

manner that is being discussed by the White House and congressional Democrats would be a violation of the law, and it would betray the trust of the American people.

It seems the Democrats' policy on spending is, If we got it, spend it—no matter where it comes from.

WALL STREET REFORM AND CONSUMER PROTECTIONS ACT

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

Mrs. CAPPS. Madam Speaker, I rise today in strong support of the Wall Street Reform and Consumer Protection Act. This historic legislation will strengthen our financial regulatory system and better protect consumers from abuse by the lending and credit industries. Most importantly, this historic legislation ends "too big to fail" and government bailouts.

Never again will taxpayer dollars be used to bail out Wall Street and their overpaid executives. Large financial institutions like AIG or Lehman Brothers at risk of collapse will be dissolved in an orderly and controlled process, and this process will be paid for by the shareholders, by creditors, and the assets of failed companies—not by the taxpayers.

For years, Wall Street has reaped the spoils of success with no penalties for failure. This bill will end this injustice and force Wall Street to accept responsibility for its failings.

I urge my colleagues to support this bill.

MOTION TO INSTRUCT CONFEREES ON H.R. 3288, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. OLVER. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

Mr. LATHAM. Madam Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Latham moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3288 be instructed as follows:

(1) To disagree to any proposition in violation of clause 9 of Rule XXII which:

(a) Includes matter not committed to the conference committee by either House;

(b) Modifies specific matter committed to conference by either or both Houses beyond the scope of the specific matter as committed to the conference committee.

(2) That they shall not record their approval of the final conference agreement (as such term is used in clause 12(a)(4) of rule XXII of the Rules of the House of Representatives) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 72 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Iowa (Mr. LATHAM) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Iowa.

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

Madam Speaker, this is a very basic motion to instruct on what could be a very complicated bill. This motion simply instructs the conferees to restrain from adding any extraneous materials—like other appropriation bills and any other issues outside the provisions included in either the House- or Senate-passed Transportation HUD bill, or THUD bill. This motion also provides any conference report will be available for no less than 72 hours before the conference report will be brought up for final passage in the House.

Madam Speaker, the THUD bill, like every appropriations bill this year, was slammed through the House in July under an unprecedented closed and restrictive rule, all in the name of completing these bills in "regular order."

The Senate, even with all of its scheduling issues, managed to pass a regular THUD bill in an open process with amendments—and I might add by September 17.

This THUD bill should have been considered and passed by early October at the latest. Instead, here we are now in December.

According to the plan as presented to me, Chairman OBEY is planning on lumping five other bills with the THUD bill to create an omnibus. Three of those bills—Financial Services, Foreign Operations, and the Labor H bills—weren't even considered on the Senate floor. Two of the other bills—the Military Construction-VA and the Commerce, Justice, Science bills—have passed both the House and the Senate, and there is no reason these bills shouldn't have their own free-standing conferences. In fact, the Commerce, Justice, Science bill was supposed to go to conference on November 17, but that conference got yanked due to some cold feet on the part of the majority at the prospect of having their Members have to vote on Guantanamo Bay policy.

By voting for this motion to instruct, you are voting for regular order process on these bills. We should be able to

vote on veterans issues separate from the D.C. issues, the foreign aid issues, and all of the other issues we don't want stacked together. There are other things like railroad issues, immigration issues. They should all be done separately.

Further, this motion to instruct provides that the House will make available the full text of the conference report to the conferees at least 72 hours prior to consideration. There are billions of dollars at stake and a lot of policy to digest. It's our responsibility that we, as elected Representatives representing our districts, know what we're voting on. Further, I believe this motion is not inconsistent with Speaker PELOSI's policy.

I urge a "yes" vote on the simple motion to instruct.

I reserve the balance of my time.

Mr. OLVER. Madam Speaker, the motion that we have before us is essentially the same motion that we had earlier back in September, September 23, when the Legislative branch appropriations bill was brought to the floor and we were considering doing a continuing resolution for a period of time, which ended up leading to a second continuing resolution at the point that the first one had run out.

The only difference from that motion is that this one now calls for 72 hours rather than 48 hours, thereby making the time constraint a more difficult one given the circumstances that we are in and given the time at which we are supposed to have another continuing resolution run out.

□ 1030

So that's a very small point, because at 48 hours, it would be easier to deal with. Madam Speaker, in a perfect world, we would have 72 hours to further review this bill. However, we cannot guarantee that for the reason that the current CR expires on the 18th and the bills that have been mentioned by the gentleman from Iowa fund critical programs.

The Departments that are funded in these bills cannot wait much longer for the funds, and we want to get the bills enacted for the entire year. It's already December 8. And we need to get these bills done. Plus, we all know that we need to have plenty of time for our colleagues on the Senate side to act.

Now, Madam Speaker, I would just like to point out that in recent years, in 2005—and all of these, of course, were while the present minority was in the majority, and so they were in control of the procedures that were being followed—in 2005, the omnibus at that time included Agriculture, Commerce, Energy-Water, Foreign Operations, Interior, Labor-HHS-Education, the Leg Branch, Transportation, Treasury, VA-HUD and Foreign Operations and that year happened to be the vehicle being used to bring that process to a conclusion.

So the number of bills that were involved in that process were nine plus

the vehicle, 10 of the 12 bills. In that instance, the Agriculture bill had never been considered in the Senate; the Commerce, Justice and State bills had never been considered in the Senate. In fact, that was before—that was Justice and Judiciary at that point, it was a more complicated bill. Energy-Water never were considered in the Senate, Interior had never been considered in the Senate, Labor-HHS had never been considered in the Senate, Leg Branch had never appointed conferees, Transportation and Treasury had never been considered in the Senate, and the VA-HUD bill was never considered in either body.

Yet all of those bills were in that continuing resolution. And so this has been done in the past. That was the omnibus bill that finished up our work for the fiscal year 2005 budget.

Going back a year, we considered an appropriations bill to finish up the fiscal year 2004 sequence that included Agriculture, Commerce, State, Justice, District of Columbia, Foreign Operations, Labor-Health-Education, Transportation, Treasury and VA-HUD; and Agriculture was the vehicle. And CJS was never considered in the Senate. D.C. had not appointed conferees. The Foreign Operations bill had appointed conferees, but never reported a conference report. A report had never been agreed to. Labor-HHS, the conferees had been appointed, but then the conference, the conferees discharged from their appointment and brought it back to the full committee. And so VA-HUD never had appointed conferees. And so it goes.

The conferees in these instances included a series of Members from the majority side, from the variety of the committees in each case. At that time, Mr. YOUNG of Florida was the chairman of the Appropriations Committee. And I could go on here. In 2003, the consolidated appropriations resolution that completed the 2003 budgetary events included Agriculture, Commerce, District of Columbia, those were still part of it, except it was still a separate subcommittee, Energy-Water Development, Foreign Operations, Interior, Labor-HHS, Legislative Branch, Transportation, Treasury and Postal Service were now getting back at least two different reorganizations of the jurisdictions of the Appropriations Committee, all during the period that the present minority making the motion was in control and moved very quickly on the actions.

In that year, 2003, every one of the bills that I have mentioned had never been considered in one or the other branch. Several of them had not been considered in the House, and several of them had not been considered in the Senate. Well, I'm wrong actually. In the House, Leg Branch had never appointed conferees, but it had been considered and the bill had been passed. But in the others, the others had never been considered in either House, in one of the two branches at least.

So it is a time-honored process. When one gets here, we have known we've had now for 3 months since the end of the fiscal year, almost 3 months since the end of the fiscal year, and all of these bills have been put forward in conference in continuing resolutions, and the final continuing resolution ends on the 18 of December, 10 days away. The bill that we have before us is the Transportation, Treasury bill.

My ranking member, Mr. LATHAM, I want to express my strong appreciation for all the work that he has done on the legislation thus far that is the carrying legislation here. And he has mentioned that there are several bills that are being added, and I'm not going to exactly repeat those because they are already now a part of the RECORD, and they do not complete our—there is one left. There is a Defense bill that is left.

So we are in a time constraint. We need to move. We have a situation that we understand quite well if I were to go through and list the dates on which the Senate acted finally on several of these bills, they have been passed in the Senate in the case of Commerce at least and Veterans Affairs and Military Construction, but they weren't passed in the Senate until well after the end of the fiscal year 2009. All of our bills have been passed through the House by the end of fiscal year 2009. So we were ready to move forward with individual bills at a much earlier stage.

As I have already stated, we cannot guarantee 72 hours. It would be nice in a perfect world to be able to do that. But we must get this legislation done, or we are putting enormous pressures on the executive Departments of this government and on our own procedures as we move forward toward the appropriations process for fiscal year 2011, which comes quickly on the tail of getting finished with the needs that we have for finishing fiscal year 2010.

I reserve the balance of my time.

Mr. LATHAM. Madam Speaker, while I appreciate the chairman reciting history, also you should look at fiscal year 2006 when every bill was passed individually, signed into law in regular order with an open, free process. And so I think that is a model that we should all be looking for, and hopefully that would be the case. And there's no reason to put all of these bills together. And certainly there's no reason that we shouldn't have enough time to look at—it's about a half a trillion dollars of spending—to have 72 hours to finally look at the bill.

Again, Madam Speaker, there really is no controversy here. This is a simple motion to instruct, directing the committee to, number one, keep the THUD bill clean and within its scope of the conference, and, number two, to allow the conference agreement to be available to conferees 72 hours in advance of final passage.

I ask for a "yes" vote.

I reserve the balance of my time.

Mr. OLVER. Madam Speaker, I would just like to reiterate that the bill that

we are considering bringing to conference this morning is the Transportation, Housing and Urban Development, and related agencies bill.

I want to thank, again, my ranking member. This is his first year that Mr. LATHAM has been the ranking member, and I have enjoyed greatly the communications that we have had, sporadic as they have been. We work kind of in fits and starts because there has been a lot of waiting in the process to get to where we are today.

But I want to thank him in particular for the cooperation and the work that he and his staff have done. And I would name the minority clerk, Dena Baron, and on the minority side David Gibbons and Allison Peters and Janine Scianna. And on our side, I want to give the strongest praise to our staff and to our clerk and that staff with Kate Hallahan, who has given me a list that doesn't even have her name on it. She is so modest here. David Napoliello, Kate Hallahan, Laura Hogshhead, Alex Gillen, Sylvia Garcia who is, in this lengthened process, a replacement in the middle of the process of bringing out this legislation for a previous staff member who has now gone on to greener pastures.

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

Mr. LATHAM. I want to express my appreciation to the chairman for his patience. This has been a difficult process. As he mentioned, we start and stop, start and stop and back and forth; but it has been a real pleasure for me in my first year on this subcommittee to work with the chairman. And while we don't always agree on everything, we always have a very, very open dialogue. And I appreciate that very much.

Again, Madam Speaker, this really is very simple. With all the money that we are spending in this bill that we are pulling together a bunch of extraneous bills that have nothing to do with Transportation and HUD, the idea that we should just limit the conference to this bill, there are other avenues for doing the other bills. And certainly when you are spending this much money, there is no doubt that people should have a chance, at least 72 hours, to look at this bill in advance of passage.

I would ask for a "yes" vote.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate having expired, without objection, the previous question is ordered.

There was no objection.

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

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

Mr. LATHAM. Madam 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.

□ 1045

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.

REQUESTING REPORT ON ANTI-AMERICAN INCITEMENT TO VIOLENCE IN THE MIDDLE EAST

Mr. COSTA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2278) to direct the President to transmit to Congress a report on anti-American incitement to violence in the Middle East, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2278

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

SECTION 1. ANTI-AMERICAN INCITEMENT TO VIOLENCE IN THE MIDDLE EAST.

(a) FINDINGS.—Congress finds the following:

(1) Freedom of the press and freedom of expression are the foundations of free and prosperous societies worldwide, and with the freedom of the press and freedom of expression comes the responsibility to repudiate purveyors of incitement to violence.

(2) For years, certain media outlets in the Middle East, particularly those associated with terrorist groups, have repeatedly published or broadcast incitements to violence against the United States and Americans.

(3) Television channels that broadcast incitement to violence against Americans, the United States, and others have demonstrated the ability to shift their operations to different countries and their transmissions to different satellite providers in order to continue broadcasting and to evade accountability.

(4) Television channels such as al-Manar, al-Aqsa, al-Zawra, and others that broadcast incitement to violence against the United States and Americans aid Foreign Terrorist Organizations in the key functions of recruitment, fundraising, and propaganda.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to—

(1) designate as Specially Designated Global Terrorists satellite providers that knowingly and willingly contract with entities designated as Specially Designated Global Terrorists under Executive Order 13224, to broadcast their channels, or to consider implementing other punitive measures against satellite providers that transmit al-Aqsa TV, al-Manar TV, al-Rafidayn TV, or any other terrorist owned and operated station;

(2) consider state-sponsorship of anti-American incitement to violence when determining the level of assistance to, and frequency and nature of relations with, all states; and

(3) urge all governments and private investors who own shares in satellite companies or otherwise influence decisions about satellite transmissions to oppose transmissions of telecasts by al-Aqsa TV, al-Manar TV, al-

Rafidayn TV, or any other Specially Designated Global Terrorist owned and operated stations that openly incite their audiences to commit acts of terrorism or violence against the United States and its citizens.

(c) REPORT.—

(1) REQUIREMENT FOR REPORTS.—Beginning 6 months after the date of the enactment of this Act and annually thereafter, the President shall transmit to the appropriate congressional committees a report on anti-American incitement to violence in the Middle East.

(2) CONTENT.—The reports required under paragraph (1) shall include—

(A) a country-by-country list and description of media outlets that engage in anti-American incitement to violence; and

(B) a list of satellite companies that carry mediums described in subparagraph (A) or designated under Executive Order 13224.

(d) DEFINITIONS.—In this section:

(1) ANTI-AMERICAN INCITEMENT TO VIOLENCE.—The term “anti-American incitement to violence” means the act of persuading, encouraging, instigating, advocating, pressuring, or threatening so as to cause another to commit a violent act against any person, agent, instrumentality, or official of, is affiliated with, or is serving as a representative of the United States.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(3) MIDDLE EAST.—The term “Middle East” means Algeria, Bahrain, Egypt, Iran, Iraq, Israel, the West Bank and Gaza Strip, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, and Yemen.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. COSTA) and the gentleman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

Mr. COSTA. I yield myself as much time as I may consume as I rise in strong support of this resolution.

Madam Speaker, I want to commend my friend from Florida (Mr. BILIRAKIS) for introducing this piece of legislation as well as my friend and colleague from New York, JOE CROWLEY, for his leadership on this issue.

This is an important matter. The Obama administration has brought a new, more positive tone to American foreign policy in the Middle East. Yet, despite the President's desire to seek a new beginning between the United States and Muslims around the world, there still lies fanatical anti-American and anti-Semitic efforts which continue to incite people around the world through broadcasts in the Middle East by television stations for those Muslim viewers.

Without a doubt, freedom of the press and freedom of expression are the foundations of free and prosperous societies throughout the world. Yet with this important freedom comes the great responsibility to reject and repudiate that incitement to violence. This resolution attempts to remind us of that fact.

For years, certain media outlets in the Middle East, particularly those associated with terrorist groups, have repeatedly published or have broadcast incitement to violence against the United States and our allies. Television stations, such as Hezbollah's al-Manar, Hamas' al-Aqsa, the Iraq-based Al-Zawra, and others that broadcast incitement to violence against the United States aid foreign terrorist organizations in their key functions to recruit, to fund-raise, and to incite further propaganda. This must not continue. Some of these stations are broadcast throughout the region by two prominent Arab world satellites—Egypt's Nilesat and the Arab League's Arabsat—in which both Saudi Arabia and Kuwait are the leading shareholders. Saudi Arabia and Kuwait have relations with our country.

This is unfortunate. This propaganda threatens long-term U.S. interests in the region, and it does a great deal of damage to the prospect of improving bilateral relations between America and our allies in the Arab world. In addition, it undermines the prospects for Arab-Israeli peace. Make no doubt about that.

Americans have witnessed the direct connection between the charged rhetoric of the jihadist narrative, as Tom Friedman called it in his recent column that many of us have read, and it incites actual violence. This incitement creates an environment conducive to and accepting of terrorism, terrorism that impacts all of us throughout the world. As the U.S. and other nations join in fighting this terrorism, there must be renewed vigilance against the purveyors of anti-American hatred abroad and of the consequences for inaction, inattention, or state sponsorship of this hatred.

This legislation requires the State Department to submit to Congress an annual report that details, country by country, Middle Eastern media outlets that engage in anti-American incitement to violence and of the satellite companies that transmit them. They are the enablers.

It also establishes as U.S. policy that satellite providers which knowingly and willingly contract with terrorist entities can be legally designated as “specially designated global terrorists,” under Executive Order 13224, for perpetrating this incitement. In addition, it calls upon our government to consider the state sponsorship of anti-American incitement to violence when determining the level of assistance to and the frequency and nature of relations with Middle Eastern states. We ought to reflect and make an analysis