Mr. HENSARLING, Mr. CHAFFETZ, Ms. JENKINS, Mr. HARPER, Mr. LUCAS, Mr. TERRY, Mr. MANZULLO, Mrs. CAPITO, Mr. HELLER, Mrs. LUMMIS, Mrs. BIGGERT, Mr. BRADY of Texas, Mr. MCCLINTOCK, Mr. GARY G. MILLER of California, Mr. CASTLE, Mr. FLEMING, Mr. MCHENRY, Mr. PUTNAM, Mr. SMITH of Nebraska, Mr. TIAHRT, Mr. GUTHRIE, Mr. HUNTER, Mr. CAO, and Mr. PAUL):

H.R. 4110. A bill to repeal the authority of the Secretary of the Treasury to extend the Troubled Asset Relief Program; to the Committee on Financial Services.

By Mr. TIAHRT:

H.R. 4111. A bill to prohibit the prosecution of unprivileged enemy combatants by the Department of Justice; to the Committee on the Judiciary.

By Mr. YARMUTH (for himself, Mr. ROE of Tennessee, Mr. MOLLOHAN, Mr. GORDON of Tennessee, Mr. CHANDLER, Mr. TANNER, Mr. DAVIS of Tennessee, and Mr. MOORE of Kansas):

H.R. 4112. A bill to amend the Internal Revenue Code of 1986 to modify the requirements for windows, doors, and skylights to be eligible for the credit for nonbusiness energy property; to the Committee on Ways and Means.

By Ms. PINGREE of Maine:

H. Con. Res. 214. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Mr. EHLERS:

H. Res. 911. A resolution requesting the Attorney General to appoint a special counsel to investigate allegations regarding the organization ACORN; to the Committee on the Judiciary.

By Ms. RICHARDSON (for herself, Mr. ROHRABACHER, Mr. THOMPSON of California, and Mr. CALVERT):

H. Res. 912. A resolution recognizing the Aquarium of the Pacific for winning the Super Nova Star of Energy and Efficiency Award and for providing national leadership in marine education, and for other purposes; to the Committee on Natural Resources.

By Mr. BUTTERFIELD (for himself and Mr. ROGERS of Michigan):

H. Res. 913. A resolution recognizing and commending the American Speech-Language-Hearing Association on the 40th anniversary of the establishment of the Office of Multicultural Affairs; to the Committee on Energy and Commerce.

By Ms. DEGETTE (for herself, Mr. SMITH of Washington, Mr. AL GREEN of Texas, Mr. CRENSHAW, Ms. ESHOO, Mr. WEINER, Ms. LEE of California, Mr. HILL, Mr. GORDON of Tennessee, Mr. CHANDLER, Ms. SUTTON, Mr. DELAHUNT, Mr. FOSTER, Mr. ETHERIDGE, Mr. RUSH, Mr. ELLSWORTH, Mr. BRALEY of Iowa, Ms. SHEA-PORTER, Mrs. MCCARTHY of New York, Mrs. MCMORRIS RODGERS, Mr. GONZALEZ, Mr. DENT, Mr. MELANCON, Mr. CARNEY, Mrs. LUMMIS, Mr. MAFFEI, Mr. LIPINSKI, Mr. ISSA, Mr. CAMP, Mr. PRICE of North Carolina, Mr. SCOTT of Georgia, Mr. WU, Mr. MANZULLO, Ms. EDWARDS of Maryland, Mr. BLUMENAUER, Mr. MARKEY of Massachusetts, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. LOBIONDO, Mr. PALLONE, Mr. UPTON, Mr. GENE GREEN of Texas, Mr. GEORGE MILLER of California, Mr. JOHNSON of Georgia, Ms. ROS-LEHTINEN, Mr. LANGEVIN, Ms. SCHAKOWSKY, Mr. INSLEE, Mr. LEWIS of California, Mr. MATHESON, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. BONNER, Mr. WILSON of South Carolina, Mr. BARROW, Mr. CULBERSON, Mr. DINGELL, Mr. TIERNEY, Mr. KLINE of Minnesota, Mr. LEWIS of Georgia, Mr. OLVER, Mr. SALAZAR, Mr. SHADEGG, Mr. SHIMKUS, Mr. SPRATT, Mr. TANNER, Mr. PITTS, Mr. SESTAK, Ms. CASTOR of Florida, Mrs. DAHLKEMPER, Mr. BOSWELL, Mr. LANCE, Mr. DOGGETT, Ms. BORDALLO, Mr. KIRK, Mrs. BLACKBURN, Mrs. BONO MACK, Ms. WATERS, Mr. BURGESS, Mr. CASTLE, Mr. HONDA, Mr. MCMAHON, Mr. DOYLE, Mr. MCINTYRE, Mr. ROSS, Mr. ABERCROMBIE, Mr. GRIFFITH, Mr. GINGREY of Georgia, Mr. NEAL of Massachusetts, Mr. ALEXANDER, Mr. NEUGEBAUER, Mr. KLEIN of Florida, Mr. BLUNT, Mr. HINOJOSA, Mr. BISHOP of Georgia, Ms. JACKSON-LEE of Texas, Ms. BERKLEY, Ms. HERSETH SANDLIN, Mr. BUYER, Mrs. MYRICK, Ms. KOSMAS, Ms. BALDWIN, Mr. POE of Texas, Mr. MCCOTTER, Mr. WALZ, Mr. TIAHRT, Mr. COLE, Mr. CHILDERS, Ms. FOXX, Mr. CLAY, Mr. BECERRA, Mr. SPACE, Mr. WAMP, Ms. ZOE LOFGREN of California, Mr. PRICE of Georgia, Mr. KAGEN, Mr. WAXMAN, Mr. TIM MURPHY of Pennsylvania, Mr. STEARNS, Mr. WALDEN, Mr. BARTON of Texas, Mr. LOEBSACK, Mr. CLYBURN, Mr. KRATOVIL, Mr. PERRIELLO, Mr. NYE, Mr. HINCHEY, Mr. POMEROY, and Ms. KILPATRICK of Michigan):

H. Res. 914. A resolution supporting the observance of National Diabetes Month; to the Committee on Energy and Commerce.

By Mr. DONNELLY of Indiana (for himself, Mr. PENCE, Mr. HILL, Mr. BURTON of Indiana, Mr. ELLSWORTH, Mr. SOUDER, and Mr. CARSON of Indiana):

H. Res. 915. A resolution encouraging the Republic of Hungary to respect the rule of law, treat foreign investors fairly, and promote a free and independent press; to the Committee on Foreign Affairs.

By Mr. RODRIGUEZ (for himself, Mr. SMITH of Texas, Mr. GONZALEZ, and Mr. CUELLAR):

H. Res. 916. A resolution recognizing the significant contributions of the Fort Sam Houston Memorial Services Detachment to the veterans of the United States Armed Forces; to the Committee on Veterans' Affairs.

By Ms. ROS-LEHTINEN (for herself, Mr. BUCHANAN, Mr. ROONEY, Mr. CRENSHAW, Mr. MEEK of Florida, Mr. PUTNAM, Mr. MARIO DIAZ-BALART of Florida, Mr. KLEIN of Florida, Mr. MACK, Ms. WASSERMAN SCHULTZ, Ms. CASTOR of Florida, Mr. YOUNG of Florida, Ms. CORRINE BROWN of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. WEXLER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BOYD, Mr. MICA, Mr. MILLER of Florida, Ms. KOSMAS, Mr. GRAYSON, Mr. BILIRAKIS, Mr. STEARNS, and Mr. POSEY):

H. Res. 917. A resolution recognizing the Florida Keys Scenic Highway on the occasion of its designation as an All-American Road by the U.S. Department of Transportation; to the Committee on Transportation and Infrastructure.

By Mr. SESTAK (for himself, Mr. DENT, Mr. GERLACH, and Mr. DOYLE):

H. Res. 918. A resolution recognizing the 60th Anniversary of Chuck Bednarik's debut in the National Football League and the contributions of all Slovak-Americans; to the Committee on Oversight and Government Reform.

By Mr. STEARNS (for himself and Mr. LEWIS of Georgia):

H. Res. 919. A resolution supporting the goals and ideals of Chronic Obstructive Pulmonary Disease Awareness Month; to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. CUELLAR, Mr. MARKEY of Massachusetts, Mr. THOMPSON of Pennsylvania, Mr. SMITH of Nebraska, and Mr. JORDAN of Ohio.

H.R. 116: Mr. GALLEGLY.

H.R. 197: Mr. ROGERS of Kentucky and Mr. GALLEGLY.

H.R. 211: Ms. TSONGAS and Mr. RUPPERSBERGER.

H.R. 270: Mr. POSEY.

H.R. 313: Mr. KING of New York.

H.R. 330: Mr. SCOTT of Virginia.

H.R. 503: Mr. POLIS of Colorado, Mr. GRAYSON, Ms. SLAUGHTER, Mr. ALTMIRE, Mr. JACKSON of Illinois, and Mr. BUCHANAN.

H.R. 558: Mr. BOCCIERI.

H.R. 571: Mr. FATTAH and Mr. POSEY.

H.R. 678: Mr. DOGGETT, Mr. LEWIS of Georgia, Ms. CORRINE BROWN of Florida, Mr. ROGERS of Alabama, and Mr. KILDEE.

H.R. 734: Mr. HOLT, Mr. SPACE, Ms. BEAN, Mr. SCHOCK, Mrs. CAPITO, and Mr. BUTTERFIELD.

H.R. 775: Mr. SESSIONS, Mr. MEEKS of New York, Mrs. MCCARTHY of New York, and Mr. MCCOTTER.

H.R. 886: Mr. MARKEY of Massachusetts, Mr. BRADY of Pennsylvania, and Mr. MCNERNEY.

H.R. 948: Mr. HALL of New York.

H.R. 1066: Mr. GARAMENDI.

H.R. 1074: Mr. GALLEGLY.

H.R. 1084: Mr. ANDREWS, Mr. BARROW, Mr. BLUMENAUER, Ms. BORDALLO, Mr. BRALEY of Iowa, Mr. KENNEDY, Mr. MCINTYRE, and Mr. NYE.

H.R. 1126: Mr. HEINRICH.

H.R. 1177: Mr. BARTLETT.

H.R. 1203: Mr. TURNER and Mr. ALEXANDER.

H.R. 1230: Mr. CARNAHAN.

H.R. 1361: Mr. JACKSON of Illinois and Mr. COHEN.

H.R. 1443: Mr. SCHAUER.

H.R. 1454: Mr. LUETKEMEYER.

H.R. 1523: Ms. SLAUGHTER.

H.R. 1547: Mr. MAFFEI.

H.R. 1585: Mr. BOCCIERI.

H.R. 1613: Mr. KISSELL and Mr. PERRIELLO.

H.R. 1778: Mr. CONYERS, Mr. MAFFEI, Mr. JOHNSON of Georgia, Mr. HASTINGS of Florida, Mr. LOEBSACK, and Mr. DOGGETT.

H.R. 1831: Mr. RAHALL, Mr. COFFMAN of Colorado, and Mr. SCHRADER.

H.R. 1835: Mr. THOMPSON of Pennsylvania.

H.R. 1869: Ms. PINGREE of Maine.

H.R. 1873: Ms. NORTON.

H.R. 1897: Mr. TIM MURPHY of Pennsylvania.

H.R. 1956: Mr. COFFMAN of Colorado and Ms. MARKEY of Colorado.

H.R. 1964: Ms. CORRINE BROWN of Florida and Mr. JACKSON of Illinois.

H.R. 1995: Ms. FUDGE.

H.R. 2000: Mr. HEINRICH, Mr. MCCAUL, and Mr. ADLER of New Jersey.

H.R. 2026: Mr. POSEY.

H.R. 2102: Mrs. DAVIS of California, Mr. ROTHMAN of New Jersey, Mr. WALZ, Mr. CARSON of Indiana, and Ms. JACKSON-LEE of Texas.

H.R. 2112: Mr. MCINTYRE, Mr. NEAL of Massachusetts, and Mr. VAN HOLLEN.
H.R. 2142: Mr. BOSWELL, Mr. DAVIS of Tennessee, Mr. SHULER, Mr. CHANDLER, Mr. TAYLOR, Mr. HOLDEN, Mrs. DAHLKEMPER, and Mr. BACA.
H.R. 2160: Mr. SCHOCK.
H.R. 2254: Mr. GENE GREEN of Texas, Mr. AL GREEN of Texas, and Mr. LEWIS of Georgia.
H.R. 2296: Mrs. KIRKPATRICK of Arizona.
H.R. 2413: Mr. ORTIZ, Mr. CASSIDY, Mr. KILDEE, and Mr. CROWLEY.
H.R. 2425: Mr. LEWIS of Georgia.
H.R. 2426: Mr. PAYNE and Ms. SLAUGHTER.
H.R. 2460: Mr. HEINRICH, Mr. ACKERMAN, Mr. TONKO, Mr. SCOTT of Virginia, and Ms. RICHARDSON.
H.R. 2478: Mr. KILDEE, Mr. ROTHMAN of New Jersey, Mr. SCHIFF, Ms. JENKINS, and Mr. CLEAVER.
H.R. 2480: Mr. HASTINGS of Florida, Mr. CAMPBELL, and Mr. WU.
H.R. 2493: Ms. KOSMAS and Mr. MELANCON.
H.R. 2517: Mr. BACA, Mr. RUSH, Mr. SMITH of Washington, Mr. HALL of New York, Mr. PAYNE, Mr. DAVIS of Illinois, Mr. Luján, and Ms. TITUS.
H.R. 2560: Ms. BERKLEY.
H.R. 2579: Mr. COHEN, Ms. NORTON, and Mr. JACKSON of Illinois.
H.R. 2712: Mr. SCHOCK.
H.R. 2733: Ms. KILROY and Mr. HARPER.
H.R. 2766: Ms. MCCOLLUM.
H.R. 2811: Ms. JACKSON-LEE of Texas, Mr. POSEY, and Mr. BLUMENAUER.
H.R. 2866: Mr. SESTAK.
H.R. 2897: Mr. MOLLOHAN.
H.R. 2906: Mr. CLEAVER.
H.R. 2946: Mr. ABERCROMBIE.
H.R. 3017: Ms. FUDGE and Ms. TITUS.
H.R. 3020: Mr. MITCHELL and Mr. ADLER of New Jersey.
H.R. 3101: Mrs. NAPOLITANO, Mr. BLUMENAUER, Ms. PINGREE of Maine, and Ms. Bordallo.
H.R. 3107: Mr. MCCOTTER.
H.R. 3129: Mr. MCCOTTER.
H.R. 3185: Mrs. NAPOLITANO.
H.R. 3202: Mr. MCDERMOTT.
H.R. 3227: Mr. SPACE, Mr. PERRIELLO, and Mr. GUTHRIE.
H.R. 3245: Mrs. CAPPS.
H.R. 3248: Mr. POLIS of Colorado.
H.R. 3421: Mr. BERMAN.
H.R. 3439: Ms. SPEIER.
H.R. 3457: Mr. KAGEN and Mr. SCHAUER.
H.R. 3458: Ms. SCHAKOWSKY.
H.R. 3464: Mr. CARTER.
H.R. 3480: Mr. KILDEE.
H.R. 3485: Ms. SCHWARTZ and Mr. LANCE.
H.R. 3488: Mr. HALL of New York.
H.R. 3497: Mr. LEWIS of Georgia.
H.R. 3524: Mr. LUCAS and Mr. GALLEGLY.
H.R. 3535: Mr. PLATTS.
H.R. 3554: Mr. BOUCHER.
H.R. 3564: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3569: Mr. INGLIS.
H.R. 3589: Mr. PASCRELL, Mr. SESTAK, and Mr. ROTHMAN of New Jersey.
H.R. 3604: Ms. SCHAKOWSKY.
H.R. 3644: Mr. POLIS of Colorado and Mr. FILNER.
H.R. 3646: Mrs. CAPPS.
H.R. 3652: Mr. CARNAHAN.
H.R. 3668: Mr. ELLISON, Ms. EDWARDS of Maryland, Mr. CALVERT, and Mr. CLEAVER.
H.R. 3695: Mr. GORDON of Tennessee.
H.R. 3711: Mr. SERRANO.
H.R. 3731: Mr. BRALEY of Iowa.
H.R. 3734: Mr. CONNOLLY of Virginia and Mr. SALAZAR.
H.R. 3749: Mr. LATTA.
H.R. 3781: Mrs. KIRKPATRICK of Arizona.
H.R. 3787: Mr. TIM MURPHY of Pennsylvania.
H.R. 3789: Mr. LATTA.
H.R. 3838: Ms. NORTON.
H.R. 3905: Mrs. EMERSON, Mr. COSTA, Mr. HALL of New York, and Mr. LUCAS.
H.R. 3910: Mr. REICHERT.
H.R. 3922: Mr. LAMBORN.
H.R. 3924: Ms. JENKINS.
H.R. 3927: Mr. CUMMINGS, Ms. ROS-LEHTINEN, and Mr. AL GREEN of Texas.
H.R. 3931: Ms. LEE of California, Mr. GARAMENDI, Mr. CARDOZA, and Ms. LORETTA SANCHEZ of California.
H.R. 3942: Mr. MICHAUD and Mr. MANZULLO.
H.R. 3943: Mr. CASTLE, Mr. PIERLUISI, Mr. CARSON of Indiana, Mr. SHERMAN, Mr. BERMAN, and Mr. CUELLAR.
H.R. 3963: Ms. RICHARDSON.
H.R. 3980: Ms. RICHARDSON.
H.R. 3985: Mr. THOMPSON of California.
H.R. 3995: Mr. CUMMINGS, Mr. DOGGETT, and Mr. KUCINICH.
H.R. 4022: Mr. PUTNAM.
H.R. 4045: Mr. BACA and Mr. COURTNEY.
H.R. 4046: Mr. NADLER of New York, Mr. BURTON of Indiana, Mr. MCCOTTER, Mr. KAGEN, Mr. BUCHANAN, and Mr. FILNER.
H.R. 4060: Mr. FILNER and Mr. SIMPSON.
H.R. 4073: Mr. GRIJALVA.
H.R. 4088: Mr. CRENSHAW, Mrs. KIRKPATRICK of Arizona, Mr. LUETKEMEYER, Mr. NUNES, Mr. TEAGUE, Mr. BROWN of South Carolina, Mr. CUELLAR, Mr. MORAN of Kansas, Mr. WILSON of South Carolina, Mr. OLVER, Mr. SOUDER, Mr. GRIFFITH, Mr. MCHENRY, Mr. HALL of Texas, Mr. BISHOP of Utah, Mr. LATTA, Mr. ORTIZ, Mr. ROONEY, Mr. LATHAM, Mr. BUCHANAN, Mr. POSEY, Mr. KLINE of Minnesota, Mr. SHADEGG, and Mr. MARCHANT.
H.R. 4089: Mr. TIAHRT, Mr. LATOURETTE, and Mr. CARDOZA.
H. Con. Res. 42: Mr. GUTIERREZ, Mr. MEEKS of New York, and Ms. LEE of California.
H. Con. Res. 43: Mr. GUTIERREZ, Mr. MEEKS of New York, and Ms. LEE of California.
H. Con. Res. 98: Mr. MOORE of Kansas and Mrs. MALONEY.
H. Con. Res. 200: Mr. MCHENRY.
H. Con. Res. 212: Mr. SESTAK and Mr. MCCOTTER.
H. Con. Res. 213: Mr. MCGOVERN, Mr. PIERLUISI, Mr. BURTON of Indiana, and Mr. ENGEL.
H. Res. 150: Mr. JACKSON of Illinois.
H. Res. 278: Mr. OBERSTAR, Mr. HOLT, Mr. RANGEL, and Mr. HONDA.
H. Res. 521: Mr. RUSH.
H. Res. 704: Mr. ISSA, Mrs. BONO MACK, Mr. SHERMAN, Mrs. BLACKBURN, Mr. EDWARDS of Texas, Mr. NEUGEBAUER, Mr. BRADY of Pennsylvania, Mr. GUTIERREZ, Mr. MILLER of North Carolina, Mr. GARRETT of New Jersey, Mr. HONDA, and Mr. MARKEY of Massachusetts.
H. Res. 812: Mr. ROTHMAN of New Jersey.
H. Res. 840: Mr. GALLEGLY and Mr. MCCOTTER.
H. Res. 852: Mr. BUCHANAN and Ms. FOXX.
H. Res. 874: Mr. INGLIS.
H. Res. 879: Mr. MCNERNEY, Mr. SCHIFF, Mr. SHULER, Mr. SHERMAN, Mr. DENT, Mr. MANZULLO, Mr. GRIJALVA, Mr. MCINTYRE, and Mr. PETERSON.
H. Res. 888: Mr. LAMBORN, Mr. MCCOTTER, and Mr. LATTA.
H. Res. 890: Mr. SCHIFF, Mr. CARSON of Indiana, Mr. FILNER, Mr. TOWNS, Mr. SNYDER, and Mr. FALEOMAVAEGA.
H. Res. 901: Ms. CLARKE, Mr. SERRANO, Ms. LEE of California, Mr. COHEN, Mr. YARMUTH, Mr. SARBANES, Ms. EDWARDS of Maryland, Ms. RICHARDSON, Mr. HODES, Mr. CROWLEY, and Mr. BISHOP of New York.
H. Res. 910: Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. MCGOVERN, Ms. LEE of California, and Mr. PAYNE.

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. 874: Mr. LATOURETTE.
H. Res. 648: Mr. TERRY and Mr. COHEN.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

81. The SPEAKER presented a petition of American Bar Association, Chicago, Illinois, relative to Resolution 301 supporting the enactment of federal legislation, and adoption of regulations and other governmental measures, designed to improve the regulation of financial institutions and markets in the United States; to the Committee on Financial Services.

82. Also, a petition of American Bar Association, Chicago, Illinois, relative to Resolution 300 supporting federal, state or territorial legislation, regulations, or court rules that promote the use of mediation to assist in resolving disputes that could lead to forclosure of mortagees on residential real property; to the Committee on the Judiciary.

83. Also, a petition of American Bar Association, Chicago, Illinios, relative to Resolution 111B supporting the enactment of legislation that would provide for a national study of the state of criminal justice in the United States; to the Committee on the Judiciary.