

WALL STREET REFORM AND CONSUMER PROTECTION ACT

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

Mr. HEINRICH. Mr. Speaker, when I took office back in January, the economy was on the verge of collapse. We've taken some tough votes this year to promote a strong economic recovery, and we're beginning to see some signs that the economy is turning around. But to avoid this sort of economic crisis from happening again, we need to rein in the Wall Street banks that brought us to this point and begin to make Washington more responsible.

The Wall Street Reform and Consumer Protection Act will prevent risky dealings by Wall Street and begin an end to the days of taxpayer-funded bailouts. At the same time, this bill ensures that small banks and credit unions, which play a key role in their communities, are not subject to undue regulatory burdens.

We must bring an end to the era of irresponsible and recklessness on Wall Street. Our country's working families, our small businesses are playing by the rules. It's time that Wall Street must learn to do the same.

I would urge my colleagues to support this legislation.

WALL STREET REFORM AND CONSUMER PROTECTION ACT

(Mr. HALL of New York asked and was given permission to address the House for 1 minute.)

Mr. HALL of New York. Mr. Speaker, I rise today in strong support of H.R. 1473, the Wall Street Reform and Consumer Protection Act. To help Main Street, we must reform the way Wall Street has done business and end the risky practices that have caused millions of Americans to lose their jobs, their homes, and life savings.

This legislation will protect American consumers and prevent the irresponsible behaviors and practices that caused the financial crisis last fall. H.R. 1473 restores responsibility and accountability on Wall Street through tough rules and regulations of risky practices. It protects consumers on Main Street by ensuring that bank loans, mortgages, and credit cards are fair and transparent. It also ensures that taxpayers will never again need to bail out Wall Street banks by ensuring the "too big to fail" firms don't have a stranglehold on the market.

These firms' practices led us to the brink of disaster last fall, and we cannot allow them to threaten our economy again with dangerous behavior. H.R. 1473 reforms these practices, and I urge my colleagues to support it.

INTERNATIONAL CLIMATE TREATY IS NEEDED

(Mr. TONKO asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, I rise today to talk about the 15th United Nations Climate Change Conference in Copenhagen, Denmark, that is currently underway.

First, Mr. Speaker, I wholly reject false notions and political attacks attempting to destroy sound science and evidence. This issue, from its environmental to its energy and economic impacts, is too important for false political attacks and deceitful op-eds and letters to the editor.

The Copenhagen discussions are about responsible governments coming together to negotiate an international climate treaty to better our environmental and energy outcomes, not to mention creating a fair marketplace in which the world's economies will indeed compete.

There is a global race today, a race for a clean energy economy, the outcome of which will allow the winner to export clean energy intellect and expertise. Other countries are passing us by in this race. Like the space race of decades ago, we must come together as a Nation bound by the common goals of reducing global emissions, bettering our energy outcome, and enhancing our economy. The future of our Nation depends on us.

PROVIDING FOR CONSIDERATION OF H.R. 3288, CONSOLIDATED AP- PROPRIATIONS ACT, 2010

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 961 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 961

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany 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. The conference report shall be considered as read. All points of order against the conference report and against its consideration are waived. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit.

POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I will raise a point of order against H. Res. 961 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution carries a waiver of all points of order against consideration of the conference report, which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates Section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule. The gentleman from Arizona and a Member opposed each will control 10 minutes of debate on the question of consideration. After that debate, the Chair will put the question of consideration.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, I raise this point of order not so much out of a concern for unfunded mandates, but again, it's about the only opportunity we have to stand up and talk about the process by which this conference report is being brought to the floor.

We all remember that earlier this year we had something unprecedented happen. We have never in the history of the Republic ever had every appropriation bill come to the floor under a closed rule where Members from both sides of the aisle were denied the ability to offer amendments.

Now, until a decade or two ago, appropriation bills typically came to the floor without even going through the Rules Committee at all. It would simply come under an open rule, and amendments would be disposed of on the floor and there would be open debate.

A couple of decades ago, we started to go to the Rules Committee, but only to set overall parameters. It was still an open rule, and any Member could offer any amendment to strike funding or move funding around within the bill as long as it was germane. But this year we were told by the majority that we had to rush this legislation through, these appropriation bills.

Remember, the main reason Congress is here is because of the power of the purse. It's article 1: to dispose of funding legislation, to fund the agencies of the Federal Government. So that is the important reason we're here.

But we were told we had to rush that through and had to do it under what amounts to a form of legislative martial law where every appropriation bill this year, every one, came to the floor under a closed rule. Members were denied the ability to offer the amendments they wanted to offer. They could only offer the amendments that the Rules Committee saw fit for them to offer.

Over 1,000 amendments were offered. Just 12 percent of those amendments were actually allowed onto the House floor. Now, I was fortunate to have a number of those amendments allowed. Some of my colleagues came to the floor or came to the Rules Committee over and over again with multiple amendment requests on every bill, and in the entire year, not allowed one, not one amendment. We had several members not allowed one amendment the entire year because we had to rush these bills through for some unknown reason. We were told that we had to do this because we wanted to avoid an omnibus.

Well, here we are with an omnibus. This is a bill that spends north of a

trillion dollars, one bill brought to the floor under one rule. And in it, let me tell you what's in it.

□ 1030

Let me just tell you what is in it. In it is more than 5,000 earmarks.

Mr. DREIER. Would the gentleman yield?

Mr. FLAKE. I would.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, I congratulate him for his remarks. Basically it's what I'm going to say when we begin the process here. But one of the arguments that has been propounded and was utilized up in the Rules Committee last night was that when we completed our work here in the House of Representatives, that it was our friends on the other side of the Capitol who did not comply with the kind of schedule that we had. And the fact is, it's important to remember that there are 58 Democrats and two Independents who organize with the Democrats in the United States Senate, giving them a total of 60 votes, and they have complete control. And so the notion of somehow saying, "Well, we had to get our work done. We had intended to avoid an omnibus if we had been able to complete our work, but it's those guys over on the other side of the Capitol who failed to meet their responsibilities" is a very, very specious and weak argument to make in light of the fact that they have control of everything now.

And I thank my friend for yielding.

Mr. FLAKE. I thank the gentleman and reserve the balance of my time.

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

Mr. Speaker, I have great respect for my colleague from Arizona, but technically, this point of order is about whether or not to consider this rule and ultimately the underlying conference report. In reality, it is about trying to block this report without any opportunity for debate and without any opportunity for an up-or-down vote on the legislation itself. I think that is wrong, and I hope my colleagues will vote "yes" so we can consider this important legislation on its merits and not stop it on a procedural motion. Those who oppose the conference report can vote against it on final passage. We must consider this rule, we must have a debate, and we must pass this legislation today.

I have the right to close, but in the end, I will urge my colleagues to vote "yes" to consider the rule.

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

Mr. FLAKE. Here again, I'm claiming my time on the unfunded mandates point of order because it's about the only opportunity we've had. And all throughout this appropriations season, I did something similar because it was the only opportunity I got. I was offered so few opportunities to offer amendments to earmarks during this appropriations season.

But let me just give you some of the examples of earmarks that are in this bill, just a couple of examples of the more than 5,000 earmarks that are stuffed into this legislation; again, earmarks that, for the most part, we were unable to challenge on the House floor because we weren't afforded the opportunity.

We made a law in the past couple of years, and I'm glad we have, about transparency, to make sure that Members' names are next to the earmarks they request. But as important as transparency is, accountability must also be present. And without the ability of Members to challenge those earmarks, then transparency doesn't mean a whole lot. And we haven't had the ability to have accountability here.

In this legislation, \$125,000 goes for the defense procurement assistance program in southwestern Pennsylvania. Now, those who follow the appropriations process around here, particularly with Defense Appropriations, realize that southwestern Pennsylvania needs help with defense procurement like Arizona needs more cactus. This is a region that gets billions and billions of dollars in no-bid contracts to private companies, and yet we are appropriating here an earmark, a specifically designated earmark, for defense procurement assistance. Now, how ridiculous is that? Yet, it's in this legislation, and it was in the prior legislation that we dealt with under, as I said, the legislative equivalent of martial law earlier this year.

There's \$500,000 for the Botanical Research Institute of Texas to enhance its collections; \$292,000 to eliminate slum and blight in Scranton, Pennsylvania; \$700,000 for an arts pavilion in Mississippi; \$300,000 for Carnegie Hall music and education programs in New York.

Again, these may well be worthy programs. I'm not sure the Federal Government ought to be funding them. But, in any case, should any Member have the right to designate that portion of funding for his or her district without the ability of other Members to challenge it on the House floor? That is the question we have here.

We went through a process the entire year where we were told we can't have open debate, we can't allow Members to challenge these earmarks on the House floor because we have to rush these bills through to avoid an omnibus. Here we are in December with an omnibus. We all knew we would be here.

During the years 2006 to 2008 when the majority party was in the majority of Congress but the Republicans had the White House, we were told, "Well, we could get these bills through in regular order were it not for the White House." Now, as the ranking member on the Rules Committee stated, the majority party is in control of the White House, has a huge majority here in the House and a 60-vote majority in the Senate, and still we are here with

an omnibus. We knew we would be here. So you can only conclude that we rushed through this process during the entire year just to shield Members from uncomfortable votes to be forced to defend \$250,000 for the Brooklyn Children's Museum or \$600,000 for streetscape beautification in California and \$250,000 for a farmer's market in Kentucky. If it weren't for that, why in the world did we have to shield Members from these uncomfortable votes?

So, Mr. Speaker, I simply wanted something different to come with this new majority in 2006. I wanted a transparent process with earmarks, wanted an accountable process with earmarks. But this year, I have to say, with the closed rules that have come on appropriations bills, we haven't had a more opaque year in a long, long time, and it doesn't speak well for this House. It doesn't speak well for our leadership to allow this kind of thing to happen, and particularly at a time when we have story after story after story in the newspapers about, particularly, problems with defense procurement, when you have no-bid contracts to private companies that are in legislation that we aren't allowed to challenge.

I realize the Defense bill is not part of this legislation. That will come next week. But it will come again with one rule, no ability to amend and no ability to challenge. When that Defense bill came to the floor earlier this year, there were more than 1,000 earmarks, more than 500 of which represented no-bid contracts to private companies. I offered more than 500 amendments to challenge some of those, and I was allowed just a tiny fraction of those. I think I was allowed 8 percent of the amendments that were offered, and so we are only allowed to challenge just a fraction of those no-bid contracts to private companies. And that, Mr. Speaker, is simply wrong.

We cannot continue to do that in this House. We need to be above reproach here. And we can't have a process when you have no-bid contracts to private companies without the ability of Members of Congress to come to this floor and challenge those earmarks. When you have a process that shields those projects and those Members from any vetting or criticism or debate or anything else, we shouldn't be doing that, yet we are still doing it.

With that, I urge to overturn this rule.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, again, I want to urge my colleagues to vote "yes" on this motion to consider so that we can debate and pass this important piece of legislation today.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Shall the House now consider the resolution?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose 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.

GENERAL LEAVE

Mr. MCGOVERN. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 961.

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

There was no objection.

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

Mr. Speaker, House Resolution 961 provides for the consideration of the conference report to accompany H.R. 3288, the Consolidated Appropriations Act, 2010. The rule waives all points of order against the conference report and against consideration. It provides that the conference report shall be considered as read and, finally, it provides that the previous question shall be considered as ordered without intervention of any motion except 1 hour of debate and one motion to recommit.

Mr. Speaker, we're here finishing up the fiscal year 2010 appropriations bills. This consolidated appropriations bill is the product of many, many months of hard work. It contains six of the seven outstanding appropriations bills.

Mr. Speaker, in all candor, I must admit that I have a slightly different perspective on the appropriations process than I did 3 years ago. Then, in the minority, I questioned why the then-Republican majority wasn't able to finish their bills on time. I realize now that in many cases, finishing the bills in a timely fashion wasn't always the fault of the majority in the House but rather a result of the dysfunction in the Senate.

Now, 3 years later, the situation is similar. We, this House, this Democratic majority, did our job. We passed every single bill in a timely way and we did so responsibly, and in many cases joined by many of my colleagues on the other side of the aisle. For example, the Homeland Security bill passed with 389 votes, including the support of my good friend from California.

Now, despite our hard work to move this process forward, I am sure that the gentleman from San Dimas is going to protest about the process here, that this bill is made up of six bills, and I'm sure he will come up with some clever, colorful phrases to describe his feelings today, and we all look forward to that. But we are essentially reaffirming votes that have already been taken on issues that have already been previously debated and discussed.

The chairmen and ranking members of the appropriations subcommittees deserve credit for their bills. There is critical funding included for roads and bridges; for rail projects; for greenhouse gas emissions; for public housing

and other housing vouchers; for critical international aid programs like the response to global HIV/AIDS, poverty, food security, education, and international disaster assistance; for programs that prevent and prosecute violence against women and other justice programs; critical health programs including NIH funding, public health programs, programs addressing health professions workforce shortages, LIHEAP, Head Start, and other education programs. These bills are about priorities. They are about values. They show who we are as a Congress, and I stand by the values articulated in these bills.

While some will complain that we are spending too much money, that these bills are too big, I look at it in a very different way. Mr. Speaker, I see these bills as an opportunity to reverse years of neglect: neglect to our roads and our bridges, neglect to our lower income neighbors and friends, neglect to our education system, and neglect to our veterans.

You see, Mr. Speaker, this Democratic majority inherited a troubled country. Our Republican friends squandered budget surpluses. Their reverse Midas touch turned surpluses into deficits. They spent money like they were drunken sailors and yet never felt the responsibility to pay for their spending. They turned a blind eye to transgressions of Wall Street, allowing Main Street to feel the pain of Wall Street running wild.

What did we start out with? We started out with, we inherited, a financial system on the brink of collapse, the worst recession since the Great Depression, two wars that weren't paid for, a broken health care system, and a 1950s energy policy. That was the gift from the Bush administration and a Republican majority in Congress. So there's been a lot to fix this year.

Just look at some of the numbers, Mr. Speaker. Job growth under the current administration is reversing a long downward spiral that started under the last President. The stimulus plan is working as planned. We are making sound investments in helping Americans find good jobs and getting this economy moving again. The unemployment rate dropped last month and the efforts of this Congress are helping people afford a home, helping to breathe life back into our real estate economy. Even the TARP program is working better than expected. Confidence has been restored to Wall Street, and more than \$200 billion will be returned to the government.

So here we are, Mr. Speaker, digging out from the Bush economy, the Bush recession. It's time to get this done, but it's not going to happen overnight. It's time to fund our priorities and meet the needs of the American people. Simply, Mr. Speaker, this is a good bill we will consider today, and it deserves to be supported by every single Member of this body.

With that, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I thank my friend from Worcester 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, I appreciate my friend's comments, and it appears to me that no matter how colorful or creative I am that I probably won't be as persuasive with him as I hope I am with others in pointing to how absolutely ridiculous it is that we are here doing what we are doing with this. And this is really a challenge.

I'm told that this weighs more than a baby, in fact. The child of the woman sitting right behind me says this weighs more than her baby. It is 2,500 pages that we have been given in this omnibus appropriations bill which we were promised would not be utilized as a process if we shut down all of the appropriations bills, which, if I could remind everyone, we did last summer.

□ 1045

Actually, Mr. Speaker, I would like to call my colleagues' attention to today's date. Today is December 10. For those keeping track, we are now 71 days past the end of the fiscal year, 71 days overdue in completing work on our constitutionally mandated power of the purse.

How far along in the process are we at this date, 71 days into the fiscal year? Well, five of the 12 appropriations bills have been enacted into law. With time quickly running out and over half of its work left undone, the Democratic majority has chosen to cram six of our remaining seven spending bills into this one massive half-trillion dollar bill.

The underlying measure before us today spends \$500 billion of the taxpayers' money on disparate issues and agencies, from the Department of Housing and Urban Development to the FBI to infrastructure to veterans programs.

My friend is absolutely right. Of course, I supported the Homeland Security bill. It's one of the top priorities that we have. In fact, there's nothing more important than the security of the United States of America, so I supported that. But that doesn't mean that I'm supportive of taking it when it should have gone through the regular process, which is what the gentleman with whom you're speaking right now promised we were going to be able to do if we had this closed, structured process for considering appropriations bills, and yet here we are with this omnibus bill.

They were kind enough, kind enough now, by virtue of having this as a conference report, to grant us an entire hour of debate for this 2,500-page measure that's before us. Mr. Speaker, that works out to just about \$7.5 billion for every minute of debate that we're going to be allowed on the bill, \$7.5 billion.

And I'm sure the American people will feel completely confident that 1 hour to debate a \$500 billion measure, half of the discretionary spending that we've got before us, is enough. Actually, an hour for oversight and accountability of their hard-earned taxpayer dollars at a time, Mr. Speaker, when virtually everyone I know is engaged in cutting back. They're engaged in cutting back spending. Why? Because of the economic downturn through which we're going.

And what is it that has happened? We've seen an 85 percent increase in nondefense discretionary spending. An 85 percent increase at a time when families across this country are working very hard to figure out how they can make ends meet.

Now, as I have said repeatedly throughout the appropriations process, legislating is not a pretty business. It's not unusual for our work on the Federal budget to extend beyond the close of the fiscal year. It's not unprecedented to consider several appropriations bills in one package. And it's happened under both political parties. The debate that takes place here on the House floor is often heated. That's the way it's supposed to be. The task, Mr. Speaker, of forging consensus and compromise in the face of competing views and priorities is all part of the legislative process.

Furthermore, spending the taxpayers' money is a very, very enormous responsibility that we have. Article I, section 9 of the Constitution places that responsibility in our hands. It demands, it demands, Mr. Speaker, a great deal of deliberation, which is not always compatible with setting timetables. Deliberation, Mr. Speaker, is not always compatible with setting timetables. Ultimately, Mr. Speaker, getting it right is more important than getting it done by September 30.

In light of this, the fact that we have arrived at December 10, 71 days after the end of the fiscal year, having completed only five of the 12 appropriations bills, is not surprising, based on what we've seen here, or even necessarily problematic.

But there is far more to this story, Mr. Speaker. At the very outset of this process 6 months ago, the Democratic majority announced that they would be foregoing the messiness of real debate. And I'm very pleased that my friend from Wisconsin, the distinguished Chair of the committee, is here on the House floor. In their calculation, concluding by September 30 was more important than getting things done right. Rather than a lengthy, deliberative, accountable process, they chose to pursue a neat and tidy one that shut out real debate, shut out real debate, but did conclude on time for our work here in the House. Democrats and Republicans alike were denied the opportunity to participate. True to their word, they made the unprecedented move of closing down the entire appropriations process.

Now, Mr. Speaker, everybody in this House who is a first-terms or they've been here as long as my friend Mr. OBEY has been here—he's been here almost 200 years, I think. He's been here a long, long period of time. And he knows that never before, never before in the history of this Republic have we seen the process shut down as it was shut down last summer. We have had rank-and-file Members, again Democrats and Republicans—Mr. Speaker, this is not simply my attempt to stand up for Republicans. We've been standing up for Democrats who have been denied the opportunity to offer amendments as well, and it's very, very unfortunate.

By endeavoring to take the messiness out of the legislative process, they took out the real debate, they took out the accountability, all in the name of a deadline, a deadline that came and went 71 days ago. Seventy-one days ago was when that deadline arrived, Mr. Speaker. And here we are scrambling to consider half of the entire discretionary budget in one single 2,500-page bill with one single hour of debate. As I said, that's \$7.5 billion per minute of debate that's going to be allowed on this.

Our traditional deliberative process is messy and lengthy and ugly for the sake of good results. The Democratic majority set out to sacrifice good results for the sake of expediency. What we have gotten is the worst of both worlds: neither timely nor deliberative action. Neither timely nor deliberative. And as we've seen time and again, bad process begets bad substance.

It's no coincidence that the Democratic majority has been blocking all accountability of their spending practices. The deficit has skyrocketed to nearly \$1.5 trillion. That's larger than the entire Federal budget was just a decade ago. And our national debt, as we all know, exceeded \$12 trillion, and the unemployment rate is double digit at 10 percent.

The fact that this outcome is not surprising does not make it any less grim. We can't go on recklessly spending money that we simply don't have, piling mountains of debt upon future generations. Unless and until this Democratic majority returns to regular order and open debate, the taxpayers will continue to see their hard-earned money spent unwisely and our country saddled with an ever-growing level of crippling debt.

Mr. Speaker, I have to say that we constantly hear the finger of blame. I was managing last night the rule for general debate on this massive 1,279-page bill that re-regulates virtually everything when it comes to the delivery of financial services, and I constantly heard the finger of blame being pointed at the Republicans.

We need to remind ourselves that the Republicans have not been in control of the House of Representatives since 2006. Mr. Speaker, what that means is that we have gone through now 3 full

years, 2007, 2008, and 2009, under a Democratic majority. So as we continue to hear this argument that somehow Republicans are to blame for all of these problems, it is a very, very specious one.

I'm going to urge my colleagues, Mr. Speaker, in the name of accountability, in the name of deliberation, and in the name of good results, to defeat this rule. We can do better.

Mr. Speaker I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me just say that this Congress has a very tough job. We are digging ourselves out of the mess that Mr. Bush and his Republican allies created. Years and years of neglect. Years of ignoring the most important pressing problems facing our country.

When President Obama got elected, he inherited a crumbling infrastructure in this country because of the years of neglect by the Republicans and by the Republican President. He inherited a country that had no solid plans for alternative or renewable or clean energy because of the neglect and the obstructionism on the other side. He inherited a country where the health and well-being of our citizens had been neglected for years and years and years. So what we are doing here and what these appropriations bills are responding to are the years of neglect.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. MCGOVERN. I yield 30 seconds to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

Let me just say, Mr. Speaker, that the gentleman obviously didn't listen to the remarks that I just provided here reminding Members that while we continue to get the finger of blame pointed at us for the last 3 years, this institution where the power of the purse exists, the people's House, has been in the control of the Democratic Party, not the Republican Party.

Mr. MCGOVERN. For 2 of those years, we had a Republican President who obstructed every single progressive, positive idea that came out of this Chamber. So this is the response to the neglect of the years of Republican rule, and we have to clean up this mess.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the chairman of the Appropriations Committee.

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

Mr. Speaker, it is hard for me to respond to the gentleman's comments with a straight face. I really think we've had a big lesson in Alice in Wonderland reasoning here today.

Let's simply let the facts speak for themselves. We presently have had five appropriation bills already signed by the President of the United States. In addition, the bill which we will consider today and which will be sent to the President will mean that we have sent six additional appropriation bills

to the White House. That means that during this session, we will have passed every single regular appropriation bill except the defense bill, which we expect to deal with next week. And we did that on top of having to deal with the most calamitous collapse of the economy in 75 years, necessitating a whole round of legislative action to try to salvage the economy.

The gentleman and several of his friends on that side of the aisle have continued to complain that we haven't gotten all of these bills done by the end of the fiscal year. Engaging how seriously we should take that—

Mr. DREIER. Will the gentleman yield?

Mr. OBEY. No, I will not.

Mr. Speaker, I do not intend to yield until I have finished my entire statement. The gentleman habitually asks people to yield in the middle of their statement. I'm going to complete my thoughts, and then I will be happy to yield.

The fact is I think this House ought to compare our record this year with the record when the gentleman's party was in control. When we took control of this House 3 years ago, what did we find? We found that they had only been able to pass two appropriation bills.

□ 1100

They had not been able to pass a single appropriation bill that appropriated a dime for the domestic portion of the Federal budget. And they, in fact, left to the next Congress the necessity to pass all of those domestic appropriation bills. How, with that record, they can come forward on this floor and complain because we are 60 days late in their mind is a joke in my view.

Let me cite some of the other records. So far this year, without this bill, we have passed more individual appropriation bills than has been done in five of the last seven years, and most of those years were under Republican control. In fiscal year 2003, Republican control, only two bills were enacted as freestanding measures; the rest were part of an omnibus. In fiscal year 2004, Republican control, six bills were enacted as freestanding measures; the rest were in an omnibus. Fiscal year 2005, Republican control, four bills were enacted as freestanding measures; the rest were put in an omnibus. And the story goes on and on and on.

With respect to the amendment process, our friends on the other side of the aisle were able to offer 96 amendments in full committee, they offered 155 amendments on the floor, and in the conference, on this bill alone, they offered nine amendments. Significantly, their Republican counterparts in the Senate didn't offer any; they felt we had done a pretty good bipartisan job in producing these bills, and I do, too.

The fact is, we have been subjected to obstruction by delay as the minority has apparently tried to turn the House of Representatives into the Senate through filibuster by amendment. We

don't have a filibuster in the House rules, but they can achieve the same thing by tossing up countless amendments, many of which are not serious amendments.

With respect to the cost of the bill, they make much of the fact that this bill costs significantly more than its counterparts last year.

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

Mr. MCGOVERN. I yield the gentleman 2 additional minutes.

Mr. OBEY. Let's walk through what those differences are. Would they suggest that we take out the \$3.2 billion increase for veterans so that we can clean up the disability backlog? Would they suggest that there is something wrong with the fact that, in contrast to what happened when they were running the show, we chose to put \$14.8 billion for war costs that were previously funded in a supplemental, we chose to put them in the regular bill so you didn't hide the cost in a regular bill?

On infrastructure, as the gentleman pointed out, we've had collapsing infrastructure in this country. Would they suggest we remove the \$10.8 billion in additional infrastructure funding?

On health, we are about to pass the most momentous health care changes in the history of the country. We have \$6.3 billion of additional funding over last year to expand the capacity of the health care system to deal with the fact that 31 million more people are going to be using that health care system. Would they suggest that we take that money out?

When you total up the cost for those items that I have just recited, the rest of the increase in the bill is \$4.8 billion; that is equal to a 1 percent increase. I make no apology for that because, as the gentleman pointed out, we are trying to deal with years of neglect of our domestic economy. This is the bill that does that, and I make no apology for the fact that we bring it to the House today. And I make no apology for comparing our ability to deliver the goods before the end of this Congress in contrast to the inability of the other party to do that when they controlled the House.

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

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume, and I would be happy to engage in a colloquy with my very good friend.

Let me say that obviously the appropriations process is a challenging and difficult and messy one, but I think that it's important to note a few things as we look at last summer.

My friend will, I'm sure, acknowledge—and I would be happy to yield to him—that never before in the history of the Republic have we had the kind of structure put into place that prevented Members from offering amendments that we did through this appropriations process.

I am happy to yield to my friend.

Mr. OBEY. I would say never before have we had the kind of systematic ob-

struction on the part of the minority that we had either.

Mr. DREIER. If I could reclaim my time, Mr. Speaker, let me just say that the problem we had was this: The first appropriation bill came forward, it was a total of 20 minutes of debate. Twenty minutes of debate took place, Mr. Speaker, and then all of a sudden the process was shut down and Mr. MCGOVERN and I and our other Rules Committee colleagues were forced upstairs to take the first step towards shutting down the process. So let's say that this extraordinarily dilatory process lasted 20 minutes before we took the first step towards shutting this place down.

The second thing, Mr. Speaker, is that as we talk about the sacrosanct September 30 end-of-fiscal-year date, that's only part of it. The only reason that we point that out, recognizing that under both Democrats and Republicans through a difficult appropriations process in the past, we have clearly had to go beyond that September 30 deadline for the end of the fiscal year. And the problem was that when we were told that we would not exceed that because we were shutting down the process. So, unfortunately, we lost both the opportunity for deliberation and this sacrosanct deadline that was constantly held up as the *raison d'être* here for this kind of action.

The third point is, as my friend, the distinguished Chair of the committee, went through the 95 amendments that were offered in committee, the 160 amendments that were made in order on the House floor for consideration, Mr. Speaker, with all due respect, the selection of those amendments in the hand of one individual Member of this institution—not those of us on the House Rules Committee. Yeah, we ultimately, with the majority vote in the House Rules Committee, saw our Democratic colleagues put the stamp of approval on it, but the decision of what amendments were made in order was made by one person, the distinguished Chair of the Committee on Appropriations. That's where the decisions were.

Now, Mr. Speaker, under the historic tradition, the tradition of consideration of appropriations bills, knowing how sacrosanct article I, section 9 of the Constitution is, Members of the House had the chance, as Mr. FLAKE said in his remarks, to stand up and offer amendments. One of the things that we believe strongly about, with the 85 percent increase that we have in nondefense discretionary spending; not those issues that the gentleman pointed to that we of course agree to in a bipartisan way—the national security of the United States of America—but in the multifarious other areas, there is a real desire for Members to stand up and have a chance to offer amendments that might be able to bring about, with a scalpel, some kind of spending reduction because we've gone through such huge increases. And so, Mr. Speaker, I have to say that it's very, very troubling to hear these kinds of arguments.

Mr. KIRK, to whom I'm going to yield in just a moment, has the 2,500 pages very, very gingerly propped up there on the lectern. At this time, I am happy to yield 2 minutes—which, based on the level of spending in this 2,500 page bill, will amount to \$15 billion since we're spending \$7.5 billion per minute—to my friend from Highland Park.

Mr. KIRK. I thank the gentleman.

This bill totals 2,500 pages. Initial estimates show that it has 5,000 earmarks, and these earmarks in this legislation stretch over several hundred pages. Now, any time Congress moves a 2,500-page appropriation bill on short notice, we should urge caution. This kind of spending may be in line with other spending of this Congress.

This morning, Congressman PRICE and I released a list of the 11 worst spending items approved by the 111th Congress. Items included \$1.9 million for a water taxi to nowhere in Pleasure Beach, Connecticut, opposed by a local mayor there that said the reason why we never did this is there is no local support for this project. Or \$578,000 to fight homelessness in Union, New York, a town that has reported no homeless citizens. HUD officials said, "We hope and encourage these new grantees to develop creative strategies for this funding."

Now, remember, the Bureau of Public Debt reports that we must borrow \$160 billion per week for the United States to service our current debt and add new IOUs. Forty-six cents of every dollar spent by this Congress is borrowed, and most of it from abroad.

This bill has 5,000 earmarks over several hundred pages buried in this legislation. I do not think that it represents responsible management of Federal finances. The press reports indicate that the congressional leaders will soon approve adding \$1.8 trillion to our national debt next year. They need to do this to fund 10,000 earmarks they've already approved—5,000 just in this legislation—that totals \$446 billion in a 2,500-page bill, accelerating spending by \$50 billion over last year alone. I think we should turn away from this kind of spending and enact a more frugal set of spending priorities.

Mr. MCGOVERN. Mr. Speaker, let me just make a couple of observations.

First of all, the gentleman talked about earmarks. Under the Democratic leadership, earmarks have been curtailed significantly from where they were when the Republicans were in control of the Congress.

Secondly, I guess it's good theatrics to hold up all the pages of the appropriations bills that are gathered there, but I should point out to my colleague that the Republican omnibus appropriations acts were longer in length than the one he has there. So what? I mean, has this debate become so shallow that it's all about the number of pages of the bill?

The gentleman talked about responsibility. The responsibility that the Democratic majority has is to clean up

the mess that the Republicans left us. The responsibility of the Democratic majority is to deal with the years and years of neglect on important programs ranging from transportation to health care to veterans affairs. That is what we are doing here.

This is a debate about issues that matter to everyday people. These bills contain monies for roads and bridges, monies for our veterans, monies for our health care facilities. These are important matters, and that is what we should be debating.

Mr. Speaker, I would like to yield 2 minutes now to the gentleman from Mississippi, the chairman of the Homeland Security Committee, Mr. THOMPSON.

Mr. THOMPSON of Mississippi. Mr. Speaker, today I rise with significant concerns about section 159 of the Transportation division of this legislation. It requires Amtrak to allow passengers to check their guns when riding the rails.

It is no secret that rail systems are an attractive target for terrorists. In fact, in last year's attack in Mumbai, two terrorists executed a commando-style raid on a major railway station, gunning down 150 innocent commuters. To date, we have been fortunate that no such attacks have occurred on U.S. soil, but with passage of this legislation, securing the Nation's railway systems becomes far more difficult.

Section 159 requires Amtrak to allow passengers to travel with guns without checking them against a terrorist watch list. We all get checked against a terrorist watch list when we fly, regardless of whether we check firearms or not. How can we justify not using the terrorist watch list on people who travel the rail?

Amtrak policy of prohibiting passengers from traveling with guns was established in response to 9/11. With this bill, Congress, in a heavy-handed way, is interfering with Amtrak's security protocols without a single congressional hearing. This bill would abruptly undermine nearly a decade of conscientious efforts by Amtrak to enhance rail security and protect its passengers and employees. I am also concerned that it does not distinguish between checked baggage transported in a separate car and that which is loaded onto the same car as passengers.

Section 159 also lacks safeguards to ensure that State and local gun laws are respected. Specifically, it is silent on the question of preemption, thereby implying that individuals can carry firearms into jurisdictions where it is unlawful to do so.

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

Mr. MCGOVERN. I yield the gentleman an additional 30 seconds.

□ 1115

Mr. THOMPSON of Mississippi. I would like to also add that, last year, we spent more than twice as much money per passenger on aviation secu-

rity as we did on rail security. Section 159 will undermine the security of Amtrak's passengers, employees, and infrastructure. I sincerely hope that we do not soon come to regret this hasty and unexamined passage.

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

Mr. Speaker, I would like to say to my good friend from Mississippi—and I know my friend from Florida is raising concerns about this as well—this underscores procedurally the challenge that we are facing when we have one individual making these kinds of decisions that should be made by Democrats and Republicans in the House of Representatives. When we listen to this argument put forward about spending and about the fact that this 2,500-page bill is theatrical, you bet. I mean, you bet, Mr. Speaker. It is theatrical to hold up a 2,500-page bill, but it's a way to graphically underscore what is taking place here.

Now, my friend said that he is interested and concerned about the fact that everyday people have priorities on transportation and on a wide range of issues. National security is again, to me, priority number one. Yet, Mr. Speaker, in this 2,500-page bill, we have a 63 percent increase in funding for the Intergovernmental Panel on Climate Change.

Mr. Speaker, I don't believe that everyday people who constantly, over the past year or two, have been focusing on trying to rein in their spending believe that a 63 percent increase on the Intergovernmental Panel on Climate Change is an appropriate utilization of this money. So that is the reason, Mr. Speaker, that we point to this.

Now I yield 3 minutes to the distinguished ranking member of the Subcommittee on Transportation and Housing, my good friend from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from California for the time.

Mr. Speaker, I hear all of this talk about the past. If I remember a little bit of the past, recently, somebody ran on the idea of "change you can believe in."

Is this the kind of change that people were talking about, to continue the same type of efforts in the House here that are so bad as far as what was in the past?

I am very, very disturbed today that we bring a rule to the floor 5 months after this bill has passed the floor of the House and 3 months after it has passed the Senate. Now, today, almost 3 months into the new fiscal year, we finally bring the Transportation-HUD bill to the floor. Why? Why wait? This bill has been done for months and months.

The frustration, I think, that a lot of us have on both sides of the aisle is there is no reason that this bill should not have been completed other than for the fact that they wanted to use it as it is being used today, which is as a vehicle to carry other bills that maybe

could not stand on their own and because the work hasn't been done; but anyone who talks about some kind of delay tactic when you have an 80-vote margin in the House and a supermajority in the Senate is simply beyond having any kind of rational argument today.

Mr. Speaker, I will tell you, a couple of days ago, I had a motion to instruct conferees—and this is why I think everyone should oppose this rule. I had a motion which said that we would have, as conferees on this bill, 72 hours to look at what is in those 2,500 pages which are being dumped on us today. We were given 30 minutes. When the bill was completed and we were in conference, we had gotten the opportunity for 30 minutes, which is after the House had voted to give us 72 hours to study what is in that bill. Also, the House voted, and a sizable majority said, that we should take this bill by itself rather than have these other five bills added onto it. Again, totally ignored. So here we are today with almost a \$500 billion bill which we had 30 minutes to look at.

Just as one example of why it is important to have a chance to look at something like this, there was a provision airdropped that no one knew about. I asked about it in conference. No one knew the answer to it. It is one which is a huge safety issue on transportation.

Airdropped into this conference report just before our conference convened was a special exemption for the State of Vermont to have 98,000-pound trucks travel on interstate highways.

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

Mr. DREIER. Mr. Speaker, I yield my friend an additional 30 seconds.

Mr. LATHAM. Now, maybe this is okay. Maybe it's fine. This is exactly why we should have time to look at it. I know there are a lot of States which would like to have their weights increased. Certainly, this is a safety issue in many parts of the country, so to have someone airdrop a provision of that importance into a bill like this is simply outrageous.

There was no debate. No one knew a thing about it. Even the people who were in charge of the bill could not explain the provision when I asked, What is this under that section? Why is this language in there as it is? It had absolutely no debate. No one knew what it was.

Please vote against this rule. Let's get a decent bill on the floor.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I've been here 17 years, and I really believe that you have got to stand for something or fall for everything.

Today, as subcommittee Chair of Railroads, I am appalled that we are including language in this omnibus bill that allows people to carry guns on

Amtrak. This is a failure of leadership on every single level. We are passing legislation that endangers the safety of 27 million passengers who ride Amtrak each year. This language was opposed by both the Transportation and Infrastructure Committee and the Homeland Security Committee as well as opposed by numerous other Members. Yet we are forcing this unnecessary provision on millions of passengers and are jeopardizing homeland security for absolutely no reason.

I have traveled the rail systems throughout the world. None of them allow guns on their systems. We are taking a dangerous step backwards and are stripping Amtrak of its ability to set security standards and to protect its customers and employees. There was a deadly terrorist attack in Russia just 2 weeks ago on a train. The same thing happened in Madrid, Spain, in Mumbai, India, and in London, England. Each attack has emphasized the importance of passenger rail security.

These incidents also clearly demonstrate the fact that security in rail environments presents unique opportunities for terrorists. Trains are not like airplanes. You don't have metal detectors, and you don't have the TSA officials there or law enforcement officers processing passengers through these stations. We haven't provided Amtrak the resources to fully fund this operation, let alone the additional costs and manpower that will be needed to comply with this legislation.

The traveling public deserves better. I am asking each Member to vote "no" on this rule so we can come back and get a fair rule pertaining to the traveling public.

Mr. DREIER. Mr. Speaker, as I prepare to yield to my good friend from Alpine, Utah (Mr. CHAFFETZ), I would simply say that I will give him 2 minutes, which would total \$15 billion of this measure based on the \$7.5 billion per minute that it is costing us to do this.

I yield 2 minutes to our hardworking new colleague from Utah.

Mr. CHAFFETZ. Thank you for yielding.

Mr. Speaker, this rule is really bad government at its worst. I really do believe that in my heart of hearts. It seems to be a vehicle to drop in things that would never pass by themselves, and we are hearing that criticism on both sides of the aisle.

It's 2,500 pages, and the gentleman from Massachusetts asks, Well, why is that important?

It is important because we have been given just hours to try to review this. It is a physical impossibility to actually read and comprehend what is in this bill. I, for one, was elected as a freshman because I was critical of the Republicans and the Democrats. It is a shame that this bill and this rule are being pushed upon us without an opportunity to properly review it:

2,500 pages. \$446 billion in expenses. Nearly a 12 percent increase in spend-

ing year after year in the base spending. Over 5,000 earmarks that could never withstand the light of day if we had to vote on them and look at them one at a time, as my friend Mr. FLAKE has brought many times before this floor.

Next week, there is going to be legislation moved forward to raise the debt ceiling by \$1.8 trillion. Let no person in this body try to kid themselves that they are concerned about the debt and the deficit when they have to continually raise the debt ceiling to try to clean things up. No. We continue to mortgage our future every time we are met with a challenge. The only thing I hear is we need billions and billions more.

It is time for this Congress to make tough, difficult decisions and to limit the spending. That will help grow the economy. That is the responsible thing to do. That is what the American people asked us to do, but that is not what this body is doing. It is time for some personal responsibility here in the United States Congress. We should defeat this rule, and we should get serious about limiting the amount of expenditures that happen in the United States Congress.

Mr. MCGOVERN. Mr. Speaker, I would just make a couple of observations.

First of all, I should remind everybody that, when Bill Clinton left office, he left George Bush with a record surplus which President Bush and his Republican Congress squandered. We ended up going from record surpluses to record deficits and debts. That's just a fact. I understand the frustrations of my friends on the other side as their goal is to obstruct and to make sure we get nothing done here. That is what they think is the winning strategy—to basically get nothing done.

They are failing in that because Congress is moving and is getting things done. We are beginning to turn this economy around, and we are responding to the needs and the desires of the American people. We are going to continue to do that in this bill. The inclusion of moneys for veterans, for our infrastructure, for health care, for job creation, and for worker training during this difficult economy is vital and important. We are going to get this done, and we are going to help the American people.

At this time, I yield 3 minutes to the gentleman from New York (Mr. SERRANO).

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

Mr. SERRANO. I thank the gentleman for his time.

Mr. Speaker, I rise in strong support of this rule, and I am pleased to be able to comment on the Financial Services and General Government section of this bill, which provides for a total of \$24.1 billion in discretionary appropriations. The agencies that this bill funds touch all of our lives, and the spending

has been carefully allocated to those programs where the American people will benefit the most.

In an effort to rebuild the regulatory agencies that protect investors, consumers, and taxpayers, the Securities and Exchange Commission is given a 16 percent increase over fiscal year 2009 to \$1.1 billion. In addition, because we are committed to implementing important consumer protection legislation which was enacted in 2008, the Consumer Product Safety Commission receives \$118 million, which is the full amount authorized, and a \$13 million increase over last year.

In this conference report, we also want to make sure that capital and other assistance gets to small businesses and disadvantaged communities, not just to large businesses and the wealthy. The Small Business Administration and the Community Development Financial Institutions Fund both received significant increases above fiscal year 2009.

The IRS is sufficiently funded to allow for the fair and effective collection of taxes, including resources to pursue wealthy individuals and businesses who avoid U.S. taxes by parking money in overseas tax havens. There is also more than the budget request for taxpayer services.

The Federal Judiciary receives the funding that it needs to keep up with increased costs and responsibilities. We also provide a 2 percent pay adjustment in 2010 to our hardworking Federal workers.

In this bill, we meet our obligations to the District of Columbia. I feel very strongly that Congress should not be overly involved in local affairs of the District of Columbia. Like any other citizens, D.C. residents should have the right to manage their local affairs on their own.

□ 1130

In this year's bill, with respect to both abortion funding and medical marijuana, we allowed the District of Columbia to make its own decisions, just like each of the 50 States. We also dropped some other outdated and unwarranted restrictions.

I would like to thank Chairman OBEY for his leadership, and my ranking member, Jo Ann Emerson, for her many contributions. I would also like to recognize our staff who have worked long hours to put together this conference report. In particular, I would like to mention David Reich, Bob Bonner, Lee Price, Ed O'Kane, Ariana Sarar and Alex Jabal from our majority staff, and Alice Hogans, Dena Baron and John Martens from our minority staff. On my personal staff I would like to thank Philip Schmidt, George Sullivan, Matt Alpert and Nadine Berg.

I hope that you would support this bill. Very briefly, on the size of the bill, it's great theater to show that bill, but that's composed of bills that passed this House, some as far back as 6 months ago.

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

Mr. MCGOVERN. I yield the gentleman an additional 30 seconds.

Mr. SERRANO. Those bills went through the committee process, the subcommittee process, the full committee process, the amendment process in committee, the amendment process on the floor. If anyone says that they haven't read that bill, it's because they didn't take time to read those five or six or seven bills that are included there which were passed about 6 months ago.

Mr. DREIER. Mr. Speaker, at this time, with the somewhat unprecedented procedure utilizing the 2,500-page bill as the lectern, I am happy to yield 2½ minutes to the distinguished chair of the Republican Conference, my friend from Columbus, Indiana, a self-described favorite Hoosier of mine, my friend, Mr. PENCE.

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

Mr. PENCE. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the conference report before us today and the rule that we debate at this moment.

It really is astonishing. At a time when American families are hurting, 10 percent unemployment, now comes before the Congress this massive piece of legislation. The numbers tell the tale—2,500 pages, nearly half a trillion dollars in spending, 5,000 earmarks on hundreds of pages. Now, I know my distinguished colleague on the other side says that the number of pages is a "so what," and I defer to him. I don't think it's about the number of pages; I think it's about the size of the bill that will be offensive to millions of Americans.

When you get down to the details here, Military Construction and Veterans funding gets a 5.2 percent increase; Commerce, Justice, Science gets 11.6 percent; Foreign Operations gets a 33 percent increase this year; Transportation and Housing and Urban Development gets a 23.5 percent increase—I feel like I ought to call for a drum roll here, Mr. Speaker—for a 12.2 percent increase in spending in a single year.

As I told the President of the United States yesterday in the Cabinet Room, there is not a business in Muncie, Indiana, that's going to see a 12 percent increase in its budget this year.

Here in Washington D.C., proving just how out of touch this Nation's Capital is with the struggles that American families and small business and family farmers are facing, here it is, a 12 percent increase in Federal spending. And it's not just what is in this bill, it's what isn't in this bill.

Gone is the ban on Federal funding of abortions in the District of Columbia. Gone is the ban on legalizing marijuana in our Nation's Capital. Gone is the ban on Federal funding for domestic partnership benefits. And eventu-

ally gone is the support for the D.C. Opportunity Scholarship Program, doing away with opportunities for a largely minority population to go to the school of their choice. Also, I might add, gone is any restriction on the use of Federal funds to enforce or implement the Fairness Doctrine.

You know, the President said to us yesterday in the Cabinet Room that we needed to get back to fiscal discipline as a means of encouraging economic growth. I told him he could do one thing this week—veto this bill. Let's have level funding. Let's tell the American people that we get it in Washington D.C.

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

Again, I appreciate the theatrics on the other side. I will remind them again that these bills have all gone through committee and have all been voted on in the House.

I would also like to say to my colleagues, I am reminded of the old saying, "Physician, heal thyself." My colleagues complain about earmarks. I don't have a count here, but my guess is that a good portion of those earmarks are Republican earmarks.

I would say one other thing, Mr. Speaker. Yes, there is increased spending in this bill for things like veterans, veterans' health. I mean, in this bill, there is money for military construction and family housing to support America's military forces and their families at home and overseas.

There is money for Guard and Reserve. There is money for overseas contingency operations; money for Veterans Health Administration; for rural health. There is money here to deal with mental health challenges that so many of our veterans have to deal with, women's veterans programs, long-term care, assistance for homeless vets, medical and prosthetic research, medical facilities, VA construction programs. They go on and on and on.

If my colleagues oppose that, fine. They can vote against the final passage of the bill. But I say that these are priorities for our country, and I am glad that the Appropriations Committee has put this in the bill. I am going to enthusiastically support final passage.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I am happy to yield 1½ minutes to my good friend from Mesa, Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

I have to say, the chairman of the Appropriations Committee said a while ago that they had to have what amounts to a legislative form of martial law during the consideration of these appropriation bills because many amendments were being brought forward. He said many were not serious amendments.

I can only assume that he was referring to some of mine, because I had a lot of them. But let me tell you, we had more than 500 no-bid contracts going to private companies in the Defense bill

alone, and I had many amendments to examine those because, heaven knows, they weren't being examined in the Appropriations Committee sufficiently.

We have had story after story and a cloud hanging over this body, investigations going on; the Ethics Committee has seen fit to investigate the relationship between earmarks and campaign contributions. Yet we say that many of these amendments are not serious amendments.

Who has to decide that? Why don't we let the body here decide and allow those to come to the floor.

Also, the gentleman from Massachusetts mentioned that we have to have this level of funding because of years and years of neglect. I would submit that we would do well to have a little more neglect on the taxpayers' behalf if what we are funding in this bill, and we are, is nearly \$200,000 to renovate a building in Massachusetts to attract private capital investment; \$700,000 for an arts pavilion in Mississippi. I think the taxpayers would be happy for a little more neglect by the Federal Government in this area.

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

Mr. DREIER. Mr. Speaker, may I inquire of my friend how many speakers he has remaining?

Mr. McGOVERN. I am the lone remaining speaker.

Mr. DREIER. At this point I am very happy to yield 1 minute to the lecturer-in-front-of-him, bill-holding gentleman from Dallas, Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, I guess at 5'6" inches I am doing well simply to look over the 2,500-page bill that spends yet another half a trillion dollars of money we do not have. Since the Democrats have come to power, they have increased the deficit tenfold.

We have our first trillion-dollar deficit, a budget plan to triple—triple—the national debt in the next 10 years. Mr. Speaker, every page of this behemoth spending bill represents an IOU to the Chinese to be paid for by our children and grandchildren. Every single page of this 2,500-page, half-a-trillion-dollar bill crushes yet another job in America.

Nobody is going to launch new jobs in America when they have to pay for this, Mr. Speaker. Our highest levels of spending, our highest levels of unemployment. Mr. Speaker, the Democrats don't get it.

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

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 30 seconds remaining, and the gentleman from Massachusetts has 4 minutes.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time, the 30 seconds, to simply say that in the name of fairness, there are both Demo-

crats and Republicans who are opposing this rule. Why? Because Democrats and Republicans have been shut out of this process.

On the Republican side, Mr. Speaker, we believe that an 85 percent increase in nondefense discretionary spending is outrageous when the American people are struggling to make ends meet. Only the Federal Government, as my friend from Indiana said, would proceed with a dramatic increase in spending when businesses across this country are working to bring about reductions.

There are shared priorities that we have on national defense; on transportation. But the notion of a 63 percent increase for the Intergovernmental Panel on Climate Change, or \$375 million for the Clean Technology Fund is not the route to go.

Defeat the previous question. Defeat this rule.

Over the last few months, the American people have written and called their Members of Congress or they've made their opinions known at town hall meetings to ask their Congressmen whether they will pledge to read bills before they vote on them. The reason is that the people are upset after finding out the majority leadership forced Congress to vote on a number of sweeping and very expensive bills without giving Members time to understand or really even to read the bills.

For example, we were forced to vote on the final so-called "stimulus" bill, on the omnibus appropriations bill, and on cap-and-trade with less than 24 hours to read the bills; in some instances, much less than 24 hours. And that's no way to run this House. Our constituents are rightly upset.

You would think, Mr. Speaker, this would not be an issue, as the distinguished Speaker is on record as saying in *A New Direction for America*, "Members should have at least 24 hours to examine bills and conference reports before floor consideration." It's even on her Web site; yet, time and time again, the distinguished Speaker and majority leadership have refused to live up to their pledge.

That is why a bipartisan group of 182 Members have signed a discharge petition to consider a bill that would require that all legislation and conference reports be made available to Members of Congress and the general public for 72 hours before they be brought to the House floor for a vote.

That's why today I will be asking for a "no" vote on the previous question so that we can amend this rule and allow the House to consider that legislation, H. Res. 554, a bipartisan bill by my colleagues, Representatives BAIRD and CULBERSON.

By voting no on the previous question, Members will still have an opportunity to debate and consider this conference report, but if the previous question is defeated, it will also allow for separate consideration of the Baird-Culberson bill within 3 days. So we can vote on the conference report and then, once we are done, consider H. Res. 554.

Mr. Speaker, I would like to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

Mr. Speaker, I ask my colleagues to vote "no" on the previous question and on the rule.

Mr. McGOVERN. Mr. Speaker, the American people, indeed, are strugg-

ling, and they are struggling because of years of neglect by President Bush and the Republicans here in this Congress who have neglected, I think, the most important pressing priorities that everyday people face. What we are trying to do is clean up their mess, and this bill represents an increase in spending on important priorities that have been underfunded in the past, everything from infrastructure, because our infrastructure all over our country is crumbling because of neglect, to an increase in funding for veterans health and for veterans housing.

I am proud of the priorities in these appropriations bills. We have appropriations bills that have a conscience, that actually respond to the needs of the American people. I understand, as I said before, the frustration of the other side, because what they would like is for us to get nothing done.

But the reality, Mr. Speaker, is that this Democratic Congress is doing the opposite. Politico said, "A Democratic Congress that is enjoying its greatest political and legislative success since at least the beginning of the Clinton administration and arguably since its legislative heyday in the mid-1960s."

We are moving forward on things like the American Recovery and Reinvestment Act to help keep people's jobs and create more jobs; the Cash for Clunkers bill which jump-started the U.S. auto industry and provided consumers with up to \$4,500 to trade in an old vehicle for one with higher fuel efficiency. We have passed a bill to help families save their homes.

We passed the Edward M. Kennedy Serve America Act, tripling volunteerism opportunities to a quarter of a million people. We have passed health care for 11 million more children that without this bill would not have access to health care. The FDA regulation of tobacco, the Ryan White HIV/AIDS Treatment Extension Act, the Omnibus Public Lands Management Act, the Fraud Enforcement and Recovery Act, the military procurement reform bill, strengthening oversight of TARP, the Lilly Ledbetter Fair Pay Act.

I can go on and on and on, but this has been an activist Congress, responding to the needs of the American people, responding to those who are struggling or who are out of work, because they were neglected for so many years.

We are trying to deal with our debt as well, trying to go back to what President Clinton established, a time of record surpluses. But when the Republicans came in, the first thing they did was pass tax cuts for wealthy people without paying for it. The rich got richer while the middle class got poorer.

Mr. Speaker, this omnibus bill before us represents, I think, the right priorities, the priorities of the American people.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, as I mentioned during debate

on the rule, I have strong objections to section 159 of the Transportation division of this bill.

Over the last decade it has become abundantly clear that rail systems are key targets for terrorists.

And the consequences have been devastating for many of our friends around the globe.

In last year's attack in Mumbai, 2 terrorists executed a "commando-style" raid on a major railway station, gunning down 150 innocent commuters.

I am grateful that, thus far, Americans have been spared the horror of an attack on our domestic rail system.

But approving section 159 is to act as though the terrible events in Madrid, Mumbai, and Russia could never happen here.

Amtrak's ban on firearms was instituted in response to September 11th, and re-evaluated after each major terrorist attack since.

Section 159 interferes with Amtrak's carefully developed security protocols and exacerbates the vulnerability of railways without hearings or debate.

Still, I would like to recognize Chairman OLVER and Chairman OBEY for reaching out to discuss my security concerns and potential changes to proposed language.

Unfortunately, none of those concerns are addressed in the provision that is in the conference package.

The bottom line is that it still forces Amtrak to allow passengers to transport guns as checked baggage without even the most basic safeguards.

For example, section 159 does not distinguish between checked baggage transported in a separate car and that which is loaded onto passenger cars.

Moreover, there is not even language that requires checked baggage to be secure.

This means that guns and ammunition could be loaded onto the same cars as the passengers who are transporting them.

As my colleague from Florida, Chairwoman BROWN, stated earlier, it is absolutely critical for everyone to understand that checked baggage on a train is not the same as checked baggage on an airplane.

What is even more puzzling is that section 159 requires Amtrak to allow passengers to travel with guns without checking their names against the terrorist watchlist.

We all know that our names are checked against the watchlist when we fly, even if we don't check firearms.

I do not understand how anyone can justify using the watchlist to protect air passengers but refusing to provide the same protection to rail passengers.

This section also lacks safeguards to ensure that State and local gun laws are respected.

Specifically, it fails to address preemption, with the implication that individuals may carry firearms into jurisdictions where it is unlawful to do so.

Last year, we spent more than twice as much money per-passenger on avia-

tion security as we did on passenger rail security.

Still, Congress saw fit to cut Amtrak's security funding by 20 percent for this year.

And since section 159 creates new problems without providing any additional funding, Amtrak will now face more security obstacles with even fewer resources.

Section 159 will reverse nearly a decade of conscientious efforts by Amtrak to protect its passengers, employees, and infrastructure—and I sincerely hope that we do not soon come to regret its hasty and unexamined passage.

Mr. SKELTON. Mr. Speaker, today, the House of Representatives is considering H.R. 3288, the Consolidated Appropriations Act for Fiscal Year 2010. This legislation contains six of the fiscal year 2010 appropriations bills that have not yet been signed into law by the President. I commend my colleagues for gluing together this very complex measure that invests in important American priorities.

I support a vast majority of this legislation, especially funds that have been directed toward veterans health care, military construction, public safety, health research, education, highways, and international diplomacy. But, I am terribly concerned about other aspects of the bill, namely its \$1.1 trillion price tag as well as provisions that would allow federal funds to be used for needle exchange programs and for abortion services in the District of Columbia.

While I cannot lend my support to H.R. 3288, I remain committed to working with my Democratic and Republican colleagues as we finish the fiscal year 2010 appropriations process and begin work on the bills for next year.

Mr. BRALEY of Iowa. Mr. Speaker, I rise today in strong support of H.R. 3288, the Consolidated Appropriations Act. While there are many good provisions in this bill, I'm particularly pleased to see funding included in this legislation intended for a Biodegradable Lubricants Study which will reduce our dependency on foreign sources of oil.

In 2008, I successfully included language in the Passenger Rail Investment and Improvement Act which authorized a Biodegradable Lubricants Study to reduce our dependency on foreign sources of oil. This authorization language was included in the Railroad Safety Enhancement Act which was signed into law on October 16, 2008.

In 2009, I was pleased to secure an additional \$3 million in funding for the Railroad Research and Development Account in the Transportation HUD Appropriations Act. This additional \$3 million in funding is intended to fund the Biodegradable Lubricants study authorized in Division B: Section 405 of the Railroad Safety Enhancement Act of 2008, as well as other feasibility studies authorized in that bill.

I was pleased to see that additional \$3 million for Railroad Research and Development included in the Consolidated Appropriations Act. I was also pleased to see language in the Joint Explanatory Statement which specifies that Railroad Research and Develop-

ment funding will go towards studies and research authorized in the Railroad Safety Enhancement Act of 2008. The Biodegradable Lubricants Study authorized in this legislation will help reduce our dependence on foreign oil and reduce our national addiction to petroleum imports. If all industrial lubricants used annually in the U.S. could be replaced with biobased versions, over 2 billion gallons of petroleum per year would be replaced.

In performing this study, the National Ag-Based Lubricants Center (NABL) at the University of Northern Iowa would be a perfect partner for the Federal Railroad Administration. NABL's expertise and resources in biobased lubricants is unmatched, and it is the only entity whose primary mission is the research and testing of agricultural-based lubricants. I thank the Conferees for including the \$3 million in additional funding for the FRA's Railroad Research and Development account and I look forward to seeing the Consolidated Appropriations Act signed into law.

Mr. DINGELL. Mr. Speaker, although I intend to vote in favor of H.R. 3288, the "Consolidated Appropriations Act, 2010," I do so with regret. This legislation contains a provision that affords the right of binding third-party arbitration to terminated automobile dealership franchises with Chrysler and General Motors (GM). Moreover, this provision governs the very nature of that arbitration, in effect dictating the criteria arbiters must take into account when deciding whether to cause an auto manufacturer to reinstate a particular dealer franchise. While I lament the painful cuts to dealerships both Chrysler and GM had to make in order to protect their viability and moreover disagree with the manner in which both companies pursued dealership rationalization, particularly with regard to Chrysler, I continue to maintain that statutorily mandated arbitration is at best a mistake and, rather frankly, unconstitutional. Chrysler's and GM's respective dealership cuts were approved in bankruptcy court, and undoing them ex post facto is tantamount to violation of due process, the spending and commerce clauses, and the bankruptcy clause's uniformity requirement.

From an economic perspective, effectively causing Chrysler and GM to engage in thousands of arbitrations at significant legal cost will impede each company's ability to complete its restructuring plans. To add uncertainty to these companies' futures after taxpayers have invested \$60 billion to finance their restructuring is quite simply irresponsible and, more broadly, potentially harmful to the country's overall economic recovery.

I recognize the sincere efforts of my friend, Majority Leader HOYER, to broker a compromise between dealers and automakers but cannot in good conscience remain silent on this matter, given the grave constitutional and economic defects of the arbitration provision in H.R. 3288. It remains my strong preference that disputes of this nature be resolved outside of statute.

Mr. SIMPSON. Mr. Speaker, as the House considers the conference report on H.R. 3288, the Omnibus Appropriations Act for FY2010, I wanted to clarify the sponsorship of one congressionally-directed projects included in the report that has been attributed to me. Division A of the Conference Report, the Transportation, Housing and Urban Development Appropriations Act, includes \$400,000 in funding for FH-24, Banks to Lowman. The Report mistakenly names me as the sponsor of this project. While this project is located in Idaho, I did not submit a request for this project, which is located in the first district. I appreciate the Committee's work in providing funding for important projects in Idaho, but in the interest of transparency, I wanted to clarify this for the record.

The material previously referred to by Mr. DREIER is as follows:

AMENDMENT TO H. RES. 961 OFFERED BY MR. DREIER

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

SEC. 2. 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.

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

The SPEAKER pro tempore. 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 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 961, if ordered; and the motion to suspend the rules on House Resolution 35.

The vote was taken by electronic device, and there were—yeas 227, nays 187, not voting 20, as follows:

[Roll No. 947]

YEAS—227

| | | |
|---------------|------------------|------------------|
| Abercrombie | Gutierrez | Oberstar |
| Ackerman | Hall (NY) | Obey |
| Adler (NJ) | Halvorson | Olver |
| Altmire | Hare | Ortiz |
| Andrews | Harman | Owens |
| Arcuri | Hastings (FL) | Pallone |
| Baca | Herse (SD) | Pascarella |
| Barrow | Higgins | Pastor (AZ) |
| Bean | Himes | Payne |
| Becerra | Hinchee | Perlmutter |
| Berkley | Hinojosa | Perriello |
| Berman | Hirono | Peters |
| Berry | Hodes | Peterson |
| Bishop (GA) | Holden | Pingree (ME) |
| Bishop (NY) | Holt | Polis (CO) |
| Blumenauer | Honda | Pomeroy |
| Bocchieri | Hoyer | Price (NC) |
| Boswell | Inslee | Quigley |
| Boucher | Israel | Rahall |
| Boyd | Jackson (IL) | Rangel |
| Brady (PA) | Johnson (GA) | Reyes |
| Butterfield | Johnson, E. B. | Richardson |
| Capps | Kagen | Rodriguez |
| Capuano | Kanjorski | Ross |
| Cardoza | Kaptur | Rothman (NJ) |
| Carnahan | Kennedy | Roybal-Allard |
| Carney | Kildee | Ruppersberger |
| Carson (IN) | Kilpatrick (MI) | Rush |
| Castor (FL) | Kilroy | Ryan (OH) |
| Chandler | Kind | Salazar |
| Chu | Kirkpatrick (AZ) | Sánchez, Linda |
| Clarke | Kissell | T. |
| Clay | Klein (FL) | Sanchez, Loretta |
| Cleaver | Kosmas | Sarbanes |
| Clyburn | Kucinich | Schakowsky |
| Cohen | Langevin | Schauer |
| Connolly (VA) | Larsen (WA) | Schiff |
| Conyers | Larson (CT) | Schrader |
| Cooper | Lee (CA) | Schwartz |
| Costello | Levin | Scott (GA) |
| Courtney | Lewis (GA) | Scott (VA) |
| Crowley | Lipinski | Serrano |
| Cuellar | Loeb | Sestak |
| Cummings | Lofgren, Zoe | Shea-Porter |
| Dahlkemper | Lowe | Sherman |
| Davis (AL) | Luján | Shuler |
| Davis (CA) | Lynch | Skelton |
| Davis (IL) | Maffei | Slaughter |
| Davis (TN) | Maloney | Smith (WA) |
| DeFazio | Markey (CO) | Snyder |
| DeGette | Markey (MA) | Space |
| Delahunt | Marshall | Speier |
| DeLauro | Massa | Spratt |
| Dicks | Matheson | Stark |
| Dingell | Matsui | Sutton |
| Doggett | McCarthy (NY) | Teague |
| Doyle | McCollum | Thompson (CA) |
| Edwards (MD) | McDermott | Tierney |
| Edwards (TX) | McGovern | Titus |
| Ellison | McMahon | Tonko |
| Eshoo | McNerney | Towns |
| Etheridge | Meek (FL) | Tsongas |
| Farr | Melancon | Van Hollen |
| Fattah | Michaud | Velázquez |
| Filner | Miller (NC) | Visclosky |
| Foster | Miller, George | Walz |
| Frank (MA) | Minnick | Watson |
| Fudge | Mollohan | Watt |
| Garamendi | Moore (KS) | Waxman |
| Gonzalez | Moore (WI) | Weiner |
| Gordon (TN) | Murphy (CT) | Welch |
| Grayson | Murphy (NY) | Wexler |
| Green, Al | Murphy, Patrick | Wilson (OH) |
| Green, Gene | Nadler (NY) | Woolsey |
| Griffith | Neal (MA) | Wu |
| Grijalva | Nye | Yarmuth |

NAYS—187

| | | |
|-------------|----------------|-----------------|
| Aderholt | Boren | Cassidy |
| Akin | Boustany | Castle |
| Alexander | Brady (TX) | Chaffetz |
| Austria | Bright | Childers |
| Bachmann | Broun (GA) | Coble |
| Bachus | Brown (SC) | Coffman (CO) |
| Baird | Brown, Corrine | Cole |
| Barton (TX) | Brown-Waite, | Conaway |
| Biggert | Ginny | Crenshaw |
| Bilbray | Buchanan | Culberson |
| Billirakis | Burgess | Davis (KY) |
| Bishop (UT) | Burton (IN) | Deal (GA) |
| Blackburn | Calvert | Dent |
| Blunt | Camp | Diaz-Balart, L. |
| Boehner | Campbell | Diaz-Balart, M. |
| Bonner | Cao | Donnelly (IN) |
| Bono Mack | Capito | Dreier |
| Boozman | Carter | Driehaus |

Duncan Latham
 Ehlers LaTourette
 Ellsworth Latta
 Emerson Lee (NY)
 Fallin Lewis (CA)
 Flake Linder
 Fleming LoBiondo
 Forbes Lucas
 Fortenberry Luetkemeyer
 Fox Lummis
 Franks (AZ) Lungren, Daniel
 Frelinghuysen E.
 Gallegly Mack
 Garrett (NJ) Manzullo
 Gerlach Marchant
 Giffords McCarthy (CA)
 Gingrey (GA) McCaul
 Gohmert McClintock
 Goodlatte McCotter
 Granger McHenry
 Graves McIntyre
 Guthrie McMorris
 Hall (TX) Rodgers
 Harper Miller (FL)
 Hastings (WA) Miller (MI)
 Heller Miller, Gary
 Hensarling Mitchell
 Herger Moran (KS)
 Hill Murphy, Tim
 Hoekstra Myrick
 Hunter Napolitano
 Inglis Neugebauer
 Issa Nunes
 Jenkins Olson
 Johnson (IL) Paul
 Johnson, Sam Paulsen
 Jones Pence
 Jordan (OH) Petri
 King (IA) Pitts
 King (NY) Platts
 Kingston Poe (TX)
 Kirk Posey
 Kline (MN) Price (GA)
 Kratovil Putnam
 Lamborn Rehberg
 Lance Reichert

NOT VOTING—20

Baldwin Heinrich
 Barrett (SC) Jackson-Lee
 Bartlett (TX)
 Braley (IA) McKeon
 Buyer Meeks (NY)
 Cantor Mica
 Costa Moran (VA)
 Engel Murtha

The SPEAKER pro tempore. There are 2 minutes remaining in the vote.

□ 1210

Mrs. NAPOLITANO and Messrs. BOREN and MCINTYRE changed their vote from “yea” to “nay.”

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 221, nays 200, not voting 13, as follows:

[Roll No. 948]

YEAS—221

Abercrombie Berkeley
 Ackerman Berman
 Adler (NJ) Butlerfield
 Altmire Bishop (GA)
 Andrews Bishop (NY)
 Arcuri Blumenauer
 Baca Boccieri
 Barrow Boswell
 Bean Boucher
 Becerra Boyd

Roe (TN) Rogers (AL)
 Rogers (KY) Rogers (MI)
 Rohrabacher Rooney
 Ros-Lehtinen Roskam
 Royce Ryan (WI)
 Scalise Schmidt
 Schrock Sensenbrenner
 Sessions Shadegg
 McCaul Shimkus
 McClintock Shuster
 McHenry Simpson
 McIntyre Smith (NE)
 McMorris Smith (NJ)
 Rodgers Smith (TX)
 Miller (FL) Souder
 Miller (MI) Stearns
 Miller, Gary Stupak
 Mitchell Sullivan
 Moran (KS) Taylor
 Murphy, Tim Terry
 Myrick Thompson (MS)
 Napolitano Thompson (PA)
 Neugebauer Thornberry
 Nunes Tiahrt
 Olson Tiberi
 Paul Turner
 Paulsen Upton
 Pence Walden
 Petri Wamp
 Pitts Westmoreland
 Platts Whitfield
 Poe (TX) Wilson (SC)
 Posey Wittman
 Price (GA) Wolf
 Putnam Young (AK)
 Rehberg Young (FL)
 Reichert Young (FL)

Radanovich Sires
 Tanner Wasserman
 Schultz Waters

Chu Jackson-Lee
 Clarke (TX)
 Clay Johnson (GA)
 Cleaver Johnson, E.B.
 Clyburn Kagen
 Cohen Kanjorski
 Connolly (VA) Kaptur
 Conyers Kennedy
 Cooper Kildee
 Costa Kilpatrick (MI)
 Courtney Kilroy
 Crowley Kind
 Cuellar Kissell
 Cummings Klein (FL)
 Davis (AL) Kosmas
 Davis (CA) Langevin
 Davis (IL) Larsen (WA)
 DeFazio Larson (CT)
 DeGette Lee (CA)
 Delahunt Levin
 Lewis (GA) Lewis (GA)
 Loebsack Sarbanes
 Lofgren, Zoe Schakowsky
 Lowey Schauer
 Lujan Schiff
 Doyle Lynch Schrader
 Edwards (MD) Maffei
 Edwards (TX) Maloney
 Ellison Markey (CO)
 Engel Markey (MA)
 Eshoo Marshall
 Etheridge Massa
 Farr Matheson
 Fattah Matsui
 Filner McCarthy (NY)
 Foster McCollum
 Frank (MA) McDermott
 Fudge McGovern
 Garamendi McMahon
 Gonzalez McNeerney
 Gordon (TN) Meek (FL)
 Grayson Meeks (NY)
 Green, Al Melancon
 Green, Gene Michaud
 Grijalva Miller (NC)
 Gutierrez Miller, George
 Hall (NY) Mollohan
 Halvorson Moore (KS)
 Hare Moore (WI)
 Harman Murphy (CT)
 Hastings (FL) Murphy, Patrick
 Heinrich Nadler (NY)
 Herseth Sandlin Napolitano
 Himes Neal (MA)
 Hinchey Nye
 Hinojosa Oberstar
 Hirono Obey
 Hodes Oliver
 Holden Ortiz
 Holt Owens
 Honda Pallone
 Hoyer Pascrell
 Inslee Pastor (AZ)
 Israel Payne
 Jackson (IL) Perlmutter

NAYS—200

Aderholt Campbell
 Akin Cantor
 Alexander Cao
 Austria Capito
 Bachmann Carney
 Bachus Carter
 Baird Cassidy
 Barton (TX) Castle
 Biggert Chaffetz
 Bilbray Childers
 Bilirakis Coble
 Bishop (UT) Coffman (CO)
 Blackburn Cole
 Blunt Conaway
 Boehner Costello
 Bonner Crenshaw
 Bono Mack Culberson
 Boozman Dahlkemper
 Boren Davis (KY)
 Boustany Deal (GA)
 Brady (TX) Dent
 Bright Diaz-Balart, L.
 Brown (GA) Diaz-Balart, M.
 Brown (SC) Donnelly (IN)
 Brown, Corrine Dreier
 Brown-Waite, Driehaus
 Ginny Duncan
 Buchanan Ehlers
 Burgess Ellsworth
 Burton (IN) Emerson
 Calvert Fallin
 Camp Flake

Perriello Jordan (OH)
 Peters King (IA)
 Peterson King (NY)
 Pingree (ME) Kingston
 Polis (CO) Kirk
 Pomeroy Kirkpatrick (AZ)
 Price (NC) Kline (MN)
 Rahall Kratovil
 Rangel Kucinich
 Reyes Lamborn
 Richardson Lance
 Rodriguez Latham
 Rothman (NJ) LaTourette
 Roybal-Allard Latta
 Ruppberger Lee (NY)
 Rush Lewis (CA)
 Ryan (OH) Linder
 Salazar Lipinski
 Sanchez, Linda LoBiondo
 T. Lucas
 Sanchez, Loretta Luetkemeyer
 Sarbanes Lummis
 Schakowsky Lungren, Daniel
 Schauer E.
 Schiff Mack
 Schrader Manzullo
 Schwartz Marchant
 Scott (GA) McCarthy (CA)
 Scott (VA) McCaul
 Serrano McClintock
 Sestak Rooney
 Shea-Porter McHenry
 Sherman McIntyre
 Sires Ross
 Slaughter McMorris
 Smith (WA) Rodgers

NOT VOTING—13

Baldwin Higgins
 Barrett (SC) Mica
 Bartlett Moran (VA)
 Buyer Murtha
 Davis (TN) Radanovich

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1219

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.

Stated for:

Ms. SUTTON. Mr. Speaker, on rollcall No. 948, I inserted my voting card to vote “aye” and my vote failed to register. Had I been present, I would have voted “yea.”

FUNDING FOR CONTINUED TYPE 1 DIABETES RESEARCH

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 35.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPs) that the House suspend the rules and agree to the resolution, H. Res. 35.

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.