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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PASTOR of Arizona).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 28, 2010.

I hereby appoint the Honorable ED PASTOR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Pastor Shawn Black, Calvary Chapel, Costa Mesa, California, offered the following prayer:

Dear Lord God in heaven, we thank You for Your faithfulness, Your hand in creating this great Nation. We acknowledge that all wisdom, guidance, and governance truly comes from You.

Lord, we acknowledge that You tear down and You alone build up. Thank You for Your hand in the affairs and the hearts of those who govern, for You steer the hearts of kings and of nations. For to You alone belong mercy, forgiveness, and grace. Help us to restore what is neglected, submitting with solitude and remaining resolute with this reflection in our lives.

May You forgive us our trespasses and renew in us a steadfast spirit, immovable, dependent upon Your truth and grace.

May You today encourage, rebuild our lives, our Nation, with the steadfast dedication in accomplishing Your will, devoted to none other than in God we trust.

United in will, submitted in spirit, we thank You, and we praise Your holy name. And in Jesus' name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Maine (Ms. PINGREE) come forward and lead the House in the Pledge of Allegiance.

Ms. PINGREE of Maine led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 4380. An act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.

H.R. 5849. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

TOXIC CHEMICALS SAFETY ACT

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

Ms. PINGREE of Maine. Mr. Speaker, today I want to commend Chairmen WAXMAN and RUSH for introducing H.R. 5820, the Toxic Chemical Safety Act, a bill that will for the first time require the chemical industry to prove that the chemicals in our products are safe.

In America, we have too long failed to regulate chemicals and consumer products—even those that we know have links to cancer, learning disabilities, reproductive disorders, and other serious health problems.

Under the old Toxic Substance Control Act, 62,000 chemicals were grandfathered in. Only six chemicals have been banned since its passage. Not even asbestos—a widely known carcinogen—could be taken off the market.

Maine has always been the leader in toxic chemical regulation, passing new laws phasing out mercury, lead, and flame-retardant chemicals in everyday products. In 2008, our legislature passed the groundbreaking Kid-Safe Products Act that establishes a new statewide system to identify and phase out the most toxic chemicals that endanger our children.

It is time for the Nation to follow Maine's lead. It has never been more important for Congress to pass the strongest and most effective toxic chemical bill possible.

EXTEND TAX CUTS FOR THE MIDDLE CLASS

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

Mr. WILSON of South Carolina. Mr. Speaker, it's time to give hardworking Americans incentives to invest in order to create jobs and grow the economy. We must also protect middle class Americans from significant tax hikes that are headed their way. Contrary to liberal claims, these are not tax hikes only on the wealthy.

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The picture isn't pretty if these tax hikes go into effect. If you're a family of four and your income is $50,000 a year, you could pay $2,100 in additional taxes; if you're married as a senior citizen earning $40,000 a year, you could pay $1,400 in higher taxes; a single mom making $36,000 a year could end up paying $1,100 in new taxes.

Hardworking middle class Americans across the country cannot afford an attack on creating jobs. The Federal Government cannot pay off America's debt by higher taxes.

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

EXTENDERS BILL

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

Mr. NEAL. Mr. Speaker, in December and again in May, this House passed legislation to extend a popular set of expiring tax provisions providing billions of dollars in relief to millions of American families. This tax bill passed the House and has been stymied in the other body where only two Republican Senators have stood up against their party's filibuster for these tax cuts.

The State sales tax deduction has provided parity for families living in States without an income tax.

Let me tell you who's suffering: 600,000 families in Tennessee cannot deduct $1.3 billion of State sales taxes; 2 million families in Florida cannot deduct $3 billion of State taxes; 2.2 million families in Texas cannot deduct $4 billion in State sales taxes. Nationwide, more than 12 million families cannot deduct $19.5 billion in State sales taxes.

This deduction will spur purchases for cars, boats, and school supplies. But time is slipping away. We need to tell the other side to move these Senators on the tax extenders bill because it means jobs.

DICTATOR CHAVEZ AND U.S. OIL

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

Mr. POE of Texas. Mr. Speaker, Venezuela's dictator Hugo Chavez is threatening to cut off oil supplies to the United States. Chavez doesn't like the fact America is friendly with Colombia. Since America is the biggest buyer of Venezuelan oil, Dictator Chavez thinks he has a say in American foreign policy.

American dependence on foreign oil poses a national security risk. It makes no sense at all. And why are we paying dictators and tyrants to supply us with energy? We have all of the energy we need right here at home, but we don't produce it. American-made energy provides jobs for Americans—good-paying jobs, the kind of jobs that buy houses and cars and put kids through college.

But the offshore jobs and money are moving to Indonesia, Egypt, Brazil, and Venezuela.

The moratorium on drilling in the Gulf of Mexico threatens America's jobs and economy. It is a national security issue, and it gives a brutal buffoon dictator like Hugo Chavez dangerous influence.

End the illogical, ill-advised, ill-conceived offshore drilling moratorium. It's about time.

And that's just the way it is.

IN SUPPORT OF A NATIONAL OCEAN POLICY

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

Mrs. CAPPS. Mr. Speaker, I rise today in support of the President's executive order establishing a comprehensive national ocean policy. Now, more than ever, we need a coordinated approach for the management of our ocean and coastal resources.

The tragedy in the gulf is a wake-up call. We would have been much better prepared to deal with this disaster had a national ocean policy been in place before the spill.

But Mr. Speaker, oil spills are just one threat. Overfishing and ocean acidification are also evidence of the urgent need to ensure wise stewardship of our coasts, our oceans, and the Great Lakes.

In the gulf and around the country, our communities are intimately linked to healthy coastal oceanic ecosystems. A national ocean policy will make our oceans healthier and our coastal economy stronger. It will strengthen ocean governance and coordination. It will bring a science-based approach to ocean conservation.

Mr. Speaker, I applaud the President for taking this historic step. This vision of healthy, resilient oceans will ensure that future generations can share in the wonders of our cherished seas.

□ 1010

HEALTH CARE REFORM

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

Mr. GRIFFITH. Mr. Speaker, I rise today to revisit the subject of health care reform. The bill was passed behind closed doors using bribery, deceit, and arm twisting. It is not popular with the American people, and the majority of them want it repealed.

The promises made to the American people were false. You will not be able to keep your doctor. You will not be able to keep your insurance. There will be rationing of health care, even to the seniors.

The acute physician shortage means the poor, near poor, and middle class Americans will find the quality of their health care diminished and their access limited. Emergency rooms will be busier than ever, and it will be increasingly difficult for Medicare and Medicaid patients to be seen.

The unfunded medical mandates forced onto the weakened financial systems of the States are designed to collapse and fail. The administration had no intention of keeping any of the promises it made. Their only concern was furthering their own agendas, even at the expense of the taxpayer and the American health care system.

The American people stand ready to support those of us who seek to repeal this disastrous health care bill, and I stand resolute with my colleagues to do so.

9/11 HEALTH LEGISLATION

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, this week, yesterday, we approved billions for the war in Afghanistan but Congress has yet to fully address the impact of the events that caused the war in the first place, the 9/11 terrorist attacks. On 9/11, thousands of Americans were murdered and killed in the first act of the war on terror on our soil, but thousands more on that day lost their health when they ran into burning buildings to save the lives of others. Nine long years after the attack, we have yet to approve guaranteed help for the first responders that risked their lives for others.

The House will soon vote on the 9/11 Health and Compensation Act, a bill that provides health care and compensation to the thousands of Americans that came from almost every congressional district around this country to help others. The bill is fully paid for and meets our moral responsibility to help those who came to the aid of our Nation in one of America's darkest hours.

I urge my colleagues from across the country to support this patriotic bill.

ADA ANNIVERSARY

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

Mr. REICHERT. Mr. Speaker, Monday we recognized the 20th anniversary of the Americans with Disabilities Act. It's important to recognize the work this country has done to ensure equality for people with disabilities, to make sure they experience a good quality of life; that their rights are protected; that they have access, resources, and tools to live fulfilled, productive lives.

I am thankful for the leaders who fought for this law 20 years ago because it benefits people I love, family, friends, and coworkers. But Mr. Speaker, this Congress failed our disabled community miserably this year when it passed the health care overhaul, and it did so at a steep cost.

Somehow this Congress thought, let's tax medical devices, tools that people with disabilities depend on every day. Was this the right thing to do? I don't think so. Some thought taxing pacemakers, hearing aids, prosthetics, and wheelchairs was okay, it's acceptable. If that isn't an example of broken government, I don't know what is. It's not okay. It's not acceptable. Taxing our disabled population is flat out wrong.

9/11 HEALTH AND COMPENSATION ACT

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

Mr. CROWLEY. This week when the House considers the 9/11 Health and Compensation Act, my colleagues will have a simple choice: to vote to protect foreign corporations who are avoiding paying U.S. taxes or vote to protect those who stood in protection of us on 9/11.

It has been almost 9 years since our Nation was attacked. Three thousand lives were lost, including that of my cousin, Battalion Chief John Moran. Thousands more were injured, particularly those who spent days and months cleaning up Ground Zero.

Our Nation stood together in the aftermath, defiant against those who attacked us, committed to never again let a terrorist attack occur on American soil. And we stood with the thousands who came to Ground Zero, first to look for survivors and then to clean up.

Tomorrow, the House will get a chance to fulfill our thanks to those who served us. Thousands were told by the Federal Government, ''the air is safe, return home,'' go back to work. Thousands were told that a flimsy medical mask would keep them secure and to keep searching, keep cleaning up Ground Zero. But the air was not safe and now thousands are sick.

We have a commitment to those who served us. We have a duty to pass the 9/11 Health and Compensation Act. Vote ''yes'' tomorrow. Make our Nation proud.

ANOTHER SETBACK FOR VIETNAMESE HUMAN RIGHTS

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

Mr. CAO. Mr. Speaker, earlier this year local authorities in Con Dau, Vietnam, announced the demolition of properties to make way for a tourist resort. No plans for adequate compensation or relocation were offered. At the same time, the government posted a sign forbidding burials in the local church cemetery, which, for more than 100 years, had served as the town's burial site and which the government had recognized as an historical site.

On May 4, 2010, Da Nang police intervened in the funeral of Mary Dang Thi Tan, preventing her burial at the cemetery and brutally beating 59 of the mourners. When 43-year-old Mr. Nam Nguyen refused to make false statements to authorities about the mourners, he was beaten by police and died at his home shortly thereafter.

Along with many others, this incident shows that the Government of Vietnam has no respect for human rights. To make matters worse, they defended and protected those who committed these outrageous acts.

If our Nation is to be recognized as a beacon of democracy and an advocate of human rights, we must demand the same from those we work with, especially from Vietnam, whose human rights record is atrocious.

What happened to Mr. Nguyen is an outrage and should be met with condemnation from our government and from this esteemed body.

CONGRATULATING WORLD CUP TEAM MEMBER HERCULEZ GOMEZ

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

Ms. TITUS. Mr. Speaker, I rise today to congratulate my constituent and member of the United States men's soccer World Cup team, Herculez Gomez, on his performance in the World Cup.

Herculez Gomez, a former soccer star at Las Vegas High School, was a standout forward for the United States at the World Cup. With Team U.S.A. facing a 2–0 deficit in a match with Slovenia, Coach Bob Bradley turned to Gomez to come off the bench to provide a spark to his squad. Thanks to Gomez's energy and play-making abilities, Team U.S.A. rallied for a 2–2 tie.

Although we didn't prevail in the final competition, I want to congratulate Herculez Gomez and his teammates for their performance in the tournament. Their teamwork and passion inspired millions of fans throughout the United States and was just a preview of what U.S.A. soccer can do in the future

I wish the best of luck to Herculez Gomez and welcome him home to District Three, where he is a local hero and role model to many aspiring young soccer players.

WE NEED A CONSTITUTIONAL BALANCED BUDGET AMENDMENT NOW

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

Mr. BUCHANAN. Mr. Speaker, this weekend I had an opportunity in my community, Sarasota, Florida, to talk to a couple hundred people, working families and small businesses. They've had to cut their expenses 20, 30 percent, but yet Congress is incapable of cutting its own expenses.

First 206 years, the history of our country, we accumulated a trillion dollars. The last 9 months we accumulated a trillion dollars. Last year was a trillion and a half dollar deficit. You would think after last year we would cut the expenses, no. But this year, another trillion and a half dollar deficit. Next year they're projecting another trillion and a half dollar deficit.

You can talk about Greece. We're the next Greece. We have to have a constitutional balanced budget amendment. It's a bill I introduced my first year here. It just says simply you can't spend more than you take in. We need a constitutional balanced budget amendment now.

□ 1020

SOCIAL SECURITY

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

Ms. TSONGAS. Mr. Speaker, I join my colleagues today in recognizing the 75th anniversary of Social Security. Social Security has provided basic economic security for generations of Americans.

A woman from Tewksbury, Massachusetts, a city that I represent, recently wrote me to say, ''I am retired and dependent on Social Security to survive. Please protect the benefits I've worked so hard for for many years.''

Over the years, Democrats have fought to improve and strengthen Social Security. As a result, the Social Security Trust Fund has reserves of $2.6 trillion, which will continue to earn interest and pay benefits until 2037.

But imagine if Social Security benefits had been invested in the stock market during the recent Wall Street crisis. Seniors would have lost billions of dollars in Social Security income, along with any retirement savings they had when the economy collapsed.

Despite what my colleagues on the other side of the aisle would argue, subjecting Social Security to the whims of Wall Street is not the answer. We must be committed to strengthening Social Security so that our contract with American workers endures for generations.

HOLD ON TO YOUR WALLETS

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

Mr. SAM JOHNSON of Texas. America, hold on to your wallets. NANCY PELOSI and the Democrats are coming after you with higher taxes—in the middle of a recession.

Come January, tax rates are going to skyrocket on hardworking, middle class families and small businesses. A new poll says 55 percent of voters in battleground States would be less likely to vote for Democrat congressional candidates if Congress doesn't stop or delay next year's scheduled tax increases before election day.

Most small business owners file personal income taxes and will feel the tax hike, which will make it more difficult for them when they try to hire more people or give their employees a raise. This is about stopping a job-killing tax hike on small businesses during tough economic times.

Let's stop it for our future and our freedom.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that remarks in debate are to be addressed to the Chair.

BUILDING AN ECONOMY

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

Mr. DEUTCH. Mr. Speaker, Democrats are committed to building an economy where anyone can make it in America. The oil spill compels us to do this by encouraging growth in green energy. We can do this by creating new manufacturing jobs, by improving access to credit for small businesses and investing in our infrastructure, our schools, and our communities. We can encourage job creation here at home by closing tax loopholes for companies that ship jobs overseas and ending giveaways to special interests.

Despite Republican obstruction of our efforts on behalf of the American people, Democrats have delivered 6 consecutive months of private sector job growth to the American people. We are moving in the right direction, and in America we refuse to go backward.

Until every American out of work can find a good paying job, we in Congress must make it our job to pass legislation that will spur economic growth and create good opportunities for all Americans.

OBAMA ADMINISTRATION SETS WRONG RECORDS

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

Mr. SMITH of Texas. Mr. Speaker, President Obama and the Democratic Congress have set six records. Unfortunately, they are not the ones the American people hoped for:

One, Americans are staying unemployed longer than ever before;

Two, for the first time since the current budget rules were adopted 35 years ago, the House will not pass a budget;

Three, the Federal debt has never been larger;

Four, the cost of health care has never been higher;

Five, we are more dependent on foreign oil than ever before;

Six, the Federal Government has taken control of an unprecedented number of private companies, according to the Congressional Research Service.

These records stifle economic growth and hurt all Americans. They are taking our country in the wrong direction.

READ LABELS ON WHAT YOU BUY

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

Ms. KAPTUR. Mr. Speaker, when you start wondering where all the jobs in America have gone, just read the labels on what you buy. You will know the answer. What's happened to the proud logo, ''Made in America''?

Our jobs have gotten shipped out by the millions and millions by the multinationals. They offshored them to places where people who labor in sweatshops can't afford to buy what they make. America will create jobs here again when we start making products here again. We have been amassing a trillion dollars of trade deficit year after year. That means more imports coming in here than our imports going out.

So read labels carefully. Maytag washing machines used to be made in Newton, Iowa. Now they are made in Monterrey, Mexico. You know what? The people down there can't afford to buy what they make. Then those machines are shipped back here. And did you notice the price for us didn't go down? Hundreds and hundreds and hundreds and hundreds and thousands and millions of our jobs were outsourced to places where some of our students can't even spell the names.

Did you know 10 percent of the exports out of China go to one company? Wal-Mart, you guessed it—clothing, tools, gloves, even frozen fish.

When you start wondering where all the jobs have gone, just read the labels on what you buy. You will find the right answer. It's time to make goods in America again.

BP OIL SPILL

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

Mr. FLEMING. Mr. Speaker, last week in my home State of Louisiana, nearly 15,000 citizens gathered to rally against the Obama administration's destructive moratorium on offshore drilling. The Rally for Economic Survival was meant to send a message to Washington that this moratorium is causing serious damage to the gulf coast economy.

While speaking to the thousands of concerned gulf coast citizens, Governor Bobby Jindal put forth another plea to the Obama administration pointing out that the moratorium is causing just as much damage as the spill itself. Here is a quote from Governor Jindal: ''We shouldn't have to fight our own Federal Government. Just as we are fighting one disaster, we're fighting another disaster caused by Washington, D.C.''

Mr. Speaker, let me be clear, this spill is tragic and it was caused by BP. Those responsible must be held accountable and we need to find the root cause of the spill. However, history will show that President Obama did even more damage to the economy than BP through his destructive drilling moratorium.

SOCIAL SECURITY

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

Ms. CHU. Mr. Speaker, in the 1930s, over half of our seniors lived in poverty. They survived on whatever friends and relatives could spare. So Congress created a shield against common threats like old age and disability.

For 75 years, Social Security has protected millions of Americans. For 75 years, it's been our government's bedrock promise. For 75 years, it's helped people like Janice Moore, whose husband passed away 13 years ago, leaving Janice and their three children to fend for themselves.

Republicans want to hand this over to Wall Street. It's the same privatization scheme they tried 5 years back. If they had succeeded, we would have lost trillions in the stock market. But Democrats and the American people said ''no.''

Today, we again reject these schemes and say ''yes'' to Social Security's promise—protecting American lives for another 75 years and many generations to come.

BORDER SECURITY FUNDING CUTS

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

Ms. GIFFORDS. Mr. Speaker, I am absolutely appalled the United States Senate eliminated over $700 million for protecting our U.S.-Mexico border. This appropriations bill in the Senate included money to deploy the National Guard to Arizona and increase the number of Border Patrol agents and surveillance systems on the border.

By refusing to approve these funds, the United States said ''no'' to supporting the troops who will be arriving on the border next week. The Senate said ''no'' to increasing Border Patrol agents who would stop the flow of illegal drugs and illegal immigrants into our country. And the Senate said ''no'' to protecting ranchers and border residents in my district.

Since Thursday, I have been fighting to reinstate the funding stripped out by the Senate, and I am pleased that the House will consider an emergency supplemental border security measure today. I am proud to be an original sponsor of that bill, and I urge Members on both sides of the aisle to pass it without delay.

The failure by our Senate to provide the border resources that Arizonans

and all Americans deserve represents Washington at its worst. It's also a sober reminder to all of us that the fight to strengthen border security is not over.

□ 1030

MAKE IT IN AMERICA

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

Mr. CARNAHAN. Mr. Speaker, I rise today in support of the Democrats' Make it in America initiative.

In my home State of Missouri, we make things. Manufacturing has always been a source of enormous pride and good-paying jobs for Missourians, particularly in the part of the State surrounding St. Louis that I represent.

It's no secret that American manufacturing has had some hard times, but with Make it in America, we are reinvigorating that spirit of making things of American entrepreneurship. We are working to promote American jobs and put an end to policies that ship our jobs overseas. That is why we need to close tax loopholes that allow for outsourcing of U.S. jobs. We can use that savings to fund hometown tax credits to help small businesses expand American manufacturing. We are already strengthening the rules, ensuring the U.S. and its contractors buy American when building our transportation, energy and communications infrastructure.

We must keep going and fulfill the Make it in America agenda to ensure a new prosperity by promoting the competitiveness and innovation of the American people.

WHERE ARE THE JOBS?

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

Mr. SHIMKUS. Mr. Speaker, there is one question. The question is: Where are the jobs?

We are at 9.5 percent unemployment and nearly 15 million people out of work. Since President Obama has been elected, we've spent over $6.1 trillion in just these 18 months.

Why are there no jobs? Because there is uncertainty displayed by this administration and this Congress—there is uncertainty on energy costs, there is uncertainty about health care costs, there is uncertainty about taxes. Like a businessman told me just yesterday, you can't raise our taxes and expect us to hire more people and create new jobs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

NATIONAL MANUFACTURING STRATEGY ACT OF 2010

Mr. RUSH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4692) to require the President to prepare a quadrennial National Manufacturing Strategy, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4692

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Manufacturing Strategy Act of 2010''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States Government should promote policies related to the Nation's manufacturing sector that are intended to promote growth, sustainability, and competitiveness; create well-paying, decent jobs; enable innovation and investment; and support national security; and

(2) the President and Congress should act promptly to pursue policies consistent with a National Manufacturing Strategy.

SEC. 3. NATIONAL MANUFACTURING STRATEGY.

(a) STRATEGY REQUIRED.—Not later than the first day of July of the second year of each Presidential term, the President shall submit to Congress, and publish on a public website, a National Manufacturing Strategy.

(b) DEADLINE FOR FIRST NATIONAL MANUFACTURING STRATEGY.—Notwithstanding subsection (a), the President shall issue the first National Manufacturing Strategy not later than the date that is one year after the date of the enactment of this Act.

SEC. 4. PRESIDENT'S MANUFACTURING STRATEGY BOARD.

(a) IN GENERAL.—The President shall establish, within the Department of Commerce, the President's Manufacturing Strategy Board.

(b) PUBLIC SECTOR MEMBERS.—The President's Manufacturing Strategy Board shall include the following individuals:

(1) The Secretary or head (or the designee of the Secretary or head) of each of the following organizations:

(A) The Department of the Treasury.

(B) The Department of Defense.

(C) The Department of Commerce.

(D) The Department of Labor.

(E) The Department of Energy.

(F) The Office of the United States Trade Representative.

(G) The Office of Management and Budget.

(H) The Office of Science and Technology Policy.

(I) The Small Business Administration.

(J) Other Federal agencies the President determines appropriate.

(2) The Governors of two States, from different political parties, appointed by the President in consultation with the National Governors Association.

(c) PRIVATE SECTOR MEMBERS.—

(1) IN GENERAL.—The President's Manufacturing Strategy Board shall further include 9 individuals from the private sector, appointed by the President after consultation with industry and labor organizations, including individuals with experience in the areas of—

(A) managing manufacturing companies;

(B) managing supply chain providers;

(C) managing labor organizations;

(D) workforce development;

(E) conducting manufacturing-related research and development; and

(F) the defense industrial base.

(2) BALANCE IN REPRESENTATION.—In making appointments of private sector members to the President's Manufacturing Strategy Board under paragraph (1), the President shall seek to ensure that the individuals appointed represent a balance among and within regions, sizes of firms, and industries of the manufacturing sector.

(3) TERMS.—

(A) IN GENERAL.—Each member appointed under this subsection shall be appointed for a term of 6 years, except as provided in subparagraphs (B) and (C).

(B) TERMS OF INITIAL APPOINTEES.—As designated by the President at the time of appointment, of the members first appointed—

(i) 3 shall be appointed for a term of 2 years;

(ii) 3 shall be appointed for a term of 4 years; and

(iii) 3 shall be appointed for a term of 6 years.

(C) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a new member has been appointed.

(d) CHAIR AND VICE CHAIR.—

(1) CHAIR.—The Secretary of Commerce (or the designee of the Secretary) shall serve as the Chair of the President's Manufacturing Strategy Board.

(2) VICE CHAIR.—The President shall appoint the Vice Chair of the President's Manufacturing Strategy Board from among the private sector members appointed by the President under subsection (c).

(e) SUBGROUPS.—The President's Manufacturing Strategy Board may convene subgroups to address particular industries, policy topics, or other matters. Such subgroups may include members representing any of the following:

(1) Such other Federal agencies as the Chair determines appropriate.

(2) State, local, tribal, and Territorial governments.

(3) The private sector, including labor, industry, academia, trade associations, and other appropriate groups.

(f) MEETINGS.—

(1) TIMING OF MEETINGS.—The President's Manufacturing Strategy Board shall meet at the call of the Chair.

(2) FREQUENCY OF MEETINGS.—The President's Manufacturing Strategy Board shall meet not less than 2 times each year, and not less than 4 times in a year preceding the issuance of a National Manufacturing Strategy required under section 3(a).

(3) PUBLIC MEETINGS REQUIRED.—The President's Manufacturing Strategy Board shall convene public meetings to solicit views on the Nation's manufacturing sector and recommendations for the National Manufacturing Strategy.

(4) LOCATIONS OF PUBLIC MEETINGS.—The locations of public meetings convened under paragraph (3) shall ensure the inclusion of multiple regions and industries of the manufacturing sector.

(g) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act, shall apply to the President's Manufacturing Strategy Board, including any subgroups established pursuant subsection (e).

SEC. 5. DUTIES OF THE PRESIDENT'S MANUFACTURING STRATEGY BOARD.

(a) IN GENERAL.—The President's Manufacturing Strategy Board shall—

(1) advise the President and Congress on issues affecting the Nation's manufacturing sector;

(2) conduct a comprehensive analysis in accordance with subsection (b);

(3) develop a National Manufacturing Strategy in accordance with subsection (c);

(4) submit to the President and Congress an annual report under subsection (d); and

(5) carry out other activities determined appropriate by the President.

(b) COMPREHENSIVE ANALYSIS.—In developing each National Manufacturing Strategy under subsection (c), the President's Manufacturing Strategy Board shall conduct a comprehensive analysis of the Nation's manufacturing sector that addresses—

(1) the value and role, both historic and current, of manufacturing in the Nation's economy, security, and global leadership;

(2) the current domestic and international environment for the Nation's manufacturing sector, and any relevant subset thereof;

(3) Federal, State, local, and Territorial policies, programs, and conditions that affect manufacturing;

(4) a comparison of the manufacturing policies and strategies of the United States relative to other nations' policies and strategies;

(5) the identification of emerging or evolving markets, technologies, and products for which the Nation's manufacturers could compete;

(6) the short- and long-term forecasts for the Nation's manufacturing sector, and forecasts of expected national and international trends and factors likely to affect such sector in the future; and

(7) any other matters affecting the competitiveness, growth, stability, and sustainability of the Nation's manufacturing sector, including—

(A) levels of domestic production;

(B) productivity;

(C) the trade balance;

(D) financing and investment;

(E) research and development;

(F) job creation and employment disparities;

(G) workforce skills and development; and

(H) adequacy of the industrial base for maintaining national security.

(c) NATIONAL MANUFACTURING STRATEGY.—

(1) DEVELOPMENT.—The President's Manufacturing Strategy Board shall develop a National Manufacturing Strategy, based on—

(A) the results of the comprehensive analysis conducted under subsection (b);

(B) the studies carried out by the National Academy of Sciences pursuant to section 7; and

(C) any other information, studies, or perspectives that the President's Manufacturing Strategy Board determines to be appropriate.

(2) GOALS AND RECOMMENDATIONS.—

(A) GOALS.—The President's Manufacturing Strategy Board shall include in each National Manufacturing Strategy short- and long-term goals for the Nation's manufacturing sector, taking into account the matters addressed in the comprehensive analysis conducted under subsection (b).

(B) RECOMMENDATIONS.—The President's Manufacturing Strategy Board shall include in each National Manufacturing Strategy recommendations for achieving the goals provided under subparagraph (A). Such recommendations may propose—

(i) actions to be taken by the President, Congress, State, local, and Territorial governments, the private sector, universities, industry associations, and other stakeholders; and

(ii) ways to improve Government policies, coordination among entities developing such policies, and Government interaction with the manufacturing sector.

(3) REPORT.—

(A) DRAFT.—Not later than 90 days before the date on which the President is required to submit to Congress a report containing a National Manufacturing Strategy under section 3, the President's Manufacturing Strategy Board shall publish in the Federal Register and on a public website a draft report containing a National Manufacturing Strategy.

(B) PUBLIC COMMENT; REVIEW AND REVISION.—A draft report published under subparagraph (A) shall remain available for public comment for a period of 30 days from the date of publication. The President's Manufacturing Strategy Board shall review any comments received regarding such draft report and may revise the draft report based upon those comments.

(C) PUBLICATION.—Not later than 30 days before the date on which the President is required to submit to Congress a report containing a National Manufacturing Strategy under section 3, the President's Manufacturing Strategy Board shall submit to the President for review and revision a final report containing a National Manufacturing Strategy, and shall publish such final report on a public website.

(D) ESTIMATES.—The final report submitted under subparagraph (C) shall include—

(i) when feasible, an estimate of the short- and long-term Federal Government outlays and revenue changes necessary to implement the National Manufacturing Strategy and an estimate of savings that may be derived from implementation of the National Manufacturing Strategy;

(ii) a detailed explanation of the methods and analysis used to determine the estimates included under clause (i); and

(iii) detailed recommendations regarding how to pay for the cost of implementation estimated under clause (i), when feasible.

(d) ANNUAL REPORT.—Not later than the date that is one year after the date on which the first National Manufacturing Strategy is published under section 3, and annually thereafter, the President's Manufacturing Strategy Board shall submit to the President and Congress a report that includes—

(1) views on the current state of manufacturing in the United States;

(2) an assessment of the implementation of previously issued National Manufacturing Strategies;

(3) recommendations for furthering the implementation of previously issued National Manufacturing Strategies; and

(4) any suggested revisions to the estimate required under section 5(c)(3)(D)(i) to implement the recommendations included under paragraph (3).

(e) CONSULTATION.—In order to gain perspectives and avoid duplication of efforts, the President's Manufacturing Strategy Board shall consult on manufacturing issues with the Defense Science Board, the President's Council of Advisors on Science and Technology, the Manufacturing Council established by the Department of Commerce, and the Labor Advisory Committee for Trade Negotiations and Trade Policy, and may consult with other relevant governmental entities or the private sector.

SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF NATIONAL MANUFACTURING STRATEGY.

Not later than the first day of April in calendar years 2013, 2017, and 2021, the Comptroller General shall submit to Congress a report regarding the National Manufacturing Strategy published under section 3. The report shall include—

(1) an assessment of whether the recommendations from such National Manufacturing Strategy, and any preceding National Manufacturing Strategies, were implemented;

(2) an analysis of the impact of such recommendations, to the extent data are available;

(3) a review of the process involved in developing such National Manufacturing Strategy and any preceding National Manufacturing Strategies; and

(4) recommendations for improvements in developing the next National Manufacturing Strategy.

SEC. 7. STUDIES.

(a) QUADRENNIAL STUDY.—

(1) IN GENERAL.—In developing each National Manufacturing Strategy, the President, acting through the Secretary of Commerce, shall enter into an agreement with the National Academy of Sciences to conduct a study in accordance with this subsection.

(2) ELEMENTS.—The study shall examine the following:

(A) The current state of manufacturing in the United States.

(B) Federal programs and activities related to manufacturing systems.

(C) The ways in which Federal policies affect manufacturing, and likely future trends in manufacturing if such policies remain unchanged.

(D) Various possible approaches for evaluating the implementation of the National Manufacturing Strategy.

(E) An assessment of the trends and short- and long-term forecasts of manufacturing.

(F) A review of the trends and short- and long-term forecasts of manufacturing relied upon in previous National Manufacturing Strategies as compared with actual events and trends.

(3) REPORT.—The agreement entered into under paragraph (1) shall provide that not later than the first day of April of the first year of each Presidential term, the National Academy of Sciences shall submit to Congress and the President a report containing the findings of the study.

(4) DEADLINE FOR FIRST REPORT.—Notwithstanding paragraph (3), the first agreement entered into under this subsection shall provide that the National Academy of Sciences shall submit to Congress and the President a report containing the findings of the study not later than 2 years after the date such agreement is entered into.

(5) DEADLINE FOR SUBSEQUENT AGREEMENTS.—After the first agreement entered into under this subsection, all subsequent agreements under this subsection shall be entered into not later than 18 months before the deadline for submission of the corresponding report under paragraph (3).

(b) DISCRETIONARY STUDIES.—The President, acting through the Secretary of Commerce, may enter into further agreements with the National Academy of Sciences as necessary to develop studies to provide information for future National Manufacturing Strategies.

SEC. 8. REQUIREMENT TO CONSIDER NATIONAL MANUFACTURING STRATEGY IN BUDGET.

In preparing the budget for a fiscal year under section 1105(a) of title 31, United States Code, the President shall include information regarding the consistency of the budget with the goals and recommendations included in National Manufacturing Strategy covering that fiscal year.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RUSH) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RUSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4692, the National Manufacturing Strategy Act of 2010, introduced by my dear friend from Illinois, Congressman DAN LIPINSKI. I commend

him for his leadership on this important issue.

Mr. Speaker, it is time for the U.S. to revise our manufacturing policy. This bill under consideration has gained strong bipartisan support from Members of Congress because it speaks to the level of leadership in the manufacturing arena that our Nation seeks to assert once again on the global stage.

America's manufacturing sector is an essential foundation of our Nation's economy. Consider the fact that in 2009 the manufacturing sector employed more than 11.5 million people. Ladies and gentlemen, that number, though significant, is not as good as it could be when you consider that 10 years ago America's manufacturing sector employed 17.3 million people, meaning that our Nation actually lost 5.8 million manufacturing jobs between the years 1999 and 2009.

The National Manufacturing Strategy Act of 2010 will make a significant difference in helping to restore and reposition our Nation's manufacturing capacity so that American workers can compete in today's global economy.

Today, we are still fighting our way through a global financial crisis, and we are facing aggressive competition from industrialized nations as well as emerging countries. Some of our manufacturing competitors have designed and implemented 5- or 10-year strategic plans to allow their economies to not only compete globally, but also to exploit their goods to our markets here in the U.S. The sad fact of the matter is that these international markets are not reciprocating, Mr. Speaker, by welcoming our U.S. goods to their marketplace.

In recent years, the U.S. has actually lost market share to growing export countries like China, regional areas like Southeast Asia, and countries like India. If we do not act now, this steady decline will continue to exist and it will also persist. We simply cannot allow that to happen.

This bill requires the President to undertake a deep and broad analysis of the Nation's manufacturing sector, including the international economic environment, related technological development, workforce elements, the impact of governmental policies, and other relevant issues affecting domestic manufacturers.

I also added a provision requiring analysis on the trade imbalance, job creation, employment disparities, and workforce development. Based on this analysis, Mr. Speaker, the President, in collaboration with key Cabinet officials within his administration, as well as Governors, State and local elected officials and other key stakeholders in the public and private sectors, will develop a 4-year national strategy that identifies goals and makes recommendations to improve our Nation's economic growth.

Mr. Speaker, I urge my colleagues to support this bill and to help our manufacturing sector become bigger, become bolder, and become better than it was in the distant past.

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

□ 1040

The SPEAKER pro tempore. Without objection, the gentleman from Kentucky (Mr. WHITFIELD) will control the time.

There was no objection.

Mr. WHITFIELD. First of all, I do want to thank Congressman LIPINSKI of Illinois for introducing this legislation on the National Manufacturing Strategy Act.

Mr. Speaker, I think we all recognize in America today that our manufacturing sector, while still one of the strongest in the world, has lost a lot of manufacturing jobs. In fact, we have lost way too many. This legislation, while providing additional studies to look at the problems for our manufacturing sector, I firmly believe does not go far enough and does not address the real problems with manufacturing in America today.

One issue that we certainly need to look at, in my view, is the American tax policy. It is my understanding that the United States has the second-highest corporate tax rate in the developed world and will soon move into the No. 1 slot because Japan, evidently, is getting ready to drop its corporate income tax rate.

We also know that, already in the Federal Government, there are many task forces that are looking at this manufacturing issue. For example, there is an Interagency Working Group on Manufacturing Competitiveness. The Commerce Department has a manufacturing council. The Manufacturing Extension Partnership Program is in existence, and the Interagency Working Group on Manufacturing Research and Development is operating today. Additionally, both the Department of Commerce under the Bush administration and the White House under President Obama has issued reports and recommendations on the state of domestic manufacturing.

Then just recently, in June of this year, the National Manufacturers Association issued an extensive report on what was needed in America to make manufacturing in America more competitive. One of the things that I pointed out was tax policy and a more aggressive trade policy to have tariffs lowered in other countries. Then the ability to compete in the global marketplace is vitally important.

One of the reasons I have been very much concerned about some of the energy policies of this administration, particularly as they relate to cap-and-trade, is that, if that kind of legislation is adopted, it is going to increase electricity costs and make manufacturing in America less competitive in the global marketplace.

The CEO of CSX Railroads was in my office 2 weeks ago. He said the railroads are moving more coal to the ports for export to China today than they ever have in the past. He also said the same thing is happening in Australia. The reason for that is that the Chinese are depending more and more upon coal to produce electricity. A delegation of them came to Washington, and said one of the reasons they were doing it was that they wanted the lowest electricity costs in order to be more competitive in the global marketplace and to encourage more manufacturing plants to move to China.

So I think we need to take concrete action. We know the problems. I will say that this legislation will provide an additional study, and that may be important.

I would like to commend Chairman RUSH and Mr. LIPINSKI, because I think they improved this bill a great deal when they eliminated the task force and created one strategy board so that there would be less repetitiveness on the studies that this legislation calls for.

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

Mr. RUSH. Mr. Speaker, I yield 5 minutes to the author of the legislation, my friend and an outstanding Member of this House, the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise today in strong support of H.R. 4692, the National Manufacturing Strategy Act.

Over the past decade, almost one-third of American manufacturing jobs have disappeared. After 110 years as the world's top manufacturing country, the United States is about to lose that perch to China. We all know how hard it is when we go anywhere to buy toys, tools—whatever it is, we know how hard it is to find ''made in the USA'' on a label, but American manufacturing job loss is not inevitable, and I do not accept the notion that there is nothing that we can do. Clearly, another decade like the last one would dramatically undermine the American middle class and our national security.

That is why I introduced the National Manufacturing Strategy Act. I worked with business, labor, and trade organizations to make this a bipartisan bill with broad support, and I submit for the RECORD letters of this support from some of these organizations.

The Strategy Act requires the President to appoint a board composed of government and private-sector personnel to conduct an in-depth analysis of American manufacturing. Then they must produce a strategy that includes short-term and long-term goals for creating jobs, improving domestic production, investment, international competitiveness, and for assuring an adequate defense industrial base.

Finally, the President and the board must deliver specific recommendations for accomplishing these goals. Like America's Quadrennial Defense Review, the manufacturing strategy will be updated every 4 years, enabling us to build upon successful initiatives

while correcting course as necessary. The Government Accountability Office will have to produce an analysis of progress on the implementation of the strategy. All of this is designed to make sure that the board is producing something and that we are following through on it.

Mr. Speaker, the passage of the National Manufacturing Strategy Act will ensure that American manufacturing remains on the national agenda. Numerous other countries already have manufacturing strategies, including not only China and India, but the United Kingdom, Canada, Brazil, Japan, and Germany. It is about time that America does the same before it is too late for middle class Americans and for our national security.

Some may say that the time for American manufacturing has passed. I don't believe this. I know that American manufacturers can compete with anyone in the world if we have a level playing field and if we are planning ahead. In my district, from Atlas Tool & Die, to Corey Steel, to Archer Wire, to West Bend, to ODM, they are just a few of the manufacturers who are making it and are having a difficult time, but they can do it. All American manufacturers can do it because America has the greatest manufacturers in the world.

I would like to thank Majority Leader HOYER and Caucus Chairman LARSON for bringing this bill to the floor. I would like to thank Congressman BRALEY for his work on this, along with Chairman BOBBY RUSH and Ranking Member WHITFIELD for the work that they did in improving this bill. Thank you for your comments.

I wanted to make sure that we made this a strong bipartisan bill that we could agree upon. There are a lot of issues that are out there, and I believe we must continue to promote policies to help create jobs immediately. We are not going to agree on all of those, but I think this is something that we can agree upon. The National Manufacturing Strategy Act establishes a process for strengthening American manufacturing over the long term, and it is something that we must do.

I ask my colleagues today to support this important legislation. Pass this bill.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, DC, July 15, 2010.

Hon. DANIEL LIPINSKI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LIPINKSI: On behalf of the ten million working men and women of the AFL-CIO, I write in support of the National Manufacturing Strategy Act of 2010 (NMSA), H.R. 4692.

The quickest road to economic recovery and reversing high unemployment is boosting domestic production and creating good paying jobs right here at home. The best way to pursue this is by developing a comprehensive strategy to pursue these goals.

The NMSA provides a road map to do just that by requiring the President to conduct a thorough analysis of the U.S. manufacturing sector and prepare a quadrennial report to Congress. This report must include short and long-term recommendations as well as plans for improving domestic production, investment and competitiveness.

This important work would be conducted by a governmental Manufacturing Strategy Task Force comprised of federal officials and governors and convened by the President. The task force would be assigned with soliciting public views; holding public meetings, assessing manufacturing policy; and supporting the President's overall manufacturing strategy.

Over the past decade too many investors and domestic businesses focused on short-term profits and outsourcing of jobs. It is time to refocus and recommit the United States to a long-term strategy of domestic prosperity and sustainability. The NMSA is a key component to starting that process.

The National Manufacturing Strategy Act has bipartisan sponsorship and is supported by the AFL-CIO.

Sincerely,

WILLIAM SAMUEL,
Director,
Government Affairs Department.

THE ASSOCIATION FOR MANUFACTURING TECHNOLOGY,
McLean, VA, March 1, 2010.

Hon. DANIEL LIPINSKI,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN LIPINSKI: I am writing on behalf of AMT—The Association For Manufacturing Technology—to applaud your leadership in introducing the National Manufacturing Strategy Act (H.R. 4692). AMT supports your efforts to strengthen America's manufacturing sector and ensure that its competitiveness remains a top priority of the U.S. government.

AMT represents U.S.-based manufacturing technology companies. Our members provide the tools that enable production of all manufactured goods. The recession has hit capital intensive industries, like ours, particularly hard; but we remain committed to forging a strong and prosperous future. Our national security and economic growth depend on it.

AMT welcomes the opportunity to work with you and your colleagues in advancing manufacturing to the top of our national agenda. We recognize that it will take a coordinated effort from all stakeholders—our government, business leaders and their workers, communities, and academia—to regain our competitive position. H.R. 4692 takes the important step of calling for a formal strategy to address our short and long term challenges. American manufacturers need a cohesive public policy plan that will encourage and support our ventures in creating innovative products, diversifying into new industries and capturing emerging markets. That is the path to worldwide leadership.

I have taken the liberty of letting AMT members in Illinois know of your efforts to rebuild and strengthen this critical sector of the U.S. economy. Thank you again for your support.

Best regards,

DOUGLAS K. WOODS,
President.

PRECISION METALFORMING ASSOCIATION AND NATIONAL TOOLING & MACHINING ASSOCIATION,
March 9, 2010.

Hon. DANIEL LIPINSKI,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMAN LIPINSKI: On behalf of One Voice, the joint effort between the National Tooling and Machining Association (NTMA) and the Precision Metalforming Association (PMA), and our nearly 3,000 metalworking member companies, thank you for your leadership and continued efforts to address the issues facing businesses manufacturing in America. Your introduction of H.R. 4692, the National Manufacturing Strategy Act of 2010, is an important step in developing a cohesive national manufacturing strategy to support the growth and improvement of manufacturers across the country.

Manufacturing businesses employ nearly 12 million Americans and represent more than 10 percent of our entire economy, and is vital for the future of our economic and national security. In order to revitalize American manufacturing, we need our own national pro-manufacturing strategy to advance policies that will enhance U.S. industrial competitiveness. The National Manufacturing Strategy Act will put in place a process to promote policies to support a strong, vibrant national manufacturing base. It is a crucial first step to revitalize American manufacturing.

Thank you for your consideration and your leadership on behalf of the metalworking industry.

Sincerely,

WILLIAM E. GASKIN,
PMA President.
ROBERT AKERS,
NTMA Chief Operating Officer.

THE COLD FINISHED STEEL BAR INSTITUTE,
Washington, DC, July 14, 2010.

Hon. BOBBY L. RUSH,
Chairman, Subcommittee on Commerce, Trade and Consumer Protection, Energy & Commerce Committee, House of Representatives, Washington, DC.

DEAR CONGRESSMAN RUSH: The Cold Finished Steel Bar Institute (CFSBI) commends you for holding a hearing on H.R. 4692, the ''Manufacturing Strategy Act of 2010'' and requests that this letter be included in the official record of the hearing. Cold finished steel bar is incorporated into a wide range of consumer, industrial, aerospace, medical, and military products. The ultimate consumers of cold finished steel bars are small and medium-size independently owned precision machining companies across the country. The U.S. cold finished steel bar industry produces high-quality products on an efficient and cost-competitive basis, using highly-trained workers under environmentally sound conditions. The CFSBI is a trade association of these producers who account for over 85 percent of all U.S. cold finished steel bar production.

The CFSBI supports this legislation and included a strong statement of support for it in its 2010 White Paper, ''Strong Medicine for Manufacturing.'' This paper recommended a number of actions the Congress and the Administration should take to support U.S. manufacturers. Our first recommendation on behalf of a stronger and more stable manufacturing sector in the United States was passage of H.R. 4692: Pass the ''Manufacturing Strategy Act.'' On February 25, 2010, Congressman Dan Lipinski (D-IL) introduced a bill that directs the President, every four years, to conduct a comprehensive analysis of the nation's manufacturing sector and submit to Congress a National Manufacturing Strategy (Strategy). The bill requires the President, in developing each Strategy, to convene an inter-agency U.S. government Manufacturing Strategy Task Force and a private-sector Manufacturing Strategy Board to make recommendations regarding specific issues to be incorporated into the Strategy, including short- and long-term

goals for the manufacturing sector. This bill will not solve the problems facing U.S. manufacturers, but it is an excellent first step. Congressman Lipinski recognizes that a sound manufacturing strategy cannot be developed agency-by-agency. A successful solution will require an integrated approach across multiple agencies in the U.S. government, working in partnership with the private sector. The Administration is using a similar approach to address problems with health care, financial markets, and energy; manufacturing also deserves a comprehensive focus.

The CFSBI and its member companies applaud Congressman LIPINSKI for authoring this important legislation. We hope that this hearing is the first step in successful consideration of H.R. 4692 in the House of Representatives and that the Senate will follow suit.

Sincerely,

JOHN W. KENEFICK,
CHAIRMAN, COLD FINISHED STEEL BAR INSTITUTE.

AEROSPACE INDUSTRIES ASSOCIATION,
Arlington, VA, March 15, 2010.

Hon. DANIEL LIPINSKI,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMAN LIPINSKI: Thank you for the opportunity to provide the aerospace and defense industry's comments on the National Manufacturing Strategy Act of 2010. As you may know, the Aerospace Industries Association (AIA) represents nearly 300 manufacturing companies with over 644,200 high-wage, high skilled aerospace employees across the civil aviation, space systems, and national defense. Our member companies export nearly 40 percent of their total output, and we routinely post the nation's largest manufacturing trade surplus, $56 billion in 2009. Aerospace indirectly supports 2 million middle class jobs and 30,000 suppliers from all 50 states. The aerospace industry continues to look to the future, investing heavily in R&D, spending well more than $100 billion over the last 15 years.

The aerospace industry commends you for the hard work and interest you have shown to the nation's manufacturing capability. We share many of the same goals outlined by your legislation including the creation of high-quality jobs; increased productivity, exports, and global competitiveness; increased domestic manufacturing capacity; and expanded research and development activities to encourage innovation. The requirement for a detailed analysis of the U.S. manufacturing base and creation of an interagency task force will certainly help improve the government's understanding of the challenges faced by this vital industry.

We also appreciate the requirement for a detailed review of tax, federal procurement, workforce development, and export control reform policies. AIA has issued a number of reports in these areas and would be pleased to work with the task force in an effort to share the perspective of the aerospace industry. With the creation of the Manufacturing Strategy Board, we hope that the President will also consider a strong representation from the aerospace sector given our role as one of the leading manufacturing industries.

Thank you again for your interest, hard work, and efforts to address the needs of our nation's manufacturing sector.

Best regards,

MARION C. BLAKEY.

NATIONAL DEFENSE INDUSTRIAL ASSOCIATION,
Arlington, VA, March 16, 2010.

Hon. DANIEL LIPINSKI,
Longworth House Office Building,
Washington, DC.

DEAR MR. LIPINSKI: The National Defense Industrial Association (NDIA) offers its strong support for H.R. 4692, the National Manufacturing Strategy Act of 2010. NDIA, with just over 1,700 corporate members and nearly 80,000 individual members, is America's leading Defense Industry association promoting national security. As such, we understand the importance of a strong U.S. manufacturing base and the need for a national manufacturing strategy.

A vibrant industrial base is critical to U.S. national security, for both economic and materiel supply reasons. The U.S. industrial base represents a critical element of the economic power of our country. Although about 12 percent of total U.S. GDP is generated directly by the industrial base, it is responsible for a much larger portion, as much as one third of total GDP, when considering the commodities and services that manufacturers consume. Further, over 60 percent of total U.S. exports are manufactured goods and about 10 percent of total employment is within the industrial base.

The national security is also dependent upon the uninterrupted supply of critical materials, systems and logistics support. This is especially true for the needs of our armed forces and homeland security. To guarantee this supply we must ensure the continued viability of the production capabilities of the U.S. industrial base. We simply cannot rely on developing or potentially adversarial nations for these critical supplies.

A national manufacturing strategy, such as proposed by H.R. 4692, provides the U.S. with an understanding of critical industrial base issues and their impact on our nation. It will also provide a common direction for future government, academia and industrial programs and a focus for these organizations to leverage each other's efforts for the common good. A national manufacturing strategy will also put the U.S. on an equal strategic footing with many other countries that have had national strategic plans in place for some time.

Mr. Lipinski, NDIA strongly supports H.R. 4692, the National Manufacturing Strategy Act of 2010 and encourages all members of Congress to consider the significant contribution that such a strategy will have on the U.S. industrial base, we ask that they endorse the passage of this critical bill.

Sincerely and Respectfully,

LAWRENCE P. FARRELL, JR.,
Lieutenant General, USAF (Ret.),
President and CEO, NDIA.

COALITION FOR A PROSPEROUS AMERICA,
Sheffield, MA, April 27, 2010.

Hon. DANIEL LIPINSKI,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMAN LIPINSKI: The Coalition for a Prosperous America is pleased to announce that we have endorsed your National Manufacturing Strategy Act, H.R. 4692.

The United States is the only major country that does not have an industrial strategy. Every one of our trading rivals has a plan that considers their industrial sector in terms of many factors including national security, economic growth, full employment, and geopolitical competition. The fact that the U.S. has no such plan is a key component in our economic problems.

Your National Manufacturing Strategy Act requires the creation of a process to devise a national manufacturing strategy. Such a plan will consider the role of manufacturing in national security, achieving full employment, increasing global competitiveness, and other important factors. We would suggest strengthening the bill with more action steps beyond procedural items already listed, and would be pleased to work with you accordingly.

Today, too many disparate agencies lay claim to portions of what would otherwise be a national manufacturing strategy. Some in Washington call this the ''silo'' approach. We need government to break down these silos. Tax, trade, currency valuation, innovation, infrastructure, government procurement and other important topics should be considered in a cohesive plan.

We retooled our country to successfully fight and win World War II. We need to be able to do this again today. CPA is pleased to offer our support and thanks for your efforts.

Respectfully,

BRIAN O'SHAUGHNESSY,
Chief Co-Chair, Manufacturing Co-Chair.
JOE LOGAN,
Agriculture Co-Chair.
ROBERT BAUGH,
Labor Co-Chair.

AMERICAN MANUFACTURING TRADE ACTION COALITION,
Washington, DC, June 8, 2010.

Rep. DANIEL LIPINSKI,
Longworth House Office Building,
Washington DC.

DEAR REPRESENTATIVE LIPINSKI: I write on behalf of the American Manufacturing Trade Action Coalition (AMTAC) endorsing H.R. 4692, the National Manufacturing Strategy Act. We thank you for introducing H.R. 4692 in an effort to reinvigorate the manufacturing sector of the U.S. economy.

Our first Secretary of Treasury, Alexander Hamilton, understood the need for a national manufacturing strategy. His ''Report on Manufactures'' provided President Washington, and all subsequent presidents and Congresses a blueprint for encouraging the development of a vibrant manufacturing sector in the United States. One of the great stories of the history of the United States during the 19th and 20th centuries was that of the rise of our manufacturing sector. Unfortunately, the story of U.S. based manufacturing during the last twenty or thirty years has been one of disinvestment, off-shoring and decline. And, of course, this has meant the loss of many jobs—usually good, high paying jobs. In fact, over the past ten years the United States has lost some 4 million manufacturing jobs.

H.R. 4692 would help begin the reinvigoration of the domestic manufacturing sector by directing the President to conduct a comprehensive analysis of the nation's manufacturing sector. More importantly, H.R 4692 recognizes that analysis alone will do nothing to jump-start our manufacturing sector. Therefore, it directs that the President use the information gleaned from that analysis and submit to Congress a national manufacturing strategy.

These and other provisions of the bill are salutary reforms that, if implemented, can help ignite a rebirth of the American manufacturing sector and AMTAC welcomes and supports these changes.

Sincerely,

AUGGIE TANTILLO,
Executive Director, American Manufacturing Trade Action Coalition.

AMERICAN IRON AND STEEL INSTITUTE,
Washington, DC, February 23, 2010.

Hon. DANIEL LIPINSKI,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN LIPINSKI: I write today, on behalf of the members of the American Iron and Steel Institute (AISI), to thank you for introducing legislation that would require the President to develop a quadrennial national manufacturing strategy.

The domestic steel industry strongly supports implementation of a national pro-manufacturing strategy and your bill takes an important step towards achieving this goal. As you know, in the current global economy, overall cost factors play a decisive role in how and where companies choose to invest and locate their facilities. As such, it is critical that the U.S. government address these cost factors and provide industry with a level playing field on which to compete globally. This means minimizing burdensome regulations and taxes, investing in transportation and energy infrastructure and promoting exports while enforcing trade laws, trade agreements and Customs rules.

Consequently, we appreciate that your bill creates a process for the U.S. government to develop a national manufacturing strategy and identifies key policy goals for such a strategy. We also support the creation of a Manufacturing Strategy Board consisting of individuals from the private sector, from a broad range of industries and regions, who are to provide the President with the needs of and opportunities for the nation's manufacturing sectors. The President will be well served in gaining advice and suggestions from industry experts who live and work in their respective fields each and every day.

U.S. manufacturing is critical to the future of our economy and security and we appreciate your efforts on behalf of manufacturing with the introduction of this important legislation. We look forward to working with you on this bill and on future efforts to put in place policies that promote a strong, vibrant national manufacturing base.

Sincerely,

THOMAS J. GIBSON.

UNITED STATES BUSINESS AND INDUSTRY COUNCIL
Washington, DC, July 12, 2010.

Hon. DANIEL LIPINSKI,
Longworth House Office Building,
Washington, DC.

DEAR REP. LIPINSKI: On behalf of the 2,000 domestic manufacturing companies comprising the U.S. Business and Industry Council, I am writing to thank you for introducing H.R. 4692, the National Manufacturing Strategy Act of 2010, and to offer our strong support for this legislation. Your legislation will create the policy framework urgently needed by the nation to revitalize its dramatically weakened domestic manufacturing sector, and thereby help achieve genuine recovery from the ongoing economic crisis. We strongly urge its prompt passage by Congress and enactment into law.

Although most of Washington remains uneducated as to the centrality of domestic manufacturing for a strong economy, the paramount lesson of the current economic crisis is that the United States needs a completely new strategy to deal with the so-called globalization of our economy and to revitalize our industrial base.

For decades, most of our political and multinational business establishment has promulgated the falsehood that American prosperity could be based on borrowing, spending, and importing. Creating real wealth—the historical foundation of national success—and creating the appropriate policy environment for it were totally ignored. The U.S. housing and financial sectors were coddled (with artificially low interest rates and the abandonment of successful oversight in laws like Glass-Steagall), while manufacturing—which has been the dominant factor in domestic wealth creation since the nation industrialized—was neglected and even scorned. Typical was former Federal Reserve Chairman Alan Greenspan's remark that manufacturing is ''something we were terrific at fifty years ago . . . essentially a nineteenth- and twentieth-century technology.'' A worldwide financial meltdown, painful recession, and mammoth long-term U.S. debt burden have been the inevitable results.

Your introduction of the National Manufacturing Strategy Act demonstrates convincingly that you and your cosponsors understand that restoring our nation's economic health requires producing not consuming our way out of recession, and that expanding our industrial output is the biggest key to success. But without swift Congressional and presidential action, the U.S. economy may deteriorate past the point of no return.

America's massive manufacturing job loss and factory closings over the past decade are well known. But even more serious signs of the sector's distress abound. Despite trillions of dollars of government stimulus spending, tax breaks, and industry bailouts, the U.S. economy has shrunk in real terms by 1.14 percent during the recession. But manufacturing output, though now higher than its recession trough, is still down 9.72 percent—and recent scholarly research indicates that even this figure may significantly understate the devastation.

In addition, industrial capacity has fallen during this recession for only the second time since the end of World War II. A new report by the U.S. Business and Industry Council shows that, in 2008, imports captured 36.23 percent of America's domestic markets for advanced manufactured goods like semiconductors, aircraft, construction equipment, machine tools, and pharmaceuticals. In 1997, the figure was only 21.36 percent.

To make matters worse, many in the political leadership class seem determined to recreate the borrowing, spending, and importing bubble that just burst so disastrously. For example, the same Wall Street firms whose crackpot lending and compensation policies, and especially their phony financial instruments, helped trigger the crisis received an enormous bailout, and the new financial regulation bill generally preserves their too-big-to-fail status and license to speculate recklessly. The Fed's loose-money policies have become free-money policies, and outright spending and lending subsidies. Finally, too much of the economic stimulus package was simply unproductive spending.

Meanwhile, here's the ''help'' that genuinely productive industries like manufacturing have gotten: a miserly auto rescue package that has helped reduce GM to its 1920s dimensions; auto and appliance rebate programs that spurred the purchase of at least as many imports as domestically produced goods; buy American stimulus bill provisions shot through with loopholes; vague rhetoric about ''green manufacturing'' that ignores the need to ensure these industries remain onshore; and the continued pursuit of outsourcing-focused trade agreements sure to send more productive American jobs abroad.

Largely as a result of misguided policies, personal consumption is even higher today than at its dangerous pre-crisis levels, the trade deficit in the first quarter of this year grew more than 10 times faster than the economy, and the manufacturing trade deficit is up by more than 19 percent on an annual basis—with manufacturing exports continuing to grow more slowly than total goods exports despite 15 years worth of free-trade agreements touted as foreign market-opening bonanzas.

No wonder the unemployment rate remains sky high, and only the federal government and heavily subsidized sectors, like health care and education, are creating meaningful numbers of jobs.

The National Manufacturing Strategy Act will help replace this failed binge-spending and borrowing approach with a strategy aimed at promoting the production- and earnings-based prosperity that only a much stronger manufacturing sector can create.

The U.S. Business and Industry Council is especially heartened by the following features of the bill:

1. It would encourage a long overdue explicit acknowledgment by Congress of domestic manufacturing's central role in generating and preserving American prosperity, technological progress, and national security.

2. It recognizes that a sweeping and concerted federal government-wide effort is instrumental for domestic manufacturing's revival.

3. It would require several federal studies to assess domestic manufacturing's strengths and weaknesses rigorously and comprehensively. Similarly, it would foster detailed government study of manufacturing trade and off-shoring flows, and federal procurement of manufactures imports in the civilian and defense sectors. These provisions would fill much of the knowledge vacuum that currently hamstrings U.S. manufacturing policymaking. In the process, the legislation would end the monopoly currently enjoyed by outsourcing-happy multinational companies over too much crucial manufacturing and national security-related data.

4. It recognizes the scale of the challenges facing domestic manufacturing by setting a deadline of February, 2011, for publication of the first annual White House National Manufacturing Strategy blueprint.

5. It recognizes that expanding manufacturing employment requires expanding manufacturing production—that only healthy industries can create new jobs and preserve existing positions.

6. It understands that active efforts are needed to ensure that more of America's wealth and investment capital gets channeled to productive activities like manufacturing.

7. It would mandate that the Executive Branch and Congress examine the often make-or-break impact of the range of federal policies on manufacturing's fortunes.

8. It recognizes the special importance of small and medium-sized manufacturing companies, which through their production of precision parts and components in particular generate so much of America's value-added and innovation.

9. It gives these companies meaningful representation on the proposed President's Manufacturing Strategy Board.

10. It promotes follow-through and accountability in domestic manufacturing policy by requiring a Comptroller General's evaluation of the President's manufacturing strategy blueprint—including progress in implementation—and a presidential report on ''the consistency of the budget with the goals and recommendations included in the blueprint.

America's economic and industrial success has always resulted first and foremost from its free-enterprise system. But government has consistently played a major role, too,

from the publication of Alexander Hamilton's Report on Manufactures to the National Institutes of Health's support for pharmaceutical research to the Defense Department's nurturing of the aviation and information technology sectors. And this government role will surely expand as competition intensifies from foreign countries whose leaders vigorously support their industries in a host of overt and covert ways.

Your National Manufacturing Strategy Act will boost the odds of America's getting manufacturing policy right. Thank you again for introducing this vital legislation. The U.S. Business and Industry Council looks forward to working with you to help it attract the strong support and quick passage it deserves.

Sincerely,

KEVIN L. KEARNS,
PRESIDENT,
U.S. Business and Industry Council.

MOTOROLA, INC.,
Washington, DC, July 12, 2010.

For more than 80 years Motorola has been committed to innovation in communications and electronics. We developed the first mobile police car radio, the first mobile backpack radio systems for World War II, the first cellular network and phone. The first words spoken from the moon were carried over Motorola equipment. We are a company born in America and now operating around the globe, drawing on the diversity of perspectives and talents from different parts of the globe.

American manufacturers, like Motorola, have long spurred economic growth and technological advancement in America and abroad. That said, we wholeheartedly support the spirit H.R. 4692, the National Manufacturing Strategy Act, sponsored by Representative DANIEL LIPINSKI that expresses a sense of Congress that the United States Government should promote policies related to the Nation's manufacturing sector that would foster economic growth, create jobs, improve the workforce, increase productivity, and maintain and improve national security, among other improvements. Specifically, H.R. 4692 requires the President to conduct an analysis of factors affecting manufacturing competiveness, and devise a strategy to pursue policies and improve government coordination in support of domestic manufacturing. We believe that such an analysis will foster more innovation and competitiveness for U.S. manufacturers.

We look forward to working with Representative DANIEL LIPINSKI and his staff as this measure moves through the legislative process.

Sincerely,

YARDLY POLLAS-KIMBLE,
Senior Director,
Global Government Affairs.

MOTOR & EQUIPMENT
MANUFACTURERS ASSOCIATION,
Washington, DC, July 19, 2010.

Hon. DANIEL LIPINSKI
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: The Motor & Equipment Manufacturers Association (MEMA) represents over 600 companies that manufacture motor vehicle parts for use in the light vehicle and heavy-duty original equipment and aftermarket industries. Motor vehicle parts manufacturers are the nation's largest manufacturing sector, directly employing nearly 686,000 U.S. workers and contributing to over 3.29 million jobs across the country. In fact, parts manufacturers are the largest manufacturing employer in eight states: Indiana, Kentucky, Michigan, Missouri, Ohio, Oklahoma, South Carolina and Tennessee. The economic impact of this industry is felt not only by motor vehicle manufacturers, but also in the millions of other jobs that are dependent on parts suppliers.

MEMA is pleased to support H.R. 4692, the National Manufacturing Strategy Act of 2010. Parts manufacturers believe a national manufacturing strategy will help focus resources on important manufacturing initiatives. In addition, MEMA hopes that the process will provide all manufacturers with a forum to discuss the wide range of policies necessary to provide for a secure and strong manufacturing base.

Thank you for your leadership on this important issue.

Sincerely,

ROBERT MCKENNA,
President and CEO.

AMERICAN FOUNDRY SOCIETY,
Schaumberg, IL, July 23, 2010.

Congressman DAN LIPINSKI,
Longworth HOB,
Washington, DC.

DEAR CONGRESSMAN LIPINSKI: On behalf of the American Foundry Society, we commend you for introducing the National Manufacturing Strategy Act of 2010 (H.R. 4692). We strongly support this measure which would require the President to develop a quadrennial national manufacturing strategy and identify key policy goals critical to the future of U.S. manufacturing. This represents the first step in restoring our manufacturing competitiveness.

Over the last decade, America has lost one-third of all its manufacturing jobs, including thousands of jobs in the metalcasting industry. Metalcasters face the most intense global competition in history from companies operating in countries that enjoy government trade protections, fixed currency levels and a variety of subsidies.

The U.S. metalcasting industry is critical for the future of our economic and national security. More than 90 percent of all manufactured goods and capital equipment use castings as engineered components or rely on castings for their manufacture. In fact, foundries supply millions of castings a year for use in our military's jets, helicopters, ships, tanks, weapon systems and other vital components.

AFS serves as the voice of the North American metalcasting industry. Our association is comprised of more than 7,000 members representing more than 700 U.S.-based metalcasting firms, students, industry suppliers and customers in every state in the country. Our members produce thousands of different types of metal castings ranging from aircraft and automobile components to cookware and surgical equipment.

There are over 2,000 metal casting facilities in the U.S. employing more than 200,000 workers. Foundries are predominantly small businesses, with 80 percent having less than 100 employees. Many of these shops are still family-owned.

The time is now for the U.S. to develop its own national pro-manufacturing strategy to advance policies that will enhance U.S. industrial competitiveness. Again, thank you for your leadership and support of American manufacturing.

Sincerely,

JERRY CALL,
Executive Vice President.

Mr. WHITFIELD. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Georgia (Mr. GINGREY), who is a member of the Energy and Commerce Committee.

Mr. GINGREY of Georgia. I thank the gentleman from Kentucky for yielding. I also thank my colleague from Illinois (Mr. LIPINSKI) for bringing forward this bill, H.R. 4692, the National Manufacturing Strategy Act of 2010, as it is formally called.

□ 1050

And I also, of course, thank the subcommittee chair, Mr. RUSH, as well. I think they should be commended. It's a nice thing to do. It's a nice statement to make, this National Manufacturing Strategy Act. And, as Mr. LIPINSKI just said, Mr. Speaker, it would assure, hopefully, that manufacturing remains on our national agenda. And that's about all it can do, in my humble opinion. Mr. Speaker, that's just about all it can do if it's 100 percent successful. It will assure that manufacturing remains on our national agenda.

When we're sitting here in this country with 10 percent, nearly 10 percent unemployment and 16 million people out of work, many of them for more than 6 months—indeed, that's the reason we wanted to extend unemployment coverage for 99 weeks—it's time, I think, that we need to act, and act very positively, very aggressively.

And you just heard, Mr. Speaker, from the ranking member of the committee, Mr. WHITFIELD, talk about these trade agreements that have been negotiated, in fact, 2 or 3 years ago, with South Korea, with Colombia, with Panama. And yet, the Democratic leadership of this House refuses to bring those trade agreements to the floor for an up-or-down vote.

It's just amazing to me that we're spending time on a bill that's going to study the issue more and come forward with a report when we have information that says the free trade agreements with South Korea and Colombia alone would lead to a decline of $40.2 billion—the failure to implement, I should say, the failure to implement those trade agreements will lead to a decline of $40.2 billion in U.S. exports of goods and services. Failure to act would also leave $44.8 billion in missed opportunities for U.S. companies, while also resulting in roughly another 400,000 jobs going elsewhere, that is, offshore.

So, again, there's no finer gentleman in this House than Representative LIPINSKI. I have great respect for him. And I think he's trying to do the right thing because it's the only thing that his majority will let him do, Mr. Speaker.

What we need to do is approve these free trade agreements. We need to lower the corporate tax rate. OECD countries have done that, except us, and we're sitting here with a 35 percent corporate tax rate. And we're doing nothing, really we're doing nothing but creating another study group, and that's about as duplicative as you could get. God knows how many study groups, Mr. Speaker, we have already created.

I, too, like Mr. LIPINSKI, meet with my manufacturers in the 11th District

of Georgia, and I just did that last week. And we talked about these things, these free trade agreements that have been negotiated, how much it would improve our exports and our positive trade balance and create manufacturing jobs, and do it now. We talked about the tax structure. We talked about overregulation and the burdens that this government is placing on our manufacturers.

And then, you know, just like we stand up and honor the troops once a week, I guess at least once a month we stand up and honor the manufacturing industry in the Rust Belt, all the while suffering, 16 million unemployed and a 10 percent unemployment rate. We're not doing anything except studying it to death, as the ship continues to sink.

So I say, the bill, I'm going to support it, sure, but this is the wrong approach. And I don't mean any disrespect to my colleagues. It's a good bipartisan effort, and I'm glad that we've finally taken an opportunity to do something in a bipartisan way. But we need to move much quicker, much faster, and much further, Mr. Speaker.

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

Mr. WHITFIELD. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, today we have a unique opportunity to lend a hand to American manufacturers. I'm proud to join my good friend and colleague from Illinois (Mr. LIPINSKI) in being an original cosponsor of this legislation. And, in fact, when I chaired the Small Business Committee, we had field hearings in both his district and Mr. DAVIS' centered on the issue of manufacturing in America.

As the cofounder and cochair of the House Manufacturing Caucus, I can't overstate the importance of manufacturing to America. One in six jobs in America is directly related to manufacturing, and one in four in the congressional district that I represent.

Manufacturing drives innovation by conducting nearly half of all research and development and creating the bulk of technology in our Nation. Nearly 60 percent of exported goods are manufactured goods.

Every $1 in final sales of manufactured goods supports $1.40 in output, which is higher than any other economic sector. If we don't make things in America, then even those service jobs, however, will disappear.

I spent probably two-thirds of my time in Congress studying and working on manufacturing issues, from raw materials and minerals all the way through to export controls. In fact, within the past Congress, working with Congressmen BLUMENAUER, CROWLEY, and SHERMAN, all Democrats, we were able to amend section 17(c) of the Export Administration Act, which has resulted in the additional billions of dollars more of aircraft parts being exported. In fact, I'm probably the only Member of Congress who's ever gone to warehousing school to study the flow of manufactured items to the floor of sales.

Every few years, the manufacturing sector in the U.S. experiences a crisis. The last report that was issued was in 2004. This chart right here represents probably 12 or 14 years of work in my office. We tried to identify the numerous Federal programs and agencies that support manufacturing. People will come to the office, we would add in hand exactly what those are.

It's still difficult to have a central focus point to know who's manufacturing and who's doing research in a particular area. For example, if somebody wants to do research on machining titanium or Inconel, there's no central portal through which that person can go to determine exactly what programs or who's doing that research. That's one of the beauties of the bill that Congressman LIPINSKI has introduced.

Why is it necessary to have a study? Because Americans need to know the importance of manufacturing. If we don't have manufacturing, agriculture, and mining in this country, we become a Third World nation. If we can't make things with our hands, then we become hindered in maintaining our status as a world leader.

The whole purpose of having a comprehensive strategy in manufacturing is, as Mr. LIPINSKI said, to call the Nation's importance to the fact that young people need to go into manufacturing, need to go to our community colleges to learn how these sophisticated machines are made.

I've probably been in 500 to 700 factories all over the world studying and analyzing exactly what America needs.

This bill has, as its purpose, to show Americans, but more importantly to bring to the attention of fellow Members of Congress, the absolute importance of protecting manufacturing in this country. It is a great bill because what it will do is it will help identify those programs that exist, those that are working, and those that should be eliminated.

If we pass the National Manufacturing Strategy Act into law, a new Manufacturing Strategy Board will help the President to conduct an in-depth analysis of the Nation's manufacturing sector and develop a comprehensive strategy for enhancing its competitiveness and promoting its success in the global economy.

So I urge my colleagues to support H.R. 4692.

We have a unique opportunity today to boost the U.S. economy and lend a hand to American manufacturers.

The bipartisan National Manufacturing Strategy Act (H.R. 4692) will help American manufacturing rebound from recent economic turmoil to ensure that both our workers and our factories are equipped to thrive in the 21st Century.

The 16th District of Illinois, which I am so proud to represent, is one of the most heavily industrialized Congressional districts in the nation. Winnebago County, in the center of the district I represent, is second only to Wayne County, Michigan, in terms of per capita concentration of manufacturing as a percentage of the local economy. And Rockford, Illinois, is in the center of Winnebago County. There, we make everything from nuts and bolts to the advanced electrical system for the new Boeing 787, the Dreamliner.

I simply cannot overstate the importance of manufacturing not only to northwest Illinois but to the America. The United States has the largest manufacturing economy in the world, producing $1.6 trillion in value annually—that's 11 percent of U.S. gross domestic product (GDP). One in six U.S. jobs is tied directly or indirectly to manufacturing, and strides in productivity have held down inflation and contributed to higher standards of living for hardworking Americans. Manufacturing drives innovation by conducting nearly half of all research and development and creating the bulk of technology in our nation. Nearly 60 percent of all exported goods from the U.S. originate from the manufacturing sector.

In the United States, every $1.00 in final sales of manufactured goods supports $1.40 in output from other sectors of the economy. That multiplier effect on our investment dollars is higher than any other economic sector.

Manufacturing is the lifeblood of the American economy and its continued strength is key to putting Americans back to work. For too long, manufacturing has received second-class treatment from our government. While Washington hesitates to act, American industries are withering under intense global competition and jobs have gone overseas. It's time for the federal government to get serious and implement an agenda to strengthen American manufacturing and restore American jobs, and that's exactly what this legislation will require.

There are numerous existing federal programs to support American manufacturing, but our national manufacturing policy is disjointed and reactionary. Other nations proactively support their industrial base through programs and policies. If we pass the National Manufacturing Strategy Act into law, a new Manufacturing Strategy Board will help the President to conduct an in-depth analysis of the nation's manufacturing sector and develop a comprehensive strategy for enhancing its competitiveness and promoting its success in the global economy.

The aim of the strategy and the quadrennial review is to harmonize manufacturing policy across the government and ensure that it is unified, innovative, and results-oriented.

As noted in recent committee testimony from AAM president Scott Paul, Alexander Hamilton himself constructed America's first industrial policy in 1791. Our founding fathers recognized that a robust industrial base is vital to both our national security and a flourishing economy.

Instead of wallowing in anxiety over the fate of our economy, Congress needs to demand action that will produce results. America's manufacturers are among the most innovative and productive in the world, but they aren't getting the support they need from their government. By developing a long-term plan with input from a wide range of stakeholders and experts, the National Manufacturing Strategy Act will ensure that we are doing absolutely all that we can to help this vital industry.

□ 1100

Mr. RUSH. Mr. Speaker, it is my privilege and honor to yield 1 minute to our great majority leader, Congressman HOYER of Maryland.

Mr. HOYER. I thank the gentleman for yielding.

I am pleased to follow my friend, Congressman MANZULLO, in speaking about the importance of making it in America. Making it in America is not just about manufacturing in America, it's about succeeding in America, making sure that America continues to be the vibrant engine of our economy and the international economy, making things not only for Americans, but for all the world. And I thank Mr. MANZULLO for his comments.

Americans have always looked to the manufacturing sector as a source of economic vitality and as a source of pride. I want to thank my friend from Illinois (Mr. RUSH), who has been such an outstanding leader in this Congress on behalf of growing our economy, jobs for Americans, good pay and good benefits for all Americans.

America has long prided itself on being a country that makes things. And Democrats, and I know my Republican friends, are committed to making sure that is true in the future. America agrees on the importance of manufacturing to our economy. You just ask them and they will tell you we need to make it in America. Fifty-seven percent of Americans believe it is one of the most important factors in our economic strength, and 85 percent of Americans believe that creating manufacturing jobs is important to our economic recovery. We need to make it in America.

It's true that manufacturing has taken a severe hit in this recession. In fact, it's been taking hits for quite some time, particularly under the previous administration. Over the past decade, America lost one-third of its manufacturing jobs. These three bills are designed to turn that status around.

If we want American manufacturing to be strong again, if we want to emerge from these hard times with a more competitive, job-creating economy, we need to get serious about our manufacturing strategy. That is the impulse behind the Democrats' Making it in America agenda: creating incentives for investments in industry, strengthening manufacturing infrastructure and innovation, strengthening our workforce, and helping to level the playing field for American companies. That's what our focus is going to be. That's what Mr. MANZULLO was talking about.

So far, the Make it in America agenda has resulted in the passage of the U.S. Manufacturing Enhancement Act. It passed the House just a few days ago on an overwhelmingly bipartisan vote, passed the Senate by unanimous consent, and is at the White House. This helps American companies get the affordable materials they need. And it's passed the Senate and is on the way to becoming law, as I said.

The House has also passed the SECTORS Act, which invests in 21st-century workforce training, to make sure that our people have the skills to make it in America. Bills like these build on the success we have already in rallying America's manufacturing sector under the Obama administration. Since the beginning of the year, our private sector has actually created 136,000 new manufacturing jobs.

This bill, the National Manufacturing Strategy Act, can contribute to that job creation. It directs the President to develop a national manufacturing strategy every 4 years, with input from the private sector, from manufacturing leaders, Federal officials, and State governments. They will analyze all of the factors affecting American manufacturing, from financing to trade barriers, and recommend actions that industry and Federal and State and local governments can take to boost manufacturing and create good-paying jobs.

I spoke about this the other day at the Center for American Progress. And a representative of the National Association of Manufacturers, Mr. Speaker, stood and congratulated us on this effort. And I told her that we were looking to work with the National Association of Manufacturers and others to build manufacturing capacity and to create these good-paying jobs with good benefits and making America work better.

The bill's sponsor, Congressman LIPINSKI, from the heartland of America, your State, Mr. RUSH, Illinois, points out that similar national strategies are widespread. China, India, the UK, Brazil, Canada, and Germany all have manufacturing strategies; and we need one if we want to stay competitive with them.

And as has been true in the past, the ''Made in America'' label will be sought and admired throughout the world. This bill is an important way to take our industries' struggles seriously and begin responding to them constructively.

I urge my colleagues to pass this bill and the two that will follow to make America a more competitive, growing economy. Make it in America, an agenda that the House will consider this week and the 4 weeks when we return from our break: the Clean Energy Technology Manufacturing and Export Assistance Act, which will ensure that clean energy technology firms have the information and assistance they need to stay competitive; and the End the Trade Deficit Act, all on the agenda, sponsored by Congresswoman MATSUI, which will develop strategies to combat the trade deficit. Through steps like these we can begin to restore America's pride in its manufacturing and in the solid jobs it creates for middle class families.

Make it in America is not simply a slogan; it is a commitment, a commitment to reestablish a dynamic engine for job creation. Make it in America is a commitment to ensuring that America's future is one in which America competes successfully and profitably in the new global marketplace. Make it in America is a psychology of excellence, a level playing field in trade relations, and the creation of an environment that facilitates manufacturing projects, expansion, and the sale of American products to the world.

America's innovative abilities and the talent and work ethic of our workers have historically led our country to extraordinary economic growth and success. The Make it in America agenda is a commitment, a commitment to making that success not only a proud part of our history, but a reality for our future. We're going to make it in America, and we're going to make it in America.

Mr. WHITFIELD. May I ask how much time we have remaining on this side?

The SPEAKER pro tempore. The gentleman from Kentucky has 7 minutes.

Mr. WHITFIELD. At this time I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Speaker, I come in support of H.R. 4692, the National Manufacturing Strategy Act. I was pleased to support, actually, my two great colleagues from Illinois, Mr. LIPINSKI and Mr. RUSH. I appreciate them bringing it down to the floor.

Basically, I think what can occur from this is a reevaluation of things that we know. When we are at 9.5 percent unemployment, 15 million Americans unemployed, 1.5 percent increase since the failed stimulus bill was passed at a cost of $1.2 trillion, what do businesses need to create jobs? And what does the manufacturing sector need to create jobs? They need certainty.

As I said in my 1-minute this morning, a businessman talked to me, You can't ask us to create new jobs when you raise our taxes. You can't ask us to create more jobs when you raise our taxes. That's issue one. I think that will come out of the national manufacturing strategy.

You can't expect us to create jobs when you raise our energy costs. The cap-and-trade energy bill passed through this House raises energy costs. It is a tax on carbon. Carbon is a fossil fuel. That raises manufacturing costs. We cannot create more jobs when we add costs to the manufacturing sector.

We cannot create jobs when there is regulatory uncertainty. When we've got EPA and OSHA and all these people poking around trying to protect the workers, which they do, it's that old saying: I'm from the government and I'm here to help you.

They are not here to help you under this administration. They're here to penalize. They're here to fine. They're

here to create uncertainty, which makes it very difficult to create jobs.

□ 1110

And the last one is the health care law. Additional uncertainty. ''We have to pass the bill before we know what's in the bill.'' What do you think the manufacturing companies are doing? They're trying to figure out what we just did to them.

So I hope this national manufacturing strategy, which I am a cosponsor of, will say: Reduce the tax burden, ease the regulatory burden, lower energy costs, make a competitive, vibrant market. That's how we create jobs in America.

Mr. RUSH. Mr. Speaker, I yield 1 minute to the author of the legislation, Mr. LIPINSKI, once again.

Mr. LIPINSKI. Mr. Speaker, the gentleman from Maryland (Mr. HOYER) was just down here. I wanted to thank him again for really putting forward this make it in America, sell it to the world. That is what we need to do. You ask any American. They know that is what we need to do to keep this recovery going and really get us out of this recession.

I also want to thank the gentleman from Illinois (Mr. MANZULLO) for all of the work that he has done. We've worked closely together since I have been in Congress on manufacturing. And I think the chart he had up here was one of the best reasons why we need this strategy.

The government is doing a lot on manufacturing; it's just disjointed. It's oftentimes ad hoc. We need to bring that together. So I thank Mr. MANZULLO for his work on that, and that's just a great example.

And those who say maybe the government shouldn't be doing anything on manufacturing, we are already doing a lot. Let's get it together and let's do it right.

Mr. WHITFIELD. Mr. Speaker, I would just like to make some concluding remarks.

All of us on this side of the aisle support Mr. LIPINSKI's effort. We believe that this legislation is good and we commend Mr. RUSH and Mr. LIPINSKI.

But we reiterate that this administration is not doing enough to improve manufacturing in America. The majority leader said we want more products produced in America. But in order to do that, we need a tax policy that encourages investment, not making it more expensive to do business in America. We need a policy to provide incentives for more research and development to be more competitive in the global marketplace. We need a strong program to defend and protect intellectual property developed by our manufacturers. We need a strong international trade policy that encourages more American products to be sold abroad.

And as the gentleman from Illinois said, we need an energy policy that does not raise energy costs. And every objective analysis of the Obama administration's cap-and-trade system indicates that that bill would dramatically increase electricity costs making American manufacturers less competitive, not more competitive. I have already talked about China and the steps that they're taking to decrease their electricity costs.

So we support this bill, but we need to do more. And we call upon the administration to do more than just talk about these issues.

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

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

Mr. Speaker, what we don't need is more excuses. What America doesn't need is more excuses that have been heard on this floor for many years now. We don't need any more excuses, Mr. Speaker. We need action. This bill that we are deliberating on today will go a long ways toward making America much more viable and making America's manufacturing center much more robust.

Mr. Speaker, I want to remind the Members of this House that manufacturing has been the engine that drives the American economy for more than 100 years and it will continue to well into the 21st century. America's future growth, security, and leadership in the global economy will depend on the strength and viability of our manufacturing base. That's why it's so important to reverse the current ebb.

The U.S., Mr. Speaker, has lost more than 5 million manufacturing jobs since 2000—almost 17 percent of all manufacturing jobs in the Nation. We can maintain our leadership position in the global economy but only if we strengthen the core of our economy, which is manufacturing.

America's economy depends on manufacturing. Manufacturing in the U.S. generates about $1.4 trillion, or 12 percent of our gross domestic product. Manufacturing is responsible for nearly two-thirds of private sector research and development in the U.S. Over the past two decades manufacturing productivity has increased at twice the rate of the rest of the private sector.

America's economy depends on manufacturing. America's economy depends on manufacturing for good jobs. Manufacturing directly employs 14 million Americans and supports 8 million more. Each manufacturing job supports as many as four other jobs, providing a boost to local economies. For example, every 100 steel or every 100 auto jobs create between 400 and 500 new jobs in the rest of the economy. This contrasts with the retail sector, where every 100 jobs generate 94 new jobs elsewhere, and in contrast with the personal and service sectors where every 100 jobs create 147 new jobs.

This multiplier effect reflects how manufacturing's linkages run deep into the overall economy and means improvements in manufacturing productivity translate broadly into the economy as a whole.

America's economy depends on manufacturing. America depends on manufacturing for good jobs. And across this Nation, our States depend on manufacturing. Manufacturing is a vital part of the economies of most States. As a share of gross State product (GSP), in 2001 manufacturing was among the three largest private-industry sectors in all but 10 States. Manufacturing is the largest sector in 10 States and in the Midwest region as a whole, the region that I love and I live in. It's the second largest in nine States and the third largest in 21 other States.

Mr. Speaker, manufacturing is important. This is not just some kind of pipe dream. This is not just a study. This is a roadmap to recovering America's position in terms of manufacturing in the world. Make manufacturing real for America. Make manufacturing robust for America. Make manufacturing jobs reachable for all Americans.

Mr. KUCINICH. Mr. Speaker, I rise today in support of H.R. 4692, the National Manufacturing Strategy Act of 2010.

Across America, and especially in Ohio, people are hurting. The national unemployment rate is hovering near 10%—that's 15 million people out of work. Sixteen states and the District of Columbia have double-digit unemployment. In my home state of Ohio, which is home to over 20,000 manufacturing companies, unemployment is even higher—10.5%. Almost half of all unemployed workers have been out of work for over six months. There are simply not enough jobs, and if we are to change that, the key is to better support and enhance our manufacturing sector. With this bill, we are taking a first step toward creating a coordinated federal policy that puts the manufacturing sector back in its rightful place as an engine of the American economy.

There are some encouraging signs: More than 135,000 manufacturing jobs were created in the last six months. Americans understand that creating manufacturing jobs should be among the highest priorities for government. In a recent poll 87 percent said they believed it is time we had a national manufacturing strategy.

Where it is necessary, so-called ''legacy industries''—such as steel, automotive, aerospace and shipping industries—within our nation's manufacturing sector are adjusting to meet new economic realities. The government must do all that it can to make sure it does not get left behind countries like China who are rapidly growing their green manufacturing economies.

Americans who were surveyed about our manufacturing economy rejected the idea that we can only rely on other sectors to keep the United States in its position as a world leader. They said that manufacturing is central to our economic strength. And they are right. With this bill we will take a vital and tangible step toward reinvigorating our manufacturing base.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 4692, the ''National Manufacturing Strategy Act of 2010''. This legislation provides a pragmatic and forward-looking means to enhance, develop, and secure our nation's manufacturing industry for the future. Its contributions to our economy and the sheer size of this industry make it imperative that we take the necessary steps to

ensure its continued growth and success. I commend my colleague, Representative DANIEL LIPINSKI, for introducing this legislation to do just that.

Mr. Speaker, as you may know, the manufacturing industry generates ⅔ of U.S. exports, employs over 11 million American workers, and serves as an industrial base to assure that our national defense remains strong and to sustain infrastructure. This bill addresses the growing importance of the manufacturing sector to our nation's health and economy. It directs the President, every four years, to conduct a comprehensive analysis of the nation's manufacturing sector and to submit to Congress a National Manufacturing Strategy. It also requires the President, in developing each strategy, to convene a Manufacturing Strategy Task Force to make recommendations regarding specified matters for incorporation into the Strategy, including short- and long-term goals for the manufacturing sector. Furthermore, the bill directs the National Academy of Sciences to conduct quadrennial studies concerning U.S. manufacturing and to report each study's results to Congress and the President. Finally, the bill requires the President, in preparing each annual budget, to include information regarding that budget's consistency with the goals and recommendations included in the latest Strategy.

The enactment of this bill would express that it is the view of Congress that policies should be promoted to support and secure the growing manufacturing industry. We should support efforts that seek to create sustainable economic growth, increase employment, productivity, exports, and global competitiveness, and that improve our national and homeland security. As other countries, including the United Kingdom, Canada, India, and China, have already engaged in similar strategic development plans for manufacturing, it is only fitting that the world's largest manufacturing nation do the same. I have supported for a long time America moving back to making products and creating jobs. It is long overdue.

Furthermore, as this bill does not call for mandatory action, its benefit is purely inherent in the positive effects of information and preemptive planning. Therefore, the door remains open for governmental action that may need to be taken in order to promote growth and provide efficient outcomes in the manufacturing industry. I strongly believe that more information and strategic planning in the immense manufacturing sector can only put the nation's economy in a better position for the future.

For these reasons I urge my colleagues to support H.R. 4692.

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 4692, the National Manufacturing Strategy Act of 2010, of which I am an original co-sponsor. I wish to commend my friend, Congressman LIPINSKI of Illinois for his fine work in authoring this important piece of legislation.

In light of the pressing need to create and maintain good-paying jobs in this country, it is imperative we pass H.R. 4692. This bill will mandate that the President develop a national manufacturing strategy and update it every four years. It is crucial that the federal government support domestic manufacturing, which has been a traditional driver of middle-class growth. I am particularly glad that H.R. 4692 includes a requirement that the President consult with organized labor in appointing members to the advisory group that will help him draft the strategy.

Further, I view this legislation as part and parcel to the federal government's ongoing efforts to create much-needed jobs and adapt the country's economy to the future. I am quite gratified to see that H.R. 4692 rightly directs that the manufacturing strategy it mandates include an examination of the detrimental effect of unfair trade practices on domestic manufacturing. I firmly believe the federal government must do all it can to ensure our trading partners play by the rules in order to foster sustainable employment growth at home.

In conclusion, I note this bill comes at a time when my home state of Michigan continues to endure record unemployment levels, largely due to the hemorrhaging of manufacturing jobs caused by a decade of unfair trade policies. I believe H.R. 4692 will serve to right past failed policies and, as such, I very passionately support its expedited consideration and adoption.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 4692, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1120

CLEAN ENERGY TECHNOLOGY MANUFACTURING AND EXPORT ASSISTANCE ACT OF 2010

Mr. DEUTCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5156) to provide for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist United States businesses with exporting clean energy technology products and services, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5156

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Energy Technology Manufacturing and Export Assistance Act of 2010''.

SEC. 2. CLEAN ENERGY TECHNOLOGY MANUFACTURING AND EXPORT ASSISTANCE FUND.

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

(1) the term ''clean energy technology'' means a technology related to the production, use, transmission, storage, control, or conservation of energy that will contribute to a stabilization of atmospheric greenhouse gas concentrations through reduction, avoidance, or sequestration of energy-related emissions and—

(A) reduce the need for additional energy supplies by using existing energy supplies with greater efficiency or by transmitting, distributing, or transporting energy with greater effectiveness through the infrastructure of the United States; or

(B) diversify the sources of energy supply of the United States to strengthen energy security and to increase supplies with a favorable balance of environmental effects if the entire technology system is considered; and

(2) the term ''Secretary'' means the Secretary of Commerce.

(b) ESTABLISHMENT.—The Secretary shall establish a Clean Energy Technology Manufacturing and Export Assistance Fund, to be administered through the International Trade Administration. The Secretary shall administer the Fund to promote policies that will reduce production costs and encourage innovation, investment, and productivity in the clean energy technology sector, and implement a national clean energy technology export strategy. The purpose of the Fund is to ensure that United States clean energy technology firms, including clean energy technology parts suppliers and engineering and design firms, have the information and assistance they need to be competitive and create clean energy technology sector jobs in the United States.

(c) ASSISTANCE.—The Secretary, consistent with the National Export Initiative, shall provide information, tools, and other assistance to United States businesses to promote clean energy technology manufacturing and facilitate the export of clean energy technology products and services. Such assistance shall include—

(1) developing critical analysis of policies to reduce production costs and promote innovation, investment, and productivity in the clean energy technology sector;

(2) helping educate companies about how to tailor their activities to specific markets with respect to their product slate, financing, marketing, assembly, and logistics;

(3) helping United States companies learn about the export process and export opportunities in foreign markets;

(4) helping United States companies to navigate foreign markets; and

(5) helping United States companies provide input regarding clean energy technology manufacturing and trade policy developments and trade promotion.

(d) REPORTS TO CONGRESS.—

(1) Not later than 180 days after the date of enactment of this Act, the Secretary shall transmit to the Congress a report indicating how the funds provided under this section will be used to—

(A) focus on small and medium-sized United States businesses;

(B) encourage the creation and maintenance of the greatest number of clean energy technology jobs in the United States; and

(C) encourage the domestic production of clean energy technology products and services, including materials, components, equipment, parts, and supplies related in any way to the product or service.

(2) Not later than January 1, 2015, the Secretary shall transmit to the Congress a report assessing the extent to which the program established under this section—

(A) has been successful in developing critical analysis of policies to reduce production costs and promote innovation, investment, and productivity in the clean energy technology sector;

(B) has been successful in increasing the competitiveness of United States clean energy technology firms in emerging markets;

(C) has been successful in assisting United States businesses, specifically small and medium-sized firms, with exporting clean energy technology products and services;

(D) has been successful in creating jobs directly related to the clean energy technology sector in the United States, including specific information as to the nature, location, and duration of those jobs and the methodology used by the Secretary to compile such information;

(E) has been successful in helping United States companies provide input regarding clean energy technology manufacturing and trade policy developments and trade promotion; and

(F) should be continued.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary for carrying out this section $15,000,000 for each of the fiscal years 2011 through 2015.

(2) LIMITATION.—No assistance provided using funds appropriated pursuant to this section shall be provided in the form of a monetary grant.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. DEUTCH) and the gentleman from Illinois (Mr. SHIMKUS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

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

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

There was no objection.

Mr. DEUTCH. I also ask unanimous consent for Mr. RUSH of Illinois to control the time after my opening remarks.

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

There was no objection.

Mr. DEUTCH. Mr. Speaker, I rise in strong support of this legislation, and I yield myself such time as I may consume.

Mr. Speaker, the Clean Energy Technology Manufacturing and Export Assistance Act, H.R. 5156, will help American companies develop, manufacture, and export clean and renewable energy technologies around the world. Most importantly, this bill will help create high quality jobs for American workers.

The bill establishes a fund in the Department of Commerce to promote policies that reduce costs and encourage innovation and investment in the clean energy industry. The fund, which focuses on small- and medium-sized businesses, will also help American companies target foreign markets for exports. This will help us meet the President's goal of doubling American exports over the next 5 years.

Finally, H.R. 5156 would give businesses the opportunity to provide their own voice and input into U.S. manufacturing and trade policies. As President Obama remarked last month, the transition to clean energy has the potential to grow our economy and create millions of jobs as we move out of this recession.

Despite a global decrease in clean energy investments last year, the United States continued to increase investments in this sector. For the second consecutive year, the United States added more power capacity from renewable energy, solar and wind, for example, than from conventional energy sources. But the United States still trails Germany and China in renewable energy investments. This important legislation will help eliminate this gap by harnessing the creativity and innovation of American entrepreneurs and making the United States more competitive in a global market that reached over $160 billion last year.

Mr. Speaker, this bill will help create high quality jobs for American workers. I would like to thank my friend and colleague from California (Ms. MATSUI) for authoring this legislation, and I urge my colleagues to support this important legislation.

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

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

I would remind my colleague that wind and solar power is high-cost power. Wind and solar costs on average three times more per kilowatt hour. That's the whole energy debate. That's why you have to have low energy prices if you want jobs. And everybody thinks it's free. It's not free. It's more expensive energy.

But I'm here to thank my colleague and friend, Congresswoman MATSUI, for her bill, H.R. 5156. That's what we're addressing today, the Clean Energy Technology Manufacturing and Export Assistance Act. This came through the Commerce, Trade and Consumer Protection Subcommittee of the Energy and Commerce Committee on June 30 and in a markup of the full committee on July 21, both times passing by voice vote, and it's to her credit for her great work in a bipartisan manner.

The purpose of this bill is to create a 5-year, $15 million annual assistance fund within the Department of Commerce International Trade Administration. The purpose of the fund is to promote policies to reduce production costs, encourage innovation and investment, and create a clean energy export strategy.

I also commend the chairman of the subcommittee, my good friend BOBBY RUSH, for working with the minority to address our concerns and for offering a manager's amendment at the subcommittee markup that made two important changes. The first was to amend the definition of clean energy technology so that the definition would include nuclear energy and carbon capture and sequestration. It is important to recognize that nuclear power and clean coal are essential elements to reducing our dependence on foreign oil and thereby strengthening our energy security, and as I was mentioning, also keeping energy costs low. The second was to include a provision that explicitly prohibits any of the $75 million to be allocated in the form of grants.

However, if this Congress and this administration truly want to revitalize the manufacturing sector, the easiest path would be to pass the existing free trade agreements that are pending: South Korea, Colombia, and Panama. These are all gains for us. In any projection by any export strategy, these are gains in the manufacturing sector and in some of the agricultural sector I'll talk about later.

We always have to be concerned. Jobs and the economy is the number one issue in the country, but trailing close behind is the deficit and the national debt. So we've been harping on the fact that we really need things paid for now. The public is not allowing us to go along, continuing with multiple authorizations without saying these things have to be paid for, and as we've said in numerous other debates, if it's important enough to do, it is important enough to pay for.

I will just read from the CBO, ''Federal Debt and the Risk of a Fiscal Crisis, Economic and Budget Issue Brief'' dated July 27. ''Unless policymakers,'' that's us, ''unless policymakers restrain the growth of spending,'' which is what we're not doing today, ''increase revenues significantly as a share of GDP, or adopt some combination of those two approaches, growing budget deficits will cause debt to rise to unsupportable levels.''

I would submit that we're already at unsupportable levels, and so that's why we do support the bill. But we will always be looking for and making sure that additional spending and growth is offset with pay-fors.

I reserve the balance of my time.

Mr. RUSH. Mr. Speaker, I yield 6 minutes to the author of the legislation, my dear friend from California (Ms. MATSUI).

Ms. MATSUI. Thank you, Mr. Chairman, for your leadership.

Mr. Speaker, I rise in strong support of my legislation, H.R. 5156, the Clean Energy Technology Manufacturing and Export Assistance Act of 2010.

Our Nation is running a trade deficit in green technologies ranging in the billions, and the U.S. clean tech industry is lagging behind many of its competitors in exports, most notably China and Germany.

Currently, only six of the top 30 global clean energy companies are American-owned. This is simply unacceptable. We must not become a Nation dependent on foreign clean energy products. We must be the Nation that leads the world in manufacturing and exporting clean energy technologies. That is why I, along with Chairmen RUSH and DINGELL and Congresswoman ESHOO, introduced H.R. 5156 to boost the competitiveness of the U.S. clean energy industry.

Specifically, the bill would require the Department of Commerce, in coordination with relevant agencies, to implement, develop and sustain a National Clean Energy Technology Export Strategy to provide U.S. clean tech firms with export assistance in finding and navigating foreign markets to sell their goods and services to new customers.

The President has laid out a laudable goal to double U.S. exports over the next 5 years, and this legislation will ensure clean energy exports are at the forefront of our national export strategy. The bill will also help strengthen America's domestic clean tech manufacturing industry.

Mr. Speaker, I am pleased that this legislation is a part of the Make It in America manufacturing agenda to demonstrate this Congress' commitment to the U.S. domestic manufacturing industry, and I applaud the majority leader's leadership in this.

This legislation encourages American clean energy manufacturers across the Nation to sell their American-made clean energy technologies here in America and around the world.

□ 1130

This is also about jobs. The Department of Energy has found that the emerging U.S. clean energy sector could create more than 750,000 jobs over the next decade. The clean energy emerging economy is one that we cannot afford to let pass us by.

Mr. Speaker, my home district of Sacramento is well positioned to be a national leader in manufacturing clean energy technologies, with more than 120 small and medium-sized clean energy companies in the region. Many of these companies are beginning to manufacture clean energy products or are seeking to expand their manufacturing operation and wanting to export through clean energy technologies to foreign markets.

However, unlike big U.S. companies, small and medium-sized firms simply do not have the resources and expertise to find and navigate foreign markets and are seeking assistance. In fact, according to the Trade Promotion Coordinating Committee, more than 30 percent of nonexporting small and medium-sized companies would export if they had more access to market information, export opportunities, and the export process. Many of these companies have validated their clean energy technologies and are now looking to expand their businesses by exporting their goods and services to new foreign markets but actually lack the resources to do so.

Mr. Speaker, let me briefly clarify that this bill provides a modest authorization to help American small businesses with the manufacturing and export assistance they are seeking.

It is not an appropriations bill. As my colleagues on the other side are aware, authorization measures do not appropriate funds and they do not add a dime to our deficit. The measure would have to fit within our budget caps during the congressional appropriation process.

The bill would not affect direct spending or revenues. Therefore, PAYGO procedures would not apply, and it does not violate PAYGO rules.

Mr. Speaker, during the Energy and Commerce markup of this bill, we included several changes that my Republican colleagues recommended; most notably, working in a bipartisan manner, we expanded the definition of ''clean energy technology.''

We also include a transparency provision that requires the Commerce Department to report back to Congress within 180 days of enactment, a plan to assist small and medium-sized businesses, encourage job growth in the U.S. clean energy sector, and encourage greater domestic manufacturing of clean energy products.

H.R. 5156 will also enhance our standing in the race to be the global leader in clean energy. The BP oil spill only underscores the need for leadership in the clean energy market, and this bill will send a strong message that America is serious about being the leader and producing and exporting these technologies.

I urge my colleagues to support this legislation, which will support clean energy products being made in America and, in turn, will help families make it in America.

Mr. SHIMKUS. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. I thank the gentleman for yielding.

Mr. Speaker, as I stood a few minutes before in expressing my concerns about the bill that Representative LIPINSKI brought forth, the same issue exists with regard to my good friend from California (Ms. MATSUI) regarding H.R. 5156, Clean Energy Technology Manufacturing and Export Assistance Act.

Ms. MATSUI, Mr. Speaker, just momentarily said we need to be exporting clean energy technology. Well, with all due respect, what we need to be exporting is beef and pork and corn and soybeans and, yes, Harley Davidson would like to export a few motorcycles to Colombia, but they can't do it because they face such a high tariff.

Again, the bill is fine as far as it goes, other than the fact that you are authorizing another $75 million. And you can say, well, it's an authorization; it's not an appropriation. But if you give permission within committee to let those that do the appropriating, you essentially open up the floodgates for 75 additional million dollars of taxpayer-funded programs.

As President Reagan said, you know, government is not the solution to our problems; it is the problem. More and more government growth, spending, deficit debt, Mr. Speaker and my colleagues, the American people have spoken. I'm going to tell you they are going to speak again.

We leave here, I guess, sometime Friday afternoon, and we will be in our district work period this year for not 1 month but probably 6 weeks. We have got to face these people, not just me in the 11th Congressional District of Georgia, but every one of us. All 435 of us have got to go home and look these folks in the eye.

We have to say, you know, I am trying to explain to you why, in our last week before our break, we authorized another $75 million worth of spending, adding to the $1.4 trillion deficit this year and, indeed, finally adding to the national debt which is now, as we all know, over $13 trillion, something like 95 percent of our gross domestic product. That makes no sense.

Again, with all due respect, I know these bills came through committee, voice voted in subcommittee and full committee, but there were concerns. There were concerns about the spending.

Representative PARKER GRIFFITH, Mr. Speaker, our colleague from Alabama, had an amendment. He said, Look, we need deficit neutrality in this bill.

That was one thing that we did vote on, that amendment, and it failed along party lines 30–15, even though the majority party keeps saying, well, you know, we honor PAYGO—except when we don't honor it.

Again, my colleague from California is a most respected Member of the committee and this House. As a friend of mine, she is trying, just as Representative LIPINSKI was trying with his bill. But let's get the job done by lowering corporate tax rates and taking the burden, the regulatory burden off of our manufacturers, and go ahead and pass these free trade agreements with Colombia, South Korea, and Panama.

They have been negotiated to a fare-thee-well, and I think the Democratic majority ought to explain to the American people why we don't do that. That's what we need to do to grow jobs immediately and not just continue to kick the can down the road and study it and study it and study it with an unemployment rate of 10 percent and 16 million people, many of them in the manufacturing sector—in fact, 2 million manufacturing jobs have been lost in the last couple of years.

This has got to stop.

Mr. RUSH. Mr. Speaker, it is my honor and privilege to yield 3 minutes to the dean of the House and the chairman emeritus of the Energy and Commerce Committee, my dear friend Mr. DINGELL.

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

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 5156, the Clean Energy Technology Manufacturing and Export Assistance Act.

I commend my good friend from Illinois for the outstanding work he did in leading the subcommittee and moving this and the other legislation forward

today, and I also commend my colleagues, Ms. MATSUI and Ms. ESHOO, as well as Mr. RUSH, for their original cosponsorship, of which I am also proud to be one.

This bill will build up domestic manufacturing by promoting exports and clean energy technologies and will help the United States develop an early competitive advantage in this area. I urge my colleagues on both sides of the aisle, especially my good Republican friends, to join us in moving this legislation forward.

Now, we hear some objections to the bill's costs. It's time they be reminded that this is not an appropriation but an authorization. Moreover, should the funds be appropriated, H.R. 5156 will more than pay for itself through the growth in tax receipts from increased corporate revenue. The Department of Commerce estimates that every dollar invested in export promotion generates $56 worth of exports.

I urge my colleagues again to join me in moving this forward.

□ 1140

Thus in a corporate tax rate of 35 percent, additional revenues of only $40 million a year would have to be generated to cover the bill's annual $15 million authorization. This is more than double that which is based on the Department of Commerce's export promotion cost benefit analysis.

Mr. Speaker, if my Republican and Democratic colleagues are truly concerned about promoting job growth and improving the economy, they should vote in favor of this eminently sensible bill.

I've been a little distressed to hear my colleagues on the other side of the aisle making a fuss about the fact that they don't like things like cap-and-trade and other matters. That bill is not before us, and most of the other questions are not before us. I would remind my colleagues here that we are discussing increasing job opportunities at home by exporting things which are valuable and which help the world and which help the United States. I would remind my colleagues that they are better served to light a little candle rather than to sit there quietly and to curse the darkness.

When this administration came in, I would remind my colleagues that the previous administration had left us two wars, a depression, and a deficit of $1.3 trillion. We are still trying to dig out of the mess which was left us by our Republican colleagues, and I would urge them to cooperate with us and to focus on the important things about creating jobs and getting opportunity and economic activity going forward. To continue the kind of self-defeating program that my Republicans seem to be sponsoring on the other side of the aisle——

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

Mr. RUSH. Mr. Speaker, I yield 1 additional minute to the gentleman from Michigan.

Mr. DINGELL. I would urge my colleagues on the other side to join us. Let us move forward towards jobs; let us move forward towards economic development and activity; let us move forward towards cooperation on important matters, like seeing to it that the economy gets moving and Americans are going back to work.

Let's not sit around here whining and complaining about situations about which we have nobody at this particular minute at this particular time to address it. But we are addressing three pieces of legislation that are going to make economic prosperity a greater reality and a more real object of our attentions.

I urge my Republican colleagues to cease this nitpicking on the floor and this nattering, which I'm hearing coming from the other side, and work with us to put Americans back to work. And let us understand that the people have spoken in the last election, and they spoke for jobs and change. We are trying to give it to them, and we invite our Republican colleagues to give us a little bit of that cooperation that will enable us to move more easily forward.

I thank my colleagues.

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

I am always honored to follow the dean of the House, Mr. DINGELL, who is well known for his oratory ability and his passion, and we have great respect. But I have a few things to remind him too.

We passed a $1.2 trillion stimulus bill that was promised to reduce unemployment to 8 percent. Our unemployment is at 9.5 percent. We have 15 million unemployed Americans. Our issue is let's do things that help create jobs. And if we want to talk, you ought to go to the businesses that want to create jobs and they will tell you a cap-and-trade bill that raises carbon prices and energy cost does not help create jobs; in fact, it destroys jobs. It raises gasoline prices, at a minimum, 50 cents. It raises electricity rates. It raises consumer rates for what they pay for home electricity or home heating. And those are just the facts.

We are $13.5 trillion in debt. Now, part of my life—I don't talk about it very much—I taught high school for 4 years, and I taught government history. This authorization and appropriation debate is important because authorizing gives us the right to appropriate. You shouldn't—we do it sometimes—you should not appropriate without an authorization. So you can't hide behind the argument that it's just an authorization, it means nothing. Well, it does mean something. It does mean that you could go and get the money. If you don't authorize, you shouldn't. So that is why we are having this debate. $13.5 trillion. The public is concerned about debt and spending.

We can have a lot of feel-good legislation on the floor, and my colleagues are well-intentioned; but if we want to do things, if we want to fulfill the President's promise of doubling exports in 5 years, we ought to move on these three free trade agreements—Panama, Colombia, South Korea. As was stated, Harley Davidson would like to export motorcycles to Colombia, but they face a high tariff. A tariff is a tax. The tax imposed by Colombia is the only thing that makes our motorcycles not competitive in Colombia—and that's not Columbia, South Carolina, that's the country of Colombia.

Caterpillar would like to export more to Panama. Of course Caterpillar is a great Illinois company, big Earth-moving equipment. If there is talk of a new Panama Canal being built, we would like Caterpillar equipment building that. What prohibits that? A high import tax. That's why we have trade negotiations. And of course my corn and soybean, my pork producers and my beef producers would like to be in those markets.

So this is an important bill to talk about ''green'' industry and environment. I want to remind my folks that according to industry observers, lack of market expertise is not among the primary trade barriers. The three primary barriers to market entry are access to raw materials, labor rate comparisons, and access to foreign markets. This bill does nothing to address the serious market barriers. It also creates a risk of stifling future innovation and development once government picks winners and losers. The market will direct innovation and development once the government picks winners and losers.

Furthermore, China announced in the first week of July that it will cut rare Earth exports by 72 percent for the second half of this year. Rare Earth exports are the minerals needed in the green economy. They're going to control it. They're going to cut their exports. That's what we need, these minerals, to build this stuff. These resources are used in green technologies—in wind turbines, hybrid vehicles, as well as in national security and defense system, in consumer products such as new batteries on the Chevy Volt, mobile phones, PDAs and MP–3s. This cut will drop the amount of exports from just over 28,000 metric tons to just under 8,000 metric tons for the same period as last year.

So we have a challenge. We ought to be negotiating. We ought to get these rare Earth minerals released, or we ought to allow permitting to redevelop our mining operations for our rare Earth minerals. One is shut down; it will take us forever to re-permit it. Naturally we ought to be focusing on it.

Congresswoman MATSUI is a well-respected member of the committee; we appreciate her good work. Of course, BOBBY RUSH, the chairman, does a great job in the city of Chicago. We appreciate the friendship. Unfortunately, we have to bring up other issues, but that is part of being the loyal opposition in these austere times.

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

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

Mr. Speaker, let me return our attention to the matter at hand, to the issue that is before us.

I want to, first of all, thank our chairman of the committee, Mr. WAXMAN, Chairman WAXMAN, and also the ranking member of the subcommittee, Mr. WHITFIELD, for their vigorous support of H.R. 5156, the Clean Energy Technology Manufacturing and Export Assistance Act of 2010. I was proud to cosponsor the bill with the author, Congresswoman MATSUI of California, and also with my other cosponsors, Congresswoman ESHOO and our chairman emeritus, JOHN DINGELL.

□ 1150

I want to thank this lady to my left, Congresswoman MATSUI, for her stellar leadership and for taking the lead on this critical issue.

I am asking my colleagues today to vote on this bill, a bill which addresses the challenges that we face in today's economy. My friends on the other side want to bring up a whole lot of other issues. They want to throw a lot of things on the floor. They want to try to baffle us with a lot of their sidebar discussion.

Yet this bill, the bill that is before us today, will help to increase American manufacturers' green products through the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist U.S. businesses with exporting clean energy technology, products, and services.

We all, Mr. Speaker, know that America is a prime market for foreign manufacturers. The other side doesn't want to deal with the issues that we are discussing in this bill. Though, I must remind all of us that, far too often, the U.S. market is open to everybody else—open to global manufacturers—but sadly, the converse is not always the case. This is the case, however, for green technology products as our Nation is in a unique position to once again lead on a global scale.

The U.S. manufacturing industry faces serious challenges overseas despite the fact that we are a leader in green technology. As I have said repeatedly, we must seize the energy opportunity that we have today lest we slip further behind to foreign competition. We must seize the time, Mr. Speaker, and now is the time. Now is the time. There is no other time like this time. Now is the time.

We need a strong domestic policy to allow the manufacturing industry to be confident enough to penetrate the international market. Also, it is equally important to strengthen and transform our economy and, in doing so, to further assert our global leadership. The disaster that continues to take place in the Gulf of Mexico in the aftermath of the BP oil spill is a wake-up call. We should not only be a global leader in offshore technology; we should also be a leader in green and clean technology exports. When I say ''clean,'' Mr. Speaker, I also mean responsible energy technology.

This bill is results-oriented because I have added language that helps us to evaluate the impact of this program on its ability to create jobs, including the gathering of specific information as to the nature, location, and the duration of those jobs, as well as the methodology used by the Secretary to compile such needed and necessary information.

Mr. Speaker, the jabbering and the nattering, let's bring that to a screeching halt on this bill. This is an important bill. This bill has to go forward. It has to go forward for the American people. It has to go forward for the American economy. It has to go forward so that we can once again assert our leadership across the world in the manufacturing sector, the green and clean manufacturing sector.

I urge my colleagues to vote in favor of this bill and to expand their commitment to significantly increase our exports.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 5156, the "Clean Energy Technology Manufacturing and Export Assistance Act of 2010". This legislation, which provides for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund, will go a long way to ensure that American clean energy technology firms possess the information and assistance required to become and remain competitive in the world markets. The bill will also focus our priorities in the energy sector to reduce production costs, encourage innovation, and promote investment and productivity.

Mr. Speaker it is imperative that the U.S. remain a leader in global exports of innovative technology, particularly clean energy. It is no secret that our dependence on foreign oil and other fossil fuel energy sources is too great. The Clean Energy Technology Manufacturing and Export Assistance Act of 2010 will assist us in our efforts to move away from this problematic energy paradigm. It will provide our domestic clean energy firms the means to keep the U.S. ahead of the curve.

This bill directs the Secretary to provide information, tools, and other assistance to U.S. businesses to promote clean energy technology manufacturing and facilitate the export of clean energy technology products and services. It also promotes the implementation of a national clean energy technology export strategy.

Mr. Speaker, this bill is a practical means to assist our direction in clean energy technology. For these reasons I urge my colleagues to support H.R. 5156.

Mr. RUSH. Mr. Speaker, with that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. DEUTCH) that the House suspend the rules and pass the bill, H.R. 5156, as amended.

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

A motion to reconsider was laid on the table.

ESTABLISHING EMERGENCY TRADE DEFICIT COMMISSION

Mr. LEVIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1875) to establish an Emergency Commission to End the Trade Deficit, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1875

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

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) The United States has run persistent trade deficits since 1978, and many of such trade deficits since 2000 have been especially large.

(2) There appeared to be some improvements in the United States trade balance in 2009, but this was during a time of global economic crisis, and the reduction in the United States trade deficit appears to be attributable to a shrinking United States demand for imports rather than an increase in United States exports.

(3) Many of the trade deficits are structural—that is, with the same countries, year after year. In 2009, the United States continued to have significant merchandise trade deficits with the People's Republic of China ($226.8 billion), the European Union ($60.5 billion), Japan ($44.7 billion), and Mexico ($47.5 billion), notwithstanding the overall decline in the United States trade deficit. In fact, in 2009, China accounted for 44 percent of the United States merchandise trade deficit.

(4) While the United States has one of the most open borders and economies in the world, the United States faces significant tariff and non tariff trade barriers with its trading partners.

(5) The causes and consequences of the United States trade deficit must be documented and recommendations must be developed to expeditiously address structural imbalances in the trade deficit.

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Emergency Trade Deficit Commission (in this Act referred to as the ''Commission'').

(b) MEMBERSHIP OF COMMISSION.—

(1) COMPOSITION.—The Commission shall be composed of 11 members, of whom—

(A) three persons shall be appointed by the President, of whom one shall be appointed to represent labor interests, one shall be appointed to represent small businesses, and one shall be appointed to represent manufacturing interests;

(B) two persons shall be appointed by the President pro tempore of the Senate upon the recommendation of the Majority Leader of the Senate, after consultation with the Chairman of the Committee on Finance of the Senate;

(C) two persons shall be appointed by the President pro tempore of the Senate upon the recommendation of the Minority Leader of the Senate, after consultation with the ranking minority member of the Committee on Finance of the Senate;

(D) two persons shall be appointed by the Speaker of the House of Representatives, after consultation with the Chairman of the Committee on Ways and Means of the House of Representatives; and

(E) two persons shall be appointed by the Minority Leader of the House of Representatives, after consultation with the ranking

minority member of the Committee on Ways and Means of the House of Representatives.

(2) QUALIFICATIONS OF MEMBERS.—

(A) PRESIDENTIAL APPOINTMENTS.—Of the persons appointed under paragraph (1)(A), not more than one may be an officer, employee, or paid consultant of the executive branch.

(B) OTHER APPOINTMENTS.—Persons appointed under subparagraph (B), (C), (D), or (E) of paragraph (1) shall be persons who—

(i) have expertise in economics, international trade, manufacturing, labor, environment, or business, or have other pertinent qualifications or experience; and

(ii) are not officers or employees of the United States.

(C) OTHER CONSIDERATIONS.—In appointing members of the Commission, every effort shall be made to ensure that the members—

(i) are representative of a broad cross-section of economic and trade perspectives within the United States; and

(ii) provide fresh insights to in identifying the causes and consequences of the United States trade deficit and developing recommendations to address structural trade imbalances.

(c) PERIOD OF APPOINTMENT; VACANCIES.—

(1) IN GENERAL.—Members shall be appointed not later than 60 days after the date of the enactment of this Act and the appointment shall be for the life of the Commission.

(2) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment was made.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(f) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the Commission shall elect a chairperson and vice chairperson from among the members of the Commission.

(g) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(h) VOTING.—Each member of the Commission shall be entitled to one vote, which shall be equal to the vote of every other member of the Commission.

SEC. 3. DUTIES OF THE COMMISSION.

(a) IN GENERAL.—The Commission shall be responsible for examining the nature, causes, and consequences of the United States trade deficit and providing recommendations on how to address and reduce structural trade imbalances, including with respect to the United States merchandise trade deficit, in order to promote sustainable economic growth that provides broad-based income and employment gains.

(b) CAUSES OF U.S. TRADE DEFICIT.—In examining the causes of the United States trade deficit, the Commission shall, among other things—

(1) identify and assess the impact of macroeconomic factors, including currency practices, foreign government purchases of United States assets, and savings and investment rates, including savings rates of foreign state-owned enterprises, on United States bilateral trade imbalances and global trade imbalances;

(2) with respect to countries with which the United States has significant, persistent sectoral or bilateral trade deficits, assess with respect to the magnitude and composition of such trade deficits—

(A) the impact of tariff and non tariff barriers maintained by such countries and the lack of reciprocal market access as a result of such barriers;

(B) the impact of investment, offset, and technology transfer requirements by such countries;

(C) any impact due to the failure of such countries to adhere to internationally-recognized labor standards, including the extent to which such failure affects conditions of competition with the United States or the ability of consumers in such countries to buy United States goods and services;

(D) any impact due to differences in levels of environmental protection and enforcement of environmental laws between such countries and the United States, including the extent to which such differences affect conditions of competition with the United States;

(E) policies maintained by such countries that assist manufacturers in such countries, including the impact of such policies on manufacturers in the United States; and

(F) the impact of border tax adjustments by such countries;

(3) examine the impact of free trade agreements on the United States trade deficit;

(4) examine the impact of investment flows both into and out of the United States on the trade deficit, including—

(A) the impact of United States outbound investment on the United States trade deficit and on standards of living and production in the United States;

(B) the impact that the relocation of production facilities overseas has on the United States trade deficit, including by reviewing major domestic plant closures over an appropriate representative period to determine how much production terminated from such closures was relocated offshore;

(C) the impact of foreign direct investment in the United States on the United States trade deficit and on standards of living and production in the United States; and

(D) the impact of United States bilateral investment treaties, including bilateral investment treaties under negotiation, on the United States trade deficit;

(5) examine the role and impact of imports of oil and other energy products on the United States trade deficit; and

(6) assess the extent to which United States foreign policy interests influence United States economic and trade policies.

(c) CONSEQUENCES OF U.S. TRADE DEFICIT.—In examining the consequences of the United States trade deficit, the Commission shall, among other things—

(1) identify and, to the extent practicable, quantify the impact of the trade deficit on the overall domestic economy, and, with respect to different sectors of the economy, on manufacturing capacity, on the number and quality of jobs, on wages, and on health, safety, and environmental standards;

(2) assess the effects the trade deficits in the areas of manufacturing and technology have on defense production and innovation capabilities of the United States; and

(3) assess the impact of significant, persistent trade deficits, including sectoral and bilateral trade deficits, on United States economic growth.

(d) RECOMMENDATIONS.—In making recommendations, the Commission shall, among other things—

(1) identify specific strategies for achieving improved trade balances with those countries with which the United States has significant, persistent sectoral or bilateral trade deficits;

(2) identify United States trade policy tools including enforcement mechanisms that can be more effectively used to address the underlying causes of structural trade deficits;

(3) identify domestic and trade policies that can enhance the competitiveness of United States manufacturers domestically and globally, including those policies of the United States and other countries that have been successful in promoting competitiveness;

(4) address ways to improve the coordination and accountability of Federal departments and agencies relating to trade; and

(5) examine ways to improve the adequacy of the collection and reporting of trade data, including identifying and developing additional databases and economic measurements that may be needed to properly assess the causes and consequences of the United States trade deficit.

SEC. 4. REPORT.

(a) REPORT.—Not later than 16 months after the date of the enactment of this Act, the Commission shall submit to the President and the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report that contains—

(1) the findings and conclusions of the Commission described in section 3; and

(2) any recommendations for administrative and legislative actions as the Commission considers necessary.

(b) SEPARATE VIEWS.—Any member of the Commission may submit additional findings and recommendations as part of the report.

SEC. 5. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act. The Commission shall hold at least seven public hearings, one or more in Washington, D.C., and four in different regions of the United States.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal departments and agencies.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of duties of the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS; GAO AUDIT.

(a) IN GENERAL.—There are authorized to be appropriated $2,000,000 to the Commission to carry out this Act.

(b) GAO AUDIT.—Not later than 6 months after the date on which the Commission terminates, the Comptroller General of the United States shall complete an audit of the financial books and records of the Commission and shall submit a report on the audit to the President and the Congress.

SEC. 8. TERMINATION OF COMMISSION.

The Commission shall terminate 30 days after the date on which the Commission submits its report under section 4(a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. LEVIN) and the gentleman from Texas (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, I urge Members to support H.R. 1875, a bill to establish an Emergency Trade Deficit Commission. This commission will examine the causes and the consequences of the United States' persistent and substantial trade deficits, and it will provide recommendations on how to address and reduce those deficits.

Over the past 10 years, our trade deficits have been unprecedented. Before 2000, our largest trade deficit was in 1987 when the deficit was equal to 3.3 percent of GDP, but that 1987 deficit pales in comparison to the deficits we have had every year from 2000 through 2008. Indeed, in 2006, our trade deficit represented 6.4 percent of GDP, nearly twice as high as in 1987.

These enormous trade deficits are corrosive. They lower our GDP. They weaken our economic growth. It is no surprise that global imbalances and, in particular, huge U.S. trade deficits have contributed to the global economic crisis that we are slowly recovering from. Our trade deficits are improving now, but this appears to be largely due to a still weak economic recovery, not to any structural policy change, and many economists are warning that massive global imbalances will return unless we take corrective action.

Our recent trade deficits are due, in part, to a passive, hands-off approach to trade in the past. Proponents of this flawed approach mistakenly believed that our trade deficits would resolve themselves. Ignoring their effect on U.S. manufacturers, they claim that the mercantilistic practices of China and of some of our trade partners may be okay for the U.S. because they result in cheaper imports for our consumers. This is not a trade policy; this is a recipe for economic failure.

As our President has said: Trade is going to be reciprocal. It is not just going to be a one-way street.

Those words have been backed up by strong action, such as the China safeguard action the administration took last year.

To be sure, there are many causes of our trade deficits, many causes which are not directly related to trade or to industrial policy. The fiscal deficits we amassed over the past decade certainly played a signature role, for example, and we need to confront those issues as well. Trade can contribute substantially to the strength of our economy, but it has to be reciprocal. It has to be two-way trade.

I believe that the work of the Emergency Trade Deficit Commission can help us determine how best to achieve two-way trade. It can help us expand and shape trade to ensure that it is working for working Americans. It can help us make a thing of the past these corrosive trade deficits that weaken our economy and hurt our workers and the manufacturers which employ them.

I, therefore, urge my colleagues to vote in favor of this important legislation.

Madam Speaker, I reserve the balance of my time.

Mr. BRADY of Texas. Madam Speaker, at this point I yield 4 minutes to the gentleman from Kentucky, who is focused on creating manufacturing jobs through open markets, Congressman DAVIS.

□ 1200

Mr. DAVIS of Kentucky. Madam Speaker, I'm pleased that we're having this debate today about the importance of trade for America's manufacturing sector. Given my extensive experience in manufacturing, I'm pleased to provide my firsthand familiarity with what makes business successful and what creates jobs.

My own experience tells me that international trade is vital to the success of America's manufacturing sector. In my home State of Kentucky, nearly 50,000 manufacturing jobs are dependent on exports. The simple fact is that 95 percent of the world's consumers live outside the United States, and the fastest growing markets are outside our borders. So success in those markets is critical to growing our manufacturing sector and creating good paying jobs.

As the President has noted, America's exports of manufactured goods support one out of every five manufacturing jobs, and those jobs pay 15 percent more than average. We simply must increase exports, and that's the key to any debate about the trade deficit.

If we're going to be successful in growing U.S. exports and reducing the deficit, we need to identify the best practices for doing so. We have real world results that we can use to identify these best practices, and these facts show clearly that there has been no more effective way to reduce the trade deficit and create U.S. jobs than negotiating new trade agreements to open foreign markets to U.S. exports.

The benefits of CAFTA to the United States manufacturing sectors and workers are clear. Because of this agreement, we swung a negative trade balance, a trade deficit in manufactured goods of $1.1 billion, to a trade surplus of $1.9 billion, and we already have a surplus of $1.3 billion so far this year.

Madam Speaker, in the manufacturing world, we'd never base our best practices on just one successful outcome. Fortunately, the success of the Central America Free Trade Agreement is not the only example we have. The United States has implemented trade agreements with eight other countries under the Trade Promotion Authority. In 2009, the U.S. had an overall trade surplus of over $27 billion with these eight countries, and so far in 2010, we have a surplus of over $14 billion.

And the results for the American manufacturing sector are even stronger. In 2009, the United States had a trade surplus of over $29 billion with these countries, and in 2010, $16 billion. This is a track record that firmly establishes the aggressive pursuit of trade agreements as the best practice for increasing U.S. exports and lowering the trade deficit.

Given the ambitious track record of success of our trade agreements, I don't think we need another government commission. However, I understand that for some, the facts I've cited aren't enough and, therefore, I do rise in support of this bill.

I want to help those with doubts about the benefits of trade agreements to see how vital they are to the success of American manufacturing, so I'll support this legislation in an effort to educate others on these benefits, the benefits of well-executed, bilateral, and free trade agreements properly structured between the partners.

I fully expect the commission will reach the same conclusion that I and many others on both sides of the aisle have already reached. However, I'm concerned that we can't simply wait for the commission to do its analysis.

As the President has noted, other countries are racing ahead of us in negotiating agreements that benefit their workers while we sit on the sidelines. That's why I strongly support the President's call to resolve the outstanding issues around the U.S.-South Korea trade agreement.

My colleagues and I on this side of the aisle stand ready to work with the President to implement these best practices and prepare not only the South Korea agreement for congressional approval, but to prepare the agreements with Colombia and Panama as well. I'm confident these agreements will be just as successful for American workers in the U.S. manufacturing sector as our prior agreements.

Mr. LEVIN. I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), our distinguished colleague, a member of the Ways and Means Committee.

Mr. PASCRELL. Madam Speaker, I want to agree with the gentleman from Kentucky (Mr. DAVIS), but there's a catch here. In the last 6 months, we have gained 136,000 manufacturing jobs, private jobs. It's one of the few pluses that we can refer to. So there is hope for the future in terms of manufacturing if we do the right thing.

I rise in support of H.R. 1875, the End the Trade Deficit Act, and I want to thank my friend from Oregon for introducing this important legislation. All through the years, Mr. DEFAZIO continues to speak out over the din and over the years for the American consumer and for fair trade policies. I salute you.

The United States has run a persistent trade deficit with the world since 1978, including structural deficits with several major trading partners year after year. This includes a $220 billion trade deficit with China alone.

In 2001, just think of it, 9 years ago, China was granted admission to the World Trade Organization, that number was $84 billion. It's increased in 9 years by $136 billion. One study by the Economic Policy Institute estimates that the dramatic increase in our trade deficit with China alone has cost this country 2.4 million jobs.

The American people, the middle class, know that our trade policy has not worked for them. They see it in their everyday lives. My hometown of Paterson, New Jersey, I still live there. We close factories. We reopen them south of the border or overseas. Why haven't we stopped the hemorrhaging of jobs to places offshore?

The SPEAKER pro tempore (Ms. MCCOLLUM). The time of the gentleman has expired.

Mr. LEVIN. I yield an additional 2 minutes to the gentleman from New Jersey.

Mr. PASCRELL. We cannot continue down this path. Our trade deficit is unsustainable. We must begin to tackle it if we want to create jobs here in the United States and remain a prosperous country in the future.

There's no silver bullet out there that will balance the books, which is why a comprehensive study of the problem and recommendations for policy solutions, which is proscribed in this legislation specifically, is very necessary.

The commission will look at many of the tactics we know our trading partners use in order to place their exports at an advantage and in order that they have played and gamed the system to our disadvantage:

Foreign currency manipulation, we've addressed it in some esoteric statements now and then. But we know what China is doing, and it hurts us in terms of what the Americas are trying to do.

Tariff and nontariff barriers, just mentioned before in the previous legislation by the gentleman from Illinois.

Foreign subsidization of manufacturing, other countries have different taxing methodologies than we do. They subsidize their industries. How can our industries compete against that unless we address that particular issue, which we're afraid to do. Both sides of the aisle are afraid to address the real issues on trade and the weak environmental and labor standards.

I'm pleased the commission will include the impact of border tax adjustments on our trade deficit, which penalized our exporters by an average of 15.2 percent and are currently totally legal under current global trade agreements.

We will not deal with the imbalance in our trade agreements unless we understand how countries have gamed the system to hurt our workers, and that's why we continue to offshore these jobs.

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

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

Mr. PASCRELL. At the end of the day, the United States is the most open, accessible, and dynamic market in the world. We hold our trading partners, hopefully, to the same standard. We must tackle our trade deficit head-on so that United States businesses and families can continue to prosper in the years to come.

I urge passage of this legislation. I eagerly await the report of the commission.

□ 1210

Mr. BRADY of Texas. Madam Speaker, I yield 3 minutes to the gentleman who is the top Republican on the Oversight Committee on Ways and Means and has focused both on ending the drilling moratorium that is killing U.S. jobs in the gulf, and also opening new markets for our American manufacturers, services, and ag community, the gentleman from Louisiana, Dr. BOUSTANY.

Mr. BOUSTANY. I thank the ranking member on the Trade Subcommittee, Mr. BRADY from Texas, for yielding time to me.

I think it's important to recognize, and I agree with the gentleman who just spoke, Mr. PASCRELL, that the United States has the most vibrant, open market in the entire world, and we need to take advantage of our leadership position. The U.S. has led globally since 1945 in setting the standards for open trade.

Trade agreements give access to American workers and businesses to other markets for U.S. services and products. Let's face it, 95 percent of the consumers of the world are outside of the borders of the United States. So our trade agreements create U.S. jobs.

Despite having the trade deficit that we've talked about, the U.S. trade balance with 13 countries that we have free trade agreements implemented through Trade Promotion Authority has really improved our export capacity by 476 percent between 2001 and 2009, creating a trade surplus with those respective countries of over $25 billion.

Case by case we can look at these: CAFTA–DR, Chile, Morocco, Singapore, Australia. These trade agreements actually exceeded actual export growth estimates initially put forth by the International Trade Commission. The U.S. had a trade surplus with each of these countries, enhancing the competitiveness of U.S. workers and businesses.

The failure to implement an aggressive trade strategy that focuses on exports puts the U.S. at extreme risk of falling behind competitively. We know that China's embarking on a very aggressive trade policy globally. Other countries, Brazil. We have a very multipolar world today with very aggressive trade policies working against us, and our country has really been on the sidelines for the last year-and-a-half in trade. This failure threatens U.S. credibility globally. Frankly, it threatens the U.S. credibility. And it's also a threat to the historic U.S. leadership role that we have set in setting open standards for global trade.

Now, I believe that this new commission really is unnecessary. I am going to support it if it's the only way we can jump-start something on trade, but I really do think it's unnecessary. And if you go back and look at the historic role that the Ways and Means Committee has played in implementing an open trade policy, a trade policy that benefits U.S. businesses and U.S. workers, it goes all the way back into the twenties, and possibly even before that.

I remember reading about Cordell Hull as a member of the House Ways and Means Committee, a Democrat who espoused open trade, and then went on to become Secretary of State and continued to espouse open trade. Our committee, the Ways and Means

Committee, has an illustrious history in doing this, and I believe that's where the leadership should come from.

Mr. Chairman, I believe we can work together in trying to implement in working with this current administration to come up with a really good, solid trade strategy that really promotes U.S. competitiveness. That's where I believe the authority should lie.

I believe it's pretty clear what we need to do. We ought to implement the three pending free trade agreements: South Korea, Panama, and Colombia. Let's move forward on these. These will immediately help enhance exports and create U.S. jobs. They already have access to our market. We need access to those markets. In the hearing just yesterday, Stu Eizenstat, who served in the Clinton administration, talked about these being no-cost stimulus, no-cost job creation mechanisms.

I also believe, in addition to implementing a very aggressive trade strategy that focuses on U.S. exports not just for large corporations but small and mid-sized companies as well, where we can really enhance our export capacity, we also need to take a look at the other things holding us back on U.S. competitiveness.

We need to lower the corporate rate. If we lower the corporate tax rate, this will enhance U.S. competitiveness. And we also need to back away from some of these proposals in international tax that are hurting U.S. competitiveness.

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

Mr. BRADY of Texas. I yield the gentleman 1 additional minute.

Mr. BOUSTANY. If we lower our corporate tax rate at least down to OECD averages, that will enhance U.S. competitiveness. And we do have a different tax system than other countries utilize that I think actually hurts our competitiveness. But if we actually take steps such as what the administration has proposed in its current budget in the international tax treatment of U.S. companies, we're actually going to hurt U.S. job growth, we're going to hurt exports, and we're going to hurt U.S. competitiveness. So I think it's imperative that we take a look at this. And our committee, the Ways and Means Committee, should take the lead in this issue as well.

Mr. LEVIN. It is now my distinct pleasure to yield 3 minutes to the author of this legislation, the active, distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the chairman.

It's interesting to hear some Republicans on the other side of the aisle say this commission isn't necessary. We are going to run a $700 billion trade deficit this year. That means we will borrow, predominantly from China, Japan, and a few other countries, $700 billion to buy things that we used to make in America. And it's not a level playing field. We get played for a sucker in these trade deals.

We need a new, strong trade policy. Yes, American workers can compete, but not on an unfair, tilted playing field, which is what they're being asked to do today. I will give a couple of examples. When we were doing MFN permanently for China, which I voted against because we lost that annual leverage with them, wheat guys from Oregon came in, and they said, Congressman, right now a ship is going into China. Imagine what it's going to mean for our markets. They're finally accepting our wheat. This new trade deal's going to be great.

I said, Well, actually, I have got translated broadcasts of their agriculture minister that say that they're not going to allow that, and they're not going to become dependent upon imported food. They said, Oh, no, you are wrong. So, yeah, that one ship got in.

Congress voted the deal, China was permanently off the hook to be reviewed for unfair trade practices by the Congress, and, guess what, that was the last ship. They came in the next year kind of hanging their heads and said, You were right. Are you going to say it? I said, No. I am going to say, what are we going to do now? And talked about fighting back against these unfair trade practices.

We can look at just after the first President Bush signed the deal with Canada that was supposed to deal with their unfair subsidies and dumping of cheap lumber into the U.S. But before the ink was even dry on the deal, Canada reclassified much of their lumber to salvage. They basically started giving away their trees on the stump instead of making companies buy them and provided subsidized transportation and other things and again flooded the U.S. market. We're still fighting with the Canadians 17 years later over their subsidized lumber, and we've still lost thousands of jobs.

Yeah, there was a little bit of cheaper lumber available here; but when you lose the jobs for working-class Americans, middle class American families, our consumers, when they lose their jobs, it doesn't matter if a house is maybe $300 or $400 cheaper. They can't afford the house. So we need a level playing field.

We need to identify these barriers that are being put up by the Chinese and others. The Chinese are going to run more than a quarter of a trillion dollar trade surplus with the U.S. this year. They recently passed a law saying they're going to have a huge renewable program in China. And the law says that nobody can buy a renewable windmill or photovoltaic or anything else if it wasn't manufactured in China by a Chinese company.

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

Mr. LEVIN. I yield an additional 2 minutes to the author of the bill.

Mr. DEFAZIO. I thank the gentleman.

So the Chinese have passed a law saying that no one in China can buy a U.S.-made windmill or photovoltaic. If we get these green jobs and green industry going that the President wants, the Chinese aren't going to buy them. But guess what? The so-called stimulus bill that passed this Congress, part of those funds, our taxpayer dollars, money we borrowed in part from China to finance that bill, were used to buy windmills made in China. They can get their windmills in here like that.

There's a company proposing to assemble photovoltaics in my hometown of Eugene, Oregon. But I also have people in Oregon trying to keep their companies going with made in America photovoltaics. But they are having trouble competing with the subsidized cheap junk from China because their photovoltaics are not very good. Again, we can't send our ours there, but they can send theirs here without any constraints.

I remember back to Lee Iacocca, back when we used to sort of laugh at the Japanese cars. And when he had minivans and the Japanese started producing minivans, he said, You know, I produce a minivan for $16,000. I send it to Japan, it sits on the dock for 6 months while a series of inspectors come down and look at it. And then finally when it gets to the showroom, it costs $30,000 and it's been there 6 months. He said the Japanese take their minivan, it costs $17,000 to make it—they were less efficient then—he said they put it on a ship, it gets to Portland, they roll it off, it's in the showroom the next day. Do we ever reciprocate?

We say, okay, if you are going to keep our cars on your docks for 6 months, how about we're going to keep your cars on our docks for 6 months? And that's what the trade commission will point to. It will point to the unfair trade barriers, these whole series of different phytosanitary, or actually safety inspections, or currency manipulation, all of the things that China and other countries are doing to steal our jobs and kill off our industries. This commission can point to those things, they can emphasize them, and they can propose ways that we can deal with it more meaningfully in trade agreements in the future.

I recommend to my colleagues, help end the trade deficit. Vote for this legislation.

□ 1220

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the former top Republican on the Trade Subcommittee, the gentleman from California who's focused on creating jobs through selling more California and United States products and services, Mr. HERGER.

Mr. HERGER. Madam Speaker, I find it ironic that we are here today creating one more commission to study a problem and report back with possible solutions some time in the future when we could be taking action right now today that would reduce our trade deficit and make a real difference for American workers.

One of the findings in this bill states the problem very clearly: ''While the United States has one of the most open economies in the world, the United States faces significant tariff and non-tariff trade barriers with its trading partners.''

For example, over 90 percent of Panamanian and Colombian exports enter the U.S. duty free. Additionally, the average Korean tariff for U.S. exporters is more than four times the average tariff that Korean products face in the United States market.

We could slash these high tariffs on U.S. exports and level the playing field for American workers by passing the current pending Free Trade Agreements with these three nations.

Madam Speaker, I urge my colleagues to continue the bipartisan tradition since World War II of supporting trade and call for passage of the pending FTAs with Colombia, Panama, and South Korea. If we really want to create jobs, pass these trade agreements. If we want to increase exports, pass these trade agreements. If we want to reduce the trade deficit, pass these trade agreements. We don't need another commission; we need action.

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

Mr. BRADY of Texas. Madam Speaker, I yield myself such time as I may consume.

First, addressing some earlier comments, many Democrats, including Chairman LEVIN, supported bringing China into the World Trade Organization to force them to play by the rules. And since we've done that, when they have violated those rules, the United States has prevailed in seven of the eight complaints we have brought to that organization. So it is helping keep China in line so we have a level playing field.

Also, if you've picked up the paper in the last week, you've noticed that while auto sales in the United States for our auto manufacturers has remained flat, its sales are growing overseas, and its profits are growing because they're allowed to sell American automobiles around the world. That's good for the U.S. auto workers in the United States.

I appreciate the chairman bringing this legislation together. I know it is well-intended. It's important to tackle America's trade deficit the right way. And I think everyone understands another government commission alone is no substitute for new customers for American workers, farmers, and manufacturers.

The best way to strengthen the trade deficit while strengthening America's economy is to reduce America's dependence on foreign oil and open the world to more U.S. products and services. I know if my Democrat friends and those in the White House are serious about reducing the trade deficit, we are eager to work with them by starting to take up and passing the pending trade agreements with South Korea, Panama, and Colombia.

I rise in support of this bill because I think that any objective and honest commission will find that creating new markets and new customers for American exports will reduce our trade deficit, will create jobs, and stimulate our economy.

I think it's absolutely appropriate that Congress is considering this legislation today of all days. Today is the fifth anniversary of House passage of the U.S.-Central American Free Trade Agreement, which gives us an opportunity to look at real results. Those results clearly show how trade agreements increase U.S. sales and reduce trade deficits. As you know, America is a very open market. Countries sell into the United States. But when we try to sell our products, too often we find that ''America need not apply'' sign.

Trade agreements tear that sign down and give us a chance not one-way trade in, but two-way trade where we have a level playing field. The world has changed. It's not enough to simply buy American. We have to sell American. We have to sell our products and goods and services throughout this world. In fact, over 80 percent of our trade deficit today is with countries that are not trade agreement partners, that are not level playing fields for the United States. That's why we push hard for those agreements.

For example, 5 years ago the United States had a $1.2 billion trade deficit with Central America. Last year, the United States had turned that around, because of the agreement, to a $1.2 billion trade surplus, and we're on track to surpass that surplus again this year. Last year, the United States had a trade surplus in manufactured goods with our Central American partners of almost $2 billion. We're on track again this year.

Nor is CAFTA the only example of how trade agreements can improve the U.S. trade balance. This week also marks the eighth anniversary of the final House vote on the Trade Act of 2002, under which we have resoundingly successful trade agreements with 13 countries now in force. Last year, the United States had a trade surplus of over $25 billion with these 13 countries. And so far this year, we have a surplus again.

Looking at just trade in manufactured goods reveals that these agreements were even better for American manufacturing workers. Last year, the United States had a trade surplus of over $29 billion in manufactured products with these countries that we have free trade agreements. And again, we have this year a surplus already of nearly $16 billion. Without question, these trade agreements have reduced U.S. trade deficits and increased U.S. trade surpluses.

The three pending agreements with Colombia, Panama, and South Korea would have the same results by leveling the playing field for our American workers.

Madam Speaker, there is one sector in which the United States runs a structural trade deficit, that is energy, and I appreciate the chairman including this in the commission. Last year, our deficit in energy products accounted for almost half of the trade deficit.

So our trade deficit isn't principally in goods—it's in oil, it's in energy. That's what the American people want to change. We can take an enormous step toward reducing our trade deficit simply by increasing American-made energy. Unfortunately, many Democrats in Congress have taken just about every step they can to reduce American-made energy production.

First, House Democrats rushed through the House a massive national energy tax that would cripple the U.S. energy sector. Now, the White House has defied the courts and has imposed a moratorium on offshore drilling that damages jobs and damages U.S. energy production. The impact of that moratorium would be to increase the deficit because it will result in more imports of foreign oil. This moratorium also means fewer manufacturing jobs.

In fact, last week a recent analysis by IHS Global Insight found the drilling moratorium in the gulf would result in over 300,000 jobs lost along the gulf and over $147 billion in lost State, local, and Federal tax revenue. It is a terrible blow to American jobs.

If the sponsors of this legislation are serious—and I believe they are—about reducing the trade deficit and working together to create manufacturing jobs, let's focus on negotiating more trade agreements to open foreign markets to our U.S. sales and promoting U.S. energy production. We don't need a new government commission to accomplish either of these.

□ 1230

Madam Speaker, I yield back the balance of my time.

Mr. LEVIN. Now, that the distinguished ranking member on the Trade Subcommittee has yielded back the balance of his time, I will close.

First of all, I want to thank Mr. DEFAZIO for introducing the bill and for his willingness and his really effective efforts to work with us. His staff also collaborated in bringing this bill to the floor. I also want to thank Congressman CAMP and Congressman BRADY and their staff for working with us.

So let me just say a word. We'll debate trade issues another time. I think everybody here has spoken about the importance of two-way trade and ending the one-way street. The problem with the Korea agreement, as it was negotiated, was that when it comes to the industrial sector, there was no way it was even close to a likelihood that there would be two-way trade in vital industrial sectors. So far it's only been one way, and now steps have to be taken with the other provisions in the bill to make sure there's two-way trade in industrial, as well as agricultural, goods as well as opening up their markets to service products.

I think we're now finished with this. We can discuss the moratorium on drilling some other day, and I now urge passage of this bill.

Mr. DINGELL. Mr. Speaker, I rise to express my strong support for H.R. 1875, the End the Trade Deficit Act. I wish to commend my colleague, Congressman DEFAZIO of Oregon for his fine work on this bill.

At a time of nascent national economic recovery, we have the opportunity to right the policy failures of the past. This is particularly important with respect to trade. I have long criticized the NAFTA trade agreement model for its detrimental effect on this country's manufacturing base. Indeed, with the implementation of NAFTA and CAFTA, we have witnessed the off-shoring of millions of good-paying American jobs.

In light of this, H.R. 1875 will direct establishment of a commission to develop a trade policy plan that will eliminate the U.S. merchandise trade deficit and develop a competitive trade policy for the 21st century. I am particularly pleased that this report, which will include recommendations for administrative and legislative actions to reduce this deficit, must be submitted to the Congress and the President prior to the President's submitting any free trade agreement to the House and Senate for approval.

Mr. Speaker, H.R. 1875 will substitute measured concern in place of rash trade policy. I urge my colleagues to vote in favor of this bill and in so doing, help this country achieve sustainable economic recovery.

Mr. COSTELLO. Madam Speaker, I rise today in support of H.R. 1875, the End the Trade Deficit Act of 2009.

Since coming to Congress, I have worked to level the playing field of international trade, stop the illegal trade practices of other countries, notably China, and support American workers. The first step in achieving these goals must be addressing our $375 billion trade deficit with other countries. While this deficit is down from the $753 billion deficit we had in 2006, as the global economy recovers, this deficit has increased by billions of dollars each month, and our deficit with China stands at a staggering $226 billion. In addition, the U.S. has lost 3,178,000 manufacturing jobs since 1998 and the recession has aggravated this damaging trend.

The Trade Deficit Review Commission established by H.R. 1875 will take positive steps to address the trade deficit by developing a new, competitive trade policy that emphasizes fair trade and U.S. jobs. Our trade policy must promote the export of U.S.-made goods to foreign markets and support our workers rather than aiding the multi-national corporations who seek weaker labor, safety, and environmental requirements overseas.

I have consistently opposed free trade agreements—including NAFTA and DR–CAFTA—because I believe they have driven good-paying American jobs out of the country. H.R. 1875 is needed to reverse these damaging trade agreements and takes a positive step forward to revitalize manufacturing in the U.S. and create jobs here at home.

Madam Speaker, I urge my colleagues to join me in supporting this important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the bill, H.R. 1875, as amended.

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

The title was amended so as to read: ''A bill to establish the Emergency Trade Deficit Commission.''.

A motion to reconsider was laid on the table.

SUPPORTING NATIONAL SAVE FOR RETIREMENT WEEK

Ms. SCHWARTZ. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1481) supporting the goals and ideals of ''National Save for Retirement Week'', including raising public awareness of the various tax-preferred retirement vehicles and increasing personal financial literacy.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1481

Whereas people in the United States are living longer, and the cost of retirement is increasing significantly;

Whereas Social Security remains the bedrock of retirement income for the great majority of the people of the United States but was never intended by Congress to be the sole source of retirement income for families;

Whereas recent data from the Employee Benefit Research Institute indicates that, in the United States, less than ⅔ of workers or their spouses are currently saving for retirement and that the actual amount of retirement savings of workers lags far behind the amount that will be needed to adequately fund their retirement years;

Whereas financial literacy is an important factor in United States workers' understanding of the true need to save for retirement;

Whereas saving for one's retirement is a key component to overall financial health and security during retirement years, and the importance of financial literacy in planning one's retirement must be advocated;

Whereas many workers may not be aware of their options for saving for retirement or may not have focused on the importance of, and need for, saving for their own retirement;

Whereas many employees have available to them through their employers access to defined benefit and defined contribution plans to assist them in preparing for retirement, yet many of them may not be taking advantage of such plans at all or to the full extent allowed by such plans as prescribed by Federal law;

Whereas the need to save for retirement is important even during economic downturns or market declines, making continued contributions all the more important;

Whereas all workers, including public- and private-sector employees, employees of tax-exempt organizations, and self-employed individuals, can benefit from increased awareness of the need to develop personal budgets and financial plans including retirement savings strategies and to take advantage of the availability of tax-preferred savings vehicles to assist them in saving for retirement; and

Whereas October 17 through October 23, 2010, has been designated as ''National Save for Retirement Week'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of ''National Save for Retirement Week'', including raising public awareness of the various tax-preferred retirement vehicles as important tools for personal savings and retirement financial security;

(2) supports the need to raise public awareness of the availability of a variety of ways to save for retirement which are favored under the Internal Revenue Code of 1986 and are utilized by many Americans but which should be utilized by more;

(3) supports the need to raise public awareness of the importance of saving adequately for retirement, and the continued existence of tax preferred employer-sponsored retirement savings vehicles; and

(4) calls on the States, localities, schools, universities, nonprofit organizations, businesses, other entities, and the people of the United States to observe this week with appropriate programs and activities with the goal of increasing retirement savings for all the people of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Pennsylvania (Ms. SCHWARTZ) and the gentleman from Texas (Mr. SAM JOHNSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

GENERAL LEAVE

Ms. SCHWARTZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Ms. SCHWARTZ. Madam Speaker, I yield myself such time as I may consume.

Today, I rise in support of the National Save For Retirement Week resolution that I have sponsored with my friend and colleague, Representative SAM JOHNSON. He and I have championed this proposal, which has passed the House of Representatives in each of the last 3 years.

Saving for one's retirement is of paramount importance. Less than two-thirds of workers are saving for retirement and those who are saving are not saving enough to adequately fund their retirement. As a result, too many Americans rely solely on Social Security to fund their retirements. Social Security is the bedrock of retirement security and retirement income for many Americans. However, on average, Social Security retirees today receive $14,000 a year, hardly adequate as the sole source of retirement income for most Americans.

This resolution will help raise public awareness of the importance of saving for retirement and encourage greater personal financial responsibility. Congress and employers can encourage saving for retirement through information on long-term saving vehicles and payroll deduction options that currently exist for most American workers.

Since the economic downturn, the personal savings rate has risen to 3 percent, up from 2 years ago when Americans were barely saving at all. We can build on this recent experience to raise awareness about the need to save for emergencies, for future expenses, and for retirement. Small savings throughout one's working lifetime will result in a more secure retirement.

So as we acknowledge the 75th anniversary of Social Security and renew our commitment to Social Security's guaranteed minimum benefits for future seniors, we should also acknowledge and support this resolution and encourage more Americans to save for their retirement.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, July 28, 2010.

Hon. SANDER M. LEVIN,
Chairman, Committee on Ways and Means, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN LEVIN: I am writing to you concerning the jurisdictional interest of the Committee on Education and Labor in H. Res. 1481, supporting the goals and ideals of ''National Save for Retirement Week.''

Our committee recognizes the importance of H. Res. 1481 and the need to move expeditiously. Therefore, while we have a valid claim to jurisdiction over portions of the resolution, I do not intend to request a referral. This, of course, is conditional on our mutual understanding that nothing in this resolution or my decision to forego a referral waives, reduces or otherwise affects the jurisdiction of the Committee on Education and Labor, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Congressional Record during consideration of this resolution by the House.

Thank you for your consideration in this matter.

Sincerely,

GEORGE MILLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, July 28, 2010.

Hon. GEORGE MILLER,
Chairman, Committee on Education and Labor, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR GEORGE: Thank you for your recent letter regarding your committee's jurisdictional interest in H. Res. 1481, supporting the goals and ideals of ''National Save for Retirement Week.''

I appreciate your willingness to support expediting floor consideration of this important legislation today. I understand and agree that this is without prejudice to your Committee's jurisdictional interests in this legislation.

I will include a copy of your letter and this response in the Congressional Record during consideration of the bill on the House floor. Thank you for your cooperation.

Sincerely,

SANDER M. LEVIN,
Chairman.

I reserve the balance of my time.

Mr. SAM JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

I want to thank my colleague from Pennsylvania for working with me on this resolution. This resolution calls attention to the importance of saving for retirement by designating October 17 through October 23, 2010, as National Save For Retirement Week.

With fewer and fewer employers offering traditional pension plans and with Social Security intended to provide only basic income support, saving for retirement is more important than ever before. The good news, however, is that the tax code offers any number of savings incentives that not only are intended to encourage Americans to save but also make it easier for them to do so.

For young workers, just putting away a little bit from each paycheck through tax-deferred retirement savings accounts such as a 401(k) plan or an IRA can add up to a sizeable nest egg. While young workers may not start off with big paychecks, they at least have the benefit of time and compound interest on their side. Meanwhile, for older workers nearing retirement, the tax code can help by enabling these workers to make catch-up contributions.

With this resolution, it is my hope that we can make more Americans aware not just of the importance of saving for retirement but of the available tax incentives to do so. By taking advantage of these incentives and regularly putting away a little bit, Americans can better secure their retirement.

That's why Ms. SCHWARTZ and I have offered this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Pennsylvania (Ms. SCHWARTZ) that the House suspend the rules and agree to the resolution, H. Res. 1481.

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.

□ 1240

CARBON MONOXIDE POISONING PREVENTION ACT

Mr. SARBANES. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1796) to amend the Consumer Product Safety Act to require residential carbon monoxide detectors to meet the applicable ANSI/UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1796

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Carbon Monoxide Poisoning Prevention Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Carbon monoxide is a colorless, odorless gas produced by burning any fuel. Exposure to unhealthy levels of carbon monoxide can lead to carbon monoxide poisoning, a serious health condition that could result in death.

(2) Unintentional carbon monoxide poisoning from motor vehicles and the abnormal operation of fuel-burning appliances, such as furnaces, water heaters, portable generators, and stoves, in residential homes and other dwelling units kills more than 400 people each year and sends more than 20,000 to hospital emergency rooms for treatment.

(3) Research shows that purchasing and installing carbon monoxide alarms close to the sleeping areas in residential homes and other dwelling units can help avoid fatalities.

(4) Congress should promote the purchase and installation of carbon monoxide alarms in residential homes and dwelling units nationwide in order to promote the health and public safety of citizens throughout the Nation.

SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions apply:

(1) The term ''approved carbon monoxide alarm'' means a carbon monoxide alarm that complies with the standards published, incorporated, or amended by the Commission with respect to such alarms pursuant to this Act.

(2) The term ''carbon monoxide alarm'' means a device that detects carbon monoxide and sounds a distinctive audible alert before concentrations of carbon monoxide reach levels that would cause symptoms of carbon monoxide poisoning.

(3) The term ''Commission'' means the Consumer Product Safety Commission.

(4) The term ''dwelling unit'' means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multiple family residence (including apartment buildings) and each living unit in a mixed use building.

(5) The term ''fire code enforcement officials'' means officials of the fire safety code enforcement agency of a State or local government.

(6) The term ''NFPA 720'' means the Standard for the Installation of Carbon Monoxide Warning Equipment in Dwelling Units issued by the National Fire Protection Association in 2008, and any amended or similar successor standard pertaining to the proper installation of carbon monoxide alarms in dwelling units.

SEC. 4. ADOPTION OF CONSUMER PRODUCT SAFETY RULES.

(a) MANDATORY STANDARDS.—Notwithstanding any other provision of law, not later than 90 days after the date of enactment of this Act, the Commission shall publish in the Federal Register as mandatory consumer product safety standards the American National Standard for Single and Multiple Station Carbon Monoxide Alarms (ANSI/UL 2034) and the American National Standard for Gas and Vapor Detectors and Sensors (ANSI/UL 2075). Such mandatory consumer product safety standards shall take effect 180 days after they are published.

(b) REVISION OF STANDARDS.—Beginning 1 year after the date of enactment of this Act, if either standard described in subsection (a) is revised through the applicable consensus standards development process, Underwriters Laboratories shall notify the Commission of the revision and the revision shall be incorporated in the consumer product safety rule unless, within 60 days of such notice, the Commission determines that such revision does not carry out the purposes of this Act and publishes the basis for such a determination in the Federal Register.

(c) RULEMAKING.—Notwithstanding any other provision of this Act, the Commission may, at any time subsequent to publication of the consumer product safety standards required by subsection (a), initiate a rulemaking in accordance

with section 553 of title 5, United States Code, to amend either standard to include any provision that the Commission determines is reasonably necessary to ensure the safe and effective operation of carbon monoxide alarms.

(d) TREATMENT OF STANDARDS FOR PURPOSES OF ENFORCEMENT.—For purposes of enforcement under the Consumer Product Safety Act, the standards published by the Commission pursuant to subsection (a), including any revision to such standards pursuant to subsection (b) or (c), shall be consumer product safety rules as defined in section 3(a)(6) of such Act (15 U.S.C. 2052(a)(6)).

SEC. 5. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, the Commission shall complete a study to evaluate whether requiring a language or languages in addition to English would improve the effectiveness of the label required of manufacturers of portable generators by the Commission under part 1407 of title 16, Code of Federal Regulations, to warn consumers of carbon monoxide hazards.

SEC. 6. GRANT PROGRAM FOR CARBON MONOXIDE POISONING PREVENTION.

(a) IN GENERAL.—Subject to the availability of appropriations authorized by subsection (f), the Commission shall establish a grant program to provide assistance to eligible States and local governments to carry out the carbon monoxide poisoning prevention activities in subsection (d).

(b) ELIGIBILITY.—To be eligible for a grant under the program, a State or local government shall—

(1) demonstrate to the satisfaction of the Commission that a State or local government has adopted a statute, or a State or local government agency has adopted a rule, regulation, or similar measure with the force and effect of law, requiring approved carbon monoxide alarms to be installed in accordance with NFPA 720 in dwelling units; and

(2) submit an application to the Commission at such time, in such form, and containing such additional information as the Commission may require, which application may be filed on behalf of any qualified State or local government by the fire code enforcement officials for such State or local government.

(c) GRANT AMOUNT; PRIORITY.—The Commission shall determine the amount of the grants awarded under this section, and shall give priority to applications from States or local governments that—

(1) require approved carbon monoxide alarms to be installed in each existing dwelling unit—

(A) within which a fuel-burning appliance is installed, including a furnace, boiler, water heater, fireplace, or any other apparatus, appliance, or device that burns fuel; or

(B) which has an attached garage;

(2) propose to serve vulnerable populations such as children, the elderly, or low-income households; and

(3) demonstrate greater than average losses of life from carbon monoxide poisoning in the home.

(d) USE OF FUNDS.—A State receiving a grant under this section may use grant funds—

(1) to purchase and install approved carbon monoxide alarms in the dwelling units of low-income families or elderly persons, facilities that commonly serve children or the elderly, including childcare facilities, public schools, and senior centers, or student dwelling units owned by public universities;

(2) to train State or local fire code enforcement officials in the proper enforcement of State or local laws concerning approved carbon monoxide alarms and the installation of such alarms in accordance with NFPA 720;

(3) for the development and dissemination of training materials, instructors, and any other costs related to the training sessions authorized by this subsection; and

(4) to educate the public about the risk associated with carbon monoxide as a poison and the importance of proper carbon monoxide alarm use.

(e) LIMITATION ON USE OF FUNDS.—

(1) ADMINISTRATIVE COSTS.—No more than 10 percent of any grant funds may be used to cover administrative costs not directly related to training described in paragraph (2) of subsection (d).

(2) PUBLIC OUTREACH.—No more than 25 percent of any grant may be used to cover costs of activities described in paragraph (4) of subsection (d).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission $2,000,000 for each of fiscal years 2011 through 2015 to carry out this Act, such sums to remain available until expended. Any amounts appropriated pursuant to this paragraph that remain unexpended and unobligated at the end of fiscal year 2015 shall be retained by the Commission and credited to the appropriations account that funds enforcement of the Consumer Product Safety Act.

(g) COMMISSION REPORT.—Not later than 1 year after the last day of each fiscal year for which grants are made under this section, the Commission shall submit to Congress a report evaluating the implementation of the grant program authorized by this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. SARBANES. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

I rise today in support of H.R. 1796, the Residential Carbon Monoxide Poisoning Prevention Act, sponsored by Representative JIM MATHESON of Utah.

Carbon monoxide poisoning kills more than 400 people each year and sends more than 20,000 people to hospital emergency rooms for treatment. Carbon monoxide can build up in your home in a furnace or some other fuel-burning appliance if it isn't functioning properly.

What makes this gas particularly dangerous is that you can't see it or smell it. At least with a fire, you can see the flames, smell the smoke, or feel the heat. With carbon monoxide, in many cases, all you start to feel is flu-like symptoms. You have no idea you are facing something even more dangerous.

But there is a simple and effective way to combat carbon monoxide poisoning: installing a carbon monoxide alarm in your home.

H.R. 1796 takes two important steps to promote the use of carbon monoxide alarms in homes and other places:

First, this legislation makes the voluntary industry standards for carbon monoxide alarms mandatory consumer product safety standards. This means these lifesaving devices will be required to meet these performance standards rather than allowing compliance to just be voluntary. If we are going to encourage the use of a safety device, then we must be sure that it meets and will continue to meet industry performance standards. Putting in place mandatory standards means that if a carbon monoxide alarm doesn't meet the relevant performance standard, then it cannot be sold in the United States and it will be subject to action by the Consumer Product Safety Commission.

Secondly, this legislation authorizes a grant program to encourage States to adopt laws to expand the use of carbon monoxide alarms in all homes with fuel-burning appliances or attached garages. The authorization for their program is very modest, just $2 million in each of fiscal years 2011 through 2015. The funds will help States and local governments with strong carbon monoxide alarm laws to carry out training for enforcement of those laws, educate the public about the dangers of carbon monoxide, and, most importantly, to purchase alarms for low-income and elderly households and other places serving vulnerable populations.

I want to thank my colleagues in the minority for working with us on this legislation. I want to salute my colleague, Representative MATHESON. I would also like to thank the industry and other stakeholders for offering their advice to help improve this legislation and for their support of this measure.

I reserve the balance of my time.

Mr. GINGREY of Georgia. Madam Speaker, I rise not really in opposition to H.R. 1796, the Residential Carbon Monoxide Poisoning Prevention Act—in fact, parts of this legislation I am very much in favor of, particularly regarding the encouragement in the grant program to try to help people to know of what the gentleman from Maryland just said in regard to the danger of carbon monoxide, which is colorless and odorless. It causes far too many poisonings and, indeed, deaths. I think, 170 Americans each year. One would be too many, Madam Speaker.

I question, somewhat, the necessity of making the standards for the detectors going from a voluntary standard to a mandatory standard.

But in regard to encouraging widespread use of the detectors, not only in places of business but, absolutely, in a home setting where a lot of times you have got these generators because of a power outage or camping equipment that, you know, is misused or malfunctions and it leads to these tragedies that we are trying to avoid.

I absolutely commend my colleagues, and in particular my friend from Utah, JIM MATHESON, in bringing this bill forward. I was very supportive in the committee markup.

Madam Speaker, I would like to take the opportunity to relate the same story that I did in committee, a true

story, unfortunately. When I was growing up, my parents owned what you might refer to as a mom-and-pop motel, sort of like a Motel 6, except I think we had 25 units and we charged $8 a night for one person and $10 a night for two, but that was a family business.

For a number of years, Madam Speaker, we didn't have a home. My parents had an efficiency apartment in the office of the motel. Most of the time we would have vacancies, so my two brothers and I would spend the night in one of the motel rooms, and it would vary from night to night.

I was about, I guess, 13 years old, one weekend in unit 1. Unit number 1 was a unit with two double beds. It was a larger unit of our 25-unit motel, so we would always like to stay in unit number 1. On the weekend, a cold winter night, my brother was 14, I was 13, and his best friend was 14, and we stayed in unit number 1.

Well, the very next weekend, unit number 1 was rented, so we weren't able to stay there. I remember going to mass on Sunday morning. My dad was Methodist, my mom was a Catholic, and Mom took my two brothers and me to mass.

□ 1250

When we came back, unfortunately in the parking lot of that motel I saw what I had never seen before, a beige-brown hearse—in fact, two or three of them—in the parking lot of this motel.

Madam Speaker, what had happened is three soldiers that weekend stayed in unit No. 1; they were 18–19 years old. They had crossed the State line because you could drink beer in South Carolina when you were 18 years old, and you couldn't do it in Georgia, so we would get a lot of weekend business from the military. These young soldiers got asphyxiated that night with carbon monoxide poisoning. It was just such a devastating thing to my dad. It just about caused him to lose his mind, quite honestly, and his business, even though it wasn't his fault. It was a faulty heater that the way the wind was blowing that night, it blew the burnt fuel back into the room, and these three soldiers, young boys, God bless them, lost their lives that night.

So when Representative MATHESON brought this bill before the Energy and Commerce Committee, as you know, Madam Speaker, as also a committee member, man, it brought all of that back. It was 55 years ago that that happened, and it was just like it was yesterday.

So I commend the gentleman, I absolutely do. I have some concerns about changing from a voluntary standard to a mandatory standard; but this is good work, this is good legislation, and for that reason I am going to support it.

Madam Speaker, I reserve the balance of my time.

Mr. SARBANES. Madam Speaker, our colleague from Georgia's story really puts a punctuation mark on why this legislation is so critical.

I am pleased to yield such time as he may consume to the sponsor of the legislation, Representative MATHESON from Utah.

Mr. MATHESON. Madam Speaker, I am pleased to rise to talk about this bill today.

This legislation, quite frankly, addresses an issue that has been growing in awareness, but it still requires attention in order to significantly reduce the number of easily preventable injuries and deaths caused by carbon monoxide poisoning in the United States.

Annually, over 500 people die from carbon monoxide poisoning and an additional 15,000 are hospitalized for carbon monoxide poisoning sickness. Unfortunately, many of these individuals are already at risk, the elderly and children.

In many cities and States, including my home State of Utah, local governments have really addressed this issue. They are at the forefront of an effort to pass legislation aimed at reducing carbon monoxide poisonings in homes, and I hope this legislation will expand those efforts.

The risks of this type of poisoning are real, yet the danger is poorly understood. Carbon monoxide poisonings are often misdiagnosed as stomach flu, and individuals can unknowingly spend hours inside homes which have dangerously high levels of carbon monoxide. Nearly all of these incidents could have been easily prevented with functioning carbon monoxide alarms. This legislation aims to cut down on those numbers while increasing awareness of the issues by taking three simple steps: number one, it codifies accepted scientific standards for carbon monoxide alarms into law; number two, it examines whether carbon monoxide warnings on portable generators should be expanded; and, number three, it establishes a grant program for States and local governments to provide carbon monoxide alarms and raise awareness of carbon monoxide poisoning.

Madam Speaker, I would also like to point out that this is a bill that has gone through a legislative process. We held hearings. And from the original bill that was introduced, the text has changed. That is what we are here to do as legislators is we try to work through things. And through the Energy and Commerce Committee, in bringing in witnesses to learn more about this issue, we have perfected this bill and made it better.

I really want to acknowledge the efforts of everyone on the Energy and Commerce Committee, in a bipartisan way, trying to address this issue as best we could. That is what we are supposed to do here in Congress. There is a lot of bickering going on in Washington these days, but here's an example where folks actually sat down and rolled up their sleeves and tried to address an issue in a constructive way. So I want to acknowledge that effort on both sides of the aisle, and I encourage all my colleagues to support this bill.

Mr. GINGREY of Georgia. Madam Speaker, I yield back the balance of my time.

Mr. SARBANES. Madam Speaker, again, we can't emphasize enough the importance of this legislation. You've heard recounted here the tragic stories of what happens when you don't have these kinds of mechanisms in place and you don't have the education to support people in terms of bringing this into their homes. And so I want to again congratulate Representative MATHESON for his efforts, thank my colleagues for the bipartisan support of this measure, and urge its passage today.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 1796, as amended.

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

A motion to reconsider was laid on the table.

HONORING DR. ROBERT M. CAMPBELL, JR.

Mr. PALLONE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1499) honoring the achievements of Dr. Robert M. Campbell, Jr., to provide children with lifesaving medical care, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1499

Whereas Dr. Robert M. Campbell, Jr., is a pediatric orthopedic surgeon affiliated for many years with the University of Texas Health Science Center at San Antonio and now Director of the Thoracic Insufficiency Center at The Children's Hospital of Philadelphia;

Whereas Dr. Campbell has devoted his career to working with children suffering from congenital scoliosis, fused ribs, small chest, and missing ribs;

Whereas Dr. Campbell, working with other specialists, helped identify Thoracic Insufficiency Syndrome, which is associated with the rare conditions of congenital scoliosis, fused ribs, small chests, and missing ribs, and results in the inability of the thorax to support normal respiration or lung growth which is often fatal in children;

Whereas the life-saving medical devices often used in adult care of rib conditions are not designed or sized for the bodies of children suffering from Thoracic Insufficiency Syndrome or similar conditions;

Whereas, over the years, physicians have often turned to adult devices, less effective treatments, more invasive therapies, or jury-rigging makeshift equipment to provide vital care for children;

Whereas doctors were often left with no effective treatment for these critically ill children;

Whereas, in 1987, Dr. Robert Campbell, working together with the late Dr. Melvin

Smith, a professor of pediatric general surgery at CHRISTUS Santa Rosa Children's Hospital, invented the Vertical Expandable Prosthetic Titanium Rib, which is easy to implant and easy to expand with minor outpatient surgery as the child grows;

Whereas the first successful surgery by Drs. Campbell and Smith in 1989 began a long crusade to receive approval for the device from the Food and Drug Administration (FDA); however, so few children are in need of such devices that study trials stretched out for well over a decade;

Whereas, after over 14 years of advocacy by Dr. Campbell and Dr. Smith and in large part due to their persistence and devotion to children, on September 2, 2004, the Food and Drug Administration approved the Vertical Expandable Prosthetic Titanium Rib;

Whereas the FDA found that the device was safe and of benefit in enabling unassisted breathing and less dependence on ventilators, and that without treatment, children with the syndrome risk death from respiratory infections or inability to breathe;

Whereas, since the FDA approval, the Vertical Expandable Prosthetic Titanium Rib for children with conditions such as Thoracic Insufficiency Syndrome, Jeune syndrome, and other medical problems that constrict the growth of children's lungs has saved the lives of hundreds of children with no other hope for survival;

Whereas the National Organization for Rare Disorders (NORD) and the Office of Orphan Products Development at the FDA made critical investments in Dr. Campbell's technology;

Whereas Dr. Campbell has served as an advocate for children with rare medical conditions across the Nation by providing many hours of volunteer service to the National Organization for Rare Disorders (NORD) as a member of its Medical Advisory Committee; and

Whereas Dr. Campbell has also served as an advocate for children through actions such as his March 27, 2007, testimony before the United States Senate Committee on Health, Education, Labor, and Pensions entitled ''Ensuring Safe Medicines and Medical Devices for Children'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors Dr. Robert Campbell for his lifelong devotion to children's health care;

(2) congratulates Dr. Robert Campbell and his colleagues on their extraordinary achievement in pediatric and orthopedic innovation; and

(3) recognizes the Vertical Expandable Prosthetic Titanium Rib device which has saved the lives of so many infants and children, while giving hope to their families.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Madam Speaker, House Resolution 1499 honors the achievements of Dr. Robert M. Campbell, Jr. to provide children with lifesaving medical care. I want to thank the sponsor of the bill, Congresswoman DEBBIE WASSERMAN SCHULTZ from Florida, for sponsoring this bill, and also her tireless efforts to get cosponsors and what's necessary to bring this bill to the floor on an expedited basis today.

I will leave it to the Congresswoman to talk more about Dr. Robert M. Campbell, but let me just say that he is a pediatric orthopedic surgeon, affiliated for many years with the University of Texas, and also now director of the Thoracic Insufficiency Center at the Children's Hospital in Philadelphia.

In collaboration with other specialists, he helped identify thoracic insufficiency syndrome, which is associated with a rare condition of congenital scoliosis, fused ribs, small chests, and missing ribs. After 14 years of advocacy, the Food and Drug Administration approved the vertical expandable prosthetic titanium rib in 2004 through Dr. Campbell's efforts, so I want to applaud his work.

I urge my colleagues to join me in supporting this resolution, and I reserve the balance of my time.

□ 1300

Mr. GINGREY of Georgia. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this resolution, House Resolution 1499, honoring the achievements of Dr. Robert Campbell, Jr. and the work that he did in regard to not only this particular device that Mr. PALLONE just described but in regard to a lot of other pediatric medical equipment.

I guess today is my day for reflection, Mr. Speaker, because, as a practicing physician for 31 years before being elected as a Member of the House, I distinctly recall having a patient who actually died of this Thoracic Insufficiency Syndrome, which Mr. PALLONE was discussing in regard to how Dr. Campbell invented this device, this vertical expandable prosthetic rib. I don't know when that invention occurred. Well, I do know. It was in 1987. So, Mr. Speaker, the story of my patient was before that.

My patient was someone who was born with spina bifida, someone who never had usage of her lower body, her limbs. She was what I guess you would refer to as a paraplegic. She did live into adulthood. When she was my patient, she was in her midthirties, and she was beautiful. Her name was Fran. Out of respect for the family, I won't say her last name, but Fran was beautiful. She looked like a child even though she was in her midthirties, but her chest—her thorax—as was just described with Dr. Campbell's patient, had not grown or fully developed, and it was difficult for her to breathe. When Fran actually died, I am sad to say, maybe a couple of years after she became my patient, that is what she died from.

Maybe if she, as a child, had had the opportunity to take advantage of Dr. Campbell's knowledge and expertise and contributions to medicine, particularly in the field of pediatrics and pediatric birth defects, maybe Fran would be alive today. That would be great, because she was a wonderful person.

So I am very supportive of this resolution honoring Dr. Robert Campbell, Jr.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ). If I could say, not only on this bill but on so many bills related to health care, she has really been out front and has taken a leadership role. I want to commend her for that.

Ms. WASSERMAN SCHULTZ. Thank you, Chairman PALLONE, for your consideration.

Thank you to the Energy and Commerce Committee—Mr. WAXMAN and Mr. GINGREY—for granting us this time to honor Dr. Robert M. Campbell. Thank you to all of the Members. In the last few days, we have added more than 100 cosponsors to this legislation now, which is really remarkable in only a few days. I had a chance to talk to so many of our colleagues about Dr. Campbell's story, and they wanted to join us in honoring him.

Mr. Speaker, Dr. Robert M. Campbell has dedicated his life to providing children with life-saving medical care. I first learned about Dr. Campbell's work when a little boy in my district named Devin Alfonso was given a terminal diagnosis of severe scoliosis. His spine and ribs were so severely bent that there was no room for his lungs and heart to grow.

For some time, the technology had existed to help adult patients with serious skeletal conditions. However, as Devin's family had to learn the hard way, the life-saving medical devices used in adult care are not fit for the small bodies of children. So often, these medical devices are simply far too big for children who are suffering from either scoliosis, Thoracic Insufficiency Syndrome, or similar conditions. Even if miniature versions of these devices were created, a growing child's body would mean that the device would quickly become too small and would require more invasive surgery.

For years, physicians trying to treat children like Devin were forced to use less effective treatments, more invasive therapies or jury-rigged makeshift equipment as their only options in providing this vital care. Far too often, these doctors are left with no effective treatment at all, meaning that a diagnosis like Devin's was simply a death sentence.

Dr. Campbell refused to accept these outcomes. He devoted his career to working with children like Devin who

were suffering from congenital scoliosis, fused ribs, small chests, and missing ribs. He made it his mission to change their fates. In such a dire environment, the work of this dedicated physician, Dr. Robert Campbell, has made all the difference. He has waged a decades-long campaign to provide a solution for these children that gives them a fighting chance.

During the 1980s, while at the University of Texas Health Science Center at San Antonio, Dr. Campbell teamed up with the late Dr. Melvin Smith on developing a medical device suitable for children. In 1987, Dr. Campbell, along with Dr. Smith, made a major breakthrough with the invention of the Vertical Expandable Prosthetic Titanium Rib. This device proved to be easy to implant, and importantly, it could be expanded with minor outpatient surgery as the child grows.

Unfortunately, as these rare rib and spine disorders occur so infrequently in the population, Dr. Campbell was just starting his journey on getting this life-saving device to the children who needed it. Completing the necessary trials for Food and Drug Administration approval proved to be a tremendous challenge. The process stretched out for well over a decade, but Dr. Campbell kept at it, working to develop and complete the needed trials.

In this effort, he received invaluable help from the National Organization for Rare Disorders, or NORD. This organization of medical professionals helps bring attention to the 6,800 known rare diseases that currently have no approved therapies. Through funding and support from NORD, Dr. Campbell was able to continue his work.

Dr. Campbell persevered and he ultimately prevailed. After many years of advocacy, due in large part to his devotion to children, he won approval from the FDA for the Vertical Expandable Prosthetic Titanium Rib on September 2, 2004.

Thanks to Dr. Campbell's work, Devin Alfonso was able to enroll in a clinical trial to receive the medical device that saved his life. Hundreds of other children suffering from spinal and skeletal abnormalities have also survived and have even thrived thanks to this enthusiastic doctor and his noteworthy invention.

From his identification of Thoracic Insufficiency Syndrome to his persistence in bringing his life-saving device to fruition, Dr. Campbell has been a stalwart for children's health. He is an inspiration to everyone who has worked with him and, most certainly, to the children and families he has helped.

I know the impact he has had on Devin and on his mom, Rixys Alfonso. I know, over the past decade, I have gotten to share in the joy as Devin has grown into a wonderful young man.

So please join me in celebrating Dr. Campbell's achievements and in honoring his unwavering devotion to saving the lives of so many children.

Mr. GINGREY of Georgia. Mr. Speaker, I ask my colleagues to support House Resolution 1499, the resolution honoring Dr. Robert Campbell, Jr.

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

Mr. PALLONE. Mr. Speaker, I urge adoption of the resolution.

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

The SPEAKER pro tempore (Mr. BLUMENAUER). The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 1499, as amended.

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

A motion to reconsider was laid on the table.

TRUTH IN FUR LABELING ACT OF 2009

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2480) to improve the accuracy of fur product labeling, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2480

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Truth in Fur Labeling Act of 2009''.

SEC. 2. ELIMINATION OF EXEMPTION TO FUR PRODUCT LABELING REQUIREMENTS FOR PRODUCTS CONTAINING RELATIVELY SMALL QUANTITIES OR VALUES OF FUR.

(a) IN GENERAL.—Section 2(d) of the Fur Products Labeling Act (15 U.S.C. 69(d)) is amended by striking ''; except that'' and all that follows through ''contained therein''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 90 days after the date of the enactment of this Act.

SEC. 3. EXEMPTION FOR DISCRETE SALES BY NON-RETAILERS.

Section 3 of the Fur Products Labeling Act (15 U.S.C. 69a) is amended by adding at the end the following:

''(g) No provision of this Act shall apply to a fur product—

''(1) the fur of which was obtained from an animal through trapping or hunting; and

''(2) when sold in a face to face transaction at a place such as a residence, craft fair, or other location used on a temporary or short term basis, by the person who trapped or hunted the animal, where the revenue from the sale of apparel or fur products is not the primary source of income of such person.''.

SEC. 4. FEDERAL TRADE COMMISSION REVIEW OF FUR PRODUCTS NAME GUIDE.

Not later than 90 days after the date of the enactment of this Act, the Federal Trade Commission shall publish in the Federal Register notice of, and an opportunity to comment on, a review of the Fur Products Name Guide (16 CFR 301.0).

SEC. 5. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. SARBANES) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. SARBANES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 2480, the Truth in Fur Labeling Act.

I want to begin by thanking Representative MORAN from Virginia for introducing this bill and Representatives RUSH, WAXMAN, WHITFIELD, and BARTON for moving this bill through the committee process.

H.R. 2480 is a commonsense, bipartisan bill that, with one exception, requires all articles of apparel containing fur to be labeled regardless of the cost of the garment. This legislation will make clear to consumers and retailers exactly which products contain fur and which do not.

During committee consideration, one exception was added to these requirements. An amendment by Mr. LATTA was accepted by voice vote to exempt from the labeling requirements those fur products that are sold by hunters and trappers out of their homes or at fairs or at other temporary spaces. This exemption is extremely limited. It applies only to fur sold by the individual who actually hunted or trapped the animal when the sale of such furs is not the primary source of income for that individual. The bill also directs the Federal Trade Commission to update the Fur Products Name Guide, which has been criticized as inaccurate and outdated.

As indicated, this bill enjoys very broad support from Members on both sides of the aisle. I urge my colleagues to support it.

I reserve the balance of my time.

□ 1310

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

I also would like to thank Congressman MORAN for being a real leader on this legislation, and I certainly want to thank Chairman RUSH and Chairman WAXMAN and others on the Energy and Commerce Committee.

This legislation, as Mr. SARBANES adequately described, is relatively simple. It simply amends the Fur Products

Labeling Act of 1951. That act required accuracy in the labeling of fur products and apparel, but it did not apply to any apparel sold for less than $150.

A series of recent investigations revealed that a significant number of clothes designers and retailers were selling some fur-trimmed garments described as faux or raccoon or coyote or mink or whatever, when actually it turned out to be dog fur or something else. As a matter of fact, of 38 jackets subjected to very specific tests, every single garment of those 38 was either unlabeled or it contained a label that misidentified the animal's fur that was used in that garment. And so this legislation is about transparency, providing consumers with accurate information on what they're buying.

Eighty-seven percent of garments sold in the U.S. today with fur already are required to abide by this. This will simply require the other 13 percent, those valued below $150, to abide by the same law. And consumer protection organizations, retail, and even the fashion industry all support this legislation. And I would urge our colleagues to support it as well.

I yield back the balance of my time.

Mr. SARBANES. Mr. Speaker, I want to, again, salute my colleagues for making this a bipartisan effort. I think there's a consensus of opinion that the more information that's available to the consumer, to the retailer, the better off we all are. I mean, in many respects that's the essence of a consumer protection initiative is to make sure that people who are purchasing these products actually have good information, truth in labeling at their fingertips.

I did want to salute the efforts of the Humane Society of the United States because they have been very responsible and persistent advocates on these issues over many, many, many years. As a result of those efforts, Americans have been learning more and more about some of the unsavory practices—it was just referred to by my colleague—when it comes to the sale of these fur products and how they're manufactured and what the source of the fur is. And, as a result, consumers want to know more, rightly. They justifiably want to understand more about where those products come from and be in a position to support the many businesses who are actually doing the right thing and are engaged in good, positive, best practices when it comes to marketing these products that contain fur.

And so I think that this bill that's been brought forward by my colleague, Mr. MORAN, the Truth in Fur Labeling Act, is going to help to advance that goal. And again, I'm very pleased that it has the bipartisan support that was indicated.

I did want to cite some of the information that was gleaned through a few investigations that were initiated by The Humane Society. They discovered that there were dozens of designers and retailers—Mr. WHITFIELD has referred to this—that were selling some of these fur-trimmed jackets as faux or raccoon or coyote, or they weren't labeled at all. And you could find these in many of the retailers whose names you know. And they looked at 38 jackets. They subjected them to the spectrometry test which allows you to look and see exactly what the source of it is.

Many of them, as I say, that were identified as faux, of the 38 jackets that were looked at, every single garment was either unlabeled, contained a label that misidentified the animal, or was falsely advertised with this faux label. Three of the jackets advertised as fake fur, two of which had no label, were found to contain fur from domestic dogs. Now, this goes in contravention of legislation that's already on the books. But if you don't have that labeling imperative at work, then this kind of thing can slide through.

Designers, retailers, and consumers, as a result of this, get put in a position where they can't have confidence that what they're getting—whether it's faux fur or real, and if real, from what animal—is something that they can count on, especially, I might add, when it is a source from China, based on some of the investigations that have been done. So that's why this legislation is so critical.

As a result of the very broad support it has, and based on its merits and the substance of it, I would urge my colleagues to support its passage today.

Mr. Speaker, I am pleased to yield such time as she may consume to Representative SUTTON from Ohio, who is a member of the Energy and Commerce Committee and sits on the subcommittee that had jurisdiction with respect to this particular piece of legislation.

Ms. SUTTON. Mr. Speaker, I rise today in support of H.R. 2480, the Truth in Fur Labeling Act.

Mr. Speaker, consumers should be able to make informed decisions on what they're purchasing. When fur is not labeled because the value is below a certain level, a consumer may believe that no fur is used, even when it is. This bill will fix that problem by requiring that all fur apparel have labels, regardless of the value.

It's alarming when investigations reveal that dog fur and other animal furs are being sold to consumers who thought that they had merely purchased fake fur. Labels on all fur products will allow consumers to know what they are buying for themselves and their families, and it will help us disclose the truth about the type of fur that is being used on garments.

I urge a ''yes'' vote on this bill.

Mr. MORAN of Virginia. Mr. Speaker, I rise today in support of the Truth in Fur Labeling Act, legislation I introduced along with Representative MARY BONO MACK.

The Fur Products Labeling Act of 1951 requires that animal fur garments be labeled with the name of the species used, manufacturer, country of origin, and other information.

That law protects consumers by providing product information and letting them know whether the product is made from real animal fur, and if so, what type of fur.

A provision in that labeling law, however, exempts products with a ''relatively small quantity or value'' of fur.

Since 1998, the Federal Trade Commission has set that amount at $150.

Many garments—such as jackets, sweaters, vests, and accessories—that are only trimmed with animal fur fall below this $150 threshold.

And because that threshold includes only the cost of the fur, not the total cost of the garment, even products containing several pelts could fall below the limit.

Products without labels, which are estimated to account for 13 percent of the fur garment market, pose a significant problem for consumers.

Some consumers may be allergic to certain fur products. Absent a label, they may buy a product that they assume is faux fur, but turns out to contain real fur that can impact their health.

Also, many consumers have strong moral objections to purchasing real fur products or have concerns about the use of certain species.

Without labels, how are customers supposed to know what they are buying?

At its core, this is a consumers' rights bill.

And consumers have a right to be skeptical about the accuracy of the information they receive when buying products at retail outlets.

A series of recent investigations by The Humane Society of the United States revealed that dozens of designers and retailers were selling fur-trimmed jackets advertised as ''faux,'' ''raccoon,'' ''coyote,'' or not labeled at all, which turned out to be raccoon dog, domestic dog, or wolf.

The problem is complicated by the increasing use of dyeing and shearing on fur products.

If customers see pink, orange, blue, or sheared trim, they often assume it is synthetic because it is not labeled and does not resemble an animal's fur.

Quite simply, the current labeling law has not kept up with changes in the marketplace.

The only way to ensure consumers have all the information they deserve is by removing the $150 loophole and requiring labels on all fur products.

This bill has the support of designers and retailers such as Gucci, Burberry, Saks Fifth Avenue, Bloomingdale's, Macy's, and Tommy Hilfiger.

These companies recognize the need for clear and consistent standards as a way to ensure consumer confidence in the products they sell.

It is also supported by National Association of Consumer Agency Administrators (NACAA), an organization representing more than 160 government agencies and 50 corporate consumer offices.

This bill has been vetted thoroughly and modified at both the Subcommittee and Committee level to address valid concerns raised by the Members of the Minority, including the addition of language excluding from the labeling requirements small amounts of homemade products made by hunters and trappers.

Finally, it is important to note that this bill would in no way restrict any trade in fur or any methods of producing fur.

Again, this is about giving all consumers, whether they have a closet full of fur garments or wouldn't be caught dead in one, the complete information they need to make enlightened purchasing decisions.

This is a commonsense bill that deserves broad support, and I ask my colleagues to vote for its passage.

Mr. BLUMENAUER. Mr. Speaker, I am proud to support H.R. 2480, the Truth in Fur Labeling Act. This legislation is an important step for consumers and animals. It is also basic common sense. It removes a loophole that has kept consumers from knowing what they're buying and enforces a law that Congress passed ten years ago.

We all deserve to know what we're buying. However, the current fur labeling exemption is unclear and out of date, leaving consumers in the dark. Consumers often end up buying real fur that they are told is fake or domestic dog fur mislabeled as raccoon fur. If a product has less than $150 worth of fur on it, it doesn't even need to be labeled at all. That means that a $500 coat with $150 worth of fur on the collar and cuffs does not require a label. Based on approximate pelt prices after tanning and dressing, that coat could be made using the fur from 30 rabbits, three Arctic foxes, one otter or one timber wolf, without requiring any sort of label. That does not provide consumers with adequate protection and doesn't allow them to make informed decisions. The Truth in Fur Labeling Act will remedy the situation and give consumers the ability to make choices for themselves, rather than being kept in the dark or even deceived.

I am proud to support this legislation today, and am pleased to see the widespread support it has received from outside organizations, including such diverse groups as the Humane Society of the United States, Macy's and Saks Fifth Avenue. I hope that my colleagues will join me in protecting consumer rights and animal welfare.

Mr. SARBANES. Mr. Speaker, again, I urge the support of this bill from my colleagues, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. SARBANES) that the House suspend the rules and pass the bill, H.R. 2480, as amended.

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

A motion to reconsider was laid on the table.

□ 1320

FAIR SENTENCING ACT OF 2010

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1789) to restore fairness to Federal cocaine sentencing.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1789

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fair Sentencing Act of 2010''.

SEC. 2. COCAINE SENTENCING DISPARITY REDUCTION.

(a) CSA.—Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A)(iii), by striking ''50 grams'' and inserting ''280 grams''; and

(2) in subparagraph (B)(iii), by striking ''5 grams'' and inserting ''28 grams''.

(b) IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1)(C), by striking ''50 grams'' and inserting ''280 grams''; and

(2) in paragraph (2)(C), by striking ''5 grams'' and inserting ''28 grams''.

SEC. 3. ELIMINATION OF MANDATORY MINIMUM SENTENCE FOR SIMPLE POSSESSION.

Section 404(a) of the Controlled Substances Act (21 U.S.C. 844(a)) is amended by striking the sentence beginning ''Notwithstanding the preceding sentence,''.

SEC. 4. INCREASED PENALTIES FOR MAJOR DRUG TRAFFICKERS.

(a) INCREASED PENALTIES FOR MANUFACTURE, DISTRIBUTION, DISPENSATION, OR POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE, OR DISPENSE.—Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended—

(1) in subparagraph (A), by striking ''$4,000,000'', ''$10,000,000'', ''$8,000,000'', and ''$20,000,000'' and inserting ''$10,000,000'', ''$50,000,000'', ''$20,000,000'', and ''$75,000,000'', respectively; and

(2) in subparagraph (B), by striking ''$2,000,000'', ''$5,000,000'', ''$4,000,000'', and ''$10,000,000'' and inserting ''$5,000,000'', ''$25,000,000'', ''$8,000,000'', and ''$50,000,000'', respectively.

(b) INCREASED PENALTIES FOR IMPORTATION AND EXPORTATION.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1), by striking ''$4,000,000'', ''$10,000,000'', ''$8,000,000'', and ''$20,000,000'' and inserting ''$10,000,000'', ''$50,000,000'', ''$20,000,000'', and ''$75,000,000'', respectively; and

(2) in paragraph (2), by striking ''$2,000,000'', ''$5,000,000'', ''$4,000,000'', and ''$10,000,000'' and inserting ''$5,000,000'', ''$25,000,000'', ''$8,000,000'', and ''$50,000,000'', respectively.

SEC. 5. ENHANCEMENTS FOR ACTS OF VIOLENCE DURING THE COURSE OF A DRUG TRAFFICKING OFFENSE.

Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines to ensure that the guidelines provide an additional penalty increase of at least 2 offense levels if the defendant used violence, made a credible threat to use violence, or directed the use of violence during a drug trafficking offense.

SEC. 6. INCREASED EMPHASIS ON DEFENDANT'S ROLE AND CERTAIN AGGRAVATING FACTORS.

Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines to ensure an additional increase of at least 2 offense levels if—

(1) the defendant bribed, or attempted to bribe, a Federal, State, or local law enforcement official in connection with a drug trafficking offense;

(2) the defendant maintained an establishment for the manufacture or distribution of a controlled substance, as generally described in section 416 of the Controlled Substances Act (21 U.S.C. 856); or

(3)(A) the defendant is an organizer, leader, manager, or supervisor of drug trafficking activity subject to an aggravating role enhancement under the guidelines; and

(B) the offense involved 1 or more of the following super-aggravating factors:

(i) The defendant—

(I) used another person to purchase, sell, transport, or store controlled substances;

(II) used impulse, fear, friendship, affection, or some combination thereof to involve such person in the offense; and

(III) such person had a minimum knowledge of the illegal enterprise and was to receive little or no compensation from the illegal transaction.

(ii) The defendant—

(I) knowingly distributed a controlled substance to a person under the age of 18 years, a person over the age of 64 years, or a pregnant individual;

(II) knowingly involved a person under the age of 18 years, a person over the age of 64 years, or a pregnant individual in drug trafficking;

(III) knowingly distributed a controlled substance to an individual who was unusually vulnerable due to physical or mental condition, or who was particularly susceptible to criminal conduct; or

(IV) knowingly involved an individual who was unusually vulnerable due to physical or mental condition, or who was particularly susceptible to criminal conduct, in the offense.

(iii) The defendant was involved in the importation into the United States of a controlled substance.

(iv) The defendant engaged in witness intimidation, tampered with or destroyed evidence, or otherwise obstructed justice in connection with the investigation or prosecution of the offense.

(v) The defendant committed the drug trafficking offense as part of a pattern of criminal conduct engaged in as a livelihood.

SEC. 7. INCREASED EMPHASIS ON DEFENDANT'S ROLE AND CERTAIN MITIGATING FACTORS.

Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines and policy statements to ensure that—

(1) if the defendant is subject to a minimal role adjustment under the guidelines, the base offense level for the defendant based solely on drug quantity shall not exceed level 32; and

(2) there is an additional reduction of 2 offense levels if the defendant—

(A) otherwise qualifies for a minimal role adjustment under the guidelines and had a minimum knowledge of the illegal enterprise;

(B) was to receive no monetary compensation from the illegal transaction; and

(C) was motivated by an intimate or familial relationship or by threats or fear when the defendant was otherwise unlikely to commit such an offense.

SEC. 8. EMERGENCY AUTHORITY FOR UNITED STATES SENTENCING COMMISSION.

The United States Sentencing Commission shall—

(1) promulgate the guidelines, policy statements, or amendments provided for in this Act as soon as practicable, and in any event not later than 90 days after the date of enactment of this Act, in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired; and

(2) pursuant to the emergency authority provided under paragraph (1), make such conforming amendments to the Federal sentencing guidelines as the Commission determines necessary to achieve consistency with

other guideline provisions and applicable law.

SEC. 9. REPORT ON EFFECTIVENESS OF DRUG COURTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report analyzing the effectiveness of drug court programs receiving funds under the drug court grant program under part EE of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797–u et seq.).

(b) CONTENTS.—The report submitted under subsection (a) shall—

(1) assess the efforts of the Department of Justice to collect data on the performance of federally funded drug courts;

(2) address the effect of drug courts on recidivism and substance abuse rates;

(3) address any cost benefits resulting from the use of drug courts as alternatives to incarceration;

(4) assess the response of the Department of Justice to previous recommendations made by the Comptroller General regarding drug court programs; and

(5) make recommendations concerning the performance, impact, and cost-effectiveness of federally funded drug court programs.

SEC. 10. UNITED STATES SENTENCING COMMISSION REPORT ON IMPACT OF CHANGES TO FEDERAL COCAINE SENTENCING LAW.

Not later than 5 years after the date of enactment of this Act, the United States Sentencing Commission, pursuant to the authority under sections 994 and 995 of title 28, United States Code, and the responsibility of the United States Sentencing Commission to advise Congress on sentencing policy under section 995(a)(20) of title 28, United States Code, shall study and submit to Congress a report regarding the impact of the changes in Federal sentencing law under this Act and the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, S. 1789, the Fair Sentencing Act of 2010, is a bipartisan compromise that was negotiated and drafted by Democratic and Republican members of the Senate Judiciary Committee. It then passed the Senate Judiciary Committee and the Senate by unanimous consent.

The legislation will reduce the 100-to-1 sentencing disparity between crack and powder cocaine in Federal law from 100-to-1 down to 18-to-1. The crack penalties, under present law, for example, it only takes five grams of crack to trigger a 5-year mandatory minimum sentence, but for powder cocaine it takes 500 grams to trigger the same 5-year mandatory sentence, a 100-to-1 ratio.

This disparity is particularly egregious when you consider that the Sentencing Commission has concluded that there is no pharmacological difference between the two forms of cocaine, and that 80 percent of the crack defendants are black, whereas only 30 percent of the powder cocaine defendants are black.

The crack penalties also create bizarre sentences when you consider sentences such as the 24½-year sentence given to Kimba Smith for behavior that was just inferentially involved with her boyfriend's cocaine dealing.

The legislation moves the threshold amount for the 5-year mandatory minimum from five grams to one ounce, reducing the disparity from 100-to-1 to 18-to-1. The legislation does not fully eliminate the 100-to-1 disparity in sentencing for crack and powder, but it does make good progress in addressing what is widely recognized as unfair treatment of like offenders based simply on the form of cocaine they possessed.

The bill also addresses another concern. Arguments are made that crack defendants are more likely to use violence or minors in the distribution, and this bill specifically requires the Sentencing Commission to significantly increase penalties for drug violations involving violence, threats of violence, or use of minors, and another long list of aggravating activities that would be involved. This way the defendant is sentenced for what he or she actually did, not the form of cocaine involved.

Many organizations are supporting S. 1789, including the Federal Law Enforcement Officers Association, the National District Attorneys Association, the National Association of Police Officers, the Council of Prison Locals, and several conservative religious organizations such as Prison Fellowship and the National Association of Evangelicals. And all of the civil rights organizations that one can imagine are also supporting the legislation.

I would like to thank the sponsors of the Senate bill, Senators DURBIN of Illinois and SESSIONS of Alabama, and ORRIN HATCH of Utah, who came together to pass this important bipartisan legislation.

There are many Members of the House who have worked tirelessly over the years to reform this disparity, including chairman of the Judiciary Committee, Mr. CONYERS; SHEILA JACKSON LEE; MAXINE WATERS; CHARLIE RANGEL; and MEL WATT.

On behalf of the organizations and Members of Congress who support S. 1789, I urge my colleagues to support the legislation.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, those who fail to learn the lessons of history often pay a price. Unfortunately, the real cost usually falls on others. In the 1980s, America faced an epidemic created by a new, more potent form of cocaine known as crack. Its abuse spread through major cities and across the country at a stunning speed. Along with crack came guns and violence, which riddled many urban communities.

These communities cried out for help, and in 1986 Congress responded. We enacted tough penalties to protect these neighborhoods and bring an end to the scourge of crack cocaine. The penalties helped make America's communities safer.

Now Congress is considering legislation to wind down the fight against drug addiction and drug-related violence. Reducing the penalties for crack cocaine could expose our neighborhoods to the same violence and addiction that caused Congress to act in the first place.

Twenty-five years ago, crack was cheap, easily available, and highly profitable. According to the Drug Enforcement Agency, never before had any form of cocaine been available at such low prices and at such high purity. As a result, the number of Americans addicted to cocaine increased dramatically. Crack cocaine devastated many communities, especially inner-city communities. Black Americans who lived in these communities bore the brunt of the violence associated with the drug trade.

Today, crime rates, particularly for violent crimes, are at their lowest levels in more than 30 years, thanks in large part to the enactment of tough penalties for drug trafficking and other offenses. Crack and powder cocaine use has dropped by almost two-thirds in the past 20 years, from 5.8 million users in 1985 to 2.1 million users in 2007. According to the Bureau of Justice Statistics, crime victimization rates for black Americans have fallen by more than two-thirds since enactment of these tough Federal trafficking penalties. What's wrong with that? Why do we want to risk another surge of addiction and violence by reducing penalties?

Many argue that Federal prisons are filled with addicts convicted of simple possession of cocaine, but that's not true. The vast majority of Federal drug offenders are convicted for drug trafficking. In fiscal year 2009, the U.S. Sentencing Commission reports that there were 25,000 Federal drug trafficking convictions compared to fewer than 300 convictions for simple possession. So why do we want to make it more difficult to take drug traffickers off the streets and easier for them to peddle their lethal product?

Crack cocaine is associated with a greater degree of violence than most other drugs. Crack offenders are also more likely to have prior convictions and lengthier criminal histories than powder cocaine offenders. It is these aggravating factors, which are more common to crack cocaine trafficking, that contribute to higher Federal

crack sentences. These aggravating factors also render many Federal crack offenders ineligible for the so-called ''safety valve provision.'' The safety valve allows low-level offenders to be sentenced below the statutory mandatory penalties if they meet certain criteria, including no significant criminal history.

So why should we reduce the ratio for defendants who are more violent, more likely to have criminal records, and less likely to benefit from the safety valve provision that already provides a mechanism for reduced penalties? Why are we coddling some of the most dangerous drug traffickers in America?

Proponents of reducing or eliminating the crack/powder ratio argue that crack penalties impact a larger number of minorities than powder cocaine penalties. But the percentage of minority defendants for Federal crack and powder cocaine offenses is quite similar. Eighty-two percent of crack offenders and 90 percent of powder cocaine offenders are minorities, though black Americans comprise the majority of Federal crack cocaine offenders.

Crack and powder cocaine offenders are even sentenced with mandatory penalties at similar rates. In 2009, 80 percent of crack cocaine offenders and 77 percent of powder cocaine offenders were convicted under a mandatory penalty statute. The bill before us today, S. 1789, lowers the ratio for Federal crack cocaine offenses from 100-to-1 to 18-to-1. The bill also eliminates the mandatory penalties for crack cocaine possession, making it only a misdemeanor under Federal law. Why enact legislation that could endanger our children and bring violence back to our inner-city communities?

S. 1789 includes a requirement that the U.S. Sentencing Commission review and amend the applicable guidelines for crack offenses involving violence. However, since Federal judges are not required to adhere to the guidelines, there is no guarantee that any increased penalty will be imposed under this provision.

Last year, the House Judiciary Committee reported legislation, over Republican opposition, that would have eliminated entirely the ratio between crack and powder cocaine. Before that, the Obama administration relaxed enforcement of marijuana laws.

Mr. Speaker, the Democratic Party teeters on the edge of becoming the face of deficits, drugs, and job destruction. I cannot support legislation that might enable the violent and devastating crack cocaine epidemic of the past to become a clear and present danger.

□ 1330

Mr. Speaker, for these reasons, I urge my colleagues to oppose this legislation.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the majority whip, the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, I want to first thank my good friend, subcommittee Chairman BOBBY SCOTT, for yielding me this time and for his leadership on this very important issue. He and committee Chairman CONYERS have worked for years to eliminate the unjust and discriminatory disparities between crack cocaine and powder cocaine.

Although I'm disappointed that this measure does not entirely eliminate the disparity, I want to commend Senators DURBIN, SESSIONS, and COBURN for crafting a very significant compromise. The Fair Sentencing Act of 2009 will significantly reduce the disparity in sentencing for crack and powder cocaine and help to correct an enormous disparity in our criminal justice system.

When the current law was passed, Congress felt that crack cocaine was a plague that was destroying minority communities. Twenty years of experience has taught us that many of our initial beliefs were wrong. We now know that there's little or no pharmacological distinction between crack cocaine and powder cocaine, yet the punishment for these offenses remains radically different.

Down where I come from, Mr. Speaker, we say that when one learns better, one should do better.

Equally troubling is the enormous growth in the prison population, especially among minority youth. The current drug sentencing policy is the single greatest cause of the record levels of incarceration in our country. One in every 31 Americans is in prison or on parole or on probation, including one in 11 African Americans. This is unjust and runs contrary to our fundamental principles of equal protection under the law.

Since 1995, the United States Sentencing Commission has issued report after report calling on Congress to address this unfair disparity. According to the Sentencing Commission, restoring sentencing parity will do more than any other policy change to close the gap in incarceration rates between African Americans and white Americans.

The American drug epidemic is a serious problem, and we must address that problem. But our drug laws must be smart, fair, and rational. The legislation to be considered today takes a significant step towards striking that balance.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), a former chairman of the Judiciary Committee.

Mr. SENSENBRENNER. Mr. Speaker, I rise in support of this legislation. It is a fair compromise. It deals with conflicting issues, and it looked at the data on who was indicted and who has been sentenced both by race as well as by the amount of cocaine that they possessed.

Unlike some allegations, this bill does not let those who possess crack cocaine off easily. The sentencing disparity is 18-to-1. That means that someone who possesses crack cocaine only has to have one-eighteenth of the amount of someone who possesses powder cocaine. So I don't think that people who either deal in crack cocaine or who possess crack cocaine are getting off the hook by reducing the ratio from 100-to-1 to 18-to-1.

The Sentencing Commission has been set up by this Congress to look at sentencing patterns and look at sentencing statistics. For the last 15 years, they have called for a change in the disparity and the minimum sentences between those who are indicted for violating the crack cocaine laws versus those who are indicted for violating the powder cocaine laws.

This is a very fair compromise. I salute the three members of the other body who worked the compromise out. It is a compromise that should be endorsed by this body and sent to the President. I urge an ''aye'' vote.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlelady from Texas who has sponsored one of the many bills on this issue and has worked hard to eliminate the disparity altogether, Ms. JACKSON LEE.

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. I want to thank the gentleman from Virginia for being a champion of this issue of eliminating the disparities that have so long plagued so many communities. I thank the chairman, JOHN CONYERS, for being persistent over the years on the criminal justice issues—even coming to Houston, Texas, and listening to a teeming room of individuals who came to tell him how they had been discriminated against by this overwhelming inequitable law dealing with crack cocaine. Thank you.

Today we're doing something that is not going to be soft on crime. But let me see if you understand this.

It takes 500 grams of powder cocaine to trigger the 5-year mandatory minimum. It just takes 5 grams of crack cocaine. Similarly it takes 5 kilograms of powder cocaine to trigger the 10-year mandatory minimum but 50 grams of crack cocaine.

And so it is important that this 1-to-18 be put in place in response to the 1980s when we thought this devastating act of using drugs was the underpinnings of crime. But what we have seen and what the U.S. Sentencing Commission has seen is that we're creating crime by throwing these individuals in jail instead of rehabilitation and by keeping this oppressive sentencing structure.

So for the first time, we're eliminating the 5-year mandatory minimum prison term for first-time possession of crack cocaine and it encourages the U.S. Sentencing Commission to amend the sentencing guidelines.

In addition, however, there's more to go. Passing the Promise Bill to detour young people away from crime. H.R. 265, the bill I introduced, which was the underpinnings of the S. 1789, had a number of other provisions that would be dealing with rehabilitation and drug courts.

So there's more work to be done, Mr. Speaker. But I believe this is a first step and all good-thinking Americans who understand justice will appreciate the fact that we are eliminating these disparities. And in particular, I will say to you that this fell heavily on the poor African American and Hispanic communities.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield the gentlelady an additional minute.

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman.

The statistics are very clear that the burden fell on a population that suffered more by not getting into rehabilitation than others. It is very clear that those numbers are strong.

So I would simply say that as we begin our work on establishing fairness, this is a first step. And I would say to the distinguished Members that we can do better on rehabilitation, drug court, intervention—which allows people to get into rehabilitation and have an obligation to finish.

And the main thing that I want to leave us with, doing this will help us detour any number of individuals to be able to support their family and maybe be real role models for children who we likewise want to detour away from crime by having an innovative juvenile justice system by passing this bill and going on to have criminal justice reform as we pass the Promise Act as well.

I rise in support of S. 1789, a bill that seeks to amend the Controlled Substances Act and the Controlled Substances Import and Export Act in order to lessen the disparity between penalties for crack cocaine and powder cocaine that permeates the Sentencing Guidelines. I also want to thank Senator RICHARD DURBIN (IL), for introducing this important legislation and being a leader on this issue.

This act requires Congress to change existing legislation in order to increase the amount of a controlled substance or mixture containing a cocaine base (i.e., crack cocaine) required for the imposition of mandatory minimum prison terms for trafficking. This bill also calls for an increase of monetary penalties for drug trafficking and for the importation and exportation of controlled substances.

Last year I introduced a bill called the Drug Sentencing Reform and Cocaine Kingpin Trafficking Act of 2009, H.R. 265, in which I proposed many of the reforms proposed in S. 1789. In H.R. 265, I proposed 1 to 1 for crack and cocaine and added a long list of drug treatment measures. It is widely known that it takes 100 times more powder cocaine than crack cocaine to trigger the 5- and 10-year mandatory minimum sentences. While it takes 500 grams of powder cocaine to trigger the 5-year mandatory minimum sentence, it takes just 5 grams of crack cocaine to trigger that sentence. Similarly, while it takes 5 kilograms of powder cocaine to trigger the 10-year mandatory minimum sentence, 50 grams of crack cocaine will trigger the same sentence.

This disparity made no sense when it was initially enacted, and makes absolutely no sense today, because cocaine base commonly known as 'crack cocaine,' is made by dissolving cocaine hydrochloride, which is commonly known as 'powder cocaine,' in a solution of sodium bicarbonate (or a similar agent) and water. Therefore, crack and powder cocaine are simply different forms of the same substance and all crack cocaine originates as powder cocaine.

Both forms of cocaine cause identical physical effects, although crack is smoked, while powder cocaine is typically snorted or injected. Epidemiological data show that smoking a drug delivers it to the brain more rapidly, which increases the likelihood of addiction. Therefore, differences in the typical method of administration of the two forms of the drug, and not differences in the inherent properties of the two forms of the drug, make crack cocaine potentially more addictive to typical users than powder cocaine. Both forms of the drug are addictive, however, and the treatment protocol for the drug is the same regardless of the form of the drug the patient has used.

Although Congress in the mid-1980s was understandably concerned that the low-cost and potency of crack cocaine would fuel an epidemic of use by minors, the epidemic of crack cocaine use by young people never materialized to the extent feared. In fact, in 2005, the rate of powder cocaine use among young adults was almost 7 times as high as the rate of crack cocaine use. Furthermore, sentencing data suggest that young people do not play a major role in crack cocaine trafficking at the Federal level.

The current 100 to 1 penalty structure undermines various congressional objectives set forth in the Anti-Drug Abuse Act of 1986. Data collected by the U.S. Sentencing Commission show that Federal resources have been targeted at offenders who are subject to the mandatory minimum sentences, which sweep in low-level crack cocaine users and dealers.

It is time for us to realize that the only real difference between these two substances is that a disproportionate number of the races flock to one or the other. It follows that more whites use cocaine, and more African Americans use crack cocaine. The unwarranted sentencing disparity not only overstates the relative harmfulness of the two forms of the drug and diverts federal resources from high-level drug traffickers, but it also disproportionately affects the African-American community. According to the U.S. Sentencing Commission's May 2007 Report, 82 percent of Federal crack cocaine offenders sentenced in 2006 were African-American, while 8 percent were Hispanic and 8 percent were white.

Like H.R. 265, my bill, S. 1789 will eliminate the five-year mandatory minimum prison term for first-time possession of crack cocaine. It also encourages the U.S. Sentencing Commission to amend its sentencing guidelines to (1) increase sentences for defendants convicted of using violence during a drug trafficking offense; (2) incorporate aggravating and mitigating factors in its guidelines for drug trafficking offenses; (3) promulgate guidelines, policy statements, or amendments required by this Act as soon as practicable, but not later than 90 days after the enactment of this Act; and (4) study and report to Congress on the impact of changes in sentencing law under this Act.

For the foregoing reasons, I stand with Mr. DURBIN in support of amending the Controlled Substances Act and the Controlled Substances Import and Export Act in order to lessen the disparity between penalties for crack cocaine and powder cocaine that permeate the Sentencing Guidelines.

I urge my colleagues to support this bill.

H.R. 265

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Drug Sentencing Reform and Cocaine Kingpin Trafficking Act of 2009''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Cocaine base (commonly known as ''crack cocaine'') is made by dissolving cocaine hydrochloride (commonly known as ''powder cocaine'') in a solution of sodium bicarbonate (or a similar agent) and water. Therefore, crack and powder cocaine are simply different forms of the same substance and all crack cocaine originates as powder cocaine.

(2) The physiological and psychotropic effects of cocaine are similar regardless of whether it is in the form of cocaine base (crack) or cocaine hydrochloride (powder).

(3) One of the principal objectives of the Anti-Drug Abuse Act of 1986, which established different mandatory minimum penalties for different drugs, was to target Federal law enforcement and prosecutorial resources on serious and major drug traffickers.

(4) In 1986, Congress linked mandatory minimum penalties to different drug quantities, which were intended to serve as proxies for identifying offenders who were ''serious'' traffickers (managers of retail drug trafficking) and ''major'' traffickers (manufacturers or the kingpins who headed drug organizations).

(5) Although drug purity and individual tolerance vary, making it difficult to state with specificity the individual dose of each form of cocaine, 5 grams of powder cocaine generally equals 25 to 50 individual doses and 500 grams of powder cocaine generally equals 2,500 to 5,000 individual doses, while 5 grams of crack cocaine generally equals 10 to 50 individual doses (or enough for a heavy user to consume in one weekend) and 500 grams of crack cocaine generally equals 100 to 500 individual doses.

(6) In part because Congress believed that crack cocaine had unique properties that made it instantly addictive, the Anti-Drug Abuse Act of 1986 established an enormous disparity (a 100 to 1 powder-to-crack ratio) in the quantities of powder and crack cocaine that trigger 5- and 10-year mandatory minimum sentences. This disparity permeates the Sentencing Guidelines.

(7) Congress also based its decision to establish the 100 to 1 quantity ratio on the beliefs that—

(A) crack cocaine distribution and use was associated with violent crime to a much greater extent than was powder cocaine;

(B) prenatal exposure to crack cocaine was particularly devastating for children of crack users;

(C) crack cocaine use was particularly prevalent among young people; and

(D) crack cocaine's potency, low cost, and ease of distribution and use were fueling its widespread use.

(8) As a result, it takes 100 times more powder cocaine than crack cocaine to trigger the 5- and 10-year mandatory minimum sentences. While it takes 500 grams of powder cocaine to trigger the 5-year mandatory minimum sentence, it takes just 5 grams of crack cocaine to trigger that sentence. Similarly, while it takes 5 kilograms of powder cocaine to trigger the 10-year mandatory minimum sentence, 50 grams of crack cocaine will trigger the same sentence.

(9) Most of the assumptions on which the current penalty structure was based have turned out to be unfounded.

(10) Studies comparing usage of powder and crack cocaine have shown that there is little difference between the two forms of the drug and fundamentally undermine the current quantity-based sentencing disparity. More specifically, the studies have shown the following:

(A) Both forms of cocaine cause identical effects, although crack is smoked, while powder cocaine is typically snorted. Epidemiological data show that smoking a drug delivers it to the brain more rapidly, which increases likelihood of addiction. Therefore, differences in the typical method of administration of the two forms of the drug, and not differences in the inherent properties of the two forms of the drug, make crack cocaine potentially more addictive to typical users than powder cocaine. Both forms of the drug are addictive, however, and the treatment protocol for the drug is the same regardless of the form of the drug the patient has used.

(B) Violence committed by crack users is relatively rare, and overall violence has decreased for both powder and crack cocaine offenses. Almost all crack-related violence is systemic violence that occurs within the drug distribution process. Sentencing enhancements are better suited to punish associated violence, which are separate, pre-existing crimes in and of themselves.

(C) The negative effects of prenatal exposure to crack cocaine were vastly overstated. They are identical to the effects of prenatal exposure to powder cocaine and do not serve as a justification for the sentencing disparity between crack and powder.

(D) Although Congress in the mid-1980s was understandably concerned that the low-cost and potency of crack cocaine would fuel an epidemic of use by minors, the epidemic of crack cocaine use by young people never materialized to the extent feared. In fact, in 2005, the rate of powder cocaine use among young adults was almost 7 times as high as the rate of crack cocaine use. Furthermore, sentencing data suggest that young people do not play a major role in crack cocaine trafficking at the Federal level.

(E) The current 100 to 1 penalty structure undermines various congressional objectives set forth in the Anti-Drug Abuse Act of 1986. Data collected by the United States Sentencing Commission show that Federal resources have been targeted at offenders who are subject to the mandatory minimum sentences, which sweep in low-level crack cocaine users and dealers.

(11) In 1988, Congress set a mandatory minimum sentence for mere possession of crack cocaine, the only controlled substance for which there is a mandatory minimum sentence for simple possession for a first-time offender.

(12) Major drug traffickers and kingpins traffic in powder, not crack.

(13) Contrary to Congress's objective of focusing Federal resources on drug kingpins, the majority of Federal powder and crack cocaine offenders are those who perform low level functions in the supply chain.

(14) As a result of the low-level drug quantities that trigger lengthy mandatory minimum penalties for crack cocaine, the concentration of lower level Federal offenders is particularly pronounced among crack cocaine offenders, more than half of whom were street level dealers in 2005.

(15) The Departments of Justice, Treasury, and Homeland Security are the agencies with the greatest capacity to investigate, prosecute, and dismantle the highest level of drug trafficking organizations, but investigations and prosecutions of low-level offenders divert Federal personnel and resources from the prosecution of the highest-level traffickers, for which such agencies are best suited.

(16) The unwarranted sentencing disparity not only overstates the relative harmfulness of the two forms of the drug and diverts Federal resources from high-level drug traffickers, but it also disproportionately affects the African-American community. According to the United States Sentencing Commission's May 2007 Report, 82 percent of Federal crack cocaine offenders sentenced in 2006 were African-American, while 8 percent were Hispanic and 8 percent were White.

(17) Only 13 States have sentencing laws that distinguish between powder and crack cocaine.

SEC. 3. COCAINE SENTENCING DISPARITY ELIMINATION.

(a) CSA.—Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A)(iii), by striking ''50 grams'' and inserting ''5 kilograms''; and

(2) in subparagraph (B)(iii), by striking ''5 grams'' and inserting ''500 grams.''

(b) IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1)(C), by striking ''50 grams'' and inserting ''5 kilograms''; and

(2) in paragraph (2)(C), by striking ''5 grams'' and inserting ''500 grams''.

SEC. 4. ELIMINATION OF MANDATORY MINIMUM FOR SIMPLE POSSESSION.

Section 404(a) of the Controlled Substances Act (21 U.S.C. 844(a)) is amended by striking the sentence beginning ''Notwithstanding the preceding sentence,''.

SEC. 5. INCREASED EMPHASIS ON CERTAIN AGGRAVATING AND MITIGATING FACTORS.

Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the sentencing guidelines to ensure that the penalties for an offense involving trafficking of a controlled substance—

(1) provide tiered enhancements for the involvement of a dangerous weapon or violence, including, if appropriate—

(A) an enhancement for the use or brandishment of a dangerous weapon;

(B) an enhancement for the use, or threatened use, of violence; and

(C) any other enhancement the Commission considers necessary;

(2) adequately take into account the culpability of the defendant and the role of the defendant in the offense, including consideration of whether enhancements should be added, either to the existing enhancements for aggravating role or otherwise, that take into account aggravating factors associated with the offense, including—

(A) whether the defendant committed the offense as part of a pattern of criminal conduct engaged in as a livelihood;

(B) whether the defendant is an organizer or leader of drug trafficking activities involving five or more persons;

(C) whether the defendant maintained an establishment for the manufacture or distribution of the controlled substance;

(D) whether the defendant distributed a controlled substance to an individual under the age of 21 years of age or to a pregnant woman;

(E) whether the defendant involved an individual under the age of 18 years or a pregnant woman in the offense;

(F) whether the defendant manufactured or distributed the controlled substance in a location described in section 409(a) or section 419(a) of the Controlled Substances Act (21 U.S.C. 849(a) or 860(a));

(G) whether the defendant bribed, or attempted to bribe, a Federal, State, or local law enforcement officer in connection with the offense;

(H) whether the defendant was involved in importation into the United States of a controlled substance;

(I) whether bodily injury or death occurred in connection with the offense;

(J) whether the defendant committed the offense after previously being convicted of a felony controlled substances offense; and

(K) any other factor the Commission considers necessary; and

(3) adequately take into account mitigating factors associated with the offense, including—

(A) whether the defendant had minimum knowledge of the illegal enterprise;

(B) whether the defendant received little or no compensation in connection with the offense;

(C) whether the defendant acted on impulse, fear, friendship, or affection when the defendant was otherwise unlikely to commit such an offense; and

(D) whether any maximum base offense level should be established for a defendant who qualifies for a mitigating role adjustment.

SEC. 6. OFFENDER DRUG TREATMENT INCENTIVE GRANTS.

(a) GRANT PROGRAM AUTHORIZED.—The Attorney General shall carry out a grant program under which the Attorney General may make grants to States, units of local government, territories, and Indian tribes in an amount described in subsection (c) to improve the provision of drug treatment to offenders in prisons, jails, and juvenile facilities.

(b) REQUIREMENTS FOR APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under subsection (a) for a fiscal year, an entity described in such subsection shall, in addition to any other requirements specified by the Attorney General, submit to the Attorney General an application that demonstrates that, with respect to offenders in prisons, jails, and juvenile facilities who require drug treatment and who are in the custody of the jurisdiction involved, during the previous fiscal year that entity provided drug treatment meeting the standards established by the Single State Authority for Substance Abuse (as that term is defined in section 7(e)) for the relevant State to a number of such offenders that is two times the number of such offenders to whom that entity provided drug treatment during the fiscal year that is 2 years before the fiscal year for which that entity seeks a grant.

(2) OTHER REQUIREMENTS.—An application under this section shall be submitted in such form and manner and at such time as specified by the Attorney General.

(c) ALLOCATION OF GRANT AMOUNTS BASED ON DRUG TREATMENT PERCENT DEMONSTRATED.—The Attorney General shall allocate amounts under this section for a fiscal year based on the percent of offenders described in subsection (b)(1) to whom an entity provided drug treatment in the previous fiscal year, as demonstrated by that entity in its application under that subsection.

(d) USES OF GRANTS.—A grant awarded to an entity under subsection (a) shall be used—

(1) for continuing and improving drug treatment programs provided at prisons, jails, and juvenile facilities of that entity; and

(2) to strengthen rehabilitation efforts for offenders by providing addiction recovery support services, such as job training and placement, education, peer support, mentoring, and other similar services.

(e) REPORTS.—An entity that receives a grant under subsection (a) during a fiscal year shall, not later than the last day of the following fiscal year, submit to the Attorney General a report that describes and assesses the uses of such grant.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 to carry out this section for each of fiscal years 2009 and 2010.

SEC. 7. GRANTS FOR DEMONSTRATION PROGRAMS TO REDUCE DRUG USE SUBSTANCE ABUSERS.

(a) AWARDS REQUIRED.—The Attorney General may make competitive grants to eligible partnerships, in accordance with this section, for the purpose of establishing demonstration programs to reduce the use of alcohol and other drugs by supervised substance abusers during the period in which each such substance abuser is in prison, jail, or a juvenile facility, and until the completion of parole or court supervision of such abuser.

(b) USE OF GRANT FUNDS.—A grant made under subsection (a) to an eligible partnership for a demonstration program, shall be used—

(1) to support the efforts of the agencies, organizations, and researchers included in the eligible partnership, with respect to the program for which a grant is awarded under this section;

(2) to develop and implement a program for supervised substance abusers during the period described in subsection (a), which shall include—

(A) alcohol and drug abuse assessments that—

(i) are provided by a State-approved program; and

(ii) provide adequate incentives for completion of a comprehensive alcohol or drug abuse treatment program, including through the use of graduated sanctions; and

(B) coordinated and continuous delivery of drug treatment and case management services during such period; and

(3) to provide addiction recovery support services (such as job training and placement, peer support, mentoring, education, and other related services) to strengthen rehabilitation efforts for substance abusers.

(c) APPLICATION.—To be eligible for a grant under subsection (a) for a demonstration program, an eligible partnership shall submit to the Attorney General an application that—

(1) identifies the role, and certifies the involvement, of each agency, organization, or researcher involved in such partnership, with respect to the program;

(2) includes a plan for using judicial or other criminal or juvenile justice authority to supervise the substance abusers who would participate in a demonstration program under this section, including for—

(A) administering drug tests for such abusers on a regular basis; and

(B) swiftly and certainly imposing an established set of graduated sanctions for noncompliance with conditions for reentry into the community relating to drug abstinence (whether imposed as a pre-trial, probation, or parole condition, or otherwise);

(3) includes a plan to provide supervised substance abusers with coordinated and continuous services that are based on evidence-based strategies and that assist such abusers by providing such abusers with—

(A) drug treatment while in prison, jail, or a juvenile facility;

(B) continued treatment during the period in which each such substance abuser is in prison, jail, or a juvenile facility, and until the completion of parole or court supervision of such abuser;

(C) addiction recovery support services;

(D) employment training and placement;

(E) family-based therapies;

(F) structured post-release housing and transitional housing, including housing for recovering substance abusers; and

(G) other services coordinated by appropriate case management services;

(4) includes a plan for coordinating the data infrastructures among the entities included in the eligible partnership and between such entities and the providers of services under the demonstration program involved (including providers of technical assistance) to assist in monitoring and measuring the effectiveness of demonstration programs under this section; and

(5) includes a plan to monitor and measure the number of substance abusers—

(A) located in each community involved; and

(B) who improve the status of their employment, housing, health, and family life.

(d) REPORTS TO CONGRESS.—

(1) INTERIM REPORT.—Not later than September 30, 2009, the Attorney General shall submit to Congress a report that identifies the best practices relating to the comprehensive and coordinated treatment of substance abusers, including the best practices identified through the activities funded under this section.

(2) FINAL REPORT.—Not later than September 30, 2010, the Attorney General shall submit to Congress a report on the demonstration programs funded under this section, including on the matters specified in paragraph (1).

(e) DEFINITIONS.—In this section:

(1) ELIGIBLE PARTNERSHIP.—The term ''eligible partnership'' means a partnership that includes—

(A) the applicable Single State Authority for Substance Abuse;

(B) the State, local, territorial, or tribal criminal or juvenile justice authority involved;

(C) a researcher who has experience in evidence-based studies that measure the effectiveness of treating long-term substance abusers during the period in which such abusers are under the supervision of the criminal or juvenile justice system involved;

(D) community-based organizations that provide drug treatment, related recovery services, job training and placement, educational services, housing assistance, mentoring, or medical services; and

(E) Federal agencies (such as the Drug Enforcement Agency, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the office of a United States attorney).

(2) SUBSTANCE ABUSER.—The term ''substance abuser'' means an individual who—

(A) is in a prison, jail, or juvenile facility;

(B) has abused illegal drugs or alcohol for a number of years; and

(C) is scheduled to be released from prison, jail, or a juvenile facility during the 24-month period beginning on the date the relevant application is submitted under subsection (c).

(3) SINGLE STATE AUTHORITY FOR SUBSTANCE ABUSE.—The term ''Single State Authority for Substance Abuse'' means an entity designated by the Governor or chief executive officer of a State as the single State administrative authority responsible for the planning, development, implementation, monitoring, regulation, and evaluation of substance abuse services in that State.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2009 and 2010.

SEC. 8. EMERGENCY AUTHORITY FOR UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—The United States Sentencing Commission, in its discretion, may—

(1) promulgate amendments pursuant to the directives in this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired; and

(2) pursuant to the emergency authority provided in paragraph (1), make such conforming amendments to the Sentencing Guidelines as the Commission determines necessary to achieve consistency with other guideline provisions and applicable law.

(b) PROMULGATION.—The Commission shall promulgate any amendments under subsection (a) promptly so that the amendments take effect on the same date as the amendments made by this Act.

SEC. 9. INCREASED PENALTIES FOR MAJOR DRUG TRAFFICKERS.

(a) INCREASED PENALTIES FOR MANUFACTURE, DISTRIBUTION, DISPENSATION, OR POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE, OR DISPENSE.—Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended—

(1) in subparagraph (A), by striking ''$4,000,000'', ''$10,000,000'', ''$8,000,000'', and ''$20,000,000'' and inserting ''$10,000,000'', ''$50,000,000'', ''$20,000,000'', and ''$75,000,000'', respectively; and

(2) in subparagraph (B), by striking ''$2,000,000'', ''$5,000,000'', ''$4,000,000'', and ''$10,000,000'' and inserting ''$5,000,000'', ''$25,000,000'', ''$8,000,000'', and ''$50,000,000'', respectively.

(b) INCREASED PENALTIES FOR IMPORTATION AND EXPORTATION.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1), by striking ''$4,000,000'', ''$10,000,000'', ''$8,000,000'', and ''$20,000,000'' and inserting ''$10,000,000'', ''$50,000,000'', ''$20,000,000'', and ''$75,000,000'', respectively, and

(2) in paragraph (2), by striking ''$2,000,000'', ''$5,000,000'', ''$4,000,000'', and ''$10,000,000'' and inserting ''$5,000,000'', ''$25,000,000'', ''$8,000,000'', and ''$50,000,000'', respectively.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS AND REQUIRED REPORT.

(a) AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF JUSTICE.—There is authorized to be appropriated to the Department of Justice not more than $36,000,000 for each of the fiscal years 2009 and 2010 for the prosecution of high-level drug offenses, of which—

(1) $15,000,000 is for salaries and expenses of the Drug Enforcement Administration;

(2) $15,000,000 is for salaries and expenses for the Offices of United States Attorneys;

(3) $4,000,000 each year is for salaries and expenses for the Criminal Division; and

(4) $2,000,000 is for salaries and expenses for the Office of the Attorney General for the management of such prosecutions.

(b) AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF TREASURY.—There is authorized to be appropriated to the Department of the Treasury for salaries and expenses of the Financial Crime Enforcement Network (FINCEN) not more than $10,000,000 for each of fiscal years 2009 and 2010 in support of the prosecution of high-level drug offenses.

(c) AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF HOMELAND SECURITY.—There is authorized to be appropriated for the Department of Homeland Security not more

than $10,000,000 for each of fiscal years 2009 and 2010 for salaries and expenses in support of the prosecution of high-level drug offenses.

(d) ADDITIONAL FUNDS.—Amounts authorized to be appropriated under this section shall be in addition to amounts otherwise available for, or in support of, the prosecution of high-level drug offenses.

(e) REPORT OF COMPTROLLER GENERAL.—Not later than 180 days after the end of each of fiscal years 2009 and 2010, the Comptroller General shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and House of Representatives a report containing information on the actual uses made of the funds appropriated pursuant to the authorization of this section.

SEC. 11. EFFECTIVE DATE.

The amendments made by this Act shall apply to any offense committed on or after 180 days after the date of enactment of this Act. There shall be no retroactive application of any portion of this Act.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LUNGREN), a senior and active member of the Judiciary Committee.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise in support of S. 1789, but as someone who helped to write the Drug Control Act of 1986 that we seek to amend, I'd like to make a few observations to set the record straight.

It is indeed true that the death of basketball star Len Bias served as an exclamation point concerning the threat posed to our Nation by the scourge of illegal drug use. The fact that someone who seemed bigger than life could fall prey to the growing cocaine epidemic brought home the reality of the danger to every home with a television set that had tuned into the University of Maryland basketball games. And that reality was not lost on this body.

The number of Americans addicted to cocaine dramatically increased in the 1980s thanks in major part to the escalation in crack use. Hospital emergencies increased by 110 percent in 1986. From 1984 to 1987, cocaine incidents increased fourfold. The crack epidemic was associated with a dramatic increase in drug gang-related violence.

A 1988 study by the Bureau of Justice Statistics found that in New York City, crack use was tied to 32 percent of all homicides and 60 percent of all drug-related homicides.

□ 1340

I would add that even 5 years after the drug bill was considered on this floor there was a growing concern over the crack epidemic which plagued minority neighborhoods. The acclaimed depiction of this scourge was even portrayed in the movie ''New Jack City.'' Director Mario Van Peebles, also one of the main characters in the film, observed that ''the immediate problem is that crack is and was a killer in the Black community today.''

That's what we faced at the time we passed this bill. This is the context of the crack epidemic and the 1986 drug bill. The concern about crack cocaine was, and in my view remains, a valid one. According to the National Institute on Drug Abuse, crack causes faster and shorter highs than powder, which results in more frequent use. Crack cocaine is also associated with gang activities and violence, as evidenced by U.S. Sentencing Commission data. There is, in my view, a basis for disparate treatment of those who traffic in crack versus powder.

Having said that, the inclusion that there is a basis for treating crack and powder differently is in no way a justification for the 100-to-1 sentencing ratio contained in the 1986 drug bill. We initially came out of committee with a 20-to-1 ratio. By the time we finished on the floor, it was 100-to-1. We didn't really have an evidentiary basis for it, but that's what we did, thinking we were doing the right thing at the time.

Certainly, one of the sad ironies in this entire episode is that a bill which was characterized by some as a response to the crack epidemic in African American communities has led to racial sentencing disparities which simply cannot be ignored in any reasoned discussion of this issue. When African Americans, low-level crack defendants, represent 10 times the number of low-level white crack defendants, I don't think we can simply close our eyes.

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

Mr. SMITH of Texas. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman.

Although I cannot, and could not, support the legislation reported out of our committee to completely eliminate any disparity in the treatment of these illicit substances, that is not what we have before us today on this floor. I must say that from a law enforcement standpoint, perhaps the most important factor here is the amount of the substance that is covered. According to narcotics officers I have spoken with, you want to reach the wholesale and mid-level traffickers who often trafficked in 1-ounce quantities.

That is why S. 1789 would raise the amount of crack cocaine necessary to trigger a mandatory 5-year sentence from 5 grams to 28 grams, which is close to the 1 ounce. This does seem to make some sense. It is a fair and just treatment of the problem. It serves the interests of law enforcement in reaching wholesale and mid-level traffickers while reducing the crack powder ratio to 18-to-1 from the current 100-to-1.

I think this is tough but fair. I would not support going further. I support this bill very strongly. I believe that this is what justice should be about. This is a well-crafted bill. It is a good compromise. It serves the ends of justice and fairness. I hope people will support it.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself 30 seconds to make a brief comment.

The gentleman from California just mentioned the 1986 law. We are not blaming anybody for what happened in 1986, but we have had years of experience and have determined that there is no justification for the 100-to-1 ratio. We know that's what we know now, and so we're not blaming anybody for what happened in 1986, but we are fixing what we have learned through years of experience.

I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Let me thank Chairman SCOTT, Chairman CONYERS, and also let me thank my colleagues on the other side of the aisle who see the wisdom of moving forward based on what we know about the disparity in crack cocaine sentencing now, what we've learned over the years, thank all of them for yielding to evidence, which I think is so important.

Before I ever came to Congress, Mr. Speaker, I spent the better part of my life representing people in the courts of our country as a public defender and representing them in the courts of our country in Federal and State court, and I saw so many of these cases. I think what disgusted me the most is the human potential that would just be thrown away, as I would have to tell a young person who was caught with crack that if they'd had cocaine they would have a chance at probation, they would be able to really take advantages of treatment and perhaps reconstruct their lives. But because they had crack, their lives were going to be basically over at a pretty young age, thrown away in a cell to have really no real opportunity, be in prison for 10, 5 years for what another person would get probation for. And this made it incredibly difficult to argue that our system of law was fair, that we believed in justice, that we thought it was right and just to treat people the same for doing the same thing.

The fact is, the chemical difference between crack and cocaine is the differences between water and ice. It is the same thing, and you cannot explain to a people that for doing the same thing that they should get 100-to-1 more severe treatment. It doesn't make sense.

So let me just commend people on both sides of the aisle for correcting this severely disproportionate and unfair anomaly in our law enforcement, and I take no blame for anybody. But I will say that there are thousands of people, literally thousands of people, who may get a real chance at life because of a mistake in their drug cases, because of this law.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to my friend and colleague from Texas (Mr. PAUL).

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

Mr. PAUL. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this legislation. It's called the Fair Sentencing Act. I'd like to rename it, though. I'd like to call it the Slightly Fairer Resentencing Act, because it really makes an attempt to correct a very, very serious problem in equal justice in our systems, and that effort I think we should all applaud. I would have much preferred H.R. 3245. I was an original cosponsor of that along with Congressman SCOTT, but I think this is a typical example of trying to fix a problem that we invite upon ourselves.

In economics, I adhere to the position that once you want to do some good in the economy, with all the best motivations, we do things and we create new problems and we have to go back. If you get two new problems for every intervention, then you're constantly writing laws.

Well, in social policy, I believe the same thing. It was trying to improve social policy with crack cocaine. There was no evidence on this. It was designed to help people, especially the minorities that were using crack cocaine, and they thought this was terrible, and it turned out that its law backfired. It actually hurt minorities, didn't help them. Here we are trying to correct this disparity, and it just, to me, confirms the fact that government management, whether it is the economy or social policy, doesn't make a whole lot of sense.

When this country decided it was very dangerous to drink alcohol and we had to stop it, back in those days, in the teens of the last century, they decided in order for the government to do this they had to amend the Constitution. Can you imagine anybody being concerned today by what we do here and say we have to amend the Constitution? Oh, no. We amended the Constitution. It was a bomb. It made alcohol much more dangerous. All the drug dealers sold the alcohol, and the alcohol was more concentrated and less pure. People died. People woke up and they repealed it.

This is what's going to have to happen someday. We need to repeal the war on drugs.

Mr. SMITH of Texas. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the majority leader of the House of Representatives, the gentleman from Maryland (Mr. HOYER).

□ 1350

Mr. HOYER. Mr. Speaker, I rise in support of this legislation and thank Mr. SCOTT for yielding to me.

I also want to thank the former attorney general from California, DAN LUNGREN, for working with me on this issue and JIM SENSENBRENNER and others.

Two decades ago, Congress responded to the addictiveness of crack cocaine, a terrible drug, and the violence it brought in its wake by establishing harsh mandatory sentences for possessing and dealing it. In supporting that policy, Congress also created a wide disparity, however, between crack cocaine and powder cocaine sentences—both addictive, both illegal.

Possessing an amount of crack equal to the weight of two pennies has resulted in a mandatory minimum sentence of 5 years. In order to receive a similar sentence for possessing a chemically similar powder, cocaine, one would have to be carrying 100 times as much cocaine.

It has long been clear that 100-to-1 disparity has had a racial dimension as well, helping to fill our prisons with African Americans disproportionately put behind bars for longer.

The 100-to-1 disparity is counterproductive and unjust. That's not just my opinion, but the opinion of a bipartisan U.S. Sentencing Commission, the Judicial Conference of the United States, the National District Attorneys Association, the National Association of Police Organizations, the Federal Law Enforcement Officers Association, the International Union of Police Associations, and dozens of former Federal judges and prosecutors. They have seen firsthand the damaging effects of our unequal sentencing guidelines up close, and they understand the need to change them. That's what this is about.

The Fair Sentencing Act does that. It also strengthens sentences for those who profit by addicting others to drugs, as it should do.

This bill has overwhelming bipartisan support. Whatever their opinions on drug policies, members of law enforcement, community advocates, and Members of Congress overwhelmingly support this bill. In fact, it passed the Senate unanimously.

In the words of a letter signed by a bipartisan group with sponsors on the Senate Judiciary—Senators LEAHY, SESSIONS, FEINSTEIN, HATCH, SPECTER, GRASSLEY, DURBIN, GRAHAM, CARDIN, CORNYN and COBURN—a very, very bipartisan and broad spectrum group of supporters, they said this: ''Congress has debated the need to address the crack powder disparity for too long. We now have the ability to address this issue on a bipartisan basis.'' They supported this legislation, which is, again, why it passed in a bipartisan fashion through the United States Senate.

My colleagues, I urge support of this legislation. I am pleased that the leadership on both sides of the aisle will be supporting this legislation. We do so for the same reason that Senators CORNYN, HATCH, GRAHAM, and SESSIONS all support their legislation. It's the right thing to do. It will enhance, not diminish prosecution, and it will lead to better justice in America while at the same time making sure that we penalize and hold accountable those who would addict our children and our fellow citizens.

I urge support of this legislation.

Mr. SMITH of Texas. I yield myself the balance of my time.

Mr. Speaker, more than any other drug, the majority of crack defendants have prior criminal convictions. Despite claims by some, this is not an issue of one-time crack users being prosecuted for possession. This is about offenders who perpetually peddled this dangerous drug and should pay the price for their actions.

Despite the devastating impact crack cocaine has had on American communities, this bill reduces the penalties for crack cocaine. Why would we want to do that? We should not ignore the severity of crack addiction or ignore the differences between crack and powder cocaine trafficking. We should worry more about the victims than about the criminals.

Why would we want to reduce the penalties for crack cocaine trafficking and invite a return to a time when cocaine ravaged our communities, especially minority communities?

This bill sends the wrong message to drug dealers and those who traffic in destroying Americans' lives. It sends the message that Congress takes drug crimes less seriously than they did. The bill before us threatens to return America to the days when crack cocaine corroded the minds and bodies of our children, decimated a generation, and destroyed communities.

Mr. Speaker, I hope, sincerely, that those who support this legislation are prepared to take responsibility if cocaine trafficking increases, if our neighborhoods and communities once again become riddled with violence, and the lives of Americans are unnecessarily destroyed.

I hope that doesn't happen, but at least today we have gone on record as saying that there was a warning, and I can only hope that at some point in the future it will be heeded and responded to.

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

Mr. SCOTT of Virginia. Mr. Speaker, this bill does not reduce the disparity from 100-to-1 to 1-to-1. It does not eliminate the mandatory minimums, but it is a step in the right direction and, therefore, I urge my colleagues to support S. 1789.

Mr. PAUL. Mr. Speaker, I rise in reluctant support for S. 1789, the Fair Sentencing Act. My support is reluctant because S. 1789 is an uncomfortable mix of some provisions that reduce the harms of the federal war on drugs and other provisions that increase the harms of that disastrous and unconstitutional war. I am supporting this legislation because I am optimistic the legislation's overall effect will be positive.

Congress should be looking critically at how we can extricate America from the four decades of destruction that has ensued since President Richard Nixon announced the federal war on drugs in 1972. As a medical doctor with over 30 years' experience, I certainly recognize the dangers that can arise from drug abuse. However, experience shows that the federal drug war creates many additional dangers, while failing to reduce the problems associated with drug abuse. Like 14 years of federal alcohol prohibition in the 1920s and '30s, America's federal drug war has failed to

ameliorate the problems associated with drug use, while fostering violence and disrespect for individual rights.

While imperfect, I am optimistic that the Senate bill being considered today will reduce the harms of the federal drug war. I also hope consideration of this legislation will enliven interest in ending the federal war on drugs.

It is unfortunate that the House of Representatives is today considering this compromise legislation from the Senate instead of Representative BOBBY SCOTT's H.R. 3245, the Fairness in Cocaine Sentencing Act. I am an original cosponsor of Representative SCOTT's bill, which passed the House of Representatives Committee on the Judiciary on July 29, 2009—one year ago tomorrow. Representative SCOTT's legislation is a short and simple bill that repeals a handful of clauses, sentences, and subparagraphs of federal drug laws to eliminate the 100 to one drug weight basis for sentencing disparity for crack cocaine violations in comparison to powder cocaine violations.

I will vote for the Senate legislation today because it rolls back some of the enhanced mandatory minimum sentences for crack cocaine that the federal government created in 1986. These enhanced mandatory minimum sentences have caused people convicted for small amounts of crack cocaine to serve much longer sentences in prison than people convicted for the same amount of powder cocaine.

While the Senate legislation reduces the drug weight basis for mandatory minimum sentencing disparity between crack cocaine and powder cocaine convictions for many individuals to only 18 to one compared to the total elimination of the disparity in Representative SCOTT's bill, the Senate bill does make a step in the right direction. The Senate bill eliminates entirely the mandatory minimum sentence for simple possession of crack cocaine and reduces significantly the mandatory minimum sentence for many people convicted of crack offenses by raising the number of grams of crack cocaine a person must possess for each mandatory minimum sentence level to apply. In addition, the Senate bill allows courts to show compassion for individuals with compelling cases for leniency by reducing sentences for some people convicted of controlled substances violations who a court determines meet requirements including having minimum knowledge of the illegal enterprise, receiving no monetary compensation from the illegal transaction, and being motivated by threats, fear, or an intimate or family relationship.

Unfortunately, while the Senate bill reduces some of the most extreme and unjust mandatory minimum sentences in the federal drug war, it also contains expansions of the federal drug war that I fear may yield results destructive to individual liberty and public safety. In particular, the Senate bill significantly increases maximum allowed monetary penalties for violations of federal restrictions on controlled substances and increases sentences for people convicted of controlled substances violations whose circumstances include certain aggravating factors.

Some people will argue that the increased penalties in the Senate legislation are desirable because they target people who are high up in the illegal drug trade or who took particularly disturbing actions, such as involving a minor in drug trafficking. But, the history of the federal drug war has shown that ramping up penalties always results in increasing rather than decreasing the harms arising from the federal drug war. Such enhanced penalties increase the risks of the drug trade thus causing illegal drug operations to be more ruthless and violent in their tactics. Enhanced penalties also can result in even more inflated prices for illegal drugs, leading to more thefts by individuals seeking funds to support their drug use. High monetary fines for drug trafficking also tend to provide police and prosecutors with a perverse incentive to focus on nonviolent drug crimes instead of violent crimes.

Each successive ramping up of the federal war on drugs has made it more evident that this war is incompatible with constitutional government, individual liberty, and prosperity. It is time for Congress to reverse course. I am optimistic that S. 1789—even with its faults—may signal that Congress is ready to begin reversing course. It is imperative that the House of Representatives pursue a dialogue on how we can end the federal war on drugs—a war that has increasingly become a war on the American people and our Constitution.

Mr. SCOTT of Virginia. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, S. 1789.

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

A motion to reconsider was laid on the table.

LOBBYING DISCLOSURE ENHANCEMENT ACT

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5751) to amend the Lobbying Disclosure Act of 1995 to require registrants to pay an annual fee of $50, to impose a penalty of $500 for failure to file timely reports required by that Act, to provide for the use of the funds from such fees and penalties for reviewing and auditing filings by registrants, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5751

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lobbying Disclosure Enhancement Act''.

SEC. 2. LOBBYING DISCLOSURE ACT TASK FORCE.

(a) ESTABLISHMENT.—The Attorney General shall establish the Lobbying Disclosure Act Enforcement Task Force (in this section referred to as the ''Task Force'').

(b) FUNCTIONS.—The Task Force—

(1) shall have primary responsibility for investigating and prosecuting each case referred to the Attorney General under section 6(a)(8) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605(a)(8)); and

(2) shall collect and disseminate information with respect to the enforcement of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 3. REFERRAL OF CASES TO THE ATTORNEY GENERAL.

Section 6(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605(a)) is amended—

(1) in paragraph (8), by striking ''United States Attorney for the District of Columbia'' and inserting ''Attorney General''; and

(2) in paragraph (11), by striking ''United States Attorney for the District of Columbia'' and inserting ''Attorney General''.

SEC. 4. RECOMMENDATIONS FOR IMPROVED ENFORCEMENT.

The Attorney General may make recommendations to Congress with respect to—

(1) the enforcement of and compliance with the Lobbying Disclosure Act of 1995; and

(2) the need for resources available for the enhanced enforcement of the Lobbying Disclosure Act of 1995

SEC. 5. INFORMATION IN ENFORCEMENT REPORTS.

Section 6(b)(1) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605(b)(1)) is amended by striking ''by case'' and all that follows through ''public record'' and inserting ''by case and name of the individual lobbyists or lobbying firms involved, any sentences imposed''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Lobbying Disclosure Enhancement Act makes several straightforward, commonsense amendments to the enforcement provisions of the Lobbying Disclosure Act.

First, this bill establishes a task force specifically dedicated to the enforcement of our lobbying laws. Although the newspapers are full of stories about lobbyists who file late, inaccurate, and incomplete reports, there has not yet been a single significant enforcement action.

□ 1400

We believe that an institutional change is in order. The task force will receive complaints from the Clerk of the House, investigate these cases, and enforce the disclosure laws to the fullest extent.

Second, this bill asks the Department of Justice to make recommendations to the Congress for additional improvements to the enforcement of lobbying disclosure laws. The ethics reform legislation we passed last Congress was an important step in bringing transparency and accountability to lobbying disclosure, but much more

can and should be done. We look forward to working with Attorney General Holder to improve on the current system.

Third, the bill amends the Lobbying Disclosure Act to require the Attorney General to publish the names of lobbyists and lobbying firms who are sanctioned under the law. Just as we expect the Department of Justice to enforce the LDA, this bill will require the Department to be transparent about the results of their investigations and prosecutions.

I would like to thank the sponsor of the bill, the gentlelady from Ohio (Ms. KILROY), for her steadfast leadership on this important issue. I urge my colleagues to support the legislation.

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

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

Mr. Speaker, I support H.R. 5751, the Lobbying Disclosure Enhancement Act. The purpose of the bill is to provide flexibility to the executive branch for the enforcement of the provisions in the Lobbying Disclosure Act of 1995.

H.R. 5751 directs the Attorney General of the United States to establish a task force towards this end. The task force is given the primary responsibility to investigate and prosecute possible violations of the Lobbying Disclosure Act. The task force is also directed to collect and disseminate information with respect to compliance with the enforcement of the act.

Legislation specifies that with the information gathered by the task force, the Attorney General may make recommendations to Congress with regard to improving enforcement of the Lobbying Disclosure Act and the resources it needs. We expect the task force created by this bill to become a new point of contact. It will be up to the Attorney General to determine where to locate the task force and the responsibilities under the Lobbying Disclosure Act within the Justice Department's organizational structure.

I urge my colleagues to join me in supporting this bill.

Mr. Speaker, I do want to express concern about the process and the development of the execution or the bringing of this bill forward.

I have expressed support of it, it makes some sense—it doesn't, quite frankly, do much—but it should also be noted that there should be a proper way and process by which we move these bills forward.

This bill was introduced on July 15. It didn't show up on the whip notice until late last night. This morning, in a very bipartisan way—and I thank both sides for working together with the staff—but we have a copy of this bill that came across at 12:15; it is now just after 2 o'clock.

The title of the bill, as read, talks about a fee that would be imposed, a penalty that would be imposed. My understanding is—and I'm happy to yield to the gentleman who is managing this bill to help talk about this—but the title of the bill talked about a new fee and penalty, but I don't think there's fees and penalties even in the bill.

There was no hearing, there was no subcommittee work, there was no committee work on this.

I would be happy to yield to the gentleman if he can help clarify any of those points.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Yes, there are fees in the title of the bill; however, in working with the minority, the bill was amended and the fees were taken out. The title did not change because of the amendments, but that's why the fees are not there because we were accommodating the minority side of the aisle.

Mr. CHAFFETZ. Reclaiming my time, the annual fee, I guess, was going to be $50. To impose a penalty of $500 for failure to file timely reports—these lobbyists walk around with $5,000 bills in their pockets. I would like to see, if we had time to discuss this in committee, a $500 penalty. They get that in a half hour's work. That isn't much of an incentive for them to file in a timely manner.

The bigger, broader point, Mr. Speaker, is these are the types of discussions that really should happen in the subcommittee and in the committee, the timing of these issues, why we would make this change.

Mr. Speaker, I would just make a further point on H.R. 5751. While it moves the structure slightly and gives more flexibility to the Attorney General, obviously we want to see these laws and the compliance fulfilled as much as possible. If this will in any way help the Attorney General in doing so, so be it; we're happy to support this bill.

I still must reiterate that the speed in which this bill was offered, the lack of opportunity for members within the Judiciary Committee to properly debate this, vet this, the fact that we were still dealing back and forth with some staff—and, again, I appreciate the bipartisan way in which it was done, but at the same time, these are the types of things that get vetted and ferreted out with better discussion and review. I think we could have made it stronger, quite frankly. We could have added some real teeth to it, that's unfortunate, but nevertheless, we do urge its passage.

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

Mr. SCOTT of Virginia. Mr. Speaker, may I inquire as to how much time remains on this side?

The SPEAKER pro tempore. The gentleman has 18½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Speaker, to close for our side, I yield the balance of my time to the sponsor of the bill, the gentlelady from Ohio (Ms. KILROY).

Ms. KILROY. Mr. Speaker, I rise in support of legislation I introduced, H.R. 5751, the Lobbying Disclosure Enhancement Act, to help bring accountability to the way lobbyists do business in Washington.

Back home, many people tell us that Washington is broken, that we need to end politics as usual. Well, one of the ways we tried to do this is to rein in lobbyists through the disclosure filings that they are required to file, and it is amazing how difficult it is to even make that happen.

H.R. 5751 would create a task force to help investigate and prosecute violations of the Lobbying Disclosure Act. If there is not some kind of push to enforce, then frequently people fall into noncompliance and they don't take us seriously. Well, it's time for us to be taken seriously on this question.

Mandated by the Honest Leadership and Open Government Act of 2007, a recent GAO study found the need for more transparency and accountability for special interest influence in government. Specifically, the GAO found that since 1996, the Secretary of the Senate has referred 8,281 potential violations of lobbying disclosure rules to the DOJ. About 4,400 of those referrals occurred in 2009 alone. The Office of the Clerk has referred an aggregate of 760 potential noncompliant registrants to the U.S. Attorney for the District of Columbia. And for 9 years, at least one organization reported lobbying the same 16 outdated—and mostly dead—pieces of legislation it initially reported in 1999 and 2000.

These statistics show a growing trend of mistakes and noncompliance that can't be ignored by this body. We have promised the American people more transparency and accountability, and my bill will help deliver on that promise.

Mr. CHAFFETZ. Will the gentlewoman yield for a question?

Ms. KILROY. I yield to the gentleman from Utah.

Mr. CHAFFETZ. Thank you.

Mr. Speaker, my question is about the fees. Originally, the title said there was going to be a fee and that there was going to be a penalty. And suddenly, why did those come out? If you want accountability, why would you take out the penalty?

Ms. KILROY. I thank the gentleman for his question.

I fully would have supported a fee such as was included in the original bill, but we were informed by the Clerk of the House that they could not administer such a fee. So I would be more than happy if you and others in Judiciary would take up that question and return that question when we come back in September.

□ 1410

But reclaiming my time, I came here to change the ''politics as usual'' approach and to help bring reform.

The Attorney General is given the responsibility to report back to Congress with policy recommendations about how best to improve the Lobbying Disclosure Act going forward and about how to make the processing and enforcement seem self-funded. I believe that the taxpayers should not have to

shoulder the heavy burden of playing watchdog to this industry and that the creation of a self-sustaining system could be possible.

My legislation changes the current disclosure rule that previously prevented the Department of Justice from publishing the name and firm of anyone in violation of the Lobbying Disclosure Act. We will now know the names of the lobbyists who continue to file late or to file incorrect information. This change reminded me of a phrase I heard recently: ''What you can't get through altruism, you must get through shame.''

Mr. Speaker, I want to thank Chairman CONYERS and the Judiciary Committee staff, who worked with me on this bill, as well as the majority leader for giving me the opportunity to speak to this bill this afternoon on the floor.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill,

H.R. 5751, as amended.

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

The title was amended so as to read: ''A bill to provide for the establishment of a task force that will be responsible for investigating cases referred to the Attorney General under the Lobbying Disclosure Act of 1995, and for other purposes.''.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5822, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2011

Ms. PINGREE of Maine. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1559 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1559

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5822) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 63, line 4. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. In case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 4. It shall be in order at any time through the calendar day of August 1, 2010, for the Speaker to entertain motions that the House suspend the rules. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 1559 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes the 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, and the gentleman from Arizona and the gentlewoman from Maine 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 today not because of unfunded mandates in the bill, although, there are probably some, but because it is about the only opportunity we have here in the minority to protest the kind of treatment that these appropriation bills are getting in the Rules Committee and to protest the manner in which they are coming to the floor.

It used to be that it was a time-honored tradition in this House to have appropriation bills come to the floor under an open rule. Over the past couple of years, that has turned into a structured rule, so many Members in this body, in the minority and the majority, have not had this opportunity. Let's take last year, for example.

Every appropriation bill, all 12, came to the floor under structured rules. There were some Members on both sides of the aisle who offered multiple amendments throughout the year. That is the one chance they have to actually offer amendments on appropriation bills—the things that we are supposed to be doing here in Congress—and they weren't allowed to offer one. Many Members were denied the opportunity to offer any amendments.

□ 1420

There were some 1,500 amendments offered last year. Just 12 percent, fewer than 200, were made in order. And, in fact, I offered about 635 myself. I was only permitted to offer 50, after the structured rule took effect.

Now, the leadership on the majority side will often say, well, we have to keep order in this place, and people would simply offer dilatory amendments and take too long in the process. I remember times in years past, and I haven't been here that long, but just a couple of years ago where we would spend 2 or 3 or 4 days on one appropriation bill because that's what we do here. That's the important part of what we do. Yet, the majority can't seem to find time to allow all amendments to these bills.

Instead of allowing debate on amendments to appropriation bills, let me give you some idea of what we've been doing over the past couple of months and why the statement that we simply can't allow people to offer this many amendments would be proper because we don't have time. Well, here's what we've had time for. And let me note that each one of these that I mention, and this is just a fraction of these kind of suspension bills that we've dealt with, each one of these allows for 10 minutes of debate. That's as much time as we allow on any amendment coming before on the appropriation bill.

H.R. 1460, Recognizing the important role of pollinators. That one we dealt with just a month or so ago.

H.R. 1491, Congratulating the University of South Carolina, the Gamecocks, for winning the 2010 NCAA Division I College World Series.

H. Res. 1463, Supporting the goals and ideals of Railroad Retirement Day.

Now, these things may be nice to do and nice to those who receive these kind of accolades, but it's not the important business of this House. And so to say that we don't have time to actually debate amendments to these appropriation bills, and the one that we

are dealing with today, many amendments that were submitted by Members were turned away, were not allowed in this structured role.

Another thing we dealt with, supporting the goals of National Dairy Month. Now, how in the world is that more important than allowing Members to strike funding from appropriation bills?

I need not remind this Chamber that 42 cents of every dollar we spend this year, 42 cents of every dollar we spend this year will be borrowed from our kids, from our grandkids, from whomever overseas who buys our bonds. And yet we can't allow time to let Members offer amendments to strike spending from these bills. We only allow a certain percentage of them.

Supporting the goals and ideals of American Craft Beer Week. That was H.R. 1297 that we dealt with in the last couple of months, the time that we usually designate in this body to deal with appropriation bills.

Congratulating the Chicago Blackhawks. That was H.R. 1439.

Supporting National Men's Health Week.

Recognizing June 8, 2010, as World Ocean Day.

As I mentioned, these might be good things to do, but when they're taking up time that the majority seems to say now we don't have time for appropriation bills, that's wrong.

And when they, in the Rules Committee, will say, sorry, the gentleman from Colorado or wherever else can't offer his amendment because we've taken too much time recognizing National Nurses Week or supporting the goals and ideals of National Learn to Fly Day or expressing support for the goals and ideals of Children's Book Week, recognizing the 75th anniversary of the establishment of the East Bay Regional Park District in California, I think you're getting the picture here.

It's a hollow statement to say that we don't have time to deal with these amendments on appropriation bills. The truth is the leadership simply doesn't want these things debated all that much.

Mr. Speaker, I reserve the balance of my time, and I will explain why in a minute.

Ms. PINGREE of Maine. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the thoughts of my colleague from Arizona.

I would say that I wouldn't stand up here and criticize nurses, dairy farmers, small breweries, which I have many of in my State, or even the pollinators. I actually have a daughter who's a beekeeper, and I think we all recognize the importance of pollination.

But let me get serious here. Once again, my friends on the other side of the aisle, I think, are trying to block important legislation by using a procedural tactic. They want to prevent this rule and the underlying legislation from going forward without any opportunity for debate, without an opportunity for an up-or-down vote on the legislation itself.

I think that's wrong. I hope my colleagues will vote ''yes'' so we can consider this legislation on its merits and not kill it with a procedural motion.

I say, let's not waste any more time on unrelated parliamentary measures. Those who oppose the bill can vote against it on final passage. We must consider this rule, and we must pass the bill today.

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

I reserve the balance of my time.

Mr. FLAKE. Mr. Speaker, I want to respond to the gentlelady.

The gentlelady says that I am criticizing pollinators or beer distillers or whomever. I'm not. I'm just saying the Congress doesn't need to congratulate everybody who wins a championship or everybody who distills beer. I mean, it's just nutty for us to spend so much time on these things and then say, I'm sorry, we don't have time for Members to offer amendments on appropriation bills to actually strike spending so that we're not borrowing 43 cents on every dollar that we spend this year.

Let me mention why it is that the leadership and the Appropriations Committee may not be so anxious for Members to debate these bills—because there are a lot of earmarks in them. This chart shows 11 of the 12 appropriation bills that have gone through either the subcommittee or committee. It looks like a hungry Pacman here, but what this shows in the red is the percentage of earmark dollars associated with powerful Members of Congress. That includes members of the Appropriations Committee, members of leadership, or chairmen of committees. That represents about 13 percent of this body.

Yet, when you look at the number of earmark dollars or percentage of earmark dollars, Homeland Security, that 13 percent is garnering 52 percent of the earmark dollars. CJS, 57 percent; Agriculture, 76 percent of the earmark dollars are going to just 13 percent of this body, the 13 percent that are writing the rules here and are deciding that certain amendments simply won't be offered. That is wrong. We shouldn't be doing that. TTHUD, which we'll be doing just tomorrow, 42 percent of the earmark dollars are going to just 13 percent of this body.

Is it any wonder that the leadership on the majority side does not want certain amendments debated here?

MILCON VA, 51 percent going to just 13 percent of this body. Energy and Water, 53 percent; Labor/HHS, 66 percent; Interior, 60; Defense, 55.

In Defense, we just learned today that an amendment has been submitted—I'm sorry, an earmark has been submitted, $10 million for the John Murtha Center, our beloved Member who deceased just a few months ago. We're going to earmark $10 million to create a center in his honor in the Defense bill. I think that that ought to be debated here, but chances are we won't even get to the Defense bill.

It's unlikely we're going to get to very many of the appropriation bills this year, and the ones that we do will come to the floor under a structured rule where Members will not be allowed to offer amendments, or just a few of them on the ones that the majority chooses to hear. They can choose the ones they don't want to hear and choose the ones that they hear.

I would like to hear a response from the Rules Committee as to what reasoning goes behind which amendments will be allowed under what is traditionally an open rule and which ones will not.

And I would yield to the gentlelady if she would explain the rule or how the Rules Committee arrives at this rule.

I guess the gentlelady doesn't want to respond on this. I wouldn't either. I wouldn't want to try to justify closed rules or structured rules coming to this body on appropriation bills when we're spending more time doing things like recognizing the 50th anniversary of Title VI international education programs, recognizing the importance of manufactured and modular housing in the United States. These are all goods things. It doesn't mean we should spend time that could otherwise be debating appropriation bills, which is what we do here. We prioritize by funding. That's what Congress does. We have the power of the purse. And yet we're shortchanging that process so that we can support the goals and ideals of Student Financial Aid Awareness Month and raise awareness of student financial aid. Like I said, not a bad thing, but not something that should supplanting what we should be doing here.

And so, Mr. Speaker, I would just plead with the Rules Committee and, more importantly, the leadership on the majority side to realize that the traditions of this body, the institutional things that we have here, open rules on appropriations, should be honored.

Now, I've come here for the past 10 years and offered a lot of amendments, many of which when we were in the majority. My own party didn't like these amendments, but they suffered through them because they knew that things matter here like tradition or upholding the institution.

□ 1430

So they allowed all amendments, some of which targeted Members of our own party. But the majority in power now doesn't seem to want that. They want to shield their Members from difficult votes and also shield those who are getting these earmarks from any scrutiny. These amendments aren't really scrutinized in the Appropriations Committee. So if they aren't argued and debated here, they simply aren't going to get a vetting.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, to the questions of my colleague from Arizona, I have to say you have far more experience in this body than I do. As you know, I'm a freshman Member. So I have only operated under the current process that we have today. I can't speak to what the process was like in the past.

I can say, as a member of the Rules Committee, a tremendous number of amendments come before our committee. And if all of them were allowed to come to the floor, and if this were an open rule, I'm sure there would be some advantages and some opportunities for greater debate.

On the other hand, on the issues that we're about to take up today, the essential issue of veterans benefits, which I'm going to look forward to speaking to in a few minutes, assuming that we vote down this current point of privilege, I am looking forward to the opportunity to move forward on taking better care of our veterans. And if we had a tremendous number of amendments before us today, I am not sure we would ever get there.

In fact, when I look at some of the information that I have before me, I am reminded that during the DOD appropriations bill in 2009, when I was sitting on the Rules Committee, we actually had 606 amendments come before us. Many of them were just there, I think everybody would agree on both sides of the aisle, many of them were just there to score political points. So do our constituents want us to take up our time today with listening to political back and forth taking up day after day with 606 amendments, or do they want us to get right to the heart of the matter, and that is to move forward on the issue of taking better care of our veterans?

And let me make one other point. You know, you've talked about earmarks, and you are very eloquent on the topic of earmarks; and I appreciate that. I think a lot of our constituents have great concerns about earmarks, how are they handed out, how does the budgeting process work here. But I do have to say as a freshman Member, I have taken great care to have a tremendous amount of transparency around the topic of earmarks.

We hold appropriations meetings in our district. We invite individuals with any kind of issue to come before us that they would like to see appropriated, whether it's a highway bridge, or whether it's a community center, or whether it's a particular project that might benefit anyone in our district, the university, or some system. We actually ask each person who comes before us with an earmark request to make a 3-minute video. Then we post it on our Web site. Then we ask our constituents, do you have opinions on this?

So while I understand much of the concerns about the earmark process, I have to say as one Member who I can't say is in the top 13 percent of the highest recipients of earmarks, I still appreciate the process which allows me to take my constituents' wishes before the Appropriations Committee and say, you know, this would benefit my district, this would benefit my university, this would create more jobs. And I do it in a fully transparent manner. So I believe my constituents have the benefit of knowing all of the information around earmarking and doing the very best we can with making sure that process isn't handled in back rooms or in the dark of the night, but is actually a very transparent process.

So I appreciate the concerns that you have brought before us today. I look forward to moving forward on the debate on this rule so that we can move forward on what I think is a vital part of our appropriations process, that's taking care of our veterans.

So again, I want to urge my colleagues to vote ''yes'' on this motion to consider so we can debate and pass this important legislation today.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

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

Ms. PINGREE of Maine. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of this rule is for debate only.

GENERAL LEAVE

Ms. PINGREE of Maine. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1559.

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

There was no objection.

Ms. PINGREE of Maine. I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1559 provides for consideration of H.R. 5822, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act of 2011, under a structured rule. The rule provides 1 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule waives points of order against provisions of the bill for failure to comply with clause 2 of rule XXI. The rule makes in order only those amendments printed in the report. All points of order against the amendments except those arising under clause 9 or 10 of rule XXI are waived.

The rule provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without division of the question. The rule provides one motion to recommit with or without instructions. The rule provides that after consideration of the bill for amendment, the chair and the ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate. Finally, the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee.

Mr. Speaker, for more than 9 years our country has been engaged in two conflicts halfway around the world. The number of wounded military personnel in Iraq and Afghanistan has put a financial strain on the Department of Veterans Affairs. The VA expects to treat more than 6.1 million patients in 2011, including more than 439,000 veterans of Iraq and Afghanistan. In addition, the constant training, deployment, and redeployment of our troops have put a significant burden on our military.

H.R. 5822 appropriates funding for military construction, veterans programs, and four related agencies. Our troops have performed admirably wherever they have been deployed, and Congress has an obligation to provide the care and compensation to every eligible veteran. This bill also provides additional funding for the Guard and Reserves to address critical unfunded requirements as a result of prolonged and repeated deployments. In my home State of Maine, thousands of Guard and Reservists have made invaluable contributions to our national defense, and I am proud to see this funding included in the bill.

H.R. 5822 renews our commitment to redevelop closed military bases and their surrounding communities. The bill provides necessary funding to implement the 2005 BRAC and address the enormous backlog of environmental cleanup projects from previous BRAC rounds. This funding is essential to communities across the country, including the towns of Brunswick and Topsham in my district, which are already experiencing economic difficulties from the closing of Brunswick Naval Air Station. We must do everything we can to support the communities that the BRAC bases leave behind.

While the investments in military construction are vital, they are only a small portion of this bill. The vast majority of legislation is devoted to veterans' programs. The bill provides the necessary funding for veterans' medical care, claims processors, and facility improvements, including increased funding for mental health services, assistance programs for homeless veterans, and innovative services for veterans in rural areas.

The military construction projects in this bill are vital to ensure that the

missions of each installation are carried out in the most efficient manner possible. One great example is the funding contained in this bill for Portsmouth Naval Shipyard in Kittery, Maine. The shipyard provides world-class overhaul, repair, and modernization of nuclear submarines. The yard has a reputation of delivering subs back to the fleet on time and under budget.

This fall, the Portsmouth Naval Shipyard will welcome the first Virginia-class submarine to Maine for an overhaul. This bill contains $11.9 million to modernize the structural shops at the yard, which will improve the equipment layout and streamline process flow within the shipyard. It will help workers at the yard continue to do high quality work while increasing their efficiency. And this funding is essential to this mission. Increasing maintenance efficiencies and eliminating redundancies will no doubt make the yard more competitive for Navy sub projects in the future.

The Portsmouth Naval Shipyard is an economic success story in Maine. The yard is in the middle of adding approximately 160 new jobs this year, jobs like painters, sheet metal workers, electricians, welders, and engineers. And the construction work that this bill will fund will be done by outside contractors, bringing even more jobs to the area. The funding in this bill will help this economic engine in southern Maine remain competitive and create new, good-paying jobs.

Finally, I am very proud of what this bill does for our Nation's veterans. Their service has earned them world-class health care and benefits, and Congress has a moral obligation to provide the best benefits possible.

□ 1440

This bill is an example of what happens when politics is put aside and veterans come first. I strongly support this rule which provides for consideration of this essential legislation.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my friend, the gentlewoman from Maine, for the time, and I yield myself such time as I may consume.

Each year Congress undertakes its duty to fund the government through what is commonly known as the appropriations process. The appropriations process usually begins with the consideration of a budget. The budget sets the parameters of congressional spending for the upcoming year, allowing the Appropriations Committee to begin assembling the 12 appropriations bills.

But for the first time since the Congressional Budget Act was passed in 1974, the House of Representatives has failed to even vote on a budget because of what some suspect may be an attempt by the majority to protect their Members from a vote that would increase what are already record budget deficits.

Yet the dysfunction does not end with the majority's abandonment of one of the most basic duties of governing. It continues today with the consideration of the first appropriations bill, the Fiscal Year 2010 Military Construction and Veterans Affairs and Related Agencies Appropriations Act.

Article I, section 9, clause 7 of the Constitution gives Congress the power of the purse. It says, ''No money shall be drawn from the treasury but in consequence of the appropriations made by law; and a regular statement of account of receipts and expenditures of all public money shall be published from time to time.''

The Congress' constitutional obligation under Article I, section 9, clause 7 has traditionally manifested itself in an open appropriations process. That process allows every Member of the House to propose any amendments—any amendments that are germane—to the 12 appropriations bills. That's the way it's been done, certainly since I've been here, and I know for decades and decades and generations before.

Yet, last year the majority decided to close down the deliberative process of the House on appropriations bills. I came to the floor to oppose that procedure last year, and I stated that I felt that the majority's decision to block debate on amendments from Members on both sides of the aisle was unnecessary and it was unfair, unjust. I thought it was a mistake. I said the majority would come to regret that mistake.

Today, on the very first appropriations bill of this year, the majority has once again decided to close down the appropriations process, and that's unfortunate. Last year we were told that the majority was taking this unprecedented step in order to move the appropriations bills to the Senate so that Congress could avoid an omnibus appropriations bill. What happened was just the opposite. Despite the fact that the Military Construction-VA bill did in fact pass both the House and the Senate, the Democratic leadership never allowed the bill to go to conference, and instead that MILCON-VA appropriations bill was wrapped up in an omnibus appropriations bill—contrary to the reasoning that had been given by the majority.

So what is this year's reason? I believe that it is so that the majority can again use a restrictive process on appropriations bills so the leadership, the majority leadership, has the ability to pick and choose which amendments the House will consider.

Although I strenuously disagree with the manner in which the majority leadership has decided to close the appropriations process once again, and in this case it has allowed only 14 out of 35 amendments, I do wish to congratulate my friends, Chairman CHET EDWARDS, Ranking Member ZACH WAMP and Mr. CRENSHAW for their bipartisan work on the underlying legislation that is undoubtedly very important.

We owe our military veterans and their families an extraordinary debt of gratitude for their service and their sacrifices as a people, not just as a Congress. I think we have to ensure that our veterans and their families, who bear sacrifices and hardships as well, receive all the benefits and assistance to which they are entitled and that they deserve.

The underlying legislation that has been agreed to, it has been drafted in a fair and bipartisan manner, provides crucial funding for military construction and for housing, for quality-of-life projects for our troops and their families.

The legislation includes a total of $141.1 billion in both mandatory and discretionary funding for these agencies. Of this, approximately $120 billion is dedicated to the Department of Veterans Affairs.

The underlying legislation continues our commitment to the brave men and women who sacrifice so much to keep the Nation safe, supporting our servicemembers on base, deployed abroad, and to care for them when they come home.

The Pentagon recognized two important projects to south Florida, which were included in the President's budget and received funding in the underlying legislation. This legislation provides $41 million to construct a permanent headquarters for Special Operations Command South. Currently Special Operations Command South is headquartered at Homestead Air Force Reserve Base. Headquarters personnel are supported by temporary, leased trailers. The trailers were not intended to support the headquarters mission beyond 3 years, and they require significant repairs for continued use.

The project in this legislation will consist of a command and control building with a secure compartmentalized information facility, sensitive items storage, standby generator, and general purpose administrative areas. It will include anti-terrorism measures to protect military personnel stationed there and will be able to withstand—and this is very important—a category 5 hurricane. And, Mr. Speaker, as you know in Homestead, we had a category 5 hurricane the year I was elected to Congress. Hopefully we won't see that again. But it's important that this facility be able to withstand such force.

I am pleased that this legislation also includes funding for construction of a new commissary to be located at the Southern Command Headquarters in Doral, in the congressional district that I am honored to represent. Construction of this commissary will greatly benefit the over 13,000 military personnel and retirees within 20 miles of SOUTHCOM and the thousands more beyond. It will greatly reduce the high cost of living in south Florida for these men and women, and it will improve their quality of life.

I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I am very pleased to yield 2 minutes to

the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of this bill. I especially want to thank Chairman EDWARDS and Ranking Member WAMP for providing the resources our Nation's veterans desperately need and for providing additional funding for FY2012. This advanced funding helps the VA avoid disruption of critical programs. We must take care of our brave men and women who serve this country, and this funding goes a long way to address many of their needs.

I also want to thank the chairman and ranking member for including report language on veterans' burial benefits. I am deeply concerned about the eroding value of the plot allowance and burial benefits provided to our Nation's veterans by the Department of Veterans Affairs. Because the benefits are not indexed to inflation, their value continues to diminish with each passing year. As a result, families and State veterans' cemeteries have been left to cover the increasing costs.

In FY09, the subcommittee included my report language urging the VA to assess the viability of increasing the plot allowance and burial benefits to cover the same percentage of veterans' burial benefits that they covered in 1973, when they were first initiated. The Department of Veterans Affairs has still not yet heeded our recommendations. I'm glad the subcommittee recognizes the importance of the issue and has again included the burial benefits report language.

□ 1450

However, we need to move on this, and I think having it included once again is a step in reminding the VA that this is an important issue.

This Congress I have reintroduced the Veterans' Burial Benefits Improvement Act, H.R. 4045. This bill would increase the plot allowance from $300 to $745 for the burial costs of veterans who are buried in a State veterans' cemetery or a private cemetery; increase burial allowance benefits from $2,000 to $4,100 for veterans who die as a result of service-connected injuries and are buried in a national cemetery; increase the burial allowance from $300 to $1,270 for a veteran who wishes to be buried in a national veterans' cemetery and whose cause of death is not service-connected.

I urge my colleagues to become a cosponsor of this important piece of legislation.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to my very good friend from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. I thank the gentleman for yielding.

I rise today to urge my colleagues to vote ''no'' on this rule.

I want to make it clear that I'm very much in favor of the underlying legislation, but this legislation is being brought to us today under a rule that will restrict our Members, both Democrats and Republicans, from offering amendments, having them considered.

I thought I would give you a little perspective because this bill has come to us this day through the regular order, a very open and fair process. Sixteen hearings took place. All the members of the subcommittee had an opportunity to ask questions and feel like they were being treated fairly, listened to their input. At the subcommittee level, six amendments were offered: four by the minority, two by the majority. They were all adopted unanimously in a bipartisan way. Then we went to the full committee, the full Appropriations Committee. At that point, eight amendments were offered, discussed, and they were adopted as well, in a bipartisan way, four from the Democrats, four from the Republicans.

Yet, when we got to the Rules Committee, that's where the fair and open process ran into a roadblock, the graveyard, if you will, because now we come to the floor with no longer a process where Members can stand up, offer amendments, maybe make a good bill even better, because this rule does not allow that.

I would think that at this time, when deficits are at record levels, when spending is more important to be looked at with a wise and efficient look, that we would allow Members to come to the floor and offer their input, but no, that's not the case.

So while the underlying legislation is very important and very good, I urge my colleagues to vote ''no'' and bring this back under an open rule and allow their participation.

Ms. PINGREE of Maine. I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 4 minutes to my good friend, Mr. BUYER from Indiana.

Mr. BUYER. Thank you very much.

I want to associate myself with the remarks of the gentleman from Florida (Mr. CRENSHAW).

When the majority went to this process to be restrictive here on the floor with regard to amendments on appropriations, that was really a dark day for liberty, and it's really very, very unfortunate. And I understand the Speaker wants to rule the House with a mighty hand and is utilizing the Rules Committee to make Congress an undemocratic institution. The American people are watching. They know that there's something going on in Washington, DC, that's not right. They don't completely understand all this process, but something they do know and understand and that's freedom and that's liberty.

So we're charged with this responsibility to care for those who wear the uniform who now have been injured not only in the workplace but also on the battlefield. But when it comes time then for us to have an open discussion and debate on how best to do that, freedoms are denied. Pretty weird, pretty strange, very peculiar.

As the ranking member of the Veterans Affairs Committee, I have three amendments that were made in order, but there are also two amendments that were not made in order. The first amendment that was not made in order would have transferred $230 million from the information technology system account to fund improvements in various other programs. In 2010, the VA conducted a major review of its major IT initiatives. Of over 300 programs that were reviewed, about 100 are still active or are in planning and about 100 are still being reviewed and about the other hundred have been stopped permanently or have been paused.

This amendment would have taken the $230 million in savings from this review and put $120 million toward deficit reduction and use the remaining $100 million to increase the following VA accounts: medical and prosthetic research by $50 million to fund further research into new innovative treatments, such as the hyperbaric oxygen therapy for TBI; prosthetic devices for female amputees who often have difficulties with the fit and size of the traditional prosthesis tailored to the male physique; and helmets that measure the G-force impact and protect our servicemembers from these blast injuries.

Also, with regard to the VBA general operating account, increase it by $2 million for VA to conduct an authorized longitudinal study for the VRE participants to assess the effectiveness of the program. Also, then increase the VHA medical services account by $48 million; $30 million to improve VA's suicide prevention programs, including $100 million for the national broadcast suicide prevention advertising campaign; $10 million for the VA to improve its services for homeless women veterans and homeless veterans with children; and $8 million for innovative treatments for TBI and mental health.

Does that sound radical? That was made not in order. It is hard. That was not made in order. And so, okay, why? I don't know. The Rules Committee didn't give me an answer. That should have been made in order. That's something that should have been discussed.

We have had a challenge here with regard to the IT systems at the VA, and I leave here in 6 months and the appropriators and the authorizers are going to have a real challenge here, especially as you go forward.

Now, fortunately once we centralize the IT architecture you've got a really good—Roger Baker as the chief information officer, very talented individual, doing assessments. The Secretary's Shinseki. He gets it, he understands it. He's doing this review. But when you take down projects, and we've got those moneys, we can make judgments and choices with regard to how to use some of those dollars, and that's what we sought to do here, and that amendment should, in fact, have

been made in order, and it's really unfortunate.

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

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman 1 additional minute.

Mr. BUYER. There is another amendment, and I know, Mr. Speaker, my good friend, Chairman EDWARDS, had some concerns about one of the amendments that, in fact, was made in order, and I understand, and we can have a colloquy and we can get into that because I know you agree with what we're doing. Mr. Speaker, I believe that Chairman EDWARDS agrees with the initiatives in working with—I guess we can call them green initiatives, green management initiatives, but it's the renewable energy portfolio that's being done down at the VA.

And it's really this advance appropriation is making it hard on how we move moneys between accounts, at the same time, what type of amendments can be brought to the floor. I mean, I tried to do this a couple of years ago, and the parliamentarian knocked an amendment out. And so I wanted to raise this issue on the floor that we have about 60 projects out there, around $162 million, and we've got to figure out how to best fund these, and I will get into that with the Speaker later.

My intention is not to offer that amendment that has been authorized to offer, and I will work this out with Chairman EDWARDS. But I'm going to ask to oppose the rule, even though I compliment the good work the committee has done. But we need an open process.

Ms. PINGREE of Maine. I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it's my pleasure to yield 5 minutes to my friend, the distinguished ranking member of the Rules Committee, Mr. DREIER from California.

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

□ 1500

Mr. DREIER. Mr. Speaker, I thank my friend from Miami for his very thoughtful remarks in his opening statement in which he talked about the greatness of this bill.

This is a bipartisan bill, as has been pointed out by Mr. CRENSHAW, as has been pointed out by Mr. BUYER. Democrats and Republicans alike have come together because, obviously, if we don't take care of our Nation's veterans, how are we going to incent our fellow Americans to join the armed services?

When commitments are made to them, they need to be kept. We all want to do everything we can for the brave men and women who have fought on behalf and served on behalf of the United States of America.

Obviously, I am here with a degree of sadness. I wasn't here for the exchange that took place when our friend, Mr. FLAKE, was here, but I have been told that my good friend from North Haven, who is managing this rule for the majority, indicated that if we had had an open amendment process, we would be allowing partisan obstructionism or something along that line to take place.

Mr. Speaker, it's very interesting that we have made what I consider to be rather sad history in this place. My friend from North Haven is a new Member of this institution and has not once, in her 18 months as a Member of the United States House of Representatives, been able to witness or participate in a bill being debated under an open amendment process.

I have got to say that until it is tried, I would say to my friend, Mr. Speaker, until it's tried, I would think that the notion of passing judgment on the problems of an open rule should really not be brought forward.

I will tell you that it is clear that an open amendment process is messier and uglier and more difficult than having everything shut down, but that's really what the framers of our Constitution wanted. They wanted there to be a free-flowing discussion. I just listened to Mr. BUYER a few minutes ago talking about the green initiative, and he wanted to engage in a colloquy with Chairman EDWARDS about this.

The fact is, when we get into an open amendment process, which, by the way, was done for every single year up until last year for almost all appropriations bills—in fact, virtually every appropriations bill has begun under an open amendment process. Then, if a bipartisan consensus and agreement cannot be struck to bring about some kind of limitation of debate between the chairman of the subcommittee and the ranking member, the Rules Committee has, on occasion, been called on. But the difficulty here for me to understand, Mr. Speaker, is that we are not even beginning with even a modicum of regular order.

Yesterday, in the Rules Committee, I talked about William Natcher, who was a great Member of this institution and served for a period of time as chairman of the Appropriations Committee. Two decades ago, when I joined the Rules Committee, I discussed the appropriations process with Chairman Natcher. He was probably best known—well, he was known for lots of accomplishments, probably best known as the only human being to go, for all the years that he served here, without missing a single vote. In fact, he gave me advice when I got here. He said, Make a speech in the well and miss a vote. This guy never missed a vote, and he was bound to that.

But one of the things that he was was a great institutionalist, and he understood what regular order consisted of. He believed that since appropriations bills are considered to be privileged resolutions, that those measures didn't have to go upstairs through the Rules Committee. They, instead, could come directly to the House floor. By virtue of doing that, it would mean that legislating an appropriations bill could be stricken by a point of order that a Member would raise, but he believed that that was the best way to do that.

Well, we moved away from that, and he said he didn't think that it was a wise thing. But we moved to the point where the Rules Committee would say, gosh, if there are items in an appropriations bill that consisted of things like legislation, there was an agreement with the authorizing committee that the Rules Committee would protect those. It was understood and done pretty much with bipartisan consensus.

But then Democrats and Republicans, alike, would be able to, under that sacrosanct appropriations process, offer germane amendments to the appropriations bill. Now we have gotten to the point, again, and for the first time in the history of the Republic, of shutting down the appropriations process, limiting the opportunities for Members to offer amendments.

While this is a very, very, very good and a critically important bill which virtually all of us will support at the end of the day, it's not the right way to do it. Process is substance. The American people learned that very clearly when we had the 300-page amendment dropped on us up in the Rules Committee at 3 o'clock in the morning, that, in fact, said that we had just a few hours to look at that measure before it was to be debated on the House floor.

The SPEAKER pro tempore (Mr. CUELLAR). The time of the gentleman has expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman 30 additional seconds.

Mr. DREIER. Let me just close by saying that it's very, very important for us to recognize that process is substance. The American people get that. They understand that we are preventing their voice, Democrat and Republican alike, from being heard in this appropriations process.

It is wrong, and I hope very much that as we move through the appropriations process this year we will get back through to regular order. I certainly hope that beginning next year, when a new appropriations process will begin, that we will have the kind of open amendment process that the American people expect and, through their elected representatives, deserve.

Ms. PINGREE of Maine. Mr. Speaker, I thank my colleagues on the other side of the aisle, and I appreciate the words of my colleague and far more experienced Member from California. Thank you very much.

I take your criticism that perhaps, although you didn't hear my words earlier today, that had I been here for the amount of time that you had or had the previous experience, I wouldn't have said exactly what I said about the political posturing that could go on under an open rule.

You are right, 18 months I have been here. I have never had any experience in this legislative body about the process of which of you speak. So, far be it from me to say what the differences were from then until today, but I will say a little bit about my own experience.

I have the good fortune of sitting on the Rules Committee, and perhaps some day, if I am here long enough, and I move my way up the chairs and I am the ranking member or the chair, I will want to advocate for doing things differently. But I only know the experience that I have had up to today, Mr. Speaker, as a member of the Rules Committee.

Now, I see frequent meetings of the Rules Committee. I see a tremendous number of amendments come before us. As my fellow members well know, Mr. Speaker, we often spend hours listening to potential amendments that could be heard here on the floor. I think this afternoon we will have the pleasure of joining the other members of the Rules Committee, Mr. Speaker, and hearing 120 or more amendments to the next potential appropriation bill that could come to the floor.

I hear lively debate. I have been there to submit amendments. Sometimes they are accepted; sometimes they are not. I see amendments come to the floor that I agree with and I disagree with. So I see a lot of back-and-forth about the number of amendments. Perhaps it's not an open rule. You are right, I have never had the experience of an open rule here in this Chamber, but I have also had the experience of a tremendous number of amendments, some of which are politically motivated, some of which could take up a tremendous amount of our time, and I feel that generally the Rules Committee pares down the number of amendments to a reasonable number from each side, probably more for the majority than the minority, and I am sure that happened when the other party was in control, too.

But the fact is, I hear a lot of lively debate. I have only the experiences that I have had, and I can't defend what might have happened in the past or what may happen in the future.

Mr. DREIER. Would the gentlewoman yield, very briefly?

Ms. PINGREE of Maine. I yield to the gentleman.

Mr. DREIER. I thank the gentlewoman for yielding.

I would say to my friend that she is absolutely right, having this 18-month experience.

The fact is, if the Rules Committee were to follow regular order and report out open rules, the meetings upstairs would last a grand total of 5 minutes because we would have the chairman and the ranking member of the subcommittee come forward, say we have got this bill, we have an open amendment process, any Member can stand up on the House floor and offer a germane amendment to the measure. It is considered under the 5-minute rule. We would end the meeting upstairs and we would allow the House to work its will, which is, again, what was done up until last year when we had this shut down for the first time.

Ms. PINGREE of Maine. I thank my friend for those words.

I happen to enjoy many of the meetings we have when we have the time consider both sides, the rules on both sides and the opportunities for what discussion will come to the floor. I appreciate being a member of the Rules Committee and being a part of that filtering process. I don't know if the process will change in the future, but I will say today we have a goodly number of amendments that will be considered on this.

From my perspective, the most important thing that we are doing today is moving forward on this rule, which I hope will pass with a great majority, and moving forward to the consideration of this bill which, I will remind my colleagues, holds a tremendous amount of benefit for our home communities and our veterans, and that is actually why we are here today.

I wouldn't want to see extensive consideration of so many amendments that we never got to the point of what people asked us to do. In this case, it's taking care of our veterans and making sure that they get the services that they deserve after they have served our country.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to my good friend, the gentleman from Nebraska (Mr. TERRY).

□ 1510

Mr. TERRY. Mr. Speaker, I must rise in opposition to this closed, or partially closed, rule.

Thirty-four amendments is not overwhelming. Back just a couple years ago, heck, we would have double or triple that many on an open rule. And it really saddens me to hear that if something will take time to debate or it's controversial, that we are not going to allow it on the floor anymore. Mr. Speaker, democracy isn't supposed to be easy; dictatorships are.

Now, I will rise in support of the underlying bill because I'm going to stand with our men and women in uniform, whether it's current or retired; those are our veterans.

This bill does a great deal of good for Offutt Air Force base, the Bellevue/Omaha area, for our veterans. One of the most significant is $56 million for the design of a new VA inpatient hospital facility for that entire regional area. The current facility was built 60 years ago. It is dilapidated to the point where it is no longer even safe, let alone meets the appropriate standards. So I am proud that the VA has decided and agrees with the entire congressional delegation and the community that this inpatient facility must be replaced and we begin that process.

The second has been a vision of our veterans community. There is no national veterans cemetery within the area of eastern Nebraska, western Iowa, northwest Missouri. The previous administration realized that the rule that was applied needed to be changed, and that was under Secretary Peake, and continued under the current administration—and I want to thank General Shinseki and this administration for following through—in rightfully determining that the service area for a veterans cemetery was actually 112,000 veterans that could be served. By doing that, that shot the eastern Nebraska, Omaha area to the top of the list. And so inside this bill is the appropriation to start the design and purchase of land of a new national veterans cemetery in the Omaha/Bellevue area. That has been a labor of love that started with a small group of veterans in my office just a few years ago, and now I get to see it come to reality.

The last is specific to Offutt Air Force Base. It makes a reference in the MILCON provisions that the new STRATCOM headquarters will begin construction in 2012 and that the costs need to be borne throughout all of the branches and the DOD. This is important for the community and the psyche of the Offutt Air Force Base community.

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

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman 30 additional seconds.

Mr. TERRY. I want to point out, in conclusion, that these are based on the merits of the project—the need for the hospital, the veterans cemetery, and the need for the headquarters. These aren't earmarks; these are things that are determined by merit by the VA and the Department of Defense. And I want to go on record as the Representative of this area in complete support of this bill and those projects.

Ms. PINGREE of Maine. Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. I thank the gentleman from Florida.

My amendment that was proposed to the Rules Committee is one of those that's been denied under this very closed rule.

This appropriation bill does much to honor our Nation's commitment to veterans who have sacrificed for our freedoms, but I'm concerned that our own government is unfairly taking away freedom from those veterans.

Many Americans should be shocked to learn that an outrageous Department of Veterans Affairs process is arbitrarily stripping the Second Amendment rights of veterans and their families who simply receive assistance managing their financial affairs. I offered an amendment to reform the VA practice that wrongly denies gun ownership rights to veterans. Despite the

support for this change by a number of veterans organizations, like the American Legion, as well as the National Rifle Association, I am disappointed that the majority did not allow my amendment to go forward and be heard and offered on the floor today.

Federal law prohibits certain individuals from possessing firearms because they pose a danger to society or themselves, such as convicted felons, illegal aliens, and those who are adjudicated mentally ill. The Brady Act requires the FBI to maintain a database of these individuals called the National Instant Criminal Background Check System which prevents them from purchasing firearms.

Over the past 10 years, the VA has sent names of over 100,000 veterans, their spouses, and their children to the FBI, not because they pose any danger, but simply because the VA determined they could not handle their VA benefits. The VA appoints fiduciaries to help veterans who, for example, have a credit problem or who cannot manage their financial affairs due to health reasons.

The VA's review process for assigning a fiduciary only examines a veteran's financial responsibility and does not look at whether the veteran is a danger to himself or others. But when veterans are appointed fiduciaries, the VA automatically deems them as ''mentally defective'' and forwards their names to the FBI. Without so much as a hearing, these veterans are then prohibited by law from purchasing firearms. By comparison, the Social Security Administration has assisted over 5 million beneficiaries with their finances, but the Social Security Administration does not send those names to the FBI.

It is wrong to take away any veteran's constitutional right to keep and bear arms simply because they cannot manage their financial affairs. My amendment would have ended this unjust practice. The amendment would have required that before the VA can forward the veteran's name to the FBI, an appropriate judicial authority must rule that the veteran poses a danger to himself or to others should he own a firearm.

I am disappointed my amendment was denied, and as a result veterans will continue to be denied their due process and constitutional rights. I encourage my colleagues to support legislation that I and the gentleman from Texas have introduced called the Veterans Second Amendment Protection Act, H.R. 2547, to correct this wrong and restore gun rights to our country's veterans.

Ms. PINGREE of Maine. I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield 3 minutes to a brilliant new Member of this House from Hawaii (Mr. DJOU).

Mr. DJOU. I thank my colleague from Florida.

Mr. Speaker, thank you for giving me the opportunity to express my disappointment that my amendment was not allowed to be submitted to this body. I specifically wanted to highlight my amendment, which was asking to restore funding for the relocation of American forces away from Okinawa to Guam, as requested by President Obama. I think it is a major mistake that this body is not going to support the President's request for the relocation of American forces.

As a member of the Armed Services Committee and a Member who represents a large portion of the Pacific fleet in Hawaii, I support restoring funds for construction to further the realignment of Marine Corps forces from Okinawa to Guam in H.R. 5822. The committee reduced the appropriation request submitted by the President by 50 percent.

The Guam realignment will be one of the largest moves of military forces in decades. The postponement of construction of necessary military facilities and infrastructure will cause unnecessary delay and threaten our geopolitical positioning in the Asia-Pacific region.

My amendment was also completely offset by reallocating funds from military construction requests that were put above what President Obama had asked for. Mr. Speaker and Members, I want to highlight to this body that right now, as all of us talk, 2 days ago, the United States Armed Forces began the largest war game operations in the Korean peninsula in the Yellow Sea since the end of the Cold War. The reason we entered these war game operations is because of the instability that continues to unfortunately exist in East Asia and the Korean peninsula.

By failing to support the President in allocating sufficient funding to establish new force location in Guam, over the short term we might be okay; but over the long term, this is a major geopolitical mistake that this Congress is making. I hope that Congress reconsiders and I hope the Senate re-examines this. I am disappointed I was unable to offer this amendment on this very important and serious matter.

Ms. PINGREE of Maine. Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, the passage of this rule is a vital step towards improving our military infrastructure and ensuring that the quality of care for our veterans and their families is worthy of their sacrifice.

My home State has one of the highest populations of veterans per capita in the country. In a State of 1.3 million people, Maine is home to over 155,000 veterans.

□ 1520

These men and women have served without question, without politics and without hesitation. We must make a promise to them and to all of our veterans that we will do the same. We must provide them with the health care and the benefits that they deserve—without question, without politics, and without hesitation. By passing H.R. 5822, we will begin to keep that promise.

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

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

The previous question was ordered.

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. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 1559 will be followed by 5-minute votes on motions to suspend the rules with regard to:

H.R. 4692, by the yeas and nays;

H. Res. 1543, by the yeas and nays; and

H.R. 5827, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 243, nays 178, not voting 11, as follows:

[Roll No. 476]

YEAS—243

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

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

NAYS—178

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

NOT VOTING—11

Akin
Andrews
Fallin
Hoekstra
Lewis (GA)
Smith (TX)
Tiahrt
Wamp
Watson
Woolsey
Young (FL)

□ 1550

Messrs. MCCLINTOCK, GERLACH, and POSEY changed their vote from ''yea'' to ''nay.''

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.

NATIONAL MANUFACTURING STRATEGY ACT OF 2010

The SPEAKER pro tempore (Mr. MURPHY of Connecticut). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4692) to require the President to prepare a quadrennial National Manufacturing Strategy, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 38, not voting 15, as follows:

[Roll No. 477]

YEAS—379

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NAYS—38

Bachmann
Barrett (SC)
Bartlett
Broun (GA)
Burton (IN)
Campbell
Carter
Chaffetz
Conaway
Djou
Flake
Franks (AZ)
Gohmert
Graves (GA)
Hensarling
Herger
Inglis
King (IA)
Kingston
Linder
Mack
McClintock
Miller (FL)
Myrick
Nunes
Paul
Pence
Poe (TX)
Price (GA)
Rohrabacher
Rooney
Royce
Shadegg
Smith (NE)
Stearns
Thornberry
Westmoreland
Young (AK)

NOT VOTING—15

Akin	Fallin	Neugebauer
Andrews	Gordon (TN)	Tiahrt
Bishop (NY)	Hoekstra	Wamp
Costello	Lewis (GA)	Watson
Culberson	Moore (WI)	Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1600

Messrs. BURTON of Indiana, ROYCE and ROHRABACHER changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING DR. JANE GOODALL

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1543) honoring the educational significance of Dr. Jane Goodall's work on this the 50th anniversary of the beginning of her work in Tanzania, Africa, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. POLIS) that the House suspend the rules and agree to the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 16, as follows:

[Roll No. 478]

YEAS—416

Ackerman	Boyd	Coffman (CO)
Aderholt	Brady (PA)	Cohen
Adler (NJ)	Brady (TX)	Cole
Alexander	Braley (IA)	Conaway
Altmire	Bright	Connolly (VA)
Arcuri	Broun (GA)	Conyers
Austria	Brown (SC)	Cooper
Baca	Brown, Corrine	Costa
Bachmann	Brown-Waite, Ginny	Costello
Bachus	Buchanan	Courtney
Baird	Burgess	Crenshaw
Baldwin	Burton (IN)	Critz
Barrett (SC)	Butterfield	Crowley
Barrow	Calvert	Cuellar
Bartlett	Camp	Culberson
Barton (TX)	Campbell	Cummings
Bean	Cantor	Dahlkemper
Becerra	Cao	Davis (AL)
Berkley	Capito	Davis (CA)
Berman	Capps	Davis (IL)
Berry	Capuano	Davis (KY)
Biggert	Cardoza	Davis (TN)
Bilbray	Carnahan	DeFazio
Bilirakis	Carney	DeGette
Bishop (GA)	Carson (IN)	Delahunt
Bishop (NY)	Carter	DeLauro
Bishop (UT)	Cassidy	Dent
Blackburn	Castle	Deutch
Blumenauer	Castor (FL)	Diaz-Balart, L.
Blunt	Chaffetz	Diaz-Balart, M.
Boccieri	Chandler	Dicks
Boehner	Childers	Dingell
Bonner	Chu	Djou
Bono Mack	Clarke	Doggett
Boozman	Clay	Donnelly (IN)
Boren	Cleaver	Doyle
Boswell	Clyburn	Dreier
Boucher	Coble	Driehaus
Boustany		Duncan

Edwards (MD)	Kucinich	Pomeroy
Edwards (TX)	Lamborn	Posey
Ehlers	Lance	Price (GA)
Ellison	Langevin	Price (NC)
Ellsworth	Larsen (WA)	Putnam
Emerson	Larson (CT)	Quigley
Engel	Latham	Radanovich
Eshoo	LaTourette	Rahall
Etheridge	Latta	Rangel
Farr	Lee (CA)	Rehberg
Fattah	Lee (NY)	Reichert
Filner	Levin	Reyes
Flake	Lewis (CA)	Richardson
Fleming	Linder	Rodriguez
Forbes	Lipinski	Roe (TN)
Fortenberry	LoBiondo	Rogers (AL)
Foster	Loebsack	Rogers (KY)
Foxx	Lowey	Rogers (MI)
Frank (MA)	Lucas	Rohrabacher
Franks (AZ)	Luetkemeyer	Rooney
Frelinghuysen	Luján	Ros-Lehtinen
Fudge	Lummis	Roskam
Gallegly	Lungren, Daniel E.	Ross
Garamendi	Lynch	Rothman (NJ)
Garrett (NJ)	Mack	Roybal-Allard
Gerlach	Maffei	Royce
Giffords	Maloney	Ruppersberger
Gingrey (GA)	Manzullo	Rush
Gohmert	Marchant	Ryan (OH)
Gonzalez	Markey (CO)	Ryan (WI)
Goodlatte	Markey (MA)	Salazar
Gordon (TN)	Marshall	Sánchez, Linda T.
Granger	Matheson	Sarbanes
Graves (GA)	Matsui	Scalise
Graves (MO)	McCarthy (CA)	Schakowsky
Grayson	McCarthy (NY)	Schauer
Green, Al	McCaul	Schiff
Green, Gene	McClintock	Schmidt
Griffith	McCollum	Schock
Grijalva	McCotter	Schrader
Guthrie	McDermott	Schwartz
Gutierrez	McGovern	Scott (VA)
Hall (NY)	McHenry	Sensenbrenner
Hall (TX)	McIntyre	Serrano
Halvorson	McKeon	Sessions
Hare	McMahon	Sestak
Harman	McMorris Rodgers	Shadegg
Harper	McNerney	Shea-Porter
Hastings (FL)	Meek (FL)	Sherman
Hastings (WA)	Meeks (NY)	Shimkus
Heinrich	Melancon	Shuler
Heller	Mica	Shuster
Hensarling	Michaud	Simpson
Herger	Miller (FL)	Sires
Herseth Sandlin	Miller (MI)	Skelton
Higgins	Miller (NC)	Slaughter
Hill	Miller, Gary	Smith (NE)
Himes	Miller, George	Smith (NJ)
Hinchey	Minnick	Smith (TX)
Hinojosa	Mitchell	Smith (WA)
Hirono	Mollohan	Snyder
Hodes	Moore (KS)	Space
Holden	Moore (WI)	Speier
Holt	Moran (KS)	Spratt
Honda	Moran (VA)	Stark
Hoyer	Murphy (CT)	Stearns
Hunter	Murphy (NY)	Stupak
Inglis	Murphy, Patrick	Sullivan
Inslee	Murphy, Tim	Sutton
Israel	Myrick	Tanner
Issa	Nadler (NY)	Taylor
Jackson (IL)	Napolitano	Teague
Jackson Lee (TX)	Neal (MA)	Terry
Jenkins	Nunes	Thompson (CA)
Johnson (GA)	Nye	Thompson (MS)
Johnson (IL)	Oberstar	Thompson (PA)
Johnson, E. B.	Olson	Thornberry
Johnson, Sam	Olver	Tiberi
Jones	Ortiz	Tierney
Jordan (OH)	Owens	Titus
Kagen	Pallone	Tonko
Kanjorski	Pascrell	Tsongas
Kaptur	Pastor (AZ)	Turner
Kennedy	Paul	Upton
Kildee	Paulsen	Van Hollen
Kilpatrick (MI)	Payne	Velázquez
Kilroy	Pence	Visclosky
Kind	Perlmutter	Walden
King (IA)	Perriello	Walz
King (NY)	Peters	Wasserman Schultz
Kingston	Peterson	Waters
Kirk	Petri	Watt
Kirkpatrick (AZ)	Pingree (ME)	Waxman
Kissell	Pitts	Weiner
Klein (FL)	Platts	Welch
Kline (MN)	Poe (TX)	Westmoreland
Kosmas	Polis (CO)	Whitfield
Kratovil		

Wilson (OH)	Wolf	Yarmuth
Wilson (SC)	Woolsey	Young (AK)
Wittman	Wu	

NOT VOTING—16

Akin	Lofgren, Zoe	Towns
Andrews	Neugebauer	Wamp
Buyer	Obey	Watson
Fallin	Sanchez, Loretta	Young (FL)
Hoekstra	Scott (GA)	
Lewis (GA)	Tiahrt	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1608

Mrs. NAPOLITANO changed her vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROTECTING GUN OWNERS IN BANKRUPTCY ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5827) to amend title 11 of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 307, nays 113, not voting 12, as follows:

[Roll No. 479]

YEAS—307

Aderholt	Bright	Costello
Adler (NJ)	Broun (GA)	Courtney
Alexander	Brown (SC)	Crenshaw
Altmire	Brown-Waite, Ginny	Critz
Arcuri	Buchanan	Cuellar
Austria	Burgess	Culberson
Baca	Burton (IN)	Dahlkemper
Bachmann	Buyer	Davis (AL)
Bachus	Calvert	Davis (KY)
Barrett (SC)	Camp	Davis (TN)
Barrow	Campbell	DeFazio
Bartlett	Cantor	Dent
Barton (TX)	Cao	Diaz-Balart, L.
Bean	Capito	Diaz-Balart, M.
Berkley	Cardoza	Dicks
Biggert	Carnahan	Dingell
Bilbray	Carney	Doggett
Bilirakis	Carson (IN)	Donnelly (IN)
Bishop (GA)	Carter	Dreier
Bishop (UT)	Cassidy	Driehaus
Blackburn	Castle	Duncan
Blunt	Chaffetz	Edwards (TX)
Boccieri	Chandler	Ehlers
Boehner	Childers	Ellsworth
Bonner	Clyburn	Emerson
Bono Mack	Coble	Etheridge
Boozman	Coffman (CO)	Flake
Boren	Cole	Fleming
Boswell	Conaway	Forbes
Boucher	Connolly (VA)	Fortenberry
Boustany	Conyers	Foster
Boyd	Cooper	Foxx
Brady (TX)	Costa	Franks (AZ)
Braley (IA)		Frelinghuysen

Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gohmert
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Halvorson
Hare
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hodes
Holden
Hoyer
Hunter
Inglis
Inslee
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Larsen (WA)
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nunes
Nye
Oberstar
Obey
Olson
Ortiz
Owens
Pascrell
Pastor (AZ)
Paul
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Reyes
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Titus
Turner
Upton
Walden
Walz
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Young (AK)

NAYS—113

Ackerman
Baird
Baldwin
Becerra
Berman
Berry
Bishop (NY)
Blumenauer
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Castor (FL)
Chu
Clarke
Clay
Cleaver
Cohen
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutch
Djou
Doyle
Edwards (MD)
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Grijalva
Gutierrez
Hall (NY)
Harman
Hastings (FL)
Himes
Hirono
Holt
Honda
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kennedy
Kilpatrick (MI)
Kilroy
Klein (FL)
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey (MA)
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
Meeks (NY)
Miller, George
Moran (VA)
Murphy (CT)
Nadler (NY)
Napolitano
Neal (MA)
Olver
Pallone
Payne
Price (NC)
Quigley
Rangel
Richardson
Rothman (NJ)
Roybal-Allard
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Serrano
Sherman
Sires
Slaughter
Speier
Stark
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Woolsey
Yarmuth

NOT VOTING—12

Akin
Andrews
Fallin
Gingrey (GA)
Hall (TX)
Hoekstra
Lewis (GA)
Neugebauer
Tiahrt
Wamp
Watson
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1617

Ms. KILPATRICK of Michigan, Messrs. JACKSON of Illinois and TONKO changed their votes from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. AKIN. Madam Speaker, on July 28, 2010, I was absent from the House and missed rollcall votes 476, 477, 478, and 479.

Had I been present, I would have voted "no" on rollcall 476; "yes" on rollcall 477; "yes" on rollcall 478; and "yes" on rollcall 479.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 1548

Mr. SABLAN. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H. RES. 1548.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

GENERAL LEAVE

Mr. EDWARDS of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 5822.

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

There was no objection.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2011

The SPEAKER pro tempore. Pursuant to House Resolution 1559 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5822.

□ 1618

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5822) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes, with Ms. EDWARDS of Maryland in the chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. EDWARDS) and the gentleman from Florida (Mr. CRENSHAW) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. EDWARDS of Texas. Madam Chair, I yield myself such time as I may consume.

Madam Chair, it's a privilege for me to present the fiscal year 2011 Military Construction and Veterans Affairs appropriations bill. I believe this bill and the work we have done since January of 2007 is a work all of us can be very proud of.

In this time of war, we have continued our tradition of a bipartisan Military Construction and Veterans Affairs appropriation bill. It has honored in a meaningful way the service and sacrifice of our servicemen and -women, our veterans and their families.

With passage of this fiscal year 2011 bill, the Congress will have increased veterans health care and benefits funding by 70 percent in the last 3½ years. In addition, we have funded a new 21st century GI education bill that 510,000 servicemen and -women, veterans, and military children have used to further their education. This is an unprecedented increase in Congress' commitment to veterans.

In our book, our veterans have earned every dime of this funding. We have, among other things, increased by 10,200 the number of permanent claims processors in the VA to reduce VA case backlogs, provided an additional 145 community-based outpatient clinics, built 92 new vet centers. This bill will add 30 mobile vet centers to serve rural communities. It allowed the Veterans Health Administration to hire an additional 18,000 new doctors and nurses.

These resources mean that our veterans have better access to the health care they need and deserve, including improved access in rural areas, increased access for VA health care for low- and middle-income vets. Additionally, these resources ensure that our veterans receive, on a more timely basis, the services and benefits that they have earned.

We have also worked hard to make sure that our military knows that the Congress respects the sacrifices that they and their families have made each and every day to keep our great Nation safe. We have heard time and time again in testimony that the best support we can give our military when

they are deployed is the knowledge that their families are cared for here at home.

We have listened and funded initiatives, such as:

$2.8 billion for new military hospitals so servicemen and -women know that their families will get the best possible health care in high quality facilities;

New child care centers to serve 20,000 military children;

Over $500 million in additional funding for barracks, because Congress needs to show our volunteer forces from day one that we respect and honor their decision to serve.

The Subcommittee for Military Construction and Veterans Affairs did not accomplish this alone. There are several key leaders that have worked tirelessly behind the scenes to support our efforts.

Speaker PELOSI promised our veterans that they would be a top priority for her, and the fact is she has more than honored that promise. Her fingerprints are on every bill that has provided for our military and veterans in the past 3½ years through our subcommittee, and I thank her for her leadership in these efforts.

Also, we would not have seen the historic funding increases that I have just highlighted were it not for the dedicated support of Chairman DAVE OBEY, who, in my book, is the unsung hero of America's veterans.

I must also salute, and want to salute, the VA Committee chairman, BOB FILNER, for his strong leadership every day on behalf of America's veterans. He has truly made a difference.

Lastly, but definitely not least, our ranking member, Mr. WAMP of Tennessee, has been a vital partner in putting together this bill, and last year's bill as well. Mr. WAMP has a genuine heart for America's servicemen and -women and our veterans, and he has championed their cause. It has been a privilege to work with him, and also with ANDER CRENSHAW, who has filled in when Mr. WAMP could not be with us in some of our deliberations this year. Mr. CRENSHAW has truly been a partner every step of the way in putting together this bipartisan bill, and I thank him for that.

I also thank Mr. FARR on the Democratic side, the vice chairman of our subcommittee, who has done an outstanding job for our veterans and our military.

Madam Chair, I would like to highlight several key initiatives in this bill.

First, this bill continues an initiative begun last year to provide advance appropriation for VA medical care. This will allow the VA to invest taxpayer dollars more effectively and efficiently, and it is a top priority of America's veterans' service organizations.

Second, we provide $190 million to new troop housing for Army trainees, over 60,000 of whom are presently living in barracks that don't even meet minimum DOD standards. Our 18- and 19-year-old military recruits don't have many lobbyists running around the halls of Capitol Hill, but they deserve our Nation's respect and support for their decision to serve in our military during a time of war.

Third, we provide $200 million for a Guard and Reserve construction initiative, recognizing the vital role these troops are playing in Iraq and Afghanistan.

Fourth, the bill provides $1.3 billion in emergency appropriations for military construction of facilities in support of our military operations in Afghanistan.

Fifth, recognizing the mental wounds of war can sometimes be more painful and long lasting than the physical wounds of combat, we provide $5.2 billion for the VA to continue its improvements in PTSD and mental health care for America's veterans.

Sixth, this bill includes funding for 4,048 new permanent VA claims processors in order to help veterans receive their earned benefits on a more timely basis.

The seventh initiative I would highlight, this bill also continues to open up VA medical care to more middle- and low-income veterans by 292,000, the number of veterans receiving health care since reopening enrollment in 2009.

Finally, we want to ensure that historic increases in funding for the VA are spent wisely. To increase oversight of the taxpayers' dollars, we provide an additional $6 million to VA's Office of Inspector General.

Madam Chair, I am going to skip over some of the numbers that we have in this bill, but I would be remiss if I did not thank the committee staff, very professional committee staff, a very dedicated committee staff, for their hard work and long hours during this process: the minority staff, led by Martin Delgado, Liz Dawson and Kelly Shea; and Erin Fogleman and Gilbert DMeza from Mr. WAMP's staff; and the majority staff led by Subcommittee Clerk Tim Peterson, Mary Arnold, Walter Hearne, Sue Quantius and Todd Friedman and Michelle Dominguez on my staff. They don't get public credit for the work, but the work of this bill would not have been done had it not been for their professionalism, and I thank each of them personally.

In conclusion, this bill keeps our promise to our veterans. That is what the Paralyzed Veterans of America, AMVETS, Disabled American Veterans, and Veterans of Foreign Wars have said. In fact, they state, ''We offer our strong support for the FY 2011 Military Construction and Veterans Affairs appropriations bill and we hope that the House will quickly pass this critical legislation.''

This bill sends a clear message to America's servicemen and -women, their families, and our veterans. We appreciate and respect their service and sacrifice.

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2011 (H.R. 5822)
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE					
Military construction, Army	3,719,419	4,078,798	4,051,512	+332,093	-27,286
Military construction, Navy and Marine Corps	3,769,003	3,879,104	3,587,376	-181,627	-291,728
Military construction, Air Force	1,450,426	1,311,385	1,276,385	-174,041	-35,000
Rescission	-37,500	---	---	+37,500	---
Total	1,412,926	1,311,385	1,276,385	-136,541	-35,000
Military construction, Defense-Wide	3,093,679	3,118,062	2,999,612	-94,067	-118,450
Rescission	-151,160	---	---	+151,160	---
Total	2,942,519	3,118,062	2,999,612	+57,093	-118,450
Total, Active components	11,843,867	12,387,349	11,914,885	+71,018	-472,464
Military construction, Army National Guard	582,056	873,664	1,020,228	+438,172	+146,564
Military construction, Air National Guard	371,226	176,986	292,386	-78,840	+115,400
Military construction, Army Reserve	431,566	318,175	358,325	-73,241	+40,150
Military construction, Navy Reserve	125,874	61,557	91,557	-34,317	+30,000
Military construction, Air Force Reserve	112,269	7,832	48,182	-64,087	+40,350
Total, Reserve components	1,622,991	1,438,214	1,810,678	+187,687	+372,464
Total, Military construction	13,466,858	13,825,563	13,725,563	+258,705	-100,000
Appropriations	(13,655,518)	(13,825,563)	(13,725,563)	(+70,045)	(-100,000)
Rescissions	(-188,660)	---	---	(+188,660)	---
Emergency appropriations	---	---	---	---	---
North Atlantic Treaty Organization Security Investment Program	197,414	258,884	258,884	+61,470	---
Family housing construction, Army	273,236	92,369	92,369	-180,867	---
Family housing operation and maintenance, Army	523,418	518,140	518,140	-5,278	---
Family housing construction, Navy and Marine Corps	146,569	186,444	186,444	+39,875	---
Family housing operation and maintenance, Navy and Marine Corps	368,540	366,346	366,346	-2,194	---
Family housing construction, Air Force	66,101	78,025	78,025	+11,924	---
Family housing operation and maintenance, Air Force	502,936	513,792	513,792	+10,856	---
Family housing construction, Defense-Wide	2,859	---	---	-2,859	---
Family housing operation and maintenance, Defense-Wide	49,214	50,464	50,464	+1,250	---
Department of Defense Family Housing Improvement Fund	2,600	1,096	1,096	-1,504	---
Homeowners assistance fund	323,225	16,515	16,515	-306,710	---
Total, Family housing	2,258,698	1,823,191	1,823,191	-435,507	---
Appropriations	(2,258,698)	(1,823,191)	(1,823,191)	(-435,507)	---
Rescissions	---	---	---	---	---
Emergency appropriations	---	---	---	---	---
Chemical demilitarization construction, Defense-Wide	151,541	124,971	124,971	-26,570	---
Base realignment and closure:					
Base realignment and closure account, 1990	496,768	360,474	460,474	-36,294	+100,000
Base realignment and closure account, 2005	7,455,498	2,354,285	2,354,285	-5,101,213	---
Total	7,455,498	2,354,285	2,354,285	-5,101,213	---
Total, Base realignment and closure	7,952,266	2,714,759	2,814,759	-5,137,507	+100,000
General Reductions (Sec. 129)					
Military Construction, Army	-230,000	---	---	+230,000	---
Military Construction, Navy and Marine Corps	-235,000	---	---	+235,000	---
Military Construction, Air Force	-64,091	---	---	+64,091	---

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2011 (H.R. 5822)
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
General Rescissions (Sec. 130)					
Military Construction, Army	-33,000	---	---	+33,000	---
Military Construction, Navy and Marine Corps	-51,468	---	---	+51,468	---
Military Construction, Defense-Wide	-93,268	---	---	+93,268	---
Military Construction, Army National Guard	-33,000	---	---	+33,000	---
Military Construction, Air National Guard	-7,000	---	---	+7,000	---
Total, title I	23,279,950	18,747,368	18,747,368	-4,532,582	---
Appropriations	(23,686,346)	(18,747,368)	(18,747,368)	(-4,938,978)	---
Rescissions	(-406,396)	---	---	(+406,396)	---
Emergency appropriations	---	---	---	---	---
TITLE II - DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions	47,396,106	53,492,234	53,492,234	+6,096,128	---
Readjustment benefits	9,232,369	10,440,245	10,440,245	+1,207,876	---
Veterans insurance and indemnities	49,288	62,589	62,589	+13,301	---
Veterans housing benefit program fund (indefinite)	23,553	19,078	19,078	-4,475	---
(Limitation on direct loans)	(500)	(500)	(500)	---	---
Credit subsidy	-133,000	-165,000	-165,000	-32,000	---
Administrative expenses	165,082	163,646	163,646	-1,436	---
Guaranteed Transitional Housing Loans for Homeless Veterans	(750)	---	---	(-750)	---
Vocational rehabilitation loans program account	29	48	48	+19	---
(Limitation on direct loans)	(2,298)	(3,042)	(3,042)	(+744)	---
Administrative expenses	328	337	337	+9	---
Native American veteran housing loan program account	664	707	707	+43	---
Total, Veterans Benefits Administration	56,734,419	64,013,884	64,013,884	+7,279,465	---
Veterans Health Administration					
Medical services	34,707,500	---	---	-34,707,500	---
Advance from prior year	---	(37,136,000)	(37,136,000)	(+37,136,000)	---
Advance appropriation, FY 2012	37,136,000	39,649,985	39,649,985	+2,513,985	---
Subtotal	71,843,500	39,649,985	39,649,985	-32,193,515	---
Medical support and compliance	4,930,000	---	---	-4,930,000	---
Advance from prior year	---	(5,307,000)	(5,307,000)	(+5,307,000)	---
Advance appropriation, FY 2012	5,307,000	5,535,000	5,535,000	+228,000	---
Subtotal	10,237,000	5,535,000	5,535,000	-4,702,000	---
Medical facilities	4,859,000	---	---	-4,859,000	---
Advance from prior year	---	(5,740,000)	(5,740,000)	(+5,740,000)	---
Advance appropriation, FY 2012	5,740,000	5,426,000	5,426,000	-314,000	---
Subtotal	10,599,000	5,426,000	5,426,000	-5,173,000	---
Medical and prosthetic research	581,000	590,000	590,000	+9,000	---
Medical care cost recovery collections:					
Offsetting collections	-2,954,000	-3,393,000	-3,393,000	-439,000	---
Appropriations (indefinite)	2,954,000	3,393,000	3,393,000	+439,000	---
Total, Veterans Health Administration	93,260,500	51,200,985	51,200,985	-42,059,515	---
Appropriations	(45,077,500)	(590,000)	(590,000)	(-44,487,500)	---
Emergency appropriations	---	---	---	---	---
Advance from prior year	---	(48,183,000)	(48,183,000)	(+48,183,000)	---
Advance appropriations, FY 2012	(48,183,000)	(50,610,985)	(50,610,985)	(+2,427,985)	---

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2011 (H.R. 5822)
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Cemetery Administration					
National Cemetery Administration	250,000	250,504	259,004	+9,004	+8,500
Departmental Administration					
General operating expenses	2,086,707	2,588,389	2,601,389	+514,682	+13,000
Information technology systems	3,307,000	3,307,000	3,222,000	-85,000	-85,000
Office of Inspector General	109,000	109,367	115,367	+6,367	+6,000
Construction, major projects	1,194,000	1,151,036	1,166,036	-27,964	+15,000
Construction, minor projects	703,000	467,700	507,700	-195,300	+40,000
Grants for construction of State extended care facilities	100,000	85,000	85,000	-15,000	---
Grants for the construction of State veterans cemeteries	46,000	46,000	46,000	---	---
Total, Departmental Administration	7,545,707	7,754,492	7,743,492	+197,785	-11,000
Appropriations	(7,545,707)	(7,754,492)	(7,743,492)	(+197,785)	(-11,000)
Emergency appropriations	---	---	---	---	---
Administrative Provision - GOE	---	---	23,584	+23,584	+23,584
Total, title II	157,790,626	123,219,865	123,240,949	-34,549,677	+21,084
Appropriations	(109,607,626)	(72,608,880)	(72,629,964)	(-36,977,662)	(+21,084)
Emergency appropriations	---	---	---	---	---
Advance from prior year	---	(48,183,000)	(48,183,000)	(+48,183,000)	---
Advance appropriations, FY 2012	(48,183,000)	(50,610,985)	(50,610,985)	(+2,427,985)	---
(Limitation on direct loans)	(2,798)	(3,542)	(3,542)	(+744)	---
Discretionary	(101,222,310)	(59,370,719)	(59,391,803)	(-41,830,507)	(+21,084)
Mandatory	(56,568,316)	(63,849,146)	(63,849,146)	(+7,280,830)	---
TITLE III - RELATED AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	62,675	64,200	65,667	+2,992	+1,467
Foreign currency fluctuations account	17,100	20,200	20,200	+3,100	---
Total, American Battle Monuments Commission	79,775	84,400	85,867	+6,092	+1,467
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses	27,115	90,147	90,147	+63,032	---
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	39,850	38,100	39,600	-250	+1,500
Armed Forces Retirement Home					
Operation and maintenance	62,000	69,200	69,200	+7,200	---
Capital program	72,000	2,000	2,000	-70,000	---
Total, Armed Forces Retirement Home	134,000	71,200	71,200	-62,800	---
Total, title III	280,740	283,847	286,814	+6,074	+2,967
(By transfer)	---	---	---	---	---

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2011 (H.R. 5822)
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - OVERSEAS CONTINGENCY OPERATIONS					
Military Construction, Army	924,484	929,996	---	-924,484	-929,996
Military Construction, Army (Emergency)	---	---	929,996	+929,996	+929,996
Military Construction, Air Force	474,500	280,506	---	-474,500	-280,506
Military Construction, Air Force (Emergency)	---	---	280,504	+280,504	+280,504
Military Construction, Defense-Wide	---	46,500	---	---	-46,500
Military Construction, Defense-Wide (Emergency)	---	---	46,500	+46,500	+46,500
Total, title IV	1,398,984	1,257,002	1,257,000	-141,984	-2
TITLE V - GENERAL PROVISIONS					
General operating expenses	---	23,584	---	---	-23,584
Total, title V	---	23,584	---	---	-23,584
Grand total	182,750,300	143,531,666	143,532,131	-39,218,169	+465
Appropriations	(133,574,712)	(91,663,679)	(91,664,146)	(-41,910,566)	(+467)
Rescissions	(-406,396)	---	---	(+406,396)	---
Emergency appropriations	---	---	(1,257,000)	(+1,257,000)	(+1,257,000)
Advance from prior year	---	(48,183,000)	(48,183,000)	(+48,183,000)	---
Advance appropriations, FY 2012	(48,183,000)	(50,610,985)	(50,610,985)	(+2,427,985)	---
Overseas contingency operations	(1,398,984)	(1,257,002)	---	(-1,398,984)	(-1,257,002)
(By transfer)	---	---	---	---	---
(Limitation on direct loans)	(2,798)	(3,542)	(3,542)	(+744)	---

Madam Chair, I reserve the balance of my time.

□ 1630

Mr. CRENSHAW. Madam Chair, I yield myself such time as I may consume.

First let me just say that I rise in support of this appropriations bill. It's the first appropriations bill that we will bring to the floor today, and I think it's an excellent bill.

I would like to start by thanking Chairman EDWARDS, not only for his leadership, but for the example that he sets to make every member of the subcommittee feel like they are valued. He has treated everyone with a sense of fairness. It has been an open process, bipartisan process, and we appreciate that very much. I think because of that atmosphere that everything we do in this subcommittee is really geared to make sure that we put the best interests of the men and women in uniform first, and put their families first, the veterans, and those fallen heroes.

I want to say a word about Ranking Member ZACH WAMP. I am here in his stead. He is back home in Tennessee trying to represent the people of Tennessee in a different way, as the Governor of that State. But I can tell you that even though he is not here, as Mr. EDWARDS mentioned, he has been very much a part of this process. I think this bill is a reflection of his dedication, his commitment to the men and women in uniform. And I know that I've heard Mr. WAMP say on occasion that serving as the ranking member of this subcommittee has been the highest achievement of his career here in the House of Representatives, and so we wish him well as he leaves.

I want to also say a word about Mr. YOUNG. He's not here today, but he has been a long-time member of this subcommittee. I think Chairman EDWARDS agrees that he has been a great champion of the men and women in uniform. He and his wife, Beverly, are often visitors at our military hospitals to see the folks that have come back, the wounded warriors. If he were here, I'm sure he would stand up and say that he believes this is a very good bipartisan bill. He is recovering from some surgery himself, so I know we all wish him well in this committee.

Mr. EDWARDS has done a great job of talking about kind of an overview of what goes on here, and so I don't want to repeat that. I certainly want to echo his words of congratulations to the staff; we thank everyone for their hard work. But I want to mention a couple of items that were brought up that were concerns that, because of the open process, because of the bipartisan nature in our subcommittee markup, members had a chance to talk about some issues of concern.

One was, and Mr. EDWARDS mentioned that, we found that while we were adding dollars to most of the programs in the VA, the Inspector General was kind of held to last year's level. We all felt like—it was a bipartisan agreement—that the Inspector General has so much to offer in terms of oversight, in terms of accountability, by doing audits, that they ought to have additional resources, and so we added $6 million there.

Another concern that was raised at the subcommittee level was the VA had decided that they wanted to reduce the number of claims processors they had in the new GI bill as part of the veterans affairs. You all remember when we passed that updated version of the GI bill and added benefits that are so important to our veterans as they come back, and yet we found out that last year there had been quite a bit of problems just because of the increased demand on those claims processors. We thought it would be a bad idea to reduce the number of folks that were processing those claims when last year this chaos was created—and my office got calls, I know other Members got calls because the tuition payments weren't being made in a timely fashion, the claims weren't being processed; in fact, sometimes the checks were written by hand and delivered without much accountability.

And so while we applaud the VA for saying we want to try to do more with less, we thought right now that would be penny wise and pound foolish. And so we added back those claims processors. We want to make sure that we get everything done on time. Next year, they're actually estimating the increase will be 31 percent. There will be over 2.2 million claims made under those new GI benefits, and we want to make sure that they are paid on time. So we added back those individuals.

And, finally, there was a concern about Arlington National Cemetery. I think a lot of people read about some of the horror stories that went on there. We found out that the management was really a little bit behind in terms of modern day. So the Secretary of the Army, John McHugh, acted very quickly and very forcefully. He set up some guidelines to improve what's going on at Arlington National Cemetery. Mr. YOUNG offered some report language to make sure that the members of this subcommittee will have a chance to exercise appropriate oversight.

So those were areas of concern that I think were addressed because of this open process, and those amendments were adopted unanimously on a bipartisan basis.

I would say from the big-picture standpoint, as Mr. EDWARDS has talked about, I came to Congress primarily because I believed that the number one responsibility of the Federal Government is to protect American lives, and I still believe that today. But what I found when I was assigned to this subcommittee was that we also have a sacred responsibility to make sure that the men and women who wear the uniform are treated with respect, that they have adequate housing, and that they have the quality of life they so richly deserve.

This bill continues the commitment that we've made there. Sometimes when you think about military construction projects, you think about a new hangar or a new dock or a ship or a landing strip or a wharf; but as Mr. EDWARDS pointed out, housing is so very vital. We've done a great job, and we continue that commitment. Whether it's a barracks or whether it's married housing, we want to have the housing we would want our sons and daughters to live in, and we're making great progress in that area.

I think we all agree we've got the best trained and the most equipped military in the world, and we've worked hard to do that. But we are also beginning to make sure that when people come back that have been under some stress, under unique situations, that they have adequate counseling, that they have those kinds of programs that are so very important; and I think this bill continues that commitment.

And just finally I would say there are a couple of important projects that are funded this year as part of the administration's budget deal with my district in northeast Florida. There is a naval station, Mayport, that the Navy has decided to make that home port for a nuclear carrier; and so last year there was money to begin dredging, to begin wharf upgrades. This year, there is $2 million for planning and design to continue that process. I worked with the chief of naval operations—in fact, spoke with him just about a month ago—and the Navy is still very committed, because of national security, to make sure that we have the ability to disperse our assets, to make sure we have a backup nuclear maintenance facility, and I thank the subcommittee and the members for their support.

Also in northeast Florida, the Marines have a project called Blount Island, where a great deal of the materiel goes back and forth through that port to the Middle East. There is money to upgrade and make that more of a world-class facility.

So this is a great bill that I think we can all be proud of. And it really is the result of the leadership of Mr. EDWARDS and his hard work, the leadership of Mr. WAMP and his hard work and, actually, the hard work of every member of this subcommittee. And I think because of that, we have a bill that truly honors our American heroes. It speaks to the people that defend us today, it speaks to those who have returned as veterans, and also to those who have paid the ultimate sacrifice. And so for those reasons, Madam Chair, I urge everyone to support this bill.

I reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, before introducing Chairman OBEY, I would like to join with my friend and colleague, Mr. CRENSHAW, in saluting Mr. YOUNG of Florida. While he is not here because of an illness today, he has spent a lifetime of service and commitment to our servicemen

and women, our veterans and their families.

I also see Mr. LEWIS on the floor, the ranking member of the full committee, the former chairman of the full committee, the former chairman of the Defense Appropriations Committee. I thank Mr. LEWIS also for working on this bill and for his leadership throughout his long career here in Congress in support of our servicemen and -women.

Madam Chair, it is one of two honors of my lifetime to recognize and introduce Chairman DAVE OBEY. I must say that in the last 3½ years, this Congress has increased veterans funding by more than any 3½-year period in history. That would not have happened had it not been for the allocations and the personal leadership of Chairman DAVE OBEY. And while others of us at the subcommittee level or the VA authorizing subcommittee level have been the ones sometimes recognized by veterans groups for our work over these past 3½ years, it has been Chairman OBEY's leadership and partnership with Speaker PELOSI behind the scenes that have made all of these new programs, including the funding of the GI bill, that has helped over 500,000 servicemen and -women and veterans and their families.

It's been Mr. OBEY's leadership that has truly made a difference in this process. Of his many great legacies of his service to this country and Congress, I hope he will always be remembered as a true champion of America's veterans.

Madam Chair, I yield 5 minutes to Chairman OBEY.

□ 1640

Mr. OBEY. I thank the gentleman for the time. I thank him for his overblown words.

I do want to extend my best wishes to BILL YOUNG, who is one of the most loved Members of this House and one of the most respected.

I also want to congratulate the gentleman from Texas for the superb job he has done in putting this bill together. It is a well-balanced bill, and everyone understands the gentleman's convictions and his passionate desire to defend the interests of American veterans.

Madam Chair, there are more than 6 million veterans and their families who depend on the Department of Veterans Affairs for medical care, for disability payments, and education benefits, and this bill represents our obligation to them. It builds on our actions of the last 2 years, which have provided the most significant enlargement of education benefits for veterans since the passage of the original GI Bill of Rights.

One of the bill's highest priorities is to help cut through the bureaucracy that disabled veterans face over their claims. They shouldn't have to wait months and months for their paperwork to be processed before receiving the benefits owed to them. The bill provides for an additional 4,000 permanent claims processors—a 25 percent increase to work through more than 1 million disability claims.

These resources are especially needed now that the Vietnam veterans will be eligible to file claims for disabilities caused by Agent Orange. Veterans' medical care is the largest component of the bill. According to the VA, more than 6.1 million patients will be treated in 2011, including nearly 440,000 veterans of the wars in Iraq and Afghanistan.

Now, many people think of veterans' health care as being solely focused on physical injuries. We understand now, better than ever, how combat threatens soldiers' mental health as well. We owe it to every one of them to address not only their physical wounds but also the mental and emotional consequences of war. This bill includes added resources for services to veterans suffering from traumatic brain injury, post-traumatic stress disorder, depression, and other mental conditions. Full access to this care remains a problem for some veterans, for seeing the right specialist can mean expensive trips and hours and hours in the car.

In Northern Wisconsin, for instance, there are tens of thousands of veterans who cannot regularly see counselors because there aren't vet centers anywhere near their homes. This bill makes critical investments to meet our obligations to them.

This bill also addresses the high rate of veterans' homelessness. On any given night last year, 107,000 veterans were homeless. That is shameful. With the goal of ending veterans' homelessness in 5 years, this bill matches the budget request for VA homeless assistance grants and supportive services for veterans and their families who need them.

At the end of the day, it is important to remember that this bill is not just about dollars and programs. It is about our duty to American veterans—to respect their service and sacrifice, not only with flowery words on the Fourth of July, but also with actions like this, on days like this, that are less noticed but every bit as important.

I congratulate the subcommittee for the bill that they have produced.

Mr. CRENSHAW. Madam Chair, I reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I yield 2 minutes to the vice chairman of the Appropriations Subcommittee on Military Construction and Veterans Affairs, the gentleman from California (Mr. FARR), who has been a champion on this committee for veterans, our troops, their families, and for all of the many issues involved in this subcommittee's affairs.

Mr. FARR. Thank you very much, Mr. Chairman.

To our current acting ranking member, Mr. CRENSHAW, thank you very much for giving me this moment to speak on this very important bill.

Madam Chair, yesterday, the House of Representatives had a very important vote, a very controversial vote here. The vote was on funding the war effort in Afghanistan. Those votes ought to be controversial—whether we go to war, where we go to war, and how long the mission is going to take. Those ought to be votes that you can cast for and against. Yet there is one bill you can't vote against, and that is the bill that supports the troops in their residence, in their training and back here at home—the quality of life that we provide defense personnel, military personnel.

This is the bill that funds the child care centers. This is the bill that creates the housing for men and women in uniform, who voluntarily join the service. This is the bill that creates the clinics and the hospitals, the support systems—any kind of community of support—and a special one for military personnel needs. So one can vote against the war, but one cannot vote against the support here at home.

This bill has bipartisan support because it is interested in improving the quality of life of military personnel, who voluntarily come into the military. Everybody who passes through the Department of Defense ends up becoming a veteran. You cannot be a veteran without having served in active duty.

This committee also supports the continuum of care. We ought not to have a silo of Defense Department quality of care and a separate silo for veterans. We are making it seamless. We are making it so that, when you enroll in the Department of Defense, you also automatically enroll in the Department of Veterans Affairs. The Department of Veterans Affairs takes care of you for the rest of your life. We owe it to any man or woman who has ever served in the military to provide them the promises that were made. These promises were made, but the quality of care until now has not been that great. It has changed.

Please support this appropriations bill as the real ''support our troops'' bill.

Mr. CRENSHAW. Madam Chair, I continue to reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I yield 1½ minutes to a very important member of our Appropriations subcommittee, the gentleman from Colorado (Mr. SALAZAR), who has been a real champion for our vets and our troops.

Mr. SALAZAR. Madam Chair, I want to take a moment to recognize my colleagues.

Chairman EDWARDS has been a great champion of our veterans since his tenure here in Congress began. Also, I thank Ranking Member WAMP and Mr. CRENSHAW for their valiant efforts in putting this bill together.

I don't think that I have had a greater honor than to serve on a committee of this type where we all work together in a bipartisan manner. Chairman EDWARDS, Ranking Member WAMP, Mr.

CRENSHAW—all of us—have worked very hard for veterans and their families. All 17.5 million living veterans in the United States should applaud you for your diligent work as you fight for those who provide us freedom.

Madam Chair, as the chairman mentioned, it is important to recognize the bipartisanship and fiscal responsibility of this bill. In completing BRAC 2005, the subcommittee was able to reduce the overall spending of this bill by three-quarters of a billion dollars. The bill includes a total of $57 billion, which is an increase of nearly $4 billion for veterans' medical care, disability, and educational benefits. Veterans in Colorado are a major winner in this bill again. Thanks to the President and to the subcommittee for their continued support of a new VA medical center in Denver, Colorado.

I want to thank all of those Members who continue to fight the good fight for our veterans and military personnel.

Mr. CRENSHAW. Madam Chair, I yield myself 1 minute.

I would ask Chairman EDWARDS if he would engage in a brief colloquy.

Mr. EDWARDS, it is my understanding that the committee authorized a study in March to review various portions of the Veterans Health Administration. As I understand it, the committee has just received the report. Once the report has been analyzed by the committee staff, I believe it would be important, as we move this veterans' appropriations bill forward, that we use the recommendations in the report, if feasible, to provide better oversight and better transparency to the health care spending at the VA.

Mr. EDWARDS of Texas. Will the gentleman yield?

Mr. CRENSHAW. I yield to the gentleman.

Mr. EDWARDS of Texas. I want to thank the gentleman both for the points he is making now and also for his focus on oversight.

As we have provided these historic increases in veterans' funding over the last several years, and as we have been working together on a bipartisan basis, I think it is also very important that we see that those tax dollars are spent wisely, efficiently, and effectively.

I have been concerned for some time that the large increases we have provided the VA health care system have not always made their way down to the individual hospitals on a very rapid basis as quickly as we would like.

The CHAIR. The time of the gentleman has expired.

Mr. CRENSHAW. I yield myself 1 additional minute.

Mr. EDWARDS, please continue.

□ 1650

Mr. EDWARDS of Texas. Because of that and our work together, we asked the S&I staff to do this study to help us understand the process the Department's using in distributing money and to highlight areas where we can exert more oversight, if necessary, to ensure the efficient use of taxpayer dollars.

The report just completed is quite large, and in the coming weeks, staff on both sides of the aisle will be evaluating it to determine how its recommendations can be incorporated into our final bill and report. And I certainly look forward to working with the gentleman on examining that report and seeing how we can incorporate some of its ideas into the final conference report on this bill.

Mr. CRENSHAW. Madam Chair, I continue to reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I yield such time as he may consume to the gentleman from Indiana (Mr. DONNELLY) for the purpose of my entering into a colloquy with him.

Mr. DONNELLY of Indiana. Madam Chairman, I want to thank the chairman for his and his committee's work on this bill.

As we all know, there are veterans across the country, including thousands in my district, who are forced to drive long distances to receive the medical care they earned through their service to the Nation. But I understand that included in this bill is $15 million for the VA Health Care Center Advance Planning account, which would go toward new VA Health Care Centers, which could help these veterans.

I wonder if the chairman wouldn't mind going into some detail on this item.

I yield to the gentleman.

Mr. EDWARDS of Texas. I want to thank the gentleman for his hard work on behalf of our veterans. He's been a leader on these issues. And thanks to you, Mr. DONNELLY, this bill directs $15 million that you referenced to planning the VA health care centers across the country. It's an innovative way to make more services available to veterans locally.

I understand that among the locations due to have a new VA health care center is South Bend, in the gentleman's district. And South Bend's demonstrated need for such an expansion of VA health care services was noted by the committee in its report language.

Furthermore, the committee expects that this account will be utilized by the VA as soon as possible.

Mr. DONNELLY of Indiana. Mr. Chairman, thank you so much for your leadership.

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

Mr. EDWARDS of Texas. Madam Chair, I yield 1 minute to the gentleman from Connecticut (Mr. MURPHY), who has worked very hard on behalf of our veterans and troops.

Mr. MURPHY of Connecticut. Mr. Chairman, thank you and the committee for bringing this bill before us.

There's $13 billion in this legislation for construction. That's more in the last 4 years combined than any 4-year period since the 1940s. And though that will mean transformational things for our veterans, I want to just briefly highlight this afternoon what it will mean for the people that will do that work.

We've lost 2 million construction jobs in this recession and the Associated General Contractors of America estimate that almost 400,000 construction jobs could be created just by this bill alone. That's good news for jobs in this country. But we can have even better news if we make sure that the materials used to build those buildings are bought here in America as well.

Many of us have been working very hard on reinforcing our Buy America law. This construction funding presents us with a unique opportunity to not only serve our veterans, not only honor our commitment to them, but also grow the types of jobs in construction and construction materials that this economy badly needs.

I'm so thankful to the chairman for all of his work bringing this bill to the floor and what it will mean for veterans and for jobs.

Mr. CRENSHAW. I continue to reserve.

Mr. EDWARDS of Texas. Madam Chair, there are several other speakers on our side of the aisle who said they would like to speak, but perhaps we have progressed more quickly than they thought.

I yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ), a member of the Appropriations Committee who has been vocal in his strong support of our veterans and troops.

Mr. RODRIGUEZ. Madam Chair, I just wanted to take this opportunity to come down to the House floor and congratulate our chairman, Congressman CHET EDWARDS, on his efforts in this area. I feel really elated in terms of the amount of resources that we have been able to put for our veterans.

Having been on the Veterans' Committee and on the appropriations side and the authorizing side, I had the opportunity to witness the situation that we suffered with when we had to do the copayments and require our veterans to come up and pay copayments. We cut Category 8 veterans from that. In addition, not only that, but we asked them to pay for additional fees for services.

And in the last 3 years, it's been a turnaround, and this bill provides resources there for the first time that allow an opportunity for us to be able to look at our infrastructure and improve on those areas that are out there.

We have a good number of hospitals out there that are lacking on infrastructure, and I'm hoping that in the future we continue to do this. This bill puts us on the right track to provide additional resources, and I want to thank him, personally, also.

I know that it also has been able to put additional resources and creating additional polytrauma centers. We have four in the Nation. Now we have a fifth in Texas, and so I want to thank him personally, there in San Antonio,

for the polytrauma center that has had the resources to be able to begin to provide those needed items that our veterans need.

I also want to just thank him for putting the resources there and just advertise the fact that, just in the last year and a half, we have over 240,000 veterans that are now taking advantage of the GI Bill. And this is a tremendous bill. We expect to have over half a million veterans participating in the GI bill. And that, in the future, will show a tremendous amount of positiveness when those individuals get their bachelor's, their master's, and their doctorate degrees as they move forward. In addition to that bill, it also allows their kids and their spouses to take advantage.

So congratulations on the great work that you have been doing, Chairman.

Mr. EDWARDS of Texas. Madam Chair, I yield 2 minutes to the gentleman from New York (Mr. HALL), who is a leading voice of America's veterans on the Veterans' Affairs Authorizing Committee.

Mr. HALL of New York. Madam Chair, on behalf of the veterans of the Hudson Valley of New York and all those who have served our country in uniform, I'm strongly supportive of the bill which we're considering today. It's a solemn contract that we who do not serve in uniform—we have enjoyed the benefits of their sacrifice and their personal risk and their families doing without them—need to uphold our part of the bargain, which is to take care of them anytime after their return. And, therefore, I think it's really critical that we pass this bill to fund not just military construction but veterans facilities.

We don't know yet what the cost will be from the conflicts we're currently engaged in. Unfortunately, our country has a habit of deciding to go into a conflict without an educated, informed figure being given out, or a guess even that's very accurate as to what the lifetime costs may be for care of the veterans created by that conflict, but it's essential that we protect those veterans facilities that we have and improve them as needed, construct new ones as needed.

And I am concerned, first of all, with passing the underlying bill. But secondly, I'm also concerned with some amendments that have been offered to this bill, which I will speak to later when the amendments are being considered, which move money from what's considered to be, or what's called minor construction and, in particular, from an urgent care center and minor construction, and to other things which sound and are good in and of themselves.

□ 1700

Mr. CRENSHAW. Madam Chair, I continue to reserve my time.

Mr. EDWARDS of Texas. Madam Chair, I yield 5 minutes to the gentleman from Rhode Island (Mr. KENNEDY). And as he approaches the well, let me just thank him. This will be his last year to be in the House, a member of this committee. And he has been an inspiration to veterans throughout America and to every member of our subcommittee on both sides of the aisle in his championing the cause of mental health care services and other services for veterans, care for our homeless veterans. I thank the gentleman. It will be a legacy that will live on for many decades to come.

Mr. KENNEDY. I thank the chairman and my ranking member for all the work they did to make this a fine veterans appropriations bill.

Ladies and gentlemen, if our soldiers were caught behind enemy lines, we would think nothing of mounting the full might of military power to go in and retrieve those members of our military. In fact, every American would wrap yellow ribbons around their trees in solidarity in order that we may set those prisoners of war free, in order that we may bring back those hostages of the Taliban, or the terrorists, or whomever may have captured them.

But ladies and gentlemen, something is going on in this country, something very tragic. Our military, our Veterans Affairs, everybody talks a good game, talks a very good game of patriotism when it comes to saying we're going to stand by our guardians of freedom, while those very guardians of freedom aren't free themselves. They may have come home in body, but they have not come home, many of them, in mind.

They are suffering from the signature wound of this war. What is that? Traumatic brain injury. What is that? Posttraumatic stress disorder. My colleagues, these veterans in essence are being held hostage. They're being held hostage all over this great country. They are in essence prisoners of war. They are prisoners of this war, prisoners of traumatic brain injury and its symptoms, its many symptoms: loss of memory, loss of cognitive ability, and the symptoms that ensue.

Many of them self-medicate. Many of them isolate. Why? Because these injuries are invisible, invisible to the naked eye, but not invisible to anybody who loves them. These are real injuries. They are injuries that can turn their lives upside down. All of the commanders in DOD say they are doing something about it. I'm not seeing it. In fact, I was briefed a year ago on some neuroscience research of an off-label drug that's used to treat bleeding in the intestines, to reduce swelling. They thought it might help reduce swelling of a concussion and the onset of swelling in the brain. Guess what? It proved to be effective, initial findings showed.

If this were the battle of AIDS, that drug would have been in the field helping our soldiers. But no, we don't have the urgency we have with AIDS. Somehow we don't have the urgency when it comes to our veterans and the signature of this war wound, TBI and PTSD, that we bring when it comes to something like AIDS. We don't set aside parochial concerns. We don't set aside partisan. We don't set aside the value of someone's proprietary research concerns.

When are we going to make our special interest the veteran? There's nothing dirty about special interests so long as we make it the right one. When are we going to agree that there is one special interest in this town that there should be no disagreement about, and that's the veteran. When are we going to say with our actions, not just our words, that the veteran is the one who counts? When are we going to say we're going to release them from terror, the terror and tyranny of their bondage, of their disability because they served us?

Ladies and gentlemen, this study showed that if you reduce the swelling in the brain you can reduce the longer-term impact.

The CHAIR. The time of the gentleman has expired.

Mr. EDWARDS of Texas. I yield the gentleman an additional 15 seconds.

Mr. KENNEDY. The blood-brain barrier reduces the ability for a bruise that is absorbed by the regular body to be absorbed by the brain. This drug helped reduce the swelling. The DOD has an obligation to implement it. They are not. They should. And they ought to.

Mr. CRENSHAW. Madam Chair, I yield myself the balance of my time.

Madam Chair, I think we have heard today what a well-balanced bill this is, as we said at the beginning. And I think it demonstrates—it's an example of what happens when people come together in an open process, in a fair process, in a bipartisan process. I think this bill demonstrates the work that we can do when we work together. So again, I am honored to be part of this process, to work with the chairman and the ranking member.

I urge everyone to support this bill.

I yield back the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I want to finish by thanking Mr. CRENSHAW for, again, his leadership on this and working together importantly on so many parts of this bill, and doing so in a bipartisan manner. We thanked a lot of people in this process. It's been a work of good faith on both sides of the aisle.

I always want to save the best for the last in thanking our veterans service organizations for their partnership in putting together this legislation.

I add two letters, one from the DAV, AMVETS, Paralyzed Veterans of America, and Veterans of Foreign Wars; another from the president of the National Guard Association of the United States, in support of this legislation.

THE INDEPENDENT BUDGET,
July 27, 2010.

Hon. CHET EDWARDS,
Chairman, Subcommittee on Military Construction and Veterans Affairs, House Committee on Appropriations, The Capitol, Washington, DC.

DEAR CHAIRMAN EDWARDS: On behalf of the co-authors of the Independent Budget, we would like to take this opportunity to thank you for your unwavering support for our nation's sick and disabled veterans, as well as all of the men and women who have so honorably served this country. We appreciate your efforts as Chairman of the House Appropriations Subcommittee on Military Construction and Veterans' Affairs to achieve an excellent funding level for the Department of Veterans Affairs (VA) once again this year. Through your leadership, the VA will receive another significant funding increase for FY 2011.

More importantly, the Military Construction and Veterans Affairs appropriations bill also includes approximately $50.6 billion in advance appropriations for the VA medical care accounts—Medical Services, Medical Support and Compliance, and Medical Facilities—for FY 2012. By providing the VA with an advance appropriation for FY 2012, the VA will once again be able to better plan for hiring critical new staff and addressing demand on the health care system. The additional planning time will also allow the VA to better work with Congress to ensure that its true resource needs are met well in advance of the start of the fiscal year.

These actions reflect the priority that you and the House leadership have placed on needs of the men and women who have so honorably served this country. We offer our strong support for the FY 2011 Military Construction and Veterans' Affairs appropriations bill and we hope that the House will quickly pass this critical legislation. Final passage of sufficient funding for the VA will allow the VA to better address the needs of the men and women returning from Operation Enduring Freedom and Operation Iraqi Freedom as well as all veterans who have served in the past.

Sincerely,

RAYMOND C. KELLEY,
National Legislative Director, AMVETS.

CARL BLAKE,
National Legislative Director, Paralyzed Veterans of America.

JOSEPH A. VIOLANTE,
National Legislative Director, Disabled American Veterans.

ERIC A. HILLEMAN,
Director, National Legislative Service, Veterans of Foreign Wars.

[From the National Guard Association of the United States, Inc., July 14, 2010]

NGAUS HAILS HOUSE EFFORTS TO MODERNIZE NATIONAL GUARD FACILITIES

WASHINGTON.—The association that represents the leadership of nearly 465,000 National Guard men and women today applauded efforts in the U.S. House of Representatives to modernize Guard facilities across the country.

This morning, the House appropriations subcommittee on military construction and veterans' affairs (VA), led by chairman Chet Edwards, D–Texas, and ranking member Zach Wamp, R–Tenn., approved $200 million above the president's budget request for Guard and Reserve military construction.

The move came as the House appropriations committee marks up the fiscal 2011 military construction/VA budget.

''Today, chairman Edwards and ranking member Wamp continued to lead the congressional effort to modernize our aging National Guard facilities,'' said retired Maj. Gen. Gus L. Hargett Jr., NGAUS president. ''We are grateful for their leadership, and the actions of the subcommittee speak volumes about their support of citizen-soldiers and airmen.''

Last year, the House appropriations subcommittee on military construction and veterans affairs, took the unique step of adding to its bill a block of funding to address critical unfunded military construction requirements in the National Guard and Reserve.

The extra $30 million each for the Army and Air Guard funded an additional eight projects, which otherwise may have been lost for years or even permanently.

NGAUS has been at the forefront of the push for additional funds for military construction. Hargett sent a letter in early March to House and Senate authorizers and appropriators requesting additional funds for Guard facilities.

According to the House appropriations committee press release, the markup provides ''$200 million to continue the subcommittee's Guard and Reserve initiative begun last year. This money will go to the highest unfunded military construction priorities of the commanders of the reserve components of the Army, Navy, Marine Corps, and Air Force.''

The appropriations mark mirrors the House-passed version of the fiscal 2011 National Defense Authorization Act, which authorizes an additional discretionary $60 million for the Army National Guard and $50 million for the Air Guard for military construction. The president's budget request for Army Guard military construction for fiscal 2011 was $873.6 million; the Air Guard request was $177 million.

NGAUS believes the Army Guard needs $1.5 billion annually just to begin reducing a nationwide backlog of more than $13 billion in Army Guard military construction projects. The average armory is 43 years old. Many can no longer accommodate modern units and equipment.

The Air Guard requires $300 million a year.

Mr. VAN HOLLEN. Madam Chair, I rise in support of the Military Construction Appropriations Act of 2011.

This measure provides $141.1 billion for military construction of all kinds from military family housing, to construction of operational facilities in the U.S. and abroad. This funding will be used to construct schools, hospitals and other facilities for veteran's healthcare.

The Veterans Health Administration has estimated that it will treat over 6.1 million patients next year. This number includes more than 439,000 veterans of Iraq and Afghanistan. This measure provides $48.8 billion for health programs within the Veterans Health Administration. Additionally, the bill provides $53 billion for service-connected compensation, pensions and benefits for the estimated 4 million veterans and their families.

This measure provides $2.4 billion to further implement base closures and realignments outlined in the 2005 BRAC, including support for the re-stationing of troops and their families from overseas to the United States. The bill provides $1.3 billion to support our troops in Afghanistan and $259 million for U.S. construction funding obligations as part of the North Atlantic Treaty Organization Security Investment Program in that country.

For military families living on base, the measure appropriates $1.8 billion for housing as well as for operation and maintenance costs. These funds are used for everything from repairs, to furnishings, management, utilities, and even for mortgage insurance. To address the growing housing backlog for unmarried troops and trainees, the bill provides $190 million for Army trainee housing facilities.

And finally, to ensure accountability, the measure provides funding to the Defense Department inspector general to audit these and other military construction projects.

I encourage my colleagues to join me in support of this bill.

Ms. JACKSON LEE of Texas. Madam Chair, I rise in strong support of the rule for H.R. 5822, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act of 2011. I would like to thank my colleague, Mr. EDWARDS, for introducing this important bill honoring our continued commitment to support the brave men and women who have been willing to sacrifice their very lives in the service of our nation and the freedom we so cherish. Our armed forces and their family members are among the most valued members of our society, custodians of our freedom and protectors of our democracy. We must continually re-commit ourselves to serving them with the same honor, dignity and respect with which they serve their country.

This bill generously provides substantial funding, over 77 billion dollars, in the service of our men and women in uniform, veterans, and their families for fiscal year 2011. It is a continuation of three and a half years of hard work and tireless efforts on behalf of the House Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies. This bill is a testament to their commitment to our soldiers, veterans and their loved ones. Moreover, the bill contains specific guidelines and provisions to ensure that all funds are spent responsibly, accountably and in a way that serves our troops and American taxpayers.

Of the 77 billion dollars, 18.7 billion are for Military Construction. The funds will provide adequate housing for our young military trainees bravely serving their country; it will fund environmental cleanup of closed or moved bases as we strategically re-align resources; it will provide for a National Guard and Reserve initiative for the men and women serving their nation at home; and it grants funding for critical construction for overseas contingencies operations in Iraq and Afghanistan.

The bill also dedicates over 56 billion dollars to Veterans Affairs honoring those who, after serving their country overseas, returned home to re-integrate into the society they fought valiantly to protect. The majority of the funding, over 37 billion, will go to providing much needed and well deserved medical services for all veterans, including mental health services and assistance to homeless veterans. The remaining funding will be used for major and minor construction projects, medical and prosthetic research, and medical facilities in the service of our honored veterans.

Finally, in Related Agencies, the bill is providing for a number of other critical needs, such as the National Cemetery, funding for an Armed Forces Retirement Home, and the Monuments Commission which manages and cares for the monuments and cemeteries around the world that honor the service of our armed forces.

Additionally, in respect for the fact that the American public has rightly demanded greater

efficiency in government and efforts to reduce our deficit spending, there are a number of important provisions to ensure that all funds are spent in the most effective, efficient and expedient way possible. The provisions include several controls for Veterans Affairs spending and contract oversight, as well as oversight provisions for all construction projects in Iraq and Afghanistan, among others.

Although I am disappointed that my amendment, establishing portability between states for individualized education, disability and therapeutic benefits of a dependent of a member of the armed forces upon transfer of the member, was not included in the final version, I still gladly and proudly support this bill.

However, I would like to reiterate that an important part of anyone's quality of life is their family and dependents. One of the ways in which we can serve the members of the armed forces who sacrifice so much for our safety and our liberty is to ensure that their families are taken care of, and eliminate the bureaucratic red tape involved in moving from one place to another. Members of the armed forces often find themselves moving, and uprooting their families and their lives. Hopefully such a provision, aimed at facilitating that process by making the educational, disability and therapeutic benefits of a child or dependent of a member of the armed forces transferable from one state to another, will be included in future legislation.

In closing, I reiterate my strong support for this bill, and express my most sincere and heartfelt appreciation to everyone fighting to defend our country for their service and sacrifice for the good of the nation.

Mr. DINGELL. Madam Chair, I rise in support of H.R. 5822, the Military Construction and Veterans Affairs (Mil Con-VA) and Related Agencies Appropriations Act for fiscal year 2011.

I commend my friend and colleague, Chairman of the House Appropriations Subcommittee on Military Construction and Veterans Affairs, Congressman CHET EDWARDS (D–TX) for writing a bill that provides tremendous support to our veterans and families. One of the greatest accomplishments since the Democrats regained control of Congress has been providing our veterans with a budget worthy of their service and sacrifice. The Mil Con-VA Appropriations Act for FY 2011 is no exception.

Since the Democrats took back Congress in 2007, we have provided a 70 percent increase in funding for veterans health care and benefits. Some of the highlights of this increase include the addition to the VA of more than 10,000 claims processors to reduce claims backlogs, 3,389 doctors and 14,316 nurses, 145 community-based outpatient clinics, 92 new vet centers, and more than 47,000 additional Veterans Health Administration employees.

In addition, the FY 2011 Mil Con-VA Appropriations Act also fulfills a top priority of national veterans service organizations by continuing to provide advance appropriations of the VA. This way, the VA will be better able to plan for its future needs.

Other important provisions in this legislation include $37.1 billion to improve access to medical services for all veterans; $5.2 billion for mental health services for our veterans suffering from post-traumatic stress disorder, depression, and traumatic brain injury; and $4.2 billion to help our homeless veterans move from the streets to secure homes.

Madam Chair, as a veteran of World War II, I am proud to support this legislation which continues the Democratic Congress' strong commitment to our veterans and their families. I urge my colleagues to join me in voting for H.R. 5822.

Ms. BORDALLO. Madam Chair, I rise today to express my concern with the reduction in military construction funding to Guam for the realignment of U.S. Marines from Okinawa, Japan to Guam. I appreciate the Committee's recognition of the strategic importance of this realignment as well as their general support for these efforts. However, I remain concerned that these cuts send the wrong message at the wrong time. It is unfortunate that my counterparts in the Subcommittee on Military Construction and Veterans Affairs did not follow the funding levels for Guam military construction that were agreed to in H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. Given the recent reluctance by the Government of Japan to reaffirm the Guam International Agreement, I believe it is important to collectively move forward with a unified position.

However, these cuts do make one point clear to my constituents. Congress holds the power of the purse. There are concerns on Guam and with certain federal agencies that the pace of construction during the military build-up could place an undue burden on our civilian infrastructure. However, I have made it clear that if construction was outpacing the local community's ability to handle the additional people we could put our foot on the brakes. Given the concerns raised by our local government this reduction in funding highlights how Congress can ensure that we get this build-up done right.

Finally, I would like to rise in support of amendment #8 introduced by my colleague from Georgia, Congressman PHIL GINGREY. His amendment would restrict funds authorized by this bill to be used for the purposes of eminent domain without providing payment of just compensation. This amendment highlights our concern that eminent domain is not a preferred method through which the Federal Government should obtain private or other government lands. I support this amendment because there is concern that the Department of the Navy would use the powers of eminent domain to obtain private and Government of Guam land to build a new training range. This amendment would demonstrate that I am opposed to any such action on Guam in the future.

Mr. YOUNG of Florida. Madam Chair, I rise in support of H.R. 5822, the Fiscal Year 2011 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act. It is with great pride that I serve on this subcommittee and I want to commend my colleague from Texas, Mr. EDWARDS, the Chairman of the Subcommittee, and our ranking member, my colleague from Tennessee, Mr. WAMP, for their work in putting together this legislation.

The men and women of our armed forces and our veterans deserve the very best support and care that we can offer them and this bill achieves that. This legislation fulfills our commitment to their future and to their well being.

We include in this appropriations bill $57.0 billion in funding for veterans programs, an increase of $3.9 billion over the level of funding we provided last year. These funds will address some of the major problems our Nation has in addressing the needs of our veterans, including those with mental illness, traumatic brain injuries, the homeless, and the disabled who are forced to wait countless months and even years to resolve their disability claims.

The largest portion of this funding, $48.8 billion, is for veterans medical care. It will enable the VA doctors and staff to treat an estimated 6.1 million patients, including thousands of Iraq and Afghanistan veterans. We also continue our emphasis on mental health and medical services for our returning heroes who are suffering from Post Traumatic Stress Disorder and Traumatic Brain Injuries.

We also increase by 20 percent to $4.2 billion our commitment to providing housing and medical services to our homeless veterans. We must do better in providing transitional housing and serves to these American heroes who now find themselves with nowhere to live and nowhere to work.

We also provide a 25 percent increase in funding, to $2.6 billion, to hire 4,000 additional claims processors to reduce the unacceptable backlog in claims for veterans benefits. With this increase in staffing levels, our Committee will have added more than 10,200 new claims processors over the past four years.

Our committee's support has also been vital to my efforts to continue to support the work of the medical professionals at the Bay Pines VA Healthcare System, which I have the privilege to represent.

We have opened at Bay Pines one of our Nation's most active VA Inspector General operations, to ferret out waste, fraud and abuse in veterans programs and to ensure that every dollar we appropriate to care for our veterans is spent as intended.

We have also been able to speed up work on the construction of a brand new facility to treat veterans with mental illness and Post Traumatic Syndrome Disorder. We also have broken ground thin year on a new Ambulatory Surgery Center and Eye Treatment facility at Bay Pines, work is well underway on a new facility to provide radiation treatment for cancer patients, and we have opened two new VA medical clinics in northern and southern Pinellas County to better serve veterans and their medical needs closer to their homes.

Finally, Madam Chair, I want to thank the members of the subcommittee for accepting my amendment to this legislation to ensure that we fix the problems associated with the national embarrassment that we find at Arlington National Cemetery. The committee has included $150 million in the bill to address the many problems, those which we already know about and those which we have yet to find out about, at Arlington. My amendment would require that the Army develop a clear timetable and specify their plan to resolve all identified issues before they can spend these funds. We owe no less to our America's fallen heroes for whom Arlington is their final resting place and to their families who share our shock and outrage at the situation that we find at one of our Nation's most sacred places.

Madam Chair, this is a good bill, one that addresses the current and future needs of our Nation's veterans. It is also a bill that emphasizes what our committee and this House can do when we work together in a bipartisan way to solve our problems.

Mr. BLUMENAUER. Madam Chair, this bill contains many worthy items, including a substantial investment in our Veterans Affairs programs. A strong safety net for our veterans is more important than ever, particularly in Oregon, where returning Guard and Reserve members face high unemployment and a difficult transition back to civilian life.

I also want to highlight what my colleague Representative CHELLIE PINGREE of Maine stated earlier in this debate: the cleanup of closed military bases is critical to health and growth of our communities. Across America, these closed bases contain discarded munitions, toxins, and shell fragments leftover from years of military training. Funding the return of these properties to safe and productive use is vital. Funds go directly to the development of detection and removal technology, the creation of skilled technician jobs, and generate economic growth as cleaned lands become commercial, residential, or recreational spaces.

For the past decade I have worked with a bipartisan group of members to raise awareness of this issue. I am pleased that with the leadership of my friend Representative SAM FARR, the House has designated $100 million over the President's budget request for the legacy BRAC account. This $460 million is critically needed to address the large backlog of environmental hazards still present at bases closed during the earliest Base Realignment and Closure rounds. I hope in future years we can build on this commitment to our nation's safety and prosperity.

MR. EDWARDS of Texas. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered read for amendment under the 5-minute rule, and the bill shall be considered read through page 63, line 4.

The text of that portion of the bill is as follows:

H.R. 5822

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $4,051,512,000, to remain available until September 30, 2015, of which $190,000,000 shall be for trainee troop housing facilities: *Provided*, That of this amount, not to exceed $259,456,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That, not later than 30 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for trainee troop housing facilities.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $3,587,376,000, to remain available until September 30, 2015: *Provided*, That of this amount, not to exceed $123,750,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,276,385,000, to remain available until September 30, 2015: *Provided*, That of this amount, not to exceed $73,536,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,999,612,000, to remain available until September 30, 2015: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $434,217,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount appropriated, notwithstanding any other provision of law, $31,863,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $1,020,228,000, to remain available until September 30, 2015, of which $60,000,000 shall be for critical unfunded requirements: *Provided*, That of the amount appropriated, not to exceed $57,182,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That, not later than 30 days after the date of the enactment of this Act, the Director of the Army National Guard shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $292,386,000, to remain available until September 30, 2015, of which $50,000,000 shall be for critical unfunded requirements: *Provided*, That of the amount appropriated, not to exceed $21,214,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That, not later than 30 days after the date of the enactment of this Act, the Director of the Air National Guard shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $358,325,000, to remain available until September 30, 2015, of which $30,000,000 shall be for critical unfunded requirements: *Provided*, That of the amount appropriated, not to exceed $26,250,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That, not later than 30 days after the date of the enactment of this Act, the Chief of Army Reserve shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $91,557,000, to remain available until September 30, 2015, of which $15,000,000 shall be for critical unfunded requirements of the Navy Reserve

and $15,000,000 shall be for critical unfunded requirements of the Marine Forces Reserve: *Provided*, That of the amount appropriated, not to exceed $1,857,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That, not later than 30 days after the date of the enactment of this Act, the Chief of Navy Reserve and the Commander, Marine Forces Reserve shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $48,182,000, to remain available until September 30, 2015, of which $30,000,000 shall be for critical unfunded requirements: *Provided*, That of the amount appropriated, not to exceed $2,503,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That, not later than 30 days after the date of the enactment of this Act, the Chief of Air Force Reserve shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for critical unfunded requirements.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $258,884,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $92,369,000, to remain available until September 30, 2015.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $518,140,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $186,444,000, to remain available until September 30, 2015.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $366,346,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $78,025,000, to remain available until September 30, 2015.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $513,792,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $50,464,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $1,096,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

HOMEOWNERS ASSISTANCE FUND

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3374), $16,515,000, to remain available until expended.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $124,971,000, to remain available until September 30, 2015, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $460,474,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $2,354,285,000, to remain available until expended: *Provided*, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or $2,000,000, whichever is less: *Provided further*, That the previous proviso shall not apply to projects costing less than $5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries within the United States Central Command Area of Responsibility, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries within the United States Central Command Area of Responsibility, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883, of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 120. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 122. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 123. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 124. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'', to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 126. None of the funds appropriated or otherwise made available in this title may be used for any action that is related to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 127. Amounts appropriated or otherwise made available in an account funded

under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in the report of the Committee on Appropriations of the House of Representatives to accompany this bill and in the guidance for military construction reprogrammings and notifications contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of December 1996, as in effect on the date of enactment of this Act.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $53,492,234,000, to remain available until expended: *Provided*, That not to exceed $30,423,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'', ''Medical support and compliance'', and ''Information technology systems'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical care collections fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, $10,440,245,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapters 19 and 21, $62,589,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2011, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $163,646,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $48,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,042,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $337,000, which may be paid to the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $707,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, and loan repayments authorized by section 604 of Public Law 111-163, $39,649,985,000, plus reimbursements, shall become available on October 1, 2011, and shall remain available until September 30, 2012: *Provided*, That, of the amount made available under this heading $1,015,000,000 shall remain available until September 30, 2013: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $5,535,000,000, plus reimbursements, shall become available on October 1, 2011, and shall remain available until September 30, 2012: *Provided*, That, of the amount made available under this heading, $145,000,000 shall remain available until September 30, 2013.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $5,426,000,000, plus reimbursements, shall become available on October 1, 2011, and shall remain available until September 30, 2012: *Provided*, That, of the amount made available under this heading, $145,000,000 shall remain available until September 30, 2013: *Provided further*, That, of the amount available for fiscal year 2012, $130,000,000 for non-recurring maintenance shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $590,000,000, plus reimbursements, shall remain available until September 30, 2012.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $259,004,000, of which not to exceed $24,200,000 shall remain available until September 30, 2012.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $2,601,389,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become

employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That the Veterans Benefits Administration shall be funded at not less than $2,162,776,000: *Provided further*, That of the funds made available under this heading, not to exceed $111,000,000 shall remain available until September 30, 2012: *Provided further*, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $3,222,000,000, plus reimbursements, shall remain available until September 30, 2012: *Provided*, That none of the funds made available under this heading may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *Provided further*, That not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which sets forth, by project, the operations and maintenance costs, with salary expenses separately designated, and development costs to be carried out utilizing amounts made available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $115,367,000, of which $6,000,000 shall remain available until September 30, 2012.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $1,166,036,000, to remain available until expended, of which $6,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2011, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2011; and (2) by the awarding of a construction contract by September 30, 2012: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $507,700,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to assist States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2011 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2011, in this Act or any other Act, under the ''Medical services'', ''Medical support and compliance'', and ''Medical facilities'' accounts may be transferred among the accounts: *Provided*, That any transfers between the ''Medical services'' and ''Medical support and compliance'' accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the ''Medical services'' and ''Medical support and compliance'' accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the ''Medical facilities'' account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, major projects'', and ''Construction, minor projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2010.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from ''Compensation and pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2011, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the ''General operating expenses'' and ''Information technology systems'' accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2011 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2011 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed $35,794,000 for the Office of Resolution Management and $3,354,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the ''General operating expenses'' and ''Information technology systems'' accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than $1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

SEC. 214. Amounts made available under ''Medical services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical services'', to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term ''rural Alaska'' shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the ''Medical services'', ''Medical support and compliance'', ''Medical facilities'', ''General operating expenses'', and ''National Cemetery Administration'' accounts for fiscal year 2011, may be transferred to or from the ''Information technology systems'' account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available for the ''Information technology systems'' account may be transferred between projects: *Provided*, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 222. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 223. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2011, in this Act or any other Act, under the ''Medical facilities'' account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

SEC. 224. Of the amounts appropriated or otherwise made available by this title, the Secretary may execute $5,000,000 for cooperative agreements with State and local government entities or their designees with a demonstrated record of serving veterans to conduct outreach to ensure that veterans in underserved areas receive the care and benefits for which they are eligible.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts appropriated to the Department of Veterans Affairs in this Act, and any other Act, for ''Medical services'', ''Medical support and compliance'', ''Medical facilities'', ''Construction, minor projects'', and ''Information technology systems'', such sums as may be necessary, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of division A of Public Law 111–84, and shall be available to fund operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veteran Affairs Medical Center, and Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by Section 706 of Public Law 110–417.

(INCLUDING TRANSFER OF FUNDS)

SEC. 226. Such sums as may be deposited to the Medical Care Collections Fund pursuant

to section 1729A of title 38, United States Code, for health care provided at the Captain James A. Lovell Federal Health Care Center may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of division A of Public Law 111–84, and shall be available to fund operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veteran Affairs Medical Center, and Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 1706 of Public Law 110–417.

(INCLUDING TRANSFER OF FUNDS)

SEC. 227. Of the amounts available in this title for ''Medical services'', ''Medical support and compliance'', and ''Medical facilities'', a minimum of $15,000,000, shall be transferred to the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSION OF FUNDS)

SEC. 228. (a) Of the funds appropriated in the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2010 (Public Law 111-117, Division E), the following amounts which become available on October 1, 2010 are hereby permanently cancelled from the accounts in the amounts specified:

''Medical services'', Department of Veterans Affairs, $1,015,000,000;

''Medical support and compliance'', Department of Veterans Affairs, $145,000,000; and

''Medical facilities'', Department of Veterans Affairs, $145,000,000.

(b) An additional amount is appropriated to the following accounts in the amounts specified, to become available on October 1, 2010 and to remain available until September 30, 2012:

''Medical services'', Department of Veterans Affairs, $1,015,000,000;

''Medical support and compliance'', Department of Veterans Affairs, $145,000,000; and

''Medical facilities'', Department of Veterans Affairs, $145,000,000.

SEC. 229. For an additional amount for the ''General operating expenses'' account, $23,584,000, to increase the Department's acquisition workforce capacity and capabilities: *Provided*, That such funds may be transferred by the Secretary to any other account in the Department to carry out the purposes provided herein: *Provided further*, That such transfer authority is in addition to any other transfer authority provided in this Act: *Provided further*, That such funds shall be available only to supplement and not to supplant existing acquisition workforce activities: *Provided further*, That such funds shall be available for training, recruitment, retention, and hiring additional members of the acquisition workforce as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 401 et seq.): *Provided further*, That such funds shall be available for information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management.

SEC. 230. The Secretary of the Department of Veterans Affairs shall report to the Committees on Appropriations of both Houses of Congress within 30 days of enactment of this Act the planned funding allocation from each of the Veterans Health Administration accounts to the National Reserve Fund and any subsequent increase in these allocations of ten percent or more: *Provided*, That the Secretary shall notify the Committees of any planned obligation of the National Reserve Fund fifteen days before such obligation takes place, as well as the intended use of the funds.

SEC. 231. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least $5,000,000, or five percent of the programmed amount, whichever is less: *Provided*, That such notification shall occur within 14 days after the date on which funds are obligated.

SEC. 232. The scope of work for a project included in ''Construction, major projects'', may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations, without prior notification to the Committees on Appropriations of both Houses of Congress.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $65,667,000, to remain available until expended: *Provided*, That of the amount made available under this heading, $1,000,000 shall be for improvements and rehabilitation of the Bataan Death March Memorial at the Cabanatuan American Memorial in the Philippines.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $90,147,000: *Provided*, That, of the foregoing amount, $62,000,000 shall be transferred to the General Services Administration for the construction of a courthouse to house the United States Court of Appeals for Veterans Claims: *Provided further*, That $2,515,229 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $39,600,000, to remain available until expended: *Provided*, That none of the funds available under this heading shall be for construction of a perimeter wall at Arlington National Cemetery. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally-owned water main at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $71,200,000, of which $2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Military Construction, Army'', $929,996,000, to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the amount appropriated, $10,000,000 shall be transferred to ''Department of Defense — Other Department of Defense Programs — Office of the Inspector General'', to be merged with and to be available for the same time period as the appropriation to which transferred, for the purpose of carrying out audits of military construction projects in Afghanistan: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $280,504,000, to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for ''Military Construction, Defense-Wide'', $46,500,000, to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

ADMINISTRATIVE PROVISIONS

SEC. 401. Unless otherwise specified, each amount in this title is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 402. None of the funds made available in this title may be obligated for architect

and engineer contracts estimated by the Government to exceed $500,000, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 403. None of the funds made available in this title may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That the Secretary of Defense may waive the limitation imposed by this section upon a determination that such limitation is inconsistent with national security: *Provided further*, That the Secretary of Defense shall notify the Committees on Appropriations of both Houses of Congress no later than five days following a decision to waive the limitation imposed in this section.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Such sums as may be necessary for fiscal year 2011 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 503. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 504. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 505. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 506. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 507. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 508. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 509. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 510. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 511. None of the funds appropriated or otherwise made available by this Act may be obligated by any covered executive agency in contravention of the certification requirement of section 6(b) of the Iran Sanctions Act of 1996, as included in the revisions to the Federal Acquisition Regulation pursuant to such section.

SEC. 512. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 513. None of the funds made available in this Act may be used for the processing of new enhanced-use leases at the National Home for Disabled Volunteer Soldiers located in Milwaukee, Wisconsin.

The CHAIR. No amendment is in order except those printed in House Report 111–570. Each such amendment may be offered only in the order printed in the report, may be offered by a Member designated in the report, shall be considered read, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question.

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

□ 1710

AMENDMENT NO. 1 OFFERED BY MR. HOLT

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–570.

Mr. HOLT. Madam Chair, I have amendment No. 1 at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 15, after the dollar amount, insert ''(reduced by $20,000,000) (increased by $20,000,000)''.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Madam Chair, I want to thank the Rules Committee for making this amendment in order and for the strong support and encouragement I have received in this effort from the chairman of the Military Construction and Veterans Affairs subcommittee. The gentleman from Texas' leadership of the subcommittee and his concern and compassion and advocacy for the needs of veterans is truly an inspiration.

Madam Chair, we have few responsibilities as solemn and as important as ensuring that our veterans receive the care that we have promised them as a Nation. To that end, my amendment directs the Department of Veterans Affairs to allocate $20 million for direct advertising, the use of online social media and other media for suicide prevention outreach. Let me take a moment to tell you why this issue means so much to me, and I would like to tell you about one very remarkable family from my central New Jersey congressional district.

A little over a week ago, on July 14, I had the privilege of introducing Mrs. Linda Bean of East Brunswick, New Jersey, to the House Committee on Veterans' Affairs. Linda was appearing before the Oversight and Investigations subcommittee to tell the story of how her son, Coleman, came to take his own life in September 2008. Linda made it clear why she had traveled to Washington to, I would say, courageously share her family's painful story: ''I owe a duty to my son and our debt to the men with whom Coleman served.''

You see, Coleman was a two-tour veteran of Operation Iraqi Freedom. Like so many of our troops who have served in Iraq and Afghanistan, Coleman developed post-traumatic stress disorder. In between and after those tours, he sought treatment for his PTSD. Because Sergeant Bean was a member of the Individual Ready Reserve, the so-called IRR—a pool of reserve soldiers not assigned to any unit but available for mobilization if needed—he could not get treatment for his condition because the Departments of Defense and Veterans Affairs refused to take ownership of Sergeant Bean and the thousands like him. A few weeks after Coleman took his life, the VA called to confirm his next appointment.

As Linda closed her testimony before the House Veterans' Affairs Committee, she relayed how one VA official had told her, ''If they won't walk through the door, we can't help them.'' Linda's response must be our response: ''Of course we can help them. It is our duty to figure out how, not theirs.''

Earlier this year, I secured the inclusion of a suicide prevention provision in the annual defense authorization bill that would require the Secretary of Defense to conduct periodic telephone or in-person outreach and counseling calls to reservists like Coleman. The idea is to check on the IRR member's mental, emotional and professional well-being and to identify and treat any IRR

members who are deemed to be at risk of harming themselves.

Because the other body has thus far failed to act on the fiscal year 2011 authorization, I have sent a letter to Secretaries Gates and Shinseki asking that they take whatever administrative action is necessary to reach out and monitor this very large pool of at-risk reservists. I have also asked that they meet with Greg and Linda Bean and explain in detail what those departments intend to do to prevent other Iraq and Afghanistan war veterans from suffering Coleman's fate.

Our commitment to reducing suicides among our veterans must be comprehensive and unwavering. This amendment today is designed to give the VA the resources and the direction to get appropriate and broad-based outreach under way as soon as President Obama signs this bill. I hope this amendment will be supported on a bipartisan basis, because, as Linda Bean says, ''It's not their job to figure out how, it's ours.''

I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I just want to commend the gentleman for his leadership on this effort. It is a heartbreaking tragedy every time a veteran takes his or her life as a result of their service to our country. I look forward to working with the gentleman and with the gentleman from Florida (Mr. CRENSHAW) and the gentleman from Tennessee (Mr. WAMP) as we go to conference committee to see that we do more than everything that is already being done to see that we prevent suicides from occurring.

If we save one life, then the gentleman's and our service here in Congress will have been time well served.

Mr. HOLT. I thank the gentleman.

In closing, I would say there are tens of thousands of people who will be helped.

The CHAIR. The time of the gentleman has expired.

Mr. CRENSHAW. Madam Chair, I would like to claim the time in opposition, although I'm not necessarily opposed to the amendment.

The SPEAKER pro tempore. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. CRENSHAW. Madam Chair, I just want to also commend the gentleman for offering this amendment. I think so often we have resources that are available like this that sometimes our veterans are not aware of. I think we've made great strides in dealing with this. We have a suicide prevention hotline we're working every day, but I think he makes an excellent point that so often people are not aware of the services they might avail themselves of.

I commend him for this. I would certainly favor this amendment so that we can get the word out to know that we're trying to help folks.

Mr. KENNEDY. Will the gentleman yield?

Mr. CRENSHAW. I yield to the gentleman from Rhode Island.

Mr. KENNEDY. I appreciate the gentleman's yielding.

I too want to join in paying tribute to the gentleman from New Jersey for this amendment and also to the chairman, Chairman EDWARDS, for his diligence to this mental health issue in the bill.

As I said earlier, these wounds may be invisible but they're not invisible to the members of our uniform who are suffering from them. I think it may not come as a surprise to most people that those servicemembers dying of suicide outnumber those who are killed in action. And that does not include our veterans. It wasn't until this defense bill that we just passed that we included a provision that the President of the United States would actually send a letter of condolence to the family of those who had taken their life in the field, and we all know what the pressures are on those individuals: more tours of duty, longer times away from their families, and more stress.

The fact of the matter is I think that this work that you're doing, RUSH, is to be commended. I think it is also important for everyone to note that this historic health bill that we just passed will encompass 72 percent of all veterans who will get their care thanks to this Congress' work to include mental health parity in the health care reform bill that was just passed. Seventy-two percent of all vets will never see the VA for their health care but, rather, through private health insurance. And this Congress passed legislation making it illegal for them to be discriminated against based upon health status, whether it be mental, physical, and we all know that mental now is a neurological disorder.

Thanks again for your good work. Again thank you to the chairman and ranking member for their good work on this.

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

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BUYER

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111–570.

Mr. BUYER. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 34, line 7, before the period at the end insert the following: '': *Provided further*, That of the funds made available under this heading, $10,000,000 shall be available to increase the number of Department of Veterans Affairs employees who administer benefits under chapter 31 of title 38, United States Code''.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Indiana (Mr. BUYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BUYER. Madam Chair, I rise today in support of my amendment to H.R. 5822. This amendment would fence off $10 million in the VA's general operating expenses account.

The goal of the VA's vocational rehabilitation and employment program is to put disabled veterans back to work or, for the most severely disabled, to live as independently as possible.

VA's counselors currently have an average caseload of over 130 disabled veterans. Because of the heavy workload which includes a significant amount of case management and regular interaction with their clients, the time to actually enter vocational training is nearly six months. That is on top of the average of the 6 months it takes to receive a disability rating needed to even become eligible for this benefit.

The $10 million included in this amendment would fund one hundred additional professional level staff and will be a small step towards reducing the caseload to a more manageable average of 100 per counselor thereby shortening the time it takes to begin training. For many veterans and servicemembers VR&E training is the bridge to meaningful and productive employment.

I urge all members to vote in favor of my amendment to H.R. 5822.

□ 1720

I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I want to commend Mr. BUYER for offering this amendment.

Without this amendment, the VA would actually be reducing at the very worst time the number of vocational rehab employees. We ought to be increasing those numbers, and that's what we will be doing with this, particularly given a lot of our troops coming back from Iraq and Afghanistan are having difficult times finding jobs. They need this support.

The VA gets a lot of things right, but I don't think they got this part of their budget right. And I thank the gentleman for correcting it, and it's a privilege to support his amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. BUYER).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BUYER

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111–570.

Mr. BUYER. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 38, line 18, before the period insert the following: '': *Provided further*, That of the funds made available under this heading, $162,734,000 shall be for renewable energy projects at Department of Veterans Affairs medical facility campuses pursuant to section 8103 of title 38, United States Code''.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Indiana (Mr. BUYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BUYER. I ask unanimous consent to modify my amendment.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to Amendment No. 3 offered by Mr. BUYER:

The amendment as modified is as follows:

Page 54, after line 2, insert the following:

SEC. ____. Of the amounts made available for fiscal year 2011 for ''Medical Facilities'' in Public Law 111-117, $162,734,000 shall be available for renewable energy projects at the Department of Veterans Affairs medical facility campuses subject to section 8103 of title 38, United States Code.

The CHAIR. Is there objection to the modification?

Without objection, the amendment is modified.

There was no objection.

The CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. BUYER. I will proceed on the modified amendment.

After discussion with Chairman EDWARDS and with the ranking member, Mr. CRENSHAW, we've all agreed to a better way forward on the amendment. So I appreciate your efforts on the modification.

Accordingly, what we're seeking to do here is overcome some challenges that we have with regard to the advance appropriation and how dollars can be dedicated to particular uses. So the Appropriations Committee has worked with me, and for that I am deeply appreciative.

I want to express my thanks to Chairman EDWARDS and to Mr. CRENSHAW. Both of you have been very good friends. I respect your leadership, and I appreciate your good faith in working with myself and my staff.

Over the years, the 18 years I've been here, the years I've been privileged to work in leadership as chairman and as ranking member, I have respected the interoperability and cooperation between the Appropriations staff and the authorizers. It has worked really, really well. At times they can disagree, but they can professionally work it out. I've been impressed by that, and it has continued.

So I want to thank you for that. And this is a prime example. This is one of them whereby I look back to 2008 when we wanted to do these renewable energy projects, and you were challenged at the time because the Speaker didn't want renewable projects in the bill, but you agreed that this was something that we needed to do and tried to figure out how we're going to do it.

So I recognize it couldn't be done at the time, but it was something that you also embraced and supported. And I went on down the street like I said I was going to do, and we did 16 of these renewable energy projects. Then we come back in 2009, you and I do a colloquy, and we're $147 million already down the road. That's how far we're into this now, Chairman EDWARDS and Mr. CRENSHAW, and this is a good thing.

The VA, such a very large enterprise, large consumer of energy and being the second largest department here of government, what you're doing here in this green management and renewable energy, geothermal, wind, solar, this is smart. It really is. It's smart what you're doing. So I really want to thank you for doing this.

We've got more projects identified. They're around 60. These moneys will allow the VA to stay on track on their timelines, and I really appreciate your working with me to do this.

I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I just want to commend Mr. BUYER for his leadership. This is not the first time he has come to the floor fighting for renewable energy projects and conservation projects for the VA. And as he leaves Congress at the end of this Congress, I want to thank him for this effort. Every dollar we save by conservation investments and renewable energy investments is a dollar that's either back into the taxpayers' pocket or a dollar that goes to actually provide better health care for America's veterans. So that's why I'm enthusiastic in my support of this amendment, and I commend the gentleman for his authorship of it.

Mr. BUYER. Reclaiming my time, I also want to extend my appreciation to Secretary Shinseki for his work and the previous Secretary.

I yield back the balance of my time.

The CHAIR. The question is on the amendment, as modified, offered by the gentleman from Indiana (Mr. BUYER).

The amendment, as modified, was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BUYER

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111–570.

Mr. BUYER. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 34, line 7, before the period at the end insert the following: '': *Provided further*, That of the funds made available under this heading, $8,000,000 shall be available to fund the adaptive sports grant program under section 521A of title 38, United States Code, and $2,000,000 shall be available to carry out section 322 of title 38, United States Code''.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Indiana (Mr. BUYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BUYER. Madam Chair, I rise today in support of my amendment to H.R. 5822, as reported.

This amendment would provide $10 million in VA general operating expense funding for the VA-US Paralympic Adaptive Sports Grant Program.

Madam Chairwoman, several years ago I had the opportunity to visit the U.S. Olympic Training Center in San Diego. From that moment we then set the course to restructure the United States Olympic Committee. Once we did that, by the relationships that developed, by the reorganization of the Olympic Committee, we then became a Nation at war. I then sought to leverage these relationships with the VA and their sports programs.

I looked at this and how we can use sports as a platform for healing, and you know, when I looked back on this, yes, you know, we moved out and we embraced it. I started at the top and probably should have started at the bottom. I started where I started and it was with the Olympics, the Olympic Committee. Not everyone is an Olympian. That's the reality of this. Not everyone was blessed with an Olympic body or the mind or the will. But it's how do we, as a Nation, use sports as a platform for healing? And most of our warriors are athletes. And so when they get injured, how do we inspire them?

Now, when we brought the Olympic Committee and the sports programs from the VA together, we were able to leverage that whereby our military athletes then could actually have an avenue to be part of the Olympic team. And that has, in fact, happened and has been done.

Last year—and I want to thank Chairman EDWARDS—he supported the $10 million that went into this adaptive sports program.

□ 1730

The Olympic committee helps with this grant program now to take the same ideal, the Olympic ideal, and move it out to all the communities across the country. And so an individual who may not be an Olympian can be an Olympian of their own community, can actually compete. It is that competition—it's not the winning. It's have you improved yourself, have you bettered your time, and making someone feel good about that, this Adaptive Sports program, whereby it's done at the local level and then builds up is really good, and this is a very good program. We're in our infancy, and I want to thank the chairman and for supporting this last time.

So the concept I think is pretty simple. I do have some pictures here I'd like to share with everyone. This is a picture of disabled veterans and servicemembers running the 100 meter dash at the Warrior Games in Colorado Springs, Colorado, and this was in May of this year. And when you see this running the 100 meter dash, you know we've got a mixture here. This gentleman lost—this is a below the ankle, here is a below the knee amputation, and this is a double amputation, and they're sprinting the 100 meter dash. Think about the inspiration that they have. I mean, these warrior athletes are truly remarkable.

I want to show you another photo of a double amputee. This Olympian right here during the winter games, this is Heath Calhoun, a Paralympian, and this was in Vancouver in March of this year. Mr. Calhoun is an Army Ranger. He was wounded when a rocket-propelled grenade hit his Humvee while he was serving in Iraq. He lost both legs as a result of that attack. His grandfather served in World War II, his father served in Vietnam, and he then sought to serve his country and lost both legs. He dedicated himself then to overcome this challenge and made the United States Olympic team and competed in Vancouver.

So these Olympians also then mentor and aspire others into the Adaptive Sports Grant Program. So this is remarkable. This is building off the Olympic ideal to really help our warriors, and we're achieving the goal, and that is to use sports as a platform for healing.

So $10 million can be a lot of money, but talking about what we get out of this, the intangibles that we can get out of this, when these men and women that go through this feel so good about themselves and take their bodies to new levels, guess what? They feel good about their families, they feel good about their jobs, and our goal here is to make sure that they can live as full a life as they possibly can.

That's what we want to do.

The CHAIR. The time of the gentleman has expired.

Mr. CRENSHAW. Madam Chair, I claim the time in opposition, although I'm not necessarily opposing this amendment.

The CHAIR. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. CRENSHAW. I just wanted to say that I think this is a wonderful program. I'm a little bit aware of that because in my home district in Jacksonville, Florida, there's an organization called the Wounded Warriors, and they work in conjunction with this program, and I've had the chance to visit that program to see and meet some of these Wounded Warriors.

The thing that I hear over and over again is they say this is something that gives us our spirit back. We can compete. We can enjoy life. We can be with our families, and I think it is something that is very, very worthwhile and commend the gentleman for bringing it up.

Mr. EDWARDS of Texas. Will the gentleman yield?

Mr. CRENSHAW. I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I just want to commend him and commend Mr. BUYER for this effort. These photographs are an inspiration to all of us, to our veterans, to our Wounded Warriors, but to every American. This program is an inspiration to our Wounded Warriors, our veterans, and all Americans who hear about it. I am in full support of this amendment. I also want to thank again Mr. BUYER, along with Mr. PERLMUTTER and Mr. LANGEVIN, who over the last several years have been real champions, along with Mr. BUYER, of this program, and again, I'm honored to support the amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. BUYER).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CUELLAR

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111–570.

Mr. CUELLAR. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 5____. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Madam Chair, my amendment is a commonsense amendment that ensures no taxpayers dollars will be used to purchase first-class tickets for employees of agencies funded by this bill except in special circumstances as allowed under law.

This is, again, important because it does prohibit unapproved first-class travel and offers a direct method of guidance by referencing the Code of Federal Regulations to prohibit this type of premium travel for Federal employees.

I think the chairman is in agreement with me that this is a way to save taxpayer dollars, and he's in agreement with this amendment.

Mr. EDWARDS of Texas. Will the gentleman yield?

Mr. CUELLAR. I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I am glad to support this amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. FLAKE

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111–570.

Mr. FLAKE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act shall be available from the following Department of Defense military construction accounts for the following projects:

Account	Location	Project	Amount
Army	Alabama: Fort Rucker	Emergency Medical Services Facility	$1,700,000
Air Force	Alabama: Maxwell AFB	Air Traffic Control Tower	$810,000
Defense-Wide	Arizona: Marana	SOF Parachute Training Facility	$6,250,000
Army NG	Arkansas: Camp Robinson	Regional Training Institute, Ph 2	$2,334,000
Navy	California: Coronado NAB	MESG-1 Consolidated Boat Maintenance Facility.	$6,890,000
Air Force	California: Los Angeles AFB	Parking Structure, Ph 2	$4,500,000
Air NG	California: Moffett Field	Relocate Main Gate	$2,000,000
Navy	California: Monterey NSA	International Academic Instruction Building	$11,960,000
Army NG	California: Sacramento	Field Maintenance Shop Paving	$891,000
Air Force	California: Travis AFB	BCE Maintenance Shops and Supply Warehouse.	$387,000
Army NG	California: Ventura	Renewable Photovoltaic Solar Power	$1,466,000
Air NG	Colorado: Buckley AFB	Repair Taxiways Juliet and Lima	$4,000,000
Army NG	Colorado: Watkins	Parachute Maintenance Facility	$3,569,000
Navy	Connecticut: New London NSB	Submarine Group Two Headquarters	$550,000
Air Force	Florida: MacDill AFB	Infrastructure Improvements	$249,000
Navy	Florida: Panama City NSA	Land Acquisition-9 Acres	$5,960,000
Navy	Georgia: Albany MCLB	Maintenance Center Test Firing Range	$5,180,000
Air Force	Georgia: Robins AFB	Combat Communications Squadron Warehouse.	$5,500,000
Army NG	Illinois: Marseilles Training Area	Simulation Center	$2,500,000
Air Force	Illinois: Scott AFB	New Fitness Facility, Ph 1	$396,000
Navy	Indiana: Crane NSWC	Platform Protection Engineering Complex	$760,000

Account	Location	Project	Amount
Army NG	Iowa: Camp Dodge	Regional Training Institute, Ph 1	$800,000
Air NG	Iowa: Des Moines	Corrosion Control Hangar	$4,750,000
Army NG	Iowa: Iowa City	Simulation Center/MVSB/ Helipad/Parking	$1,999,000
Army NG	Kentucky: Frankfort	Joint Forces Headquarters, Ph 1	$281,000
Air NG	Kentucky: Standiford Field	Contingency Response Group Facility	$534,000
Air NG	Louisiana: New Orleans NAS/JRB	ASA Replace Alert Complex	$2,000,000
Navy	Maine: Portsmouth NSY	Consolidation of Structural Shops, Ph 1	$11,910,000
Army NG	Maryland: Easton	Readiness Center Add/Alt	$347,000
Army	Maryland: Fort Meade	Infrastructure-Mapes Road & Cooper Avenue	$1,750,000
Navy	Maryland: Patuxent River NAS	Atlantic Test Range Addition	$10,160,000
Air NG	Massachusetts: Barnes ANGB	Add to Aircraft Maintenance Hangar	$6,000,000
Army NG	Michigan: Fort Custer (Augusta)	Troop Service Support Center	$446,000
Air NG	Minnesota: Duluth	Load Crew Training & Weapons Release Shops.	$8,000,000
Army NG	Minnesota: Mankato	Field Maintenance Shop	$947,000
Defense-Wide	Mississippi: Stennis Space Center	SOF Land Acquisition, Ph 3	$8,000,000
Air Force	Missouri: Whiteman AFB	Consolidated Air Operations Facility	$23,500,000
Army NG	Nevada: Las Vegas	Civil Support Team Ready Building	$8,771,000
Air NG	New Jersey: Atlantic City IAP	Fuel Cell and Corrosion Control Hangar	$8,500,000
Army Reserve	New Jersey: Fort Dix	Automated Multipurpose Machine Gun Range.	$9,800,000
Air Force	New Mexico: Holloman AFB	Parallel Taxiway, Runway 07/25	$8,000,000
Air Force	New Mexico: Kirtland AFB	Replace Fire Station 3	$6,800,000
Army	New York: Fort Drum	Alert Holding Area Facility	$6,700,000
Air Reserve	New York: Niagara Falls ARS	C-130 Flightline Operations Facility, Ph 1	$9,500,000
Army NG	New York: Ronkonkoma (MacArthur Airport).	Flightline Rehabilitation	$2,780,000
Air NG	New York: Stewart ANGB	Aircraft Conversion Facility	$3,750,000
Army NG	North Carolina: Camp Butner	Barracks (AT), Ph 1	$1,484,000
Army NG	North Carolina: Morrisville	AASF 1 Fixed Wing Hangar Annex	$8,815,000
Army NG	North Carolina: Murphy	Fire Fighting Team Support Facility	$223,000
Air Force	North Carolina: Pope AFB	Crash/Fire/ Rescue Station	$13,500,000
Air Force	North Dakota: Grand Forks AFB	Central Deployment Center	$495,000
Army NG	Ohio: Camp Sherman	Maintenance Building Add/Alt	$3,100,000
Army NG	Ohio: Ravenna Training Site	Unit Training Equipment Site Add/Alt	$2,000,000
Air NG	Ohio: Toledo Express Airport	Replace Security Forces Complex	$7,300,000
Defense-Wide	Oklahoma: Tulsa IAP	Fuels Storage Complex	$1,036,000
Army NG	Oregon: Salem	Armed Forces Reserve Center Add/Alt (JFHQ).	$1,243,000
Air NG	Pennsylvania: Fort Indiantown Gap	Multipurpose Air National Guard Training Facility.	$675,000
Army NG	Pennsylvania: Hermitage	Readiness Center	$671,000
Army NG	Pennsylvania: Tobyhanna	Armed Forces Reserve Center	$1,513,000
Army NG	Pennsylvania: Williamsport	Field Maintenance Shop	$1,508,000
Army NG	Rhode Island: Middletown	Readiness Center Add/Alt	$3,646,000
Army NG	Rhode Island: Quonset Point	Readiness Center	$3,729,000
Air NG	South Carolina: McEntire JRB	Replace Operations and Training Facility	$9,100,000
Air NG	South Dakota: Joe Foss Field	Aircraft Maintenance Shops	$3,600,000
Air Force	Tennessee: Arnold AFB	AEDC Power Distribution Modernization	$378,000
Army	Texas: Corpus Christi Depot	Rotor Blade Processing Facility, Ph 2	$13,400,000
Army	Texas: Fort Bliss	Alternative Energy Projects	$1,166,000
Army	Texas: Fort Bliss	Rail Yard Improvements	$2,070,000
Army	Texas: Fort Hood	Soldier Readiness Processing Center	$1,000,000
Navy	Texas: Kingsville NAS	Youth Center	$2,610,000
Air Force	Texas: Lackland AFB	Consolidated Security Forces Ops Center, Ph 1.	$900,000
Air Force	Texas: Laughlin AFB	Community Event Complex	$10,500,000
Army NG	Texas: Laredo	Receiving, Staging, & Onward Integration Facility/Hangar.	$475,000
Army NG	Texas: McLennan County	Operational Reserve Headquarters	$5,000,000
Army NG	Texas: South Texas Training Center	Cantonment and Support Infrastructure	$5,000,000
Army	Virginia: Fort Belvoir	Growth Support Infrastructure	$3,060,000
Air Force	Virginia: Langley AFB	Clear Zone Land Acquisition, Ph 1	$3,000,000
Defense-Wide	Washington: Fort Lewis	SOF Military Working Dog Kennel	$4,700,000
Navy	Washington: Kitsap NB	Charleston Gate ECP Improvements	$6,150,000
Army NG	West Virginia: Bridgeport	FWAATS Apron Expansion	$2,000,000
Army NG	West Virginia: Bridgeport	FWAATS Expansion	$2,000,000
Army NG	West Virginia: Glen Jean	Emergency Power Generator	$1,500,000
Army NG	Wisconsin: Wausau	Field Maintenance Shop	$12,008,000
Army NG	Guam: Barrigada	Joint Forces HQ Readiness Center Add/Alt	$778,000

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Chair, this amendment is straightforward.

It would simply prevent the funding of all Member-requested earmarks in the bill. It would return the funds to the original accounts. I'm not here to dispute the merits of these projects. I have no doubt that some of those projects are worthwhile and would improve the quality of life for our military servicemembers and their families, but that's not what is at issue here.

At issue, again, as I pointed out before, is the spoils system that this process of earmarking represents. This year's Military Construction-VA appropriations bill shows that the spoils system is alive and well. It's happened in previous years, and it's no different this year. The only difference here is we have basically just one party engaging in it, and so the spoils are even more concentrated in fewer Members.

Let me just put this chart up here. These are the FY 2011 earmark dollars associated with powerful Members of

Congress. By powerful Members I mean those who are on the Appropriations Committee, those who are in leadership, or those who are chairmen of committees. And if you look at the appropriations bills that have gone through either the subcommittee or full committee on appropriations, you see this appropriations spoils system in action here.

This looks like a Pacman chart here with a hungry Pacman here. The red represents the percentage taken by powerful members. In the Homeland Security bill, 52 percent of the earmark dollars go to powerful Members. Fifty-two percent go to just 13 percent of this body; CJS bill, 57 percent; Agriculture, 76 percent; THUD, 42 percent; and MILCON VA, what we're doing now, 51 percent.

More than half of the earmark dollars in this legislation are going to just 13 percent of the Members in this body. Madam Chair, that is simply not right. We shouldn't be doing this. Yet year after year we do it. No matter what kind of reforms we enact, we still have the spoils system alive and well.

I reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I claim time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

□ 1740

Mr. EDWARDS of Texas. Madam Chair, I respect the gentleman. He takes a principled position on congressionally sponsored projects, but I strongly oppose this amendment.

The Flake amendment, regardless of its intentions, would cut $163 million out of important military construction projects for the National Guard and Reserves, which are playing a key role in our war in Iraq and Afghanistan.

This amendment would cut $57 million out of force protection, safety and security forces facilities, including more secure entrance gates at our military installations, fire stations to protect our troops and their families on posts.

The Flake amendment would cut $30 million from quality of life facilities—much needed by our troops and earned by our troops, deserved by our troops—barracks, youth and community centers, roads. It cuts 44 projects that are in the Department of Defense's Future Years Defense Program.

One of the programs this would cut is $1 million I put in this bill as an earmark to provide for a new Soldier Readiness Processing Center at Fort Hood so those soldiers, over 40,000 serving there, will not have to go through a processing center which was the site of the murder of 12 of their Army comrades and one civilian just months ago.

A ''yes'' vote on this amendment will cut these kinds of worthy projects.

Now, Mr. FLAKE will claim and has claimed that DOD will still have the money to spend, but that's not correct because this amendment is flawed in the way it's drafted because—well, first of all, let me say that let's at least get rid of the pretence that cutting earmarks would save taxpayer dollars if he says, well, this money could still be spent by DOD.

But the reality is, because of the flawed nature of the way this amendment was put together, it would be the best—the worst, actually, of both worlds. One, it wouldn't save taxpayers' dollars because the appropriations would go to the Department of Defense; but because it would be in an account for programs not authorized, that money could not be spent for all of the worthwhile kinds of projects that I have just mentioned.

Let me put in perspective what we are talking about here. This is a $140 billion bill. Less than three-tenths of 1 percent of this bill was designated by Members of Congress working with community leaders, military leaders, military base leaders.

If I can ask my staff for a chart, I would just like to show, in perspective, what a small part of this total bill actually goes to congressionally sponsored projects.

Now, Mr. FLAKE apparently has more trust in the Obama administration than I did. I don't think bureaucrats in Washington are right 100 percent of the time, and it's not wrong—in fact, it's right—to say that Members of Congress, working with military leaders and community leaders, ought to have some voice in where their taxpayers' dollars go.

Madam Chair, I want to point out this is a chart. This graph shows how much is spent in this bill. The part of the bill that Mr. FLAKE is objecting to is this red part right here. Probably from that side of the aisle it would be very, very hard to see it.

But I just want people to understand that the administration gets a voice on this amount of money in the bill. Members of Congress working with military leaders get a voice on this amount. This is what we are talking about.

But I want to talk and say this amount is significant because, if this amendment were to pass, and I hope it will not and I do not believe it will, it would harm important quality of life and protection projects for our service men and women. It would kill a major initiative in this bill to increase funding for the National Guard and Reserves who are playing a vitally important role in Iraq and Afghanistan.

May I inquire how much time I have remaining?

The CHAIR. The gentleman has 1 minute remaining.

Mr. EDWARDS of Texas. I would yield that time to my colleague Mr. ORTIZ.

Mr. ORTIZ. I rise in opposition to the Flake amendment. This amendment would seek to strike certain modifications to the Military Construction appropriations bill.

I believe that it is essential that this body work with the administration and determine a budget that is best for the Nation. I believe that the process that my subcommittee and Chairman EDWARDS' subcommittee has put in place accomplishes this goal.

For example, the projects that this amendment would seek to strike have been individually reviewed by the administration for cost and the way it's going to be executed. The projects are carefully compared against a very long list of requirements that the Department of Defense has generated. These projects have been included in the National Defense Authorization Act for Fiscal Year 2011 that this body has recently passed.

Finally, all of these military construction projects that are included at the end of this process, including all of the projects that this amendment seeks to strike, will be competitively awarded.

The CHAIR. The time of the gentleman has expired.

The gentleman from Arizona has 3 minutes remaining.

Mr. FLAKE. Madam Chair, I yield the gentleman another 30 seconds if he wants to finish.

Mr. ORTIZ. We cannot forget the fact that we are involved in two wars. We have soldiers stationed in 120 countries. Whatever we do today, let's do it for our servicepeople. They are my sons and your daughters and family here who are serving our country.

Mr. FLAKE. Madam Chair, I plan to withdraw this amendment. I had planned to from the beginning. What I wanted to do was come down here and explain the spoils system that this kind of earmarking represents.

The problem, the gentleman mentioned that this amendment is crafted in a way that it would prohibit the spending of money on these projects. It would. The problem is there is no way to craft an amendment that wouldn't do that.

What we have here is a situation where we simply can't go in and say this is a good earmark and this is not, not through this process. That's part of the whole flawed aspect of what we are doing here and why we need to change this.

But the gentleman is correct, we shouldn't give the administration a free ride to say this is where things ought to be spent. We have the power of the purse. This is article I stuff, and we ought to exercise it.

The problem I have is we basically exercise authority over that much of it and leave the administration with this, instead of saying, through the process of authorization, appropriation, and oversight, we have more control of what the administration is doing.

Instead, we say we don't like the way you are spending this money—we say that to the executive branch—so we are going to run a little parallel track in the Congress where we determine where this much goes. Then when we determine where this much goes, 51 percent of it goes to just 13 percent of this body.

Mr. EDWARDS of Texas. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I appreciate that, and I do respect his principled position on this, not with just this bill but with other bills.

I just want to point out the reason we don't spread out earmarks evenly among 435 Members is military bases in the United States are not spread out evenly among 435 congressional districts. So it is logical and it makes sense and it's good policy that Members that represent military bases get more earmarks than Members that don't represent military bases.

Mr. FLAKE. I think that is a valid point; although, I would argue that Members with military bases don't necessarily align with the 13 percent represented in this chart.

But I would again, before asking unanimous consent to withdraw this amendment, make the case, we will be dealing with another appropriation bill tomorrow that is cleaner than this one in terms of being able to target earmarks and prohibit funding for them and actually save money. The way this bill is structured makes it difficult to do that, but I recognize it.

I just wanted to make the point and to drive it home again, through the process of authorization, appropriation, and oversight, we can do a far better job.

The CHAIR. The time of the gentleman has expired.

Mr. FLAKE. Madam Chair, I ask unanimous consent to withdraw the amendment.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 7 OFFERED BY MR. HILL

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111–570.

Mr. HILL. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 15, after the dollar amount, insert ''(reduced by $100,000) (increased by $100,000)''.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Indiana (Mr. HILL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. HILL. I want to thank Chairman EDWARDS for crafting this critically important bill for our Nation's veterans.

My amendment simply removes funding from the VA General Operating Expense Account and replaces it back in the very same account. My intent in doing this is to highlight an issue for my colleagues and for the VA.

I believe that the VA needs to examine its practice in how it accounts for returned post-9/11 GI benefit payments and that the VA should submit a report to Congress no later than January 1 of 2011 on changes they intend to make to ensure accurate, timely, and efficient accounting of any returned post-9/11 GI benefit payments.

□ 1750

I, along with many of my colleagues, enthusiastically supported the Post-9/11 Veterans Education Assistance Act of 2008. This law provides qualified veterans with a full 4-year college scholarship, restoring a commitment our country made to our World War II-era veterans.

I believe that the Post-9/11 GI bill can spark another period of economic growth and prosperity for the current generation of veterans, much like the Montgomery GI bill did for the previous generation of veterans. That is why I believe it is so critical that this bill be implemented accurately.

I understand that the VA legitimately requires some payments to veterans and universities to be returned. There can be instances of a student taking fewer classes than what was originally thought, accidentally duplicating payments. This is reasonable to an extent. I believe that these funds need to be accounted for accurately; however, this is a two-way street. It has come to my attention that there has been some difficulty with the VA to properly and accurately account for returned payments from universities and veterans alike. In some instances, this has resulted in the VA withholding further Post-9/11 educational benefit payments to the student in question as they are credited with an outstanding debt despite having already paid back the necessary accounts. This is even after the returned checks have been cashed by the VA. This issue needs to be addressed in a timely manner.

I do not believe that the VA is acting with any malice in this measure, far from it. I applaud the work that the VA is doing to improve the lives of veterans. They deserve this benefit, but they deserve for it to work for them.

Madam Chair, I yield to the chairman, Mr. EDWARDS, for the purpose of a colloquy.

Mr. EDWARDS of Texas. I thank the gentleman. I support this amendment.

Through no one's malicious intentions, students—our veteran servicemen and -women or their children using the new 21st Century GI Bill—are being punished for mistakes that they did not make, perhaps paperwork mistakes by a school administration or by the VA. The result can be that sometimes students can have halted their additional GI benefits in order to continue college. So this is really an important issue. I salute the gentleman. We are going to see that this issue is solved with his leadership, and I look forward to working with him.

Mr. HILL. I thank the chairman for his support.

This issue was brought to my attention by Indiana University, which is a university that I represent back home in Indiana. I have also been working with a community college, Ivy Tech in Indiana, with the same problem.

I thank the chairman for his support for this amendment, and I encourage my colleagues to support it as well.

Madam Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. HILL).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. GINGREY OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111–570.

Mr. GINGREY of Georgia. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 5____. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to exercise the power of eminent domain (to take private property for public use) without the payment of just compensation.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Georgia (Mr. GINGREY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. GINGREY of Georgia. Madam Chairman, my amendment would prohibit funds in the bill from being used to exercise eminent domain without just compensation to the individuals involved. This is necessary because the Kelo v. City of New London Supreme Court decision expanded the so-called ''public use'' provision of the takings clause of the Fifth Amendment. This decision allows State and local governments to practice eminent domain for the benefit of one private party over another.

In this specific case, Madam Chairman, the City of New London, Connecticut, used its eminent domain authority to actually seize private property to sell to private developers in order to aid a struggling economy in the name of economic development, but not specifically in the traditional interpretation of ''public use.''

Justice John Paul Stevens' majority opinion states that the Fifth Amendment does not require a literal ''public use.'' However, the Fifth Amendment of the document this Nation holds sacred—and I have it right here with me all the time, Madam Chairman—the Fifth Amendment of this document clearly reads: ''Nor shall private property be taken for public use without just compensation.''

This decision represents the disparity between constitutional interpretation and, yes, judicial activism. Governments should solely be allowed to compel an individual to forfeit their property for the public's use, but not for the benefit of another private person.

I agree with the dissenting views in the case which point out that the decision is an intrusion into private citizens' lives, and it picks winners and losers in the private market at the cost of an individual losing their personal property.

Madam Chairman, according to the Fifth Amendment to the Constitution, all levels of government have a responsibility and a moral obligation to defend the property rights of individuals and only exercise eminent domain when it's necessary for public use—the literal interpretation of public use—and then just compensation is paid to those affected individuals. Any execution of eminent domain by State and local governments that does not specifically adhere to these requirements constitutes an abuse of government power and a usurpation of the individual property rights as indeed defined in the Fifth Amendment.

My amendment would take one step toward ensuring that property rights of citizens are protected and they are justly compensated when they are taken for public use.

Mr. EDWARDS of Texas. Will the gentleman yield?

Mr. GINGREY of Georgia. I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I want to thank the gentleman. I will support his amendment.

I want to make it clear there is nothing, to my knowledge, in this bill intended to allow the exercise of eminent domain without payment of just compensation, but I believe in the principle of just compensation, and I would be glad to support the gentleman's amendment.

Mr. GINGREY of Georgia. Madam Chairman, reclaiming my time, I thank Mr. EDWARDS for that commitment. I certainly appreciate his comments.

Again, I would urge all of my colleagues to support the amendment. Let's end this abuse of eminent domain. Eminent domain is necessary, but it is being abused; this definition of which, with the help of very liberal interpretations by the Supreme Court in some cases, has been blurred to seemingly allow one private entity to benefit over another. That, as the gentleman from Texas indicated, is the intent of the amendment, and I am very grateful for his support.

Madam Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. GINGREY).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. GINGREY OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 9 printed in House Report 111–570.

Mr. GINGREY of Georgia. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to renovate or construct any facility in the continental United States for the purpose of housing any individual who has been detained, at any time after September 11, 2001, at United States Naval Station, Guantanamo Bay, Cuba.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Georgia (Mr. GINGREY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. GINGREY of Georgia. Madam Chairman, I rise today to offer an amendment to ensure that no funds in this bill are used to construct or to renovate any facility in the United States to house Gitmo detainees.

Now, I realize that the majority will likely support my amendment given that the bill contains no funds for this purpose; but today, Madam Chairman, I want to challenge the Democratic majority to commit to adhering to an underlying principle, that being that it is wholly unnecessary to transfer the detainees and to close Guantanamo Bay, or Gitmo. No matter what appropriations bills we are considering—today, MILCON/VA, when we come back, DOD, Homeland Security, CJS—this fact still holds true.

□ 1800

We have spent hundreds of millions of dollars on the facilities at Gitmo, and the only reason we continue to debate its status is, quite honestly, Madam Chair, for public relations reasons.

As I witnessed most recently in April during my third site visit, the Gitmo detainees are treated with dignity and with respect. They are allowed access to their attorneys. They are allowed access to the International Committee of the Red Cross. They are provided with excellent medical care. As I am a physician Member, I know of what I speak. They are even allowed to live in a communal setting. If they were to consume everything provided to them on a daily basis, they would take in 5,500 calories per day. Indeed, most of them have gained anywhere from 15 to 25 pounds since they were originally detained. Their religious customs in all areas of their lives are respected, and they are provided with everything necessary to observe those customs.

If the world knew how we were actually treating these detainees, we would not be facing the prospect of spending hundreds of millions of dollars more—money that we don't have unless China will continue to lend it to us—to duplicate what we are already doing at Guantanamo Bay.

Madam Chair, transferring the detainees to the United States could eventually lead to their release on American soil, which would put our own citizens at risk. It could create significant immigration issues as aliens could become eligible for asylum or other forms of immigration-related relief from removal. It most certainly would make any facility where they are held a terrorist target.

Not surprisingly, Madam Chair, the American people are overwhelmingly opposed to closing Gitmo. In a March 2010 CNN/Opinion Research Corporation poll, 60 percent of Americans expressed that the United States should continue to operate the detention center at Guantanamo Bay. They understand that the battlefield is not limited to our military operations in Afghanistan and Iraq. They have recently witnessed two attempted attacks on our homeland in the skies over Detroit and, indeed, on the streets of New York City.

The American people know that the detainees located at Gitmo are not minor offenders by any means. These detainees include terrorist trainers, terrorist financiers, bomb makers, Osama bin Laden's bodyguards, terrorist recruiters, and would-be suicide bombers. Indeed, one of three adolescents originally detained is currently being tried by a military tribunal. Another, who was released after extensive efforts at rehabilitation, was subsequently killed on the battlefield after returning to the fight in Afghanistan.

Madam Chair, simply put, the American people believe that bringing Guantanamo Bay detainees to American soil for any purpose puts Americans at risk and is a national security threat. It is time this Congress listens to the collective voice of the American people and stops perpetrating the ''Washington knows best'' mindset.

I urge my colleagues to support my amendment on this bill—and on all other appropriations bills—to prevent the wholly unnecessary transfer of Gitmo detainees to American soil.

I reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I claim time in opposition to the amendment, though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. EDWARDS of Texas. I will support this amendment, Madam Chair.

I do want to clarify that there is no funding in this bill of any type to fund any kind of facility to house detainees from Guantanamo. Having said that, I would be glad to support the gentleman's amendment.

I yield back the balance of my time.

Mr. GINGREY of Georgia. I want to thank my friend from Texas. In knowing him and his heart, I am not surprised that he would support this amendment, but I want to ask the gentleman a question.

Mr. EDWARDS, can I count on you to commit to supporting this amendment in future appropriations bills so that we can end the debate as to whether Guantanamo Bay should be closed once and for all?

I hope the gentleman will answer the question.

The CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Georgia (Mr. GINGREY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. GINGREY of Georgia. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 10 OFFERED BY MRS. HALVORSON

The CHAIR. It is now in order to consider amendment No. 10 printed in House Report 111–570.

Mrs. HALVORSON. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 15, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 36, line 11, after the dollar amount, insert ''(increased by $10,000,000)''.

The CHAIR. Pursuant to House Resolution 1559, the gentlewoman from Illinois (Mrs. HALVORSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. HALVORSON. I yield myself such time as I may consume.

Madam Chair, I would first like to take a moment and praise Chairman OBEY and Chairman EDWARDS for their continued commitment to caring for American veterans. Three-and-a-half years ago, their committee made a commitment and renewed the promise to care for those who have served in our armed services. They have kept that promise and have dramatically increased funding for our veterans by 70 percent since 2007.

As the only Member of Congress from Illinois who sits on the Veterans' Affairs Committee, I really can speak to the critical need that these funds have addressed for Illinois veterans.

Madam Chair, my amendment is simple. It adds $10 million to the VA Major Construction Project and subtracts $10 million from the general operating expenses. Much of the VA medical infrastructure is aging, outdated and, in many cases, obsolete.

According to the 2011 Independent Budget, which is written by some of the largest Veteran Service Organizations, a great number of current medical facilities were built after World War II and were constructed with structurally obsolete designs which ''typically do not meet the needs of modern health care delivery.'' The result of these outdated buildings has left the VA with a long list of major construction projects, which are just sitting there, waiting for congressional funding.

Right now, there are over 60 medical construction projects in the backlog. That means that there are over 60 locations that are in need of major construction, renovation, or modification. It means that there are 60 locations where our veterans are not receiving optimal care in modern facilities. Unfortunately, this bill was only able to address a total of five of these projects, and only two of them are new medical facilities.

With more women and men servicemembers transitioning from active duty to VA care and with multiple illnesses, such as PTSD and TBI, we will require even more new and modified medical facilities. Though $10 million is far less than what is needed to address these aging medical facilities' infrastructures and construction needs, the amendment will still play a role in ensuring that more veterans are receiving the care they deserve in a modern and quality health care facility. This amendment is also supported by the American Legion.

I urge my colleagues to stand up and to support modern medical facilities for our veterans and to vote ''yes'' on this amendment.

I reserve the balance of my time.

Mr. CRENSHAW. Madam Chair, I claim time in opposition, though I am not opposed to the gentlewoman's amendment.

The CHAIR. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. CRENSHAW. I have a couple of questions.

We have a process for building outpatient clinics. I just wondered: Does this amendment, in any way, try to circumvent the process? Does it direct where the money would be spent in any way?

I yield to the gentlewoman.

Mrs. HALVORSON. Absolutely not.

You have the amendment, as do I, and it just takes $10 million out of the general operating to put it into major construction.

You know, there are needs everywhere. I wish it were in some way to help my district. We have needs, but it does not help my district. This major construction is $28 million less than it was last year. So I would like to see that we gradually get it back up to the $28 million at least that it was last year.

Mr. CRENSHAW. Reclaiming my time, the amendment allows the VA to use this funding at any location that it seeks?

Mrs. HALVORSON. At any location anywhere. I wish I could say that it were for someplace special, but it is not.

Mr. CRENSHAW. Reclaiming my time, I would just point out to the gentlewoman that there is $1.166 billion for construction. That is $15 million above the request.

I can appreciate that the gentlewoman would like to spend even more and that she, apparently, is not trying to circumvent the process, because a lot of people would like to have clinics in their districts, and a lot of people have been waiting in line and have been watching this process work, but if it doesn't seek to spend it at any one location, then that is helpful to me.

I yield back the balance of my time.

□ 1810

Mrs. HALVORSON. Madam Chairman, our veterans deserve the best care in the world and at the best and most modern medical facilities, and that's why we're working to accomplish this here. And in this body we need to keep those promises. This is something that is very important, I think, to all of us here in Congress.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. HALVORSON).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. BILIRAKIS

The CHAIR. It is now in order to consider amendment No. 11 printed in House Report 111–570.

Mr. BILIRAKIS. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 38, line 18, before the period insert the following: '': *Provided further*, That of the funds made available under this heading, $9,500,000 shall be for the acquisition, construction, and alteration of up to four post-acute long-term care residential brain injury medical facilities pursuant to section 8103 of title 38, United States Code''.

The CHAIR. Pursuant to House Resolution 1559, the gentleman from Florida (Mr. BILIRAKIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. BILIRAKIS. Madam Chair, my amendment would provide $9.5 million to acquire and construct up to four long-term care residential brain injury medical facilities.

The primary danger faced by our troops in Operation Enduring Freedom and Operation Iraqi Freedom comes in the form of improvised explosive devices. When an IED explodes, the blast wave can result in our servicemembers incurring catastrophic injuries including amputations, spinal cord injuries, visual and auditory impairments, traumatic brain injury, and posttraumatic stress.

Wounded warriors with these complex injuries require a high level of health care coordination with an interdisciplinary clinical support team and a wide range of specialized services. Since 2003, almost 2,000 severely injured servicemembers have received state-of-the-art care at one of the Department of Veterans Affairs four Polytrauma Rehabilitation Centers.

But what happens to these heroes when they are discharged? Some of them require intensive medical care for the rest of their lives. My amendment addresses the problem of how to provide ongoing recovery for these wounded warriors.

These heroes honorably served their country. Now we have to step up to meet our obligation to them. They need a place to go that will provide for post-acute long-term care, subacute residential rehabilitation, and outpatient day rehabilitation with the dignity, respect, and honor they have earned.

Their families, who are enduring the extreme stress of having one of their own come home with catastrophic injuries, also need this long-term care facility for their loved ones.

My amendment will enable the VA to construct facilities that are specifically designed to provide ongoing recovery for wounded warriors. Such facilities will enable families to visit in an atmosphere that is conducive to the rehabilitation and the reintegration.

These facilities will be paid for with existing funds within the VA's budget and will allow the VA to select locations that are close enough to existing VA medical facilities to ensure that intensive, ongoing medical and specialist care is easily provided. At the same time, the facility can be in a location that would be natural and, importantly, family friendly.

By supporting my amendment, you will be requiring funds already available to the VA to be directed toward relieving the obvious need for long-term, ongoing recovery for our veterans suffering from TBI and other polytrauma injuries.

A properly selected and designed facility is so important, Madam Chair. My amendment will enable medical specialists from the VA to develop a special plan to allow our veterans to heal. That is so important. It should be our top priority. A doctor would be able to look in the eyes of a wounded warrior and tell him or her, This is your home, and we are going to help you participate in society and visit with your family.

The facilities my amendment would promote, Madam Chairman, would enable our young wounded warriors to focus on hope and to focus on honor and have hope for a future. We owe them that, Madam Chair. Let's give them that.

I ask my colleagues to recognize the extreme difficulty faced by our catastrophically wounded warriors. Show them your support and vote ''yes'' on the Bilirakis amendment.

I reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I rise to claim time in opposition to the amendment.

The Acting CHAIR (Ms. JACKSON LEE of Texas). The gentleman is recognized for 5 minutes.

Mr. EDWARDS of Texas. I want to salute the gentleman's focus, his genuine commitment on the important need of providing long-term care for our veterans and wounded warriors with traumatic brain injury.

I care deeply about this. We all care deeply about it. In fact, several years ago I personally put the money in our VA appropriations bill to build a new polytrauma center where there was not one in the entire southwestern part of the United States.

I wish the gentleman could agree to work with the majority and the minority, the conference committee, to try to find a way to also work with the VA to find a way to address the very important needs that he is wanting to address.

If he's not willing to pull this amendment down, I must reluctantly rise in opposition to it for several reasons:

First, the VA is studying this issue right now, and we ought to sit down with them and find out what they have learned and what they think are the best ways to use taxpayers' dollars to address these needs.

Secondly, I don't know if we need four of these long-term centers or six or eight or 10. Rather than spending money on four centers, perhaps it would be better to do smaller renovations on 10 to 20 centers where our traumatically injured veterans could receive care closer to the homes of their loved ones.

Third, I don't know what the full cost of this is going to be. The $9.5 million doesn't, I don't think, even come close to providing for the full cost of the construction of these four projects. Perhaps the gentleman could help illuminate for all of us both the cost of the construction plus the cost of the operations of those centers. And there are a lot of unanswered questions, important questions, such as: Where would the staff come from to man these centers? Would they come from existing VA facilities? I don't know. Perhaps there are good answers to those questions. I just don't think the committee has them at this point.

Finally, there are pay-fors on this. The consequences of how this gentleman would pay for these would be that we would have a domiciliary extended-stay unit would not be replaced in Butler, Pennsylvania; a kidney dialysis unit expansion would not occur in Richmond, Virginia; an ambulatory surgery center would not be completed in Albuquerque, New Mexico; an urgent care center will not be renovated at Castle Point, New York; and a psychiatric residential rehab facility will not be replaced in Perry Point, Maryland.

It was not the intention of the gentleman to try to prevent these five important projects from being completed, but it is the consequence of his amendment as written.

I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Madam Chair, I rise in opposition to the amendment by the gentleman from Florida (Mr. BILIRAKIS). I support the underlying goal of the gentleman's amendment to acquire and construct long-term residential medical facilities for veterans suffering from traumatic brain injury; however, this designation will jeopardize other important construction projects because it is offset by a decrease in what is called the minor projects construction account.

This would jeopardize an important project in my district at the Hunter Holmes McGuire Veterans Hospital. And if this amendment is adopted, it would hinder the expansion of McGuire's dialysis unit. This is an important project and will improve services that many veterans in the Richmond area need very desperately.

So I appreciate the gentleman's intent; however, I believe that circumventing the Veterans Affairs Department's construction priorities is an inappropriate way to achieve that goal. The Nation has promised our veterans access to quality health care services, and we owe them to ensure that those services are there.

So, Madam Chairman, I would urge the rejection of this amendment so that the underlying projects can go forward.

Mr. CRENSHAW. Will the gentleman yield?

Mr. EDWARDS of Texas. I would be glad to yield.

Mr. CRENSHAW. Mr. EDWARDS, I appreciate the concerns that have been raised here, and I think, as you point out, this is a very important subject, very worthwhile. And to the question of where the money comes from, those minor construction projects, I think everyone has a concern about that.

□ 1820

But I think if Mr. BILIRAKIS is willing to work, there is probably a way to find an offset that doesn't impact the minor construction. There are some funds, as you know, that might be available. And I would encourage Mr. BILIRAKIS, with your commitment, to say let's try to figure out a way to do this, find a way to pay for it, find out what the real costs are. And it says up to four. Maybe there is a way just to begin that process, because we know, based on what Mr. KENNEDY had said earlier, it's a very, very important issue.

Mr. EDWARDS of Texas. Reclaiming my time, if Mr. BILIRAKIS would be willing to ask unanimous consent to bring down his amendment, I will make my genuine commitment to work with him, because I salute him for pointing out the important need that needs to be addressed here.

I'll work with Mr. CRENSHAW, the acting ranking member, Mr. WAMP, the ranking member of the subcommittee, and we will get together with the VA and try to find a pay-for that doesn't take away from awfully important projects such as Mr. SCOTT's in Virginia and others.

Mr. BILIRAKIS. If you would agree to work with me on this particular amendment—this is a very important project, as you know. We do have our polytrauma centers, but we need the long-term care for our heroes. And this is a top priority of mine. If you would

agree to work with me on this, then I will withdraw.

Mr. EDWARDS of Texas. If the gentleman will yield, I appreciate that. I will work in good faith. And let's see if by working with the VA, the majority and minority, see if we can find a way to most efficiently and effectively take care of these great Americans that have suffered such a sacrifice on behalf of our country, and do so without impacting these other important projects throughout the country.

Mr. BILIRAKIS. I yield to the gentleman from Virginia.

Mr. SCOTT of Virginia. I would join in support of this. Traumatic brain injuries is a very important problem that we need to deal with. I would join in support of that and work with you as long as you do not affect the other projects.

Mr. BILIRAKIS. Reclaiming my time, I have studied this issue, and it's a top priority of mine. We need to get this done. So thank you for your willingness to work with me.

With that, I appreciate the gentleman's willingness, as I said, to work with me. I look forward to doing so.

Madam Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT NO. 12 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 111–570.

Mr. PETERS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 15, after the dollar amount, insert the following: ''(reduced by $50,000) (increased by $50,000)''.

The Acting CHAIR. Pursuant to House Resolution 1559, the gentleman from Michigan (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

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

Madam Chair, in the interests of common sense, I rise today to offer an amendment that will save taxpayer dollars by reducing waste in prescription medications at the VA. Currently, whenever patients leave a VA hospital, leftover medications like eye drops and inhalers are just thrown away. Often, veterans would have to go right to the pharmacy to refill what was discarded.

My amendment simply directs the VA to implement a program that would re-label prescription drugs used in VA hospitals to be sent home with discharged patients for outpatient use. My amendment offers a simple, commonsense change that will save taxpayers an estimated $14 million over 10 years, while saving patients both time and effort.

I am proud that this amendment has the support of the American Legion and the Iraq and Afghanistan Veterans of America, and urge its passage here today.

I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I just want to commend the gentleman. This is such a good amendment. Sometimes common sense can prevail, because it certainly makes no sense to take drugs that a veteran is using, prescription drugs used in a VA hospital, and then have a half a bottle or three-quarters of a bottle of those pills left, have to throw them away, and then go directly to the pharmacy at the VA hospital to get those exact same prescription drugs to take for use at home.

So this is going to save taxpayers money. And every dollar that's saved can be put back into much-needed medical care for our veterans. So I am thrilled to support the gentleman's amendment and salute him for working on this.

Mr. PETERS. Madam Chair, my amendment is a commonsense change and saves taxpayers money, saves time and effort for veterans. I urge passage.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. PETERS).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 111–570.

Mr. PETERS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 15, after the dollar amount, insert ''(reduced by $150,000) (increased by $150,000)''.

The Acting CHAIR. Pursuant to House Resolution 1559, the gentleman from Michigan (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. PETERS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, while I applaud the progress this Congress has made in ensuring that our Nation's veterans receive the care they deserve, and the efforts of Secretary Shinseki in making the VA a more proactive institution, we must continue to work to improve the responsiveness of the VA both in terms of treatment our veterans receive and the care with which the VA or any agency handles taxpayer money.

It is in this spirit that I am offering my amendment to the MILCON-VA Appropriations Act. My amendment works to both increase the efficiency in which the VA obligates funds, and the speed at which necessary contracts for supplies and services are fulfilled.

The VA Office of Inspector General audited a sample of over 18,000 VA contracts which identified some areas of concern regarding contracts that remain unfulfilled. With little or no oversight for months of these contracts, the OIG projected that $55 million a year, and $261 million over 5 years, could be put to better use.

By conducting a simple review after a period of 90 days in which the contract is inactive in fulfilling the contract, millions of dollars can be de-obligated from contracts that no longer need to be fulfilled or can be fulfilled in a more productive manner.

The American Legion agrees with my amendment as a commonsense change and step in the right direction, and I urge its passage here today.

I yield to the gentleman from Texas.

Mr. EDWARDS of Texas. I once again on this amendment want to thank the gentleman for bringing this before the House. This could save up to $55 million in taxpayer funding according to the Inspector General. It's a good amendment, and I am glad to support it.

Mr. PETERS. My amendment is a commonsense change that frees taxpayer dollars for better use to care for our veterans, and I urge its passage here today.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. PETERS).

The amendment was agreed to.

□ 1830

AMENDMENT NO. 14 OFFERED BY MR. GARRETT OF NEW JERSEY

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 111–570.

Mr. GARRETT of New Jersey. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 38, line 7, after the dollar amount, insert the following: ''(decreased by $7,000,000)''.

Page 39, line 8, after the dollar amount, insert the following: ''(increased by $7,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 1559, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I thank the Chair.

This amendment would increase the amount of funding for grants for construction of States veterans cemeteries by $7 million while reducing funding for grants for construction of minor projects by an equal amount.

The VA provides funding for State veterans cemeteries through the grants for construction of State veterans cemeteries program. All pending projects are evaluated by the VA and ranked in order of priority. This is not an earmark program. It is a competitive ranking process.

The current priority list shows that there are $121 million worth of projects where the State matching funds are already in place. More than half of these projects—totaling $70 million—are still awaiting Federal matching grants. Yet the appropriations bill we are considering today provides only $46 million for grants for construction of State veterans cemeteries.

The first priority for the State cemetery program is to provide funding for the expansion of existing cemeteries. The second priority is for the construction of new cemeteries according to geographical need. The third is for improvements to existing cemeteries. So what this means is that existing cemeteries which require improvements do not receive the necessary funding.

For example, my State of New Jersey is home to the BGWC Doyle Veterans Memorial Cemetery. This cemetery is the busiest State veterans cemetery in the Nation. On average, it has seven burials per day. For the past 2 years, the cemetery has had two important improvement projects with State grants in place, but there hasn't been sufficient funding for matching Federal grants.

The following States also have a State matching grant but have at least one unfunded project: Tennessee, Minnesota, Kentucky, Alabama, California, Idaho, South Dakota, Hawaii, Maryland, Montana, Virginia, Nevada and Maine.

To make matters worse, the State veterans cemetery grant program has been underfunded over the past several years, even though the number of World War II veterans that are needing interments is rapidly increasing. VA and VFW officials at both the State and national level agree that there is a need for an overall increase to the annual budget of the grants to State cemeteries program. In fact, it is one of their top priorities.

This bipartisan amendment would increase the amount for this program by $7 million. This amendment would simultaneously decrease by $7 million the amount for the minor projects. However, the construction of minor project account is already fully funded at a level that is $40 million above both the VA and the President's budget requests.

Last year, during consideration of the FY10 MILCON–VA appropriations bill, I introduced an almost identical amendment. The only difference was that the amount of increase/decrease was $4 million rather than $7 million. That amendment passed this House by voice vote.

With that, I reserve the balance of my time.

Mr. EDWARDS of Texas. Madam Chair, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. EDWARDS of Texas. Madam Chair, I will salute the gentleman from New Jersey for focusing on the need to fund our State veterans cemeteries. I believe in those cemeteries. I think they're an important partnership between the Federal Government and our State governments. So I have absolutely no objection to his wanting to try to find additional funding for State cemeteries.

However, I will object and ask my colleagues to vote ''no'' on this amendment because of the way in which he pays for it. While not intended in any way, it just turns out the money that he would be taking out of the VA minor construction project would come out of these specific projects:

A domiciliary extended stay unit will not be replaced in Butler, Pennsylvania; a kidney dialysis unit expansion will not occur in Richmond, Virginia; an ambulatory surgery center will not be completed in Albuquerque, New Mexico; and an urgent care center will not be renovated at Castle Point, New York.

So you have an amendment that won't even guarantee that even one dime of this amendment's funding will go to State veterans cemeteries in New Jersey. In fact, the last list I saw the VA has put out officially has the New Jersey project significantly down the list. But regardless of that, I think it's just not right to take funding out of these much-needed health care construction projects.

I would like to yield to the gentleman from Pennsylvania (Mr. ALTMIRE) for any time he would care to consume.

Mr. ALTMIRE. I thank the chairman.

Madam Chair, I rise in opposition to the Garrett amendment to the Military Construction and Veterans Affairs appropriations bill which would transfer $7 million in funding for the grants for construction, minor projects account into another unrelated account. This amendment would adversely affect veterans in my district by shifting funding away from priority construction projects, such as the domiciliary extended stay unit in Butler, Pennsylvania. That facility is a vital source of shelter and rehabilitation for homeless veterans in western Pennsylvania, and I will not allow its upkeep and improvement to be compromised by this type of unwise amendment.

Last-minute shifts in funding for parochial concerns take away from priority projects and plans that the VA has determined to be necessary for veterans' health and safety nationwide. I ask my colleagues to join me in strongly opposing the Garrett amendment to prevent harmful construction project cuts for the VA.

Mr. EDWARDS of Texas. I would like to now yield time to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Madam Chair, I too rise in opposition to the amendment.

As it has been said before, this would jeopardize the dialysis unit in the McGuire Hospital in Richmond. Although I appreciate the gentleman from New Jersey's intent, I do not believe that shortchanging important projects at the VA to improve and expand quality health care for our veterans is the appropriate way to achieve that goal. We have promised our veterans health care and decreases in what is called the minor projects account will actually jeopardize important projects all over the country, including one in Richmond, Virginia.

I urge my colleagues to reject the amendment. Hopefully we can work out some other pay-for. But we do not want it taken out of the projects in Richmond, Virginia; Pennsylvania; and other projects around the country.

Mr. EDWARDS of Texas. I now yield to the gentleman from New York.

Mr. HALL of New York. Thank you, Mr. Chairman.

I rise in opposition to the amendment, although I do support the underlying intent; but not, however, the pay-for.

One project that would be affected by this cutback is the renovation of the urgent care center at Castle Point, New York, a VA hospital that was built in 1926. It's the oldest VA hospital in the country and has never undergone a major renovation. The project would dramatically increase urgent care capacity at Castle Point and make the facility more accommodating for female veterans who are increasingly a large part of our force.

I ask that before you vote on this measure, please take a moment to consider the unintended consequences and the negative consequences, not just in the Hudson Valley but across the country.

Mr. EDWARDS of Texas. Madam Chair, do I have any time remaining?

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. EDWARDS of Texas. Let me just conclude by saying no one objects to the gentleman's goal. We would be glad to try to work in good faith to see if we can find another pay-for to improve funding for our veterans cemeteries. But I will strongly object and ask my colleagues to vote ''no'' on this amendment because of the damage done to veterans at these facilities that need the care that they would otherwise not get if this amendment is passed into law.

I yield back the balance of my time.

Mr. GARRETT of New Jersey. Madam Chair, I would just remind the gentleman that the money you appropriated is already $40 million over what the President asked for and also what the VA asked for.

I yield 1 minute to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Madam Chair, I rise in support of Congressman GARRETT's amendment also sponsored in a bipartisan capacity by Congressman ADLER on the other side of the aisle and by me. This is bipartisan in nature, and, of course, we believe that across the country, veterans and their families

are dealing with the hardships of overcrowded and unkempt State cemeteries.

For example, in New Jersey there is only one State veterans cemetery that is currently available for new burials—the Doyle Veterans Memorial Cemetery in Wrightstown, in southern New Jersey, not in my district and not in Congressman GARRETT's district, but this is bipartisan in nature on our side of the aisle; and certainly we think that this amendment will help fund these projects and reduce existing backlogs in the State veterans cemetery grant program.

I certainly concur with Congressman GARRETT's point of view that the funding is already over what has been requested by the administration and we believe strongly that this is in the best interest of the United States.

Mr. GARRETT of New Jersey. May I inquire of the time remaining.

The Acting CHAIR. The gentleman from New Jersey has 1 minute remaining.

Mr. GARRETT of New Jersey. In conclusion, I will end where I started, and that is to say, there is a need for the cemeteries not just in the state of New Jersey but across the country as well. In a bipartisan manner we passed this bill with the support presumably from the chairman last year in a similar manner as we are doing this year. As was stated already, the amount of money that is already appropriated is $40 million more than not only what the White House wants but also what the VA wants.

I do find it curious that the chairman is able to come to the floor and cite specifically what programs would be cut when our staff tried diligently through the committee to ask them to identify exactly which ones would be cut and we could never get an answer from them as to what would be cut whatsoever with regard to priorities. Now the chair comes and says, well, this program, this program, and this program will be cut.

□ 1840

How can anybody say it's being cut when we're already spending $40 million more than what the VA and the administration is asking for?

This is a duty that we owe to our veterans, and we should do it in a proper manner, and we should do it now. We should not be pointing fingers saying that we want a cut from this or a cut from that. We have set out the program this year as we have done in the past. And we should meet that moral obligation.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARRETT of New Jersey. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111–570 on which further proceedings were postponed, in the following order:

Amendment No. 9 by Mr. GINGREY of Georgia.

Amendment No. 14 by Mr. GARRETT of New Jersey.

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

AMENDMENT NO. 9 OFFERED BY MR. GINGREY OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. GINGREY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 353, noes 69, not voting 16, as follows:

[Roll No. 480]

AYES—353

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Arcuri
Austria
Baca
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Clarke
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
Davis (TN)
DeFazio
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Djou
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (TX)
Ellsworth
Emerson
Eshoo
Etheridge
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Holden
Holt
Hoyer
Hunter
Inglis
Issa
Jackson (IL)
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Ortiz
Owens
Pallone
Pascrell
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Yarmuth
Young (AK)

NOES—69

Baird
Baldwin
Becerra
Berman
Blumenauer
Bordallo
Braley (IA)
Capps
Castor (FL)
Christensen
Chu
Clay
Cohen
Davis (IL)
DeGette
Dingell
Doggett
Edwards (MD)
Ellison
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Harman
Hinchey
Honda
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kucinich
Lee (CA)
Lofgren, Zoe
McDermott
Moore (WI)
Moran (VA)
Murphy (NY)
Nadler (NY)
Norton
Olver
Pastor (AZ)
Pierluisi
Pingree (ME)
Price (NC)
Quigley
Roybal-Allard
Ryan (OH)
Sablan
Sánchez, Linda T.
Schakowsky
Scott (VA)
Sestak
Smith (WA)
Snyder
Towns
Tsongas
Velázquez

Wasserman Schultz
Waters
Watt
Waxman
Woolsey
Wu

NOT VOTING—16

Akin
Andrews
Cleaver
Crowley
Davis (AL)
Ehlers
Faleomavaega
Fallin
Hoekstra
Lewis (GA)
Slaughter
Stark
Tiahrt
Wamp
Watson
Young (FL)

□ 1911

Mr. ELLISON, Ms. NORTON, Ms. LINDA T. SÁNCHEZ of California, Ms. DEGETTE, Mr. TOWNS, Ms. JACKSON LEE of Texas, Mr. ISRAEL, Ms. WASSERMAN SCHULTZ, Mr. CLAY, Ms. SCHAKOWSKY, Ms. ROYBAL-ALLARD, Messrs. DAVIS of Illinois, DOGGETT, INSLEE, COHEN and SCOTT of Virginia changed their vote from ''aye'' to ''no.''

Mr. POLIS, Ms. RICHARDSON, Messrs. AL GREEN of Texas, SERRANO, MCGOVERN, MINNICK and GEORGE MILLER of California changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MR. GARRETT OF NEW JERSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 128, noes 296, not voting 14, as follows:

[Roll No. 481]

AYES—128

Aderholt
Adler (NJ)
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boustany
Brady (TX)
Burton (IN)
Buyer
Calvert
Campbell
Cantor
Capito
Cassidy
Chaffetz
Cole
Conaway
Crenshaw
Davis (KY)
DeFazio
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
Flake
Fleming
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gingrey (GA)
Gohmert
Graves (MO)
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hodes
Holt
Hunter
Issa
Johnson (IL)
Johnson, Sam
King (NY)
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Lummis
Lungren, Daniel E.
Mack
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
Mica
Michaud
Miller (MI)
Miller, Gary
Mitchell
Myrick
Neugebauer
Nunes
Nye
Olson
Pallone
Pascrell
Paul
Pence
Petri
Pingree (ME)
Pitts
Poe (TX)
Price (GA)
Radanovich
Rahall
Rangel
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Rothman (NJ)
Ruppersberger
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Shadegg
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Walden
Westmoreland
Wilson (SC)
Wu

NOES—296

Ackerman
Altmire
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Camp
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Fudge
Garamendi
Gerlach
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Honda
Hoyer
Inglis
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Miller (FL)
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Owens
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Reichert
Reyes
Richardson
Rodriguez
Rooney
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Skelton
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Yarmuth
Young (AK)

NOT VOTING—14

Akin
Andrews
Crowley
Ehlers
Faleomavaega
Fallin
Hoekstra
Lewis (GA)
Moran (KS)
Slaughter
Tiahrt
Wamp
Watson
Young (FL)

□ 1919

Mr. ROONEY changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2011''.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. BALDWIN) having assumed the chair, Ms. JACKSON LEE of Texas, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5822) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes, and pursuant to House Resolution 1559, reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 1559, the question on adoption of the amendments will be put en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 411, nays 6, not voting 15, as follows:

[Roll No. 482]

YEAS—411

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett

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

NAYS—6

Campbell
Duncan
Flake
Johnson (IL)
Paul
Sensenbrenner

NOT VOTING—15

Akin
Andrews
Braley (IA)
Crowley
Ehlers
Fallin
Hoekstra
Lewis (GA)
Moran (KS)
Slaughter
Tiahrt
Wamp
Waters
Watson
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1937

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

GENERAL AND SPECIAL RISK INSURANCE FUNDS AVAILABILITY ACT OF 2010

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5872) to provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5872

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''General and Special Risk Insurance Funds Availability Act of 2010''.

SEC. 2. ADEQUATE COMMITMENT AUTHORITY.

Notwithstanding any other provision of law, for fiscal year 2010 the Secretary of Housing and Urban Development may enter into commitments to guarantee loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), in an amount not exceeding $20,000,000,000 in total loan principal, any part of which is to be guaranteed.

SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go- Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. FRANK) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

□ 1940

GENERAL LEAVE

Mr. FRANK of Massachusetts. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials on this bill.

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

There was no objection.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

The FHA has become a very successful program. It has taken up a lot of the slack that was created by problems elsewhere in the housing area. It is being run very well. Secretary Donovan and Administrator Stevens deserve a great deal of credit.

In a bipartisan way, the Committee on Financial Services has cooperated with them. We recently passed a bill, again a bipartisan bill, and the ranking member of the Housing Subcommittee, the gentlewoman from West Virginia (Mrs. CAPITO) is here, to enhance their authority to allow them to do a better job statutorily of guarding against abuse and fraud.

The program's been sufficiently successful so that they have now run out of commitment authority. This bill would give them $5 billion more in commitment authority. But it is not an expenditure. Indeed, it is the opposite. This will save $94 million because we have structured the FHA today, and it's being run in a way that it makes a small profit for the Federal Government.

If we do not pass this bill before the end of next week, us first and then the Senate, the FHA program will stop until October. That will deny people housing, and this is housing, homeownership and other forms of housing, that is responsibly done. It will be a further shot to the housing sector of the economy which is so important.

I add letters from the American Bankers Association and a joint letter from virtually every organization that deals with housing from the standpoint of consumers, or from the standpoint of financing, also from the standpoint of people in the business of providing housing. So providers of housing, financers of housing, sellers of housing, consumers of housing all agree that we need this bill.

It should not be controversial because it extends a very successful program, stops it from being interrupted between now and October, and it will present savings of $94 million.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, just briefly, I would like to join with the chairman of the full committee, Mr. FRANK, in full support of this bill. I would also like to thank the Appropriations Committee for letting us bump up two bills so we could get ahead a little bit on our evening.

I would like to reiterate just very quickly that this FHA program is a critical source of financing for affordable rental housing, and I am in full agreement that we should pass this bill, as it will help to mitigate any disruptions in the housing market.

I have no further speakers, and I yield back the balance of my time.

Mr. FRANK of Massachusetts. I yield myself 1½ minutes to say that some of the homeownership parts will continue, but there are very important pieces here involving health care facilities, involving multi-family housing, and there is some homeownership which would be lost if we were not able to do this. So I am glad to be joined by my colleague from West Virginia, and I hope that the House will promptly pass this bill and that the Senate will even promptly pass this bill, although that's always a greater hope.

JULY 28, 2010.

Hon. BARNEY FRANK,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE FRANK: Our organizations would like to express strong support for H.R. 5872, The General and Special Risk Insurance Funds Availability Act of 2010. Recently, the Federal Housing Administration (FHA) notified Congress that it had exceeded 75 percent of its commitment authority to insure mortgages under the General Insurance and Special Risk Insurance (GI/SRI) Fund. FHA Commissioner David Stevens further warned that without an additional $5 billion in commitment authority, the agency's current limitation would be fully exhausted by late August or September.

FHA is now facing the real possibility that it will have to shut down the multifamily and health care insurance programs. Without swift passage of H.R. 5872, needed affordable rental housing and health care facilities could be at risk of losing time-sensitive financing and subsidy commitments as a result. Properties with maturing loans that must refinance could be at risk of losing the only source of refinancing available in the market at this time. The consequence is the delay or loss of bringing affordable housing to those people who need it so much.

As you know, during this period of significant turmoil in the credit markets, FHA's multifamily and health care programs have been a critical source of stable and affordable financing. We cannot afford a suspension of these important programs now.

We strongly urge Congress to act expeditiously to provide FHA with the additional commitment authority it is seeking. Failure to do so before Congress recesses this summer will cause significant disruptions to financing for apartment, hospital, and health care facilities that serve millions of Americans.

We thank you in advance for your support for H.R. 5872.

Sincerely,

American Health Care Association; American Association of Homes and Services for the Aging; American Seniors Housing Association; Assisted Living Federation of America; Coalition for Seniors Health Care Reform; Council for Affordable Rural Housing; Committee on Health Care Financing; Housing Partnership Network; Institute of Real Estate Management; Institute for Responsible Housing Preservation; Mortgage Bankers Association; National Apartment Association; National Affordable Housing Management Association; National Association of Affordable Housing Lenders; National Association of Home Builders; National Association of Realtors; National Council of State Housing Agencies; National Leased Housing Association; National Multi Housing Council; New York Housing Coalition; Settlement Housing Fund; Stewards of Affordable Housing for the Future; Volunteers of America.

NATIONAL ASSOCIATION OF HOME BUILDERS,
Washington, DC, July 28, 2010.

Hon. BARNEY FRANK,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE FRANK: On behalf of the 175,000 members of the National Association of Home Builders (NAHB), I am writing to express our strong support for H.R. 5872, the General and Special Risk Insurance Funds Availability Act of 2010. H.R. 5872 would increase the commitment authority for fiscal year 2010 for the General and Special Risk Program Account of the U.S. Department of Housing and Urban Development. Without the proposed $5 billion increase, the Federal Housing Administration (FHA) could be forced to shut down the multifamily and health care facilities mortgage insurance programs. FHA recently notified Congress that without this increase, the agency's current limitation would be fully exhausted by late August or September, in advance of the end of the fiscal year.

The FHA multifamily and health care mortgage insurance programs are critically needed during this period of significant turmoil in the credit markets. Without additional commitment authority, needed affordable rental housing and health care facilities could be at risk of losing time-sensitive financing and subsidy commitments as a result. Properties with maturing loans that must refinance could be at risk of losing the only source of refinancing available in the market at this time. The consequence is the delay or loss of bringing affordable housing to those people who need it so much.

Again, NAHB supports H.R. 5872 and urges your support on the House floor. This critical legislation will benefit thousands of people who need affordable rental housing and health care facilities, as well as provide needed construction jobs in this difficult economy.

Best regards,

JOE STANTON,
Senior Vice President,
Government Affairs.

MORTGAGE BANKERS ASSOCIATION,
Washington, DC, July 28, 2010.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.
Hon. SPENCER BACHUS,
Ranking Member, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: On behalf of the Mortgage Bankers Association, I want to thank you for your leadership in quickly moving H.R. 5872, the General and Special Risk Insurance Funds Availability Act of 2010, to the House floor. This legislation is urgently needed to avert a looming shutdown in the Federal Housing Administration's multifamily programs.

Recently, FHA notified Congress that it was close to exhausting its commitment authority to insure multifamily mortgages, and that an additional $5 billion would be needed to keep the programs running through the end of the fiscal year. FHA's multifamily programs have been a critical source of stable and affordable financing during the current downturn in the credit markets. We simply cannot afford a suspension of these important programs now.

It is also important to note that the authorization of commitment authority is not the same as a direct appropriation and does not come with a cost to taxpayers. In fact, because FHA collects premiums to guard against the risk of default, the additional $5 billion in commitment authority is estimated to generate $94 million to the U.S. Treasury.

We urge the House to approve this bill so that we keep these important multifamily programs up and running.

Sincerely,

WILLIAM P. KILLMER,
Senior Vice-President,
Legislative and Political Affairs.

NATIONAL MULTI HOUSING COUNCIL AND NATIONAL APARTMENT ASSOCIATION,
Washington, DC, July 28, 2010.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The National Multi Housing Council (NMHC) and National Apartment Association (NAA) urge immediate action on H.R. 5872, the ''General and Special Risk Insurance Funds Availability Act of 2010'', to prevent an imminent shutdown of the FHA multifamily loan program.

Absent Congressional action the multifamily and health care insurance programs will shut down. As a result, needed affordable rental housing and health care facilities could be at risk of losing time-sensitive financing and subsidy commitments. Properties with maturing loans that must refinance could be at risk of losing the only source of refinancing available in the market at this time. The consequence is the delay or loss of bringing affordable housing to those people who need it so much.

As required, the Federal Housing Administration (FHA) notified Congress that it had

exceeded 75 percent of its commitment authority to insure mortgages under the General Insurance and Special Risk Insurance (GI/SRI) Fund. FHA Commissioner David Stevens further warned that without an additional $5 billion in commitment authority, the agency's current limitation would be fully exhausted by late August or September. Without swift action, that warning is now a reality.

As you know, during this period of significant turmoil in the credit markets, FHA's multifamily and health care programs have been a critical source of stable and affordable financing. We cannot afford a suspension of these important programs.

NMHC and NAA strongly urge passage of this critical legislation.

Sincerely,

DOUGLAS M. BIBBY,
President, National Multi Housing Council.

DOUGLAS S. CULKIN, CAE,
President, National Apartment Association.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 5872, as amended.

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

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5893, INVESTING IN AMERICAN JOBS AND CLOSING TAX LOOPHOLES ACT OF 2010

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 111–577) on the resolution (H. Res. 1568) providing for consideration of the bill (H.R. 5893) to amend the Internal Revenue Code of 1986 to create jobs through increased investment in infrastructure, to eliminate loopholes which encourage companies to move operations offshore, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5850, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2011

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 111–578) on the resolution (H. Res. 1569) providing for consideration of the bill (H.R. 5850) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes, which was referred to the House Calendar and ordered to be printed.

UNITED STATES PATENT AND TRADEMARK OFFICE SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Mr. MOLLOHAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5874) making supplemental appropriations for the United States Patent and Trademark Office for the fiscal year ending September 30, 2010, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5874

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for the fiscal year ending September 30, 2010, and for other purposes, namely:

DEPARTMENT OF COMMERCE

UNITED STATES PATENT AND TRADEMARK OFFICE

For an additional amount for ''Salaries and Expenses'' of the United States Patent and Trademark Office, $129,000,000, to remain available until expended: *Provided,* That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2010, so as to result in a fiscal year 2010 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2010, should the total amount of offsetting fee collections be less than $2,016,000,000, this amount shall be reduced accordingly.

BUREAU OF THE CENSUS

PERIODIC CENSUSES AND PROGRAMS

Of funds made available under this heading by Public Law 111–117, $129,000,000 are hereby rescinded.

This Act may be cited as the ''United States Patent and Trademark Office Supplemental Appropriations Act, 2010''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from Virginia (Mr. WOLF) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. MOLLOHAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 5874.

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

There was no objection.

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

Mr. Speaker, the United States Patent and Trademark Office, on an annual basis practically, has budgetary problems. It arises from the system under which they are funded and estimate their own finances, and the Appropriations Committee responds to that. It's imperfect because their predictions are obviously imperfect. They are talking about revenues that they may or may not receive into the future.

This legislation addresses their concerns for this year. The activities of the U.S. Patent and Trademark Office are fully financed by user fees. And every year Congress appropriates an amount for the agency's activities that is equal to what the agency estimates it will collect in fees.

Based on higher-than-estimated fee collections to date in fiscal year 2010, it appears that the agency could potentially collect more in fees this year than was earlier estimated, and these additional fees would be unavailable to the agency this year under its current 2010 appropriation level.

What this bill, Mr. Speaker, will do, is allow USPTO to spend up to an additional $129 million in patent and trademark fees if the agency actually collects fees over and above the current appropriation level of $1.887 billion. This additional appropriation was requested by President Obama's administration and is based on a revised CBO estimate of the agency's fee collections for fiscal year 2010. This bill reflects the administration's and Congress's commitment to make fee revenue available to USPTO for patent and trademark activities.

The timely and efficient processing of patent and trademark applications is critical to the competitiveness of American businesses and the contributions of individual inventors to economic growth. The USPTO currently takes an average of over 34 months to complete the examination of patent application and has maintained a backlog of unexamined applications for several years. There are approximately 1.2 million patent applications now in the system, with over 750,000 awaiting an initial review by a USPTO patent examiner.

We should be clear, however, about what this bill will do and what this bill will not do. If the additional fees are actually collected in the remaining weeks of the fiscal year, the additional $129 million in budget authority provided by this bill will begin to help the agency address the ongoing patent pendency and backlogs.

□ 1950

Mr. Speaker, what this bill will not do is fix the underlying structural flaws in USPTO's revenue mechanisms that are the major cause for the patent pendency and backlog problems that have plagued USPTO for years. The only path to a meaningful and permanent reduction in patent pendency and the backlog is for stakeholders to support, and Congress to approve, new fee authorities for USPTO that will lead to patent fees that reflect the actual cost to the agency and to our government. But that is beyond the scope of this appropriations bill.

Before concluding, Mr. Speaker, I want to reiterate that the Appropriations Committee consistently appropriates budget authority for USPTO based on the agency's own estimates of fee collections, and the current year appropriation was no exception to this rule. The administration's request for

this supplemental appropriation is based on higher-than-expected fee collections.

In cases where fees collected by USPTO but not appropriated in an annual appropriations bill are credited to a specific account within the general Treasury, those additional resources can be made available for appropriation to USPTO in subsequent appropriations acts, such as the one we are considering today.

While the bill before us today will not address the underlying problems at USPTO, it will provide additional relief to the agency as it seeks to address the patent backlog issue, and I urge my colleagues to support it.

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

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

Yesterday the House passed a supplemental appropriations bill under suspension of the rules. I think—and I would ask somebody to look—I think this Congress, and every Congress has a history and has a name. I think this will be called ''the suspension Congress.'' We have taken more legislation up under suspension of the rules, without any opportunity for people to be offering amendments. I think whatever side you're on, whatever party you're in, there really ought to be the opportunity for Members to offer amendments.

And so I think, I don't know how you would do it, but I officially would request that maybe the Clerk of the House look to see how many bills at the end of this year were passed by suspension and to see if I was right by calling this ''the suspension Congress.''

We are now resorting to considering an odds and ends bill at the end again on suspension. This bill could clearly be put on our own bill. On July 12, the administration requested language to allow the Patent and Trademark Office to spend an additional $129 million in fiscal year 2010, with the desired effect being the reduction of backlogs in processing patent applications.

The bill before the House does that, and fully offsets the spending, as requested, with a rescission from excess amounts appropriated for the 2010 Census. The language in the bill differs somewhat from the language requested by the administration. I personally—and maybe others on the committee had—but personally I have not seen the bill until today after it had been placed on the suspension calendar. So you're going to bring a bill up under suspension and the minority, maybe other people in the minority, but we haven't been given the opportunity even to see it. Since there was no subcommittee or full committee consideration and no discussion with the minority prior to introduction, I don't know why the changes were made to the request. It sort of says we're not going to talk to the minority; we're not going to discuss these things. Frankly I would tell the Patent and Trademark Office, ''You haven't been up here to talk to anybody.'' Just because the party in power happens to be the majority party, this ought to be an issue of nonpartisan, or bipartisan working together. But again it all just sort of rolls out and comes up.

Finally, I would just say that this issue could have easily been addressed in regular order, either in committee markup or on the supplemental where I am sure the chairman, Mr. MOLLOHAN, as we go to conference on a bill—and I appreciate the leadership of Mr. MOLLOHAN on the committee—we could have rolled it in for timely action on the FY11 CJS appropriations bill. I don't know why we're doing it at this hour.

Secondly, anytime one party pushes the other party, and I would say this to my own party. If we ever get back into the majority, we ought to be sure that we treat the minority the way that we wanted to be treated when we were in the minority, because there were times past when we were in the majority that we maybe treated the minority in ways that we should not have treated them.

And so I would just say, speaking only for myself, but the party that I belong to, I think it's important if or when we return to the majority that we have respect for the minority, to notify them and tell them and do everything we possibly can to make sure that we're doing things in a bipartisan basis, particularly on bills that are not Republican or Democrat but are good for the country.

With that, I would reserve the balance of my time.

Mr. MOLLOHAN. Mr. Speaker, I note the distinguished ranking member's comments about ''the suspension Congress'' and lack of notice with regard to pieces of legislation.

I would just point out that, first of all, he is very familiar with this bill and very familiar with the USPTO. He has handled this legislation very competently as chairman and as ranking member and as a member of the committee. So he is very familiar, I know, with the subject matter of which we speak and the difficulty that USPTO faces because of the structural nature of the way it achieves funding every year.

He also knows that their estimating at the beginning of the year is an imperfect process because it's a prediction and it's based upon that prediction coming true in the future and it rarely does. They are either underestimating, or they overestimate. In this case they have financial needs that can be better met with this additional $129 million. And the good news for USPTO is that they underestimated last year. Consequently, if they continue to collect fees at the current rate, they will collect $129 million more than they projected.

Given that, it is only right that we try to address those needs in the context of their newly projected fee collections so that they will be able to reduce this unacceptable backlog. As the gentleman points out, in a negative way, that's not known really until it happens or if the trend line begins to become apparent; and it is becoming apparent.

We're going on recess here in a couple of days. It would be great to have notice on everything; a week in advance, or 3 days in advance or whenever in advance it would be satisfactory. This is a pretty simple proposal actually and I don't think it's difficult to understand.

I must say we on the majority side weren't noticed many minutes before the minority was about the approach to this. I know the gentleman is—or I believe from his remarks and his attitude in the past with regard to recognizing USPTO's needs, not a current but its structural needs of how you fund it, is certainly not opposing this.

I just wanted to assure him that there is no intent on our part in any way to mislead the gentleman.

Mr. WOLF. If the gentleman will yield, I just want the record to show that Mr. MOLLOHAN and his staff have been very fair. And I would not want to have the connection of what I said earlier with regard to that. Mr. MOLLOHAN and his entire staff have been very, very fair and have treated us very, very well. I didn't want that to be inferred.

With that, I thank the gentleman.

Mr. MOLLOHAN. I would be very chagrined if we ever did anything but treat the gentleman fair. He is an outstanding Member of the Congress.

Mr. Speaker, a lot of Members are very interested in USPTO and interested in fixing it on the authorizing side and, of course, on the appropriations side.

□ 2000

Three of those many Members who are particularly interested in USPTO have cosponsored this legislation. One of them is PATRICK MURPHY of Pennsylvania. Mr. MURPHY is here to speak on the legislation. The other two are Chairman CONYERS and Chairman MORAN: Chairman CONYERS in the authorizing committee, and Chairman MORAN is a distinguished member of the Appropriations Committee. I just want to note that they've been at the forefront of fighting for PTO and adequate funding so that they can reduce the backlog of which we speak today.

Mr. MURPHY is a young Member, a distinguished member of the Commerce, Justice, Science Subcommittee which funds USPTO. He's taken a particular interest in this issue, becoming very knowledgeable about it, and has been in the forefront of moving this legislation that would help them.

It is my pleasure to yield 2 minutes to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I thank Chairman MOLLOHAN. I appreciate your leadership on this issue and allowing me to partner with you on this important piece of legislation.

Mr. Speaker, we need to continue to get our economy back on the right track, and this bill is about boosting American technology and innovation. It's about making things in America again. Right now, at an office building outside of Washington, D.C., over 1 million patent applications sit gathering dust. Hundreds of thousands have yet to be looked at for the first time. Those applications could be the next iPhone, the next Netbook, or the next Google. But the agency tasked with reviewing those applications just can't keep up. So they sit and they sit, often for years. In fact, the average time that it takes a patent to be approved is about 30 months, but when you consider that today technologies often become obsolete within 18 months or less, it is clear that a process that takes 2½ years is simply too long, and it hurts our competitiveness.

Those applications at the U.S. Patent and Trade Office, or USPTO, represent the greatest this country has to offer in terms of new ideas and new technologies. They contain any number of breakthroughs that could help to propel our economy out of the recession, expand small businesses, and create new jobs. And they could be the key to helping our Nation maintain its technological edge globally. Patent activity among our biggest competitors like China, India, and South Korea have shown exponential growth, but this bill is one step in providing the USPTO the resources necessary to keep pace with the flow of innovation and ensure American businesses and workers can compete globally. And it is fully offset with a reduction in spending for the U.S. Census Bureau.

We need to make sure that the USPTO can hire the necessary patent examiners, install up-to-date information technology, and make other operational changes necessary to get at this backlog. This is an issue that's of critical importance for our economy and the job market. I encourage my colleagues to join me in supporting this commonsense and paid-for legislation. I know the manufacturers in Bucks County, Pennsylvania, and across our country care about it.

I want to thank, again, the leadership of Chairman MOLLOHAN.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. MOLLOHAN) that the House suspend the rules and pass the bill, H.R. 5874.

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

A motion to reconsider was laid on the table.

EMERGENCY BORDER SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Mr. PRICE of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5875) making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5875

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $356,900,000, to remain available until September 30, 2012, of which $78,000,000 shall be for costs to maintain U.S. Customs and Border Protection Officer staffing on the Southwest Border of the United States, $58,000,000 shall be for hiring additional U.S. Customs and Border Protection Officers for deployment at ports of entry on the Southwest Border of the United States, $208,400,000 shall be for hiring additional Border Patrol agents for deployment to the Southwest Border of the United States, $2,500,000 shall be for forward operating bases on the Southwest Border of the United States, and $10,000,000 shall be to support integrity and background investigation programs: *Provided*, That section 104 shall not apply to $151,000,000 of the amount under this heading.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For an additional amount for ''Border Security Fencing, Infrastructure, and Technology,'' $14,000,000, to remain available until September 30, 2012, for costs of designing, building, and deploying tactical communications for support of enforcement activities on the Southwest Border of the United States.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'', $32,000,000, to remain available until September 30, 2012, for costs of acquisition and deployment of unmanned aircraft systems.

CONSTRUCTION AND FACILITIES MANAGEMENT

For an additional amount for ''Construction and Facilities Management'', $9,000,000, to remain available until September 30, 2012, for costs to construct up to three forward operating bases for use by the Border Patrol to carry out enforcement activities on the Southwest Border of the United States.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $30,000,000 to remain available until September 30, 2012, for law enforcement activities targeted at reducing the threat of violence along the Southwest Border of the United States.

FEDERAL EMERGENCY MANAGEMENT AGENCY

STATE AND LOCAL PROGRAMS

For an additional amount for ''State and Local Programs'', $50,000,000, to remain available until September 30, 2011, for Operation Stonegarden.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $8,100,000, to remain available until September 30, 2011, for costs to provide basic training for new U.S. Customs and Border Protection Officers and Border Patrol agents.

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 101. For an additional amount for the Department of Justice for necessary expenses for increased law enforcement activities related to Southwest border enforcement, $201,000,000, to remain available until September 30, 2012: *Provided*, That funds shall be distributed to the following accounts and in the following specified amounts—

(1) ''Administrative Review and Appeals'', $2,118,000;

(2) ''Detention Trustee'', $7,000,000;

(3) ''Legal Activities, Salaries and Expenses, General Legal Activities'', $3,862,000;

(4) ''Legal Activities, Salaries and Expenses, United States Attorneys'', $9,198,000;

(5) ''United States Marshals Service, Salaries and Expenses'', $29,651,000;

(6) ''United States Marshals Service, Construction'', $8,000,000;

(7) ''Interagency Law Enforcement, Interagency Crime and Drug Enforcement'', $21,000,000;

(8) ''Federal Bureau of Investigation, Salaries and Expenses'', $25,262,000;

(9) ''Drug Enforcement Administration, Salaries and Expenses'', $35,805,000;

(10) ''Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses'', $39,104,000; and

(11) ''Federal Prison System, Salaries and Expenses'', $20,000,000.

SEC. 102. (a) From unobligated balances made available to U.S. Customs and Border Protection ''Border Security Fencing, Infrastructure, and Technology'', $100,000,000 are rescinded: *Provided*, That section 104 shall not apply to this subsection.

(b) From unobligated balances of prior year appropriations made available for ''Transportation Security Administration—Aviation Security'' in chapter 5 of title III of Public Law 110–28, $15,500,000 are rescinded.

(c) From unobligated balances of prior year appropriations made available for ''Federal Emergency Management Agency—Administrative and Regional Operations'' in chapter 4 of title II of Public Law 109–234, $34,500,000 are rescinded.

(d) From unobligated balances of prior year appropriations made available for ''Department of Commerce—Bureau of the Census—Periodic Censuses and Programs'' in title I of Public Law 111–117; 123 Stat. 3115, $51,000,000 are rescinded: *Provided*, That section 104 shall not apply to this subsection.

SEC. 103. Notwithstanding any other provision of law, from available funds, the Department of Defense shall pay in fiscal years 2010 and 2011 the full costs associated with the deployment of the National Guard along the Southwest Border of the United States.

SEC. 104. Each amount made available herein is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

This Act may be cited as the ''Emergency Border Security Supplemental Appropriations Act, 2010''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

North Carolina (Mr. PRICE) and the gentleman from Kentucky (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. PRICE of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 5875.

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

There was no objection.

Mr. PRICE of North Carolina. I yield myself such time as I may consume.

Mr. Speaker, this bill provides a total of $701 million to support high-priority Homeland Security and Justice programs to enhance security along the Southwest border, where violence on the Mexican side is intensifying due to turf battles among murderous transnational criminal organizations competing for drug, alien, and weapons trafficking business. The funding would enable DHS and DOJ, in cooperation with the National Guard, to build on the current border enforcement surge.

This bill is largely uncontroversial. It simply re-proposes funding the House already approved as part of the war and disaster supplemental bill on July 1. As we all know, these funds, along with funds to stop teacher layoffs, were stripped by the Senate, leaving only funding for the wars, the Disaster Relief Fund, and Haiti earthquake relief. This funding is required now to improve security on our border and in our border communities.

I want to thank the dedicated Members from the Southwest border region who have kept the focus on this issue and are responsible for bringing us here today. We will hear from a good number of these Members tonight. I especially want to thank GABBY GIFFORDS and SILVESTRE REYES for their effort leadership on this effort, along with CIRO RODRIGUEZ, a member of our subcommittee who is a tireless advocate of these border communities; ALAN MOLLOHAN, who helped shape the Department of Justice items in the bill; and many others who helped substantially: CHET EDWARDS, ANN KIRKPATRICK, HARRY TEAGUE, HENRY CUELLAR, SOLOMON ORTIZ, RUBÉN HINOJOSA, SUSAN DAVIS, and GENE GREEN, among others.

Very briefly, the bill would fund several critical initiatives, including 1,200 new border patrol agents to sustain current levels on the Southwest border and build up capacity for when the National Guard is withdrawn next year, and 500 new Customs and Border Protection officers for the Southwest border to keep up staffing at ports of entry as customs and immigration fee funding continues to fall.

The bill includes funding for integrity programs to ensure CBP personnel operate at the high standards we expect and to combat efforts by the cartels to corrupt CBP personnel.

The bill would fund three new forward operating bases and better tactical communications to enable the border patrol to operate close to the border and to close gaps that can be exploited by smugglers.

It would establish four new Border Enforcement Security Task Forces on the border and build up a permanent ICE presence in joint counterdrug efforts in the region, as well as provide for a surge in ICE's criminal alien removal efforts.

It would add $50 million to expand support for State and local joint law enforcement efforts on the border.

It would add two additional Predator unmanned aircraft systems to ensure better coverage of the Southwest border, in particular on the Texas border.

And finally, it provides $201 million for Justice Department staffing to surge agents and U.S. attorneys to high-crime areas in the Southwest border region, to provide more robust assistance to Mexican law enforcement authorities, and to better handle criminal aliens referred by the Department of Homeland Security.

On June 22 of this year, the President requested a $600 million border security supplemental, offsetting $100 million of these funds and designating the rest as an emergency.

□ 2010

This bill is consistent with that request, funding $500 million under an emergency designation and offsetting $201 million from unobligated balances in TSA Aviation Security, FEMA Administrative and Regional Operations, the Census Bureau, and CBP's delayed virtual fence effort, or SBInet.

Consistent with past practices for supplemental appropriations, we consider our challenges on the southwest border as important as our military's work to secure Afghanistan from the Taliban or to promote stability in Iraq, and some would argue that the southwest border mission is more important. That's why this President, like past Presidents, has requested the funding under an emergency designation. I know the minority has agreed with this point of view repeatedly in the past, and I hope we can count on their support now.

Mr. Speaker, this bill will help us counter the pressures on our law enforcement agencies and our border communities, and I urge my colleagues to adopt it.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself as much time as I may consume.

Let me start, Mr. Speaker, by saying that I take a backseat to no one on border security. I have read the intelligence reports, the briefings. I have been on this subcommittee since it started in 2003, chaired it for its first years, now ranking member on the subcommittee.

I have led and supported the robust funding for the Coast Guard, CBP, ICE, DOJ, all the other law enforcement agencies, even the local ones.

I have implored, in fact, practically begged, the White House and the Democrat majority to recognize the spillover violence from this heinous drug war raging on the border with Mexico.

I have even pushed for a new joint command along the southwest border for all of the American agencies.

Finally, I have been first in line calling for a serious, sustained approach to breaking the backs of the cartels and enforcing our immigration laws.

Unfortunately, Mr. Speaker, this bill is not a serious, sustained response. Rather, this is little more than a cynical knee-jerk, political ploy.

I have three concerns with this bill:

This suspension bill is not paid for. At a time of record deficit spending, why can't we at least attempt to find the prudent offsets necessary to address our Nation's border security needs, as $600 million of this money will be borrowed money. Is this so important that we will ask our children and our grandchildren to pay for it?

Secondly, this bill circumvents regular order. These expenditures should be considered as part of the 2011 Homeland Security bill, the very same process that was derailed by the majority only yesterday when the Homeland bill was to be considered by the full committee. Ten minutes before we were to meet, they cancelled the meeting.

Thirdly, and perhaps most importantly and disappointing, this bill is woefully inadequate and the wrong mix of security, leaving gaping holes at the Judiciary, CBP, and the Coast Guard.

If we are going to do this, let's do it right, as $500 million out of this bill's $700 million price tag, as I said before, is borrowed money. So, in many ways, in bill is addressing one urgent security issue and creating another. While border security is, indeed, a priority, our skyrocketing debt and continued deficit spending have the makings of a genuine national security crisis. We can no longer ignore our debt and continue to recklessly spend, call everything an emergency and simply hope it will go away. We have to make the tough, disciplined decisions at every level and on every issue.

So these border security enhancements can and should be paid for by way of responsible offsets. More to the point, why can't we consider these obvious funding needs as part of the 2011 Department of Homeland Security appropriations bill? That's where it belongs.

The majority took 6 months to consider a true emergency, funding our troops at war, and sent that bill through a tangled, politicized labyrinth. The White House only woke up to this drug violence on the border in June with a haphazard request, which begs the question: Where is the administration's and Democrat majority's commitment to security?

Instead, yesterday, the Democrat majority cancelled the full committee markup of the 2011 Homeland Security appropriations bill, where this belongs,

just 10 minutes before it was scheduled to begin. And for what? So that we can turn to this suspension bill, borrow half a billion dollars, and then ignore all the other vital Homeland Security issues for the coming year. Addressing the critical needs facing our Nation's aviation security, immigration enforcement, disaster response, and cybersecurity are now left dead in the water with little hope of resurrection.

Or was the last-minute cancellation of the markup for some other more political reason, like the fact that Arizona's new tough immigration enforcement law is in the midst of a contentious lawsuit?

Mr. Speaker, the murderous drug war along our border with Mexico demands serious solutions, not reckless spending in the middle of the night after no preparation or no hearings, a flawed process, and, worst of all, political games.

As it were, I was prepared to offer yesterday, at the full committee markup of our annual bill, I was prepared to offer a responsible, completely offset amendment that would have achieved this goal and would have included many of Chairman OBEY's ideas. And the minority was prepared to take a strong stand in defense of the Arizona immigration enforcement law, a law that simply makes being illegally present in the United States against the law. Sadly, thanks to the dictatorial tactics of the Democrat majority, we don't get a chance to offer, let alone debate, these sound amendments.

So, let's get our border security right. Let's provide the right mix of enforcement resources to combat the ruthless drug cartels, but let's do so through regular order in a fiscally responsible way.

This bill, just like President Obama's flawed request, neglects our countersmuggling needs in the source and transit zones, fails to fully address aerial surveillance shortfalls, and ignores the judicial resources required to follow through on enforcement actions.

If only the Democrat majority would be willing to take up the regular 2011 Homeland Security Department and Commerce and Justice Department appropriations bills, we could consider and debate the improvement of our border security in such a way that all of these issues could be addressed and paid for without passing along the bill to our kids and grandkids. Sadly, that's not the case here tonight.

I have grave reservations about this bill, Mr. Speaker, as you may have noticed, and this process. While I wholeheartedly believe we can and must do more to shore up our porous border, I believe we can do it far better and be willing to pay for it.

I reserve the balance of my time.

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Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to an outstanding member of our subcommittee, Mr. RODRIGUEZ of Texas.

Mr. RODRIGUEZ. Mr. Speaker, I rise today in support of H.R. 5875.

I want to personally thank Chairman PRICE for his work on these issues. The chairman has joined me on the border touring—I represent more border than anybody else in the Congress, over 785 miles along the Mexican border. We've had the opportunity to tour all the way from Texas to San Diego, including the northern border. And I want to thank him for bringing forth this piece of legislation. Let me also just indicate that this is a major piece of legislation that's critical to making sure that we secure our border. If anything is important, it is making sure that this country remains secure.

Earlier this month, the House passed a supplemental appropriation bill that continued to fund our operations both in Iraq and Afghanistan, and in addition included $701 million in much needed border security funding. This is the funding that our men and women on the border are asking for and need to get the job done.

We all know that violence in Mexico has escalated, and we need to ensure that U.S. borders are not left vulnerable. We were disappointed when the Senate did not include the border funding in their version of the supplemental appropriations bill. So earlier this week, I was joined by Congressman TEAGUE from New Mexico, as well as Congresswoman GIFFORDS from Arizona, in writing a letter to our leadership asking them for the emergency border funding for this piece of legislation. We could not let the Senate gridlock sacrifice our ability to keep the border secure.

Last night, we were pleased to join Chairman PRICE in cosponsoring H.R. 5875, the bill that will provide these resources for the border. This bill is paid for, and not a penny will be borrowed. This bill will target funds just as the previous House-passed supplemental bill. It includes additional Border Patrol people that we need on the border, additional officers right at the points of entry. I ask support for this piece of legislation.

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

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to an outstanding chairman of our authorizing subcommittee, Mr. CUELLAR of Texas.

Mr. CUELLAR. I want to thank Chairman PRICE for taking the leadership in making sure that we provide the funding for the border. I certainly want to thank the authorizing chairman, Mr. BENNIE THOMPSON, and all the Members here that have worked so hard, and the ranking member, also, for all the work that he has done.

I live on the border, my family lives on the border, my brother is a sheriff there on the border in Webb County, so I understand what's been happening there on the border for the last 54 years that I have lived there. I would have to say that this would be the largest infusion of resources that the border has ever gotten at one particular time: 1,200 Border Patrol, ICE agents, ATF, FBI, other folks who make sure that we have the right mixture of technology, including two UABs that are so important to put eyes in the sky, and certainly to make sure that we get other communications to do this. This will allow us to make sure that we stop the drugs and make sure that we secure the border. And this is one point that is very important: if we secure the border, then we secure the rest of the United States. This is why this effort is so important.

So, Chairman PRICE and the ranking member, I thank all of you for the work that you have done. And again, Members, I ask you to support this very important funding for the security of our Nation.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to another outstanding Member who has worked tirelessly to secure the border, Mr. TEAGUE of Arizona.

Mr. TEAGUE. Thank you, Chairman PRICE, and thank you for the work that you've done.

Mr. Speaker, I rise tonight in support of a supplemental appropriation bill to secure our border now.

A drug war is being waged along our border, threatening communities, families and our livelihoods in border States. And while the violence only continues to escalate, Congress seems content to step back and ignore the issue.

The drug violence is an immediate threat, and it calls for immediate action. It is deeply troubling that the Senate failed to take this opportunity to protect our national security and secure our borders. That is why I am proud to bring this bill to secure our borders to the floor tonight.

Mr. Speaker, deploying our National Guard troops to the border is critical, but we also need an increased and sustained presence of Border Patrol to protect our citizens. This bill does that by providing additional Border Patrol agents and resources for local law enforcement agencies located near the border through important programs like Operation Stonegarden.

Something important that this bill will fund are added forward operating bases for our Border Patrol. FOBs get our agents on the ground, on the border, where they can protect our citizens 24 hours a day, 7 days a week.

Currently, to protect the fine Americans living in the New Mexico boot heel, Border Patrol agents must travel 85 miles from their station in Lordsburg, New Mexico. This costs the Border Patrol agents hours in travel time before they even begin their work. This bill will get agents on the line protecting New Mexican citizens.

Mr. Speaker, the safety of our communities and our country is too important to subject to partisan politics.

The House has already passed this legislation, and I urge my colleagues to stand up for our national security once more. Vote ''yes'' to protect the communities along the southern border.

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

Mr. PRICE of North Carolina. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore (Mr. SCHAUER). The gentleman from North Carolina has 10 minutes remaining.

Mr. PRICE of North Carolina. I yield 2 minutes to Ms. GIFFORDS of Arizona, who is a sponsor of this bill and has also worked with citizens in her region ever since she came to this Congress to secure the border and to make certain that the citizens of Arizona on the border region were safe and protected.

Ms. GIFFORDS. Thank you, Chairman PRICE, for your leadership.

Mr. Chairman, the last couple of days have been extremely difficult for me because I represent the most porous part of the U.S.-Mexico border.

I'm thinking right now about Rob Krentz, a fifth-generation Arizona rancher whose family ranched on their land since before Arizona even achieved statehood. On March 27, Rob Krentz was heartlessly murdered on his land, murdered on his land that was in his family's hands for over 100 years.

Five years ago, the Tucson sector of the Border Patrol apprehended over 500,000 illegal immigrants in my community. Last year, 242,000 illegal immigrants were apprehended in the Tucson sector of the Border Patrol, and year to date we are at over 180,000 illegal immigrants apprehended in the Tucson sector. Last year we hit another record, 1.2 million pounds of marijuana seized in the Tucson sector. So for those of you who are saying that this is not critical, that keeping Americans safe is not critical, whether you live directly on the border or you live in other parts of the country, is outrageous.

The Federal Government needs to step up and take responsibility now and stop pointing fingers and blaming other people. So for those Senators who voted ''no'' last week, they said no to those ranchers who live along the U.S.-Mexico border, they said no to those National Guard troops who are being deployed next week, not in a vacuum, with resources coming in behind them, and they said no to Federal law enforcement officials, those who are not going to be receiving Operation Stonegarden grants.

Mr. Chairman, this is outrageous that the Federal Government, the United States Congress, Democrats and Republicans working together, are not fixing this problem. Because in Arizona, in my sector with my constituents, this is our BP oil spill crisis. But this crisis has not been going on for a couple of months. It's been going on for years—years and years. And now tonight is our opportunity to step up and finally do something about it. So, Mr. Chairman, you can only imagine how outrageous I find this debate to be. I urge Members to support this bill.

□ 2030

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

Mr. PRICE of North Carolina. I yield myself such time as I may consume to respond to some of the pertinent questions raised by our ranking member.

Mr. Speaker, the gentleman has raised a series of questions which deserve answers. I will briefly attempt to provide those answers, and then we will, perhaps, bring this debate to a close.

The gentleman asked: Why this bill in this form at this point?

The answer to that is very simple, which is that it was only this week that the Senate stripped these provisions from the supplemental appropriations bill. Up until this point, our hope was—and, indeed, our expectation was—that the Senate would find a way to pass these border security provisions, or some major portion of them, in the supplemental appropriations bill. It is only because that did not happen that we find ourselves in this position here tonight, offering those provisions as a free-standing bill.

The gentleman asked: Does this somehow supplant the regular bill?

Absolutely not. As the gentleman knows, we have worked cooperatively in putting together the 2011 Homeland Security bill, and that bill addresses border security in serious ways. It builds on the work we have done in the last number of years to fortify that border, to equip those who are protecting the border and to have adequate personnel at the border. So the 2011 bill is going to address these matters and in a serious way. We still hope and expect to send that bill to the President this fall.

This, however, is an emergency supplemental, a supplemental which was debated on this floor weeks ago, which addresses the urgent needs. Our colleagues from the border regions have made it very, very clear tonight, I believe, that these urgent needs really shouldn't have to wait for that regular bill, but it absolutely takes nothing away from the regular 2011 bill.

The gentleman made some assertions as to what might have happened had the markup gone forward on schedule yesterday. The fact is that neither of us knows exactly what would have been offered, much less how the votes might have gone.

I do want to address one very serious matter, though, and that is the question of offsets, the question of where this bill fits in the overall budget picture.

As I said in my opening statement, when the President requested a $600 million border security supplemental on June 22, he proposed the offsetting of $100 million of these funds, and he designated the rest as an emergency. This bill is consistent with that request. It funds $500 million under an emergency designation. It offsets $201 million from unobligated balances from DHS and DOJ.

As I said, this is entirely consistent with past practice under the leadership of both parties. When Mr. ROGERS was chairman of the Homeland Security Appropriations Committee and when the Republicans were in control of this body and were in control of the administration, Congress passed three emergency spending bills for the Southwest border, and none were offset.

Of these bills, the administration, in fact, requested only one as an emergency. The other two bills contained border security funding, added by a Republican-controlled Congress, not even requested by the administration, and congressional Republicans unilaterally deemed this as emergency funding.

The situation on the border necessitates immediate action. It makes it a true emergency. Why would the minority or anybody else consider this a less emergent priority than fighting the Taliban or stabilizing Iraq? No questions are ever raised about the emergency status of those funds. These are missions that are much more expensive, I might add.

Finally, let me quote a letter that we got from Mr. ROGERS, Mr. LEWIS, and other leading Republican Members a mere week ago. This has to do with the kind of enforcement efforts that might be undertaken on the Southwest border:

While cross-border criminal activity is not a new phenomenon, it has escalated into an unquestionably clear and present threat to the security of the United States. Therefore, we believe it is necessary to pursue any and all means of addressing this threat within the parameters of the law.

Mr. Speaker, I submit that that is exactly what our supplemental emergency appropriations bill does, and for that reason, I urge its adoption.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. I yield myself such time as I may consume.

Mr. Speaker, the gentleman is correct. Years ago, when we requested and put in the bill funding for the border, some of it was so-called ''emergency spending,'' but that was at a time when we did not have a $1.4 trillion annual deficit. Times were different. We are in a monetary crisis in the country now. So that is the reason that I believe now is not the time to use what is called ''emergency money,'' which means borrowed money. It means not paying for it. This is not the time to do that.

Mr. Speaker, the drug cartels have demonstrated that they will not relent so long as there is a viable way to smuggle their drugs and money—blood money—across our border. To take this threat lightly or to address it with only half-baked ideas which are brought up under suspension, at night and without any preparation, will only, I think, get us further into the morass.

The last thing we want to do is to cause trouble for President Calderon as the drug war reaches its boiling point, because he has been so diligent in his efforts. We must not rush into something that does not have their, President Calderon's, complete understanding and agreement.

So that means we must get our border security right through serious solutions, having thought through them carefully and having worked with our allies in the matter rather than through reckless spending and flawed political gimmicks like this bill is. It is not paid for. It is incomplete, and it is absolutely no substitute for the urgently needed fiscal 2011 Homeland Security appropriations bill.

Now, as to this funding and as to the urgent need that it is said to represent, the Congressional Budget Office told me that none of this bill's funding will outlay in this fiscal year. According to the CBO, this money will not be used in this year. What that tells me is that this bill is really padding the fiscal 2011 regular bill process.

Where is our fiscal 2011 bill?

It is almost August. We're going on recess for 6 weeks, and there is no bill that this Congress has produced that the Democrat majority has put before us to fund the department a few days later.

Where is the bill?

We had it scheduled to be heard in the full committee yesterday. Ten minutes before we were to convene and mark up the fiscal 2011 bill, which could have included moneys like this in the regular process, they canceled the hearing. They pulled the rug out. We are not worried, they apparently said, about the Nation's security.

Where is the bill?

This is neither a substitute for the regular department bill that funds everything nor is it the substitute for one that funds the border war. Bypassing regular order and throwing more money at the border is not responsible leadership with regard to our Nation's security needs.

Though, Mr. Speaker, it is not too late. The Democrat majority can still make up for all of the lost time and for all of the inaction this year, and it can move the DHS fiscal 2011 and CJS appropriations bills to properly address our border security and enforcement needs. That is what I would have proposed had we actually convened our markup yesterday, had we moved the fiscal bill through regular order, and had we had a genuine and thoughtful debate on our security priorities. Somehow, I don't think I'm going to get that chance.

So I caution Members to consider this bill very carefully, and I urge the Democrat majority to move the regular appropriations bills through regular order with all due haste.

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

Mr. PRICE of North Carolina. Mr. Speaker, I believe we are ready to move to a vote. I appreciate the comments of the gentleman from Kentucky, and I, of course, share his hope that we will in reasonably short order have progress to report on the fiscal 2011 Homeland Security bill.

□ 2040

We have that bill assembled. We have put it through the subcommittee process, and we plan to proceed with it in due course.

I stress, this bill tonight is in no way a substitute for that bill. This bill tonight is not new. This bill was passed by this House. The exact language, the exact provisions were passed by this House on July 1 as part of a supplemental appropriations bill, and the only reason it is before us tonight as a freestanding measure is because of the Senate's unwise action in stripping these border security provisions from the bill.

As for the emergency spending, we did run surpluses in this country in the 1990s. We remember that period when we were actually paying off part of the national debt. Unfortunately, that's not the period we're talking about when we talk about the previous precedents that have been set in this area.

The emergency spending that was done during the last administration in this border security area on three occasions under Republican leadership, this was done not at a time of budget surpluses; it was done at a time, in fact, when this Nation was sinking deeper and deeper into debt.

We have no more speakers on our side. I appreciate the attention of our colleagues, and especially the work that has gone into this measure from our colleagues on the southwest border. They have been absolutely tireless in standing up for their constituents and in calling to the rest of the Congress and the rest of the country this emergency situation that demands to be addressed.

Mr. CUELLAR, I think it was, this afternoon said to the press, however, that this isn't just a border matter. This isn't just a border security. This is a matter of national security. It's a matter of urgent national security.

And so we're grateful for those who have worked very quickly now, after the developments in the Senate, have worked very quickly to put this bill forward in this form. We urge its passage. We want to send it along to the Senate and hope very much that this bill will be law in a matter of days and that we can get the emergency relief where it's needed. And then, of course, we will address all of these matters more systematically and in a more long-term basis in the regular appropriations bill.

Mr. REYES. Mr. Speaker, I rise today to shed light on the talk and walk Republicans in Congress. They are on the Sunday talk shows stating that we have an emergency situation at our Nation's borders. They are on the campaign trail saying that border security is broken. They criticize the administration on its efforts to keep our borders safe and secure and yet when it came time to vote on the $700 million to secure our borders, they walked away.

Indeed, when the FY2010 Supplemental went to the Senate for a vote, not one Republican stood up for increased border security. On the contrary, they talked and then they walked. I was disappointed because even the Republican Senators from my home State of Texas voted against border security.

The challenges our border communities face each and every day along the border are an emergency, and we need to do all we can to ensure the safety and security of our 2,000-mile long border with Mexico.

But thanks to the House leadership, we are once again attempting to secure our border by moving to strengthen our border with $700 million in emergency funds. These funds will:

Add 500 Customs and Border Patrol Officers to our understaffed ports of entry;

Add 1,200 additional Border Patrol agents between ports of entry;

Increase funds for Immigration and Customs Enforcement activities that would reduce the threat of narcotics smuggling and violence;

Improve tactical communications for those on the ground;

Provide funds for workforce integrity investigations and training for new officers and agents; and

Support local law enforcement along the border with additional Stonegarden grants.

I ask my colleagues to seriously consider the importance of giving our law enforcement officers who are working along the border the resources they need to enhance our border security. In particular, the 500 additional Customs and Border Patrol Officers are of concern because GSA estimates that we need 5,000 more officers in order to fully staff our ports of entry—1,000 per year for five years.

Increasing staffing of our CBP Officers is critical both to expedite the flow of trade and commerce and more effectively screen out illicit drugs, weapons, human smugglers, and any other potential criminals. It would also give us greater ability to conduct southbound checks so that we can also curb the supply of arms, illegal narcotics and cash going into Mexico and fueling violence there.

Residents in our border states know this is an emergency because they live it each and every day. I urge my colleagues on the other side of the aisle to go beyond talking about supporting our borders. I urge you to turn that talk into action and vote for the Emergency Border Security Supplemental Appropriations Act of 2010.

Mr. PRICE of North Carolina. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. PRICE) that the House suspend the rules and pass the bill, H.R. 5875.

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

A motion to reconsider was laid on the table.

INDEPENDENT LIVING CENTERS TECHNICAL ADJUSTMENT ACT

Ms. CHU. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5610)

to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

In section 2(a)(2)(A), strike ''July 30'' and insert August 5.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. CHU. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 5610 into the RECORD.

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

There was no objection.

Ms. CHU. I yield myself as much time as I may consume.

Mr. Speaker, a month ago we passed H.R. 5610, the Independent Living Centers Technical Adjustment Act, to provide a necessary fix to protect services for the many people with disabilities who benefit from the work of the independent living centers. This fix will allow States to request that ARRA funds not be included in determining their centers' previous year allocations so that the temporary funds provided under ARRA do not permanently change centers' base allocations.

The Senate amendment before us today changes the deadline for States to make that request from July 30 to August 5 so that eligible States can make use of this fix after this bill is passed.

I urge you to support this technical change to ensure independent living centers can continue the important work for people with disabilities in our communities.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5610, the Independent Living Centers Technical Adjustment Act.

Independent living centers provide a valuable service, including employment, skilled training, peer counseling, and information for people with disabilities.

H.R. 5610, the Independent Living Centers Technical Adjustment Act, as passed in the House and Senate, allows States to apply to the Department of Education for a waiver to disregard funds received under the American Recovery and Reinvestment Act in the fiscal year 2010 allotments.

Because of a discrepancy in how current law factors in prior year funds, some independent living centers will see dramatic decreases in the funding that they will receive this year. This technical fix will enable funds granted through the Rehabilitation Act to be distributed to independent living centers in a more fair and appropriate manner for this year.

The House-passed version of this legislation allows States to apply for these important waivers until July 30. Because the deadline included in the original version of H.R. 5610 does not provide sufficient time for States to take advantage of these waivers, the Senate extended the timeline until August 5.

Mr. Speaker, I stand in support of this bill, which will assist independent living centers that help disabled persons live full and productive lives, and I ask for my colleagues' support.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 5610.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GROWN IN AMERICA ACT

Mr. CARDOZA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1558) expressing the sense of the House of Representatives that fruit and vegetable and commodity producers are encouraged to display the American flag on labels of products grown in the United States, reminding us all to take pride in the healthy bounty produced by American farmers and workers.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1558

Whereas American farmers produce the most abundant food supply in the entire world;

Whereas, on average, each farmer provides enough food and fiber to meet the needs of 155 people in the United States and abroad;

Whereas the majority of farms in the United States are family owned;

Whereas everyday products from crayons to fuel are produced by America's farmers and ranchers;

Whereas American farmers take pride in their yearly harvest, and consumers value ''grown in America'' produce, and in doing so contribute to the protection of American's ability to be self-sufficient, create jobs, and remain a world leader;

Whereas rural Americans honorably serve their country in peace time and in war, sacrificing their lives for their land and Nation;

Whereas, as a sign of support, rural Americans regularly display the flag in their homes, on their barns, and anyplace else they can find to share their love of flag and country;

Whereas this bounty is not only a symbol of the selflessness of the American farmer but is a symbol of the generosity of our Nation;

Whereas the image of the American flag gives inspiration to our Nation's farmers that produce our most valued products that we are so dependent on;

Whereas the American flag is our most honored national symbol;

Whereas the American flag commands respect and admiration;

Whereas the American flag reminds us of our Nation's commitment to hard work and our historic ability to rise to any occasion;

Whereas the American flag symbolizes freedom, the entrepreneurial spirit, and the path to our own individual destinies;

Whereas the American flag symbolizes the noble dreams of our founding fathers, the freedoms fought for by our soldiers, and the most noble aspirations in history of the human spirit; and

Whereas the American flag has served throughout our Nation's history as the needle with which we have sewn our patriotic seed: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that fruit and vegetable and commodity producers are encouraged to display the American flag on labels of products grown in the United States, reminding us all to take pride in the healthy bounty produced by American farmers and workers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CARDOZA) and the gentlewoman from Ohio (Mrs. SCHMIDT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. CARDOZA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 1558.

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

There was no objection.

□ 2050

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

Mr. Speaker, in my district my farmers produce a bounty of fruits and vegetables that feed families across the country and abroad. My farmers work hard in the field every single day. They love their families, their farms, and the healthy products that they grow. They also love their country. As with many of my constituents, they are proud to fly the American flag on Memorial Day and the Fourth of July.

My resolution, the Grown in America Act, encourages farmers across the country to feature the American flag on their packaging so that all Americans know quickly and easily that the food that they are feeding their families is grown with pride right here in the good old USA.

In the U.S., we have 310 million consumers to feed, and much of the food is supplied by our hardworking farmers right here at home. Whether you realize it or not, agriculture is at the center of many of our vital issues: feeding the hungry, improving our health, addressing the crisis of childhood obesity,

emphasizing the importance of the school lunch program and much, much more.

Where does that food come from? From people across the United States who are becoming more curious about their food sources. They want to know more about the food products themselves and who grew it.

This resolution also has a practical application. Starting in 2002, Congress mandated that all food products be labeled with their country of origin. We had a sense that consumers wanted to know the true origins of their food. And when given that choice, consumers will choose an American-made product most every time. This choice strengthens demand and prices for U.S. farmers and ranchers. It is also important that the public understand the vital role domestic agriculture carries out to produce the safest and highest quality food in the world.

Agriculture not only serves the public with high quality food, but it also creates jobs right here. In a time of economic hardship, a strong agricultural sector is needed to ensure employment at multiple levels. We often use the expression ''farm to fork'' in reference to the jobs gained as a certain commodity is grown, harvested, packed, bagged, labeled, shipped, and sold at local farmers' markets and in our neighborhood grocery stores.

With this resolution, consumers can be even more empowered to choose American products over foreign imports. The flag clearly communicates the origin of the fruit or vegetable, and it's easier to read than the fine print at the bottom of the label that reads ''Product of the USA.''

If we want to feed our children the healthiest possible foods and simultaneously try to create jobs in our country, then we need to encourage American production of American products. I'm proud of the great agricultural tradition of this country, Mr. Speaker, and I encourage my colleagues to support this resolution.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of House Resolution 1558, which expresses the sense of Congress that our Nation's farmers use the American flag to promote fruits, vegetables, and commodities produced in the United States.

In the early 20th century, about 40 percent of Americans were engaged in agricultural production. Today, that number is down to 1.75 percent. Our Nation's farmers and ranchers provide Americans the safest, most affordable, and most abundant food supply in the history of the world. Our bounty of sustainable and nutritious food is so great that we also feed countless millions around the world.

America's farmers and ranchers endure uncertain weather, regulatory burdens, and animal and plant disease and pest threats in order to participate in a highly competitive global market. This resolution encourages them to stand tall for what they provide for us every day.

When passage of the 2008 farm bill closed the long-running debate on mandatory country-of-origin labeling for fruits, vegetables, meat, and poultry, there remained considerable concern among opponents that we should not impose labeling on our producers. The reasoning held that origin labeling is an element of marketing and should be left to the producers, processors, packers, and retailers that bring America's food to our tables. Proponents of labeling argued that affixing country-of-origin labeling would enhance value and benefit farmers and ranchers.

Mr. Speaker, no matter what position an individual has taken on the question of country-of-origin labeling, it is easy to support this resolution. House Resolution 1558 simply asserts that the American flag is such a positive attribute that farmers are encouraged to use this symbol to promote the products they grow here at home in America.

Mr. Speaker, I support this resolution because it encourages our farmers and ranchers to act in what we believe to be their own self interest, while refraining from additional regulatory requirements or burdens.

I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, I want to thank the gentlelady from Ohio, the ranking member on my committee, for her support of this resolution. It's a pleasure to serve with her on the Horticulture and Organic Subcommittee of the Agriculture Committee. I would just say that support of this resolution is in fact, as she said, something that will help promote products, and it is voluntary.

Mrs. SCHMIDT. Mr. Speaker, I yield back the balance of my time.

Mr. CARDOZA. Mr. Speaker, I ask my colleagues to support the motion, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CARDOZA) that the House suspend the rules and agree to the resolution, H. Res. 1558.

The question was taken.

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

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

The yeas and nays were ordered.

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

BENTON MACKAYE CHEROKEE NATIONAL FOREST LAND CONSOLIDATION ACT OF 2010

Mr. CARDOZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4658) to authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4658

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Benton MacKaye Cherokee National Forest Land Consolidation Act of 2010''.

SEC. 2. LAND CONVEYANCES, CHEROKEE NATIONAL FOREST, TENNESSEE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of Agriculture (in this section referred to as the ''Secretary'') shall convey and quitclaim to the Towee Falls Baptist Church all right, title, and interest of the United States in and to a parcel of National Forest System land in Cherokee National Forest consisting of approximately 66.5 acres surrounding the Towee Falls Baptist Church, as generally depicted on the map titled ''Legislative Map H.R. 4658'' and dated June 1, 2010 (in this section referred to as the ''parcel'').

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the conveyance of the parcel, the Towee Falls Baptist Church shall pay to the Secretary an amount of cash equal to the market value of the parcel based on an appraisal approved by the Secretary.

(2) DEPOSIT OF CONSIDERATION.—The consideration received under paragraph (1) shall be deposited into the account in the Treasury established by Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

(3) USE OF CONSIDERATION.—

(A) IN GENERAL.—Monies deposited pursuant to paragraph (1) shall be available to the Secretary, until expended and without further appropriation, for the acquisition of lands and interests in land in the Cherokee National Forest in Tennessee.

(B) ACQUISITION OF DOC ROGERS TRACT.—Congress finds that it is in the public interest that the Secretary acquire from the Monroe County Tennessee Board of Education all right, title, and interest of the Board of Education in and to a tract of land in Monroe County, Tennessee, consisting of approximately 102 acres and known as the ''Doc Rogers tract''. The Secretary may apply the monies deposited pursuant to paragraph (1) to acquire the Doc Rogers tract if the Secretary and the Monroe County Tennessee Board of Education reach agreement on the terms of a Federal acquisition.

(c) VALUATION.—The parcel will be appraised in accordance with appraisal specifications prescribed by the Secretary, and such specifications shall include that the parcel be valued as a free standing lot unconnected with any larger tract, and unencumbered with any Forest Service special use authorization held by the Church.

(d) CONDITION OF CONVEYANCE.—The conveyance of the parcel shall be subject to the condition that the Towee Falls Baptist Church accept the parcel in its condition at the time of conveyance (commonly known as a conveyance ''as is'').

(e) SURVEY AND COSTS.—The exact acreage and legal description of the parcel shall be determined by a survey satisfactory to the Secretary of Agriculture. The cost of the survey and all other costs incurred by the Secretary to convey the parcel shall be borne by the Towee Falls Baptist Church.

(f) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance of the parcel as the Secretary considers appropriate to protect the interests of the United States.

SEC. 3. STATUTORY PAY-AS-YOU-GO LANGUAGE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CARDOZA) and the gentlewoman from Ohio (Mrs. SCHMIDT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. CARDOZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4658.

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

There was no objection.

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

Mr. Speaker, H.R. 4658, the Benton-MacKaye Cherokee National Forest Land Consolidation Act, authorizes the conveyance of land in the Cherokee National Forest and authorizes the Secretary to use the proceeds of the sale of that land for purchase of other suitable land within the forest. This bill, sponsored by my colleague from Tennessee, Representative DUNCAN, has the support of the Forest Service.

Specifically, this legislation would relieve the Forest Service of a 66.5-acre parcel of land that has long been maintained by the Towee Falls Baptist Church. The church will purchase the land at a fair market value to make the needed expansion to the property's cemetery and church buildings. The proceeds of the sale will be used to purchase the Doc Rogers Tract within Cherokee National Forest. This tract is close to the Benton-MacKaye Hiking Trail, which feeds into the Appalachian Trail. The local community supports this sale, including the parcel into the forest boundary.

I encourage all my colleagues to support the legislation.

□ 2100

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

Mr. Speaker, I rise in strong support of H.R. 4658, a bill that authorizes two land exchanges in the Cherokee National Forest. This legislation authorizes the Forest Service to sell a 66-acre tract of land to the Towee Falls Baptist Church in order to enlarge their cemetery which is within the boundary of the national forest. The funds the Forest Service receives from this sale will be used to purchase a 102-acre tract of land to add to the national forest. I think it's a good deal. The land exchanges would ensure better land management by the Forest Service and the Cherokee National Forest.

This bill will not cost the taxpayers one penny. The church is responsible for all costs associated with the purchase of the land. The gentleman from Tennessee (Mr. DUNCAN) has worked with the Forest Service to ensure that this bill is drafted in a manner that is acceptable to all interested parties, including the community. I think this is a great idea. I hope my colleagues will join me in supporting this bill.

Mr. DUNCAN. Mr. Speaker, I rise in support of my amended bill, H.R. 4658, the Benton MacKaye Cherokee National Forest Land Consolidation Act.

This bill is a simple bill that authorizes the Secretary of Agriculture to convey to the Towee Falls Baptist Church a 65-acre parcel of National Forest System land in the Cherokee National Forest, which surrounds the Church.

The bill would also allow the Forest Service to acquire from the Monroe County Tennessee Board of Education an 102-acre parcel of land in Monroe County, Tennessee, known as the Doc Rogers tract. The result is a net increase of 37 acres for the Cherokee National Forest.

This bill is very important to Monroe County, Tennessee, a rural county in my District that is struggling economically. This bill is a win-win for all parties involved.

The Towee Falls Church sale would allow the Forest Service to dispose of a piece of property and end an inholding created by the granting of a permit to the church in question in 1946.

The Church is a willing buyer of the additional property to expand its building and cemetery, the latter of which will soon be full.

The sale of the Doc Rogers tract would allow the Monroe County School Board to dispose of a piece of property that the Forest Service would like to purchase because it is traversed by the Benton MacKaye Trail, a hiking trail that feeds into the Appalachian Trail.

This bill is named in honor of Benton MacKaye, who was an American forester, planner and conservationist who lived from 1879 to 1975. He helped pioneer the idea of land preservation for recreation and conservation purposes.

Mr. MacKaye is best known for developing the idea of the Appalachian Trail, the National Scenic Trail that runs 2,179 miles from Georgia to Maine and runs through my District in Tennessee.

Mrs. SCHMIDT. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CARDOZA) that the House suspend the rules and pass the bill, H.R. 4658, as amended.

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

A motion to reconsider was laid on the table.

STORY COUNTY, IOWA LAND CONVEYANCE

Mr. CARDOZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5669) to direct the Secretary of Agriculture to convey certain Federally owned land located in Story County, Iowa, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5669

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

SECTION 1. PURPOSES AND DEFINITIONS.

(a) PURPOSES.—The purposes of this Act are—

(1) to direct the conveyance of approximately 44 acres, more or less, of Federally owned land administered by the Agricultural Research Service to the City of Ames, Iowa; and

(2) to authorize the use of the funds derived from the conveyance to purchase replacement land and for other purposes relating to the National Animal Disease Center.

(b) DEFINITIONS.—In this Act:

(1) CITY.—The term ''City'' means the City of Ames, Iowa, and its assigns.

(2) PROPERTY.—The term ''Property'' means approximately 44 acres, more or less, of the Federally owned land comprising part of the National Animal Disease Center, which—

(A) was acquired by the United States in 1951 within sec. 1, T. 83 N., R. 24 W., Fifth Principal Meridian; and

(B) is generally located on 13th Street in the City.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 2. PROPERTY CONVEYANCE.

(a) IN GENERAL.—On receipt of the consideration and cost reimbursement provided in this Act, the Secretary shall convey and quitclaim to the City, all rights, title, and interests of the United States in the Property subject to easements and rights of record and such other reservations, terms, and conditions as the Secretary may prescribe.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance authorized by this Act, the City shall pay to the Secretary an amount in cash equal to the market value of the Property.

(2) APPRAISAL.—

(A) IN GENERAL.—To determine the market value of the Property, the Secretary shall have the Property appraised for the highest and best use of the Property in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions developed by the Interagency Land Acquisition Conference.

(B) REQUIREMENTS.—The appraisal shall be subject to review and approval by the Secretary, and the approved appraisal shall at all times be the Property of the United States.

(c) CORRECTIONS.—With the agreement of the City, the Secretary may make minor corrections or modifications to the legal description of the Property or configure the Property to facilitate conveyance.

(d) COSTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the City shall at closing pay or reimburse the Secretary, as appropriate, for the reasonable transaction and administrative costs incurred by the Secretary associated with the conveyance authorized by this Act, including personnel costs directly attributable to the transaction, and the transactional costs of appraisal, survey, title review, hazardous substances examination, and closing costs.

(2) ATTORNEYS FEES.—The City and the Secretary shall each bear their own attorneys fees.

(e) HAZARDOUS MATERIALS.—

(1) IN GENERAL.—For the conveyance authorized by this Act, the Secretary shall meet disclosure requirements for hazardous substances, but shall otherwise not be required to remediate or abate those substances or any other hazardous pollutants, contaminants, or waste that might be present on the Property at the time of closing.

(2) LEAD-BASED PAINT OR ASBESTOS-CONTAINING BUILDING MATERIALS.—

(A) IN GENERAL.—Notwithstanding any provision of law relating to the mitigation or abatement of lead-based paint or asbestos-containing building materials and except as provided in subparagraph (B), the Secretary shall not be required to mitigate or abate any lead-based paint or asbestos-containing building materials present on the Property at the time of closing.

(B) REQUIREMENTS.—If the Property has lead-based paint or asbestos-containing building materials, the Secretary shall—

(i) provide notice to the City of the presence of the lead-based paint or asbestos-containing building materials; and

(ii) obtain written assurance from the City that the City will comply with applicable Federal, State, and local laws relating to the management of the lead-based paint and asbestos-containing building materials.

(f) OTHER TERMS.—The Secretary and the City may agree on such additional terms as may be mutually acceptable and that are not inconsistent with the provisions of this Act.

SEC. 3. RECEIPTS.

(a) IN GENERAL.—The Secretary shall deposit all funds received from the conveyance authorized under this Act, including the market value consideration and the reimbursement for costs, into the Treasury of the United States to be credited to the appropriation for the Agricultural Research Service.

(b) USE OF FUNDS.—Notwithstanding any limitation in applicable appropriation Acts for the Department of Agriculture or the Agricultural Research Service, all funds deposited into the Treasury pursuant to subsection (a) shall—

(1) be available to the Secretary until expended, without further appropriation, for the acquisition of land and interests in land and other related purposes of the National Animal Disease Center; and

(2) be considered to authorize the acquisition of land for the purposes of section 11 of the Act of August 3, 1956 (7 U.S.C. 428a).

SEC. 4. STATUTORY PAY-AS-YOU-GO LANGUAGE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CARDOZA) and the gentlewoman from Ohio (Mrs. SCHMIDT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. CARDOZA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 5669.

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

There was no objection.

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

Mr. Speaker, H.R. 5669 would authorize the Secretary of Agriculture to sell a parcel of land that is part of the National Animal Disease Center to the city of Ames, Iowa, in order to facilitate the building of a new water treatment facility.

Faced with increasing demand and aging infrastructure, the city has determined that the most cost-effective solution is to build a new plant. The land owned by USDA adjacent to the National Animal Disease Center is such a suitable location. If Congress does not authorize this land for sale, then the city of Ames may find itself in the unpopular position of using eminent domain to acquire land to move forward with the project.

It makes sense to move this legislation quickly so that a needed infrastructure project can move forward, especially since the United States Department of Agriculture has expressed support for this legislation.

I urge my colleagues on both sides of the aisle to join me in supporting this bill.

I reserve the balance of my time.

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

Mr. Speaker, today I rise in support of H.R. 5669. This bill will allow the Agricultural Research Service to convey 44 acres of land in Ames, Iowa, to the city of Ames. The funds derived from this conveyance will then be used by the Agricultural Research Service to purchase replacement land and for other purposes relating to the National Animal Disease Center.

The National Animal Disease Center located in Ames, Iowa, is the largest Federal animal disease center in the United States. This facility, along with the National Veterinary Services Laboratory and the Center for Veterinary Biologics co-located on the same site, make up our National Centers for Animal Health.

The USDA has advised that it no longer has any use for the land to be conveyed and that it supports this legislation.

This legislation is important for the continued development and operation of this critical laboratory facility, and I ask my colleagues to support this legislation.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentlewoman from Ohio for yielding and the gentleman from California, and I certainly want to thank Chairman PETERSON and Ranking Member LUCAS for waiving jurisdiction so that we could shepherd this bill to the floor, H.R. 5669.

This bill really is a solution for the city of Ames and the local landowners. H.R. 5669 will allow the city to buy land from the USDA's National Animal Disease Center and use that land to build a modern water treatment plant.

Before introducing this legislation, city officials were exploring the acquisition of nearby farmland by eminent domain. This bill will prevent a conflict between the city of Ames and the local landowners. The farmland in question is highly productive land. In fact, it's a century farm. It has been in that family for over 100 years. Century farms have a special status in Iowa, and the families who have carried on the tradition of farming have deep ties to the soil.

Working with the city of Ames and the USDA, I believe we have found a way to preserve this fertile land and honor the memory of the man who began farming it, Abel Powell Griffith. Griffith, a Union Army veteran, picked this land because it was near Iowa State University, and he knew his descendants would be able to get a quality education while making a living through farming.

H.R. 5669 is a win for everyone involved. Ames, Iowa, will be able to proceed with its water treatment facility, residents will have clean water, the Animal Disease Center will be able to plan for its needs, and the landowners will be spared the loss of productive farmland.

I appreciate very much the time.

Mrs. SCHMIDT. Mr. Speaker, I yield back the balance of my time.

Mr. CARDOZA. Mr. Speaker, I want to congratulate my friend and colleague from Iowa for doing what seems to be a very responsible piece of legislation here.

I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CARDOZA) that the House suspend the rules and pass the bill, H.R. 5669, as amended.

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

A motion to reconsider was laid on the table.

CONGRATULATING JOHN COLEMAN ON HIS CONFIRMATION AS COMMISSIONER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Mr. John Coleman from Port Matilda, Pennsylvania, on his Pennsylvania State Senate confirmation as Commissioner of the Pennsylvania Public Utility Commission.

Coleman recently resigned as the president and CEO of the Chamber of

Business and Industry of Centre County after 11 years of dedicated service. Under John's leadership, the chamber experienced significant organizational growth, becoming the largest business membership organization in central Pennsylvania. He oversaw such projects as the construction of the 217-acre Benner Commerce Park, adding to his reputation.

Through his work in State College, Mr. Coleman has proven himself to be an effective leader, and as he prepares to pick up and move to Harrisburg, I am certain he'll be a valuable addition to the commission. In Harrisburg, he will join the five-member commission, which provides oversight to more than 8,600 utility and transportation companies and provides work for approximately 500 employees.

His experience as president of the chamber, as well as his overall expertise, will certainly prove useful during his service in Harrisburg. I wish Mr. Coleman the best of luck in his upcoming endeavor.

□ 2110

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HONORING BARBERTON POLICE CHIEF MICHAEL KALLAI

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. SUTTON) is recognized for 5 minutes.

Ms. SUTTON. Mr. Speaker, I rise today with a heavy heart to honor the life and service of Barberton Police Chief Michael Kallai. On June 30, Chief Kallai suffered a fatal heart attack while vacationing in Tennessee with his family.

Chief Kallai was a committed public servant, a 32-year veteran of the Barberton Police Department, serving the last 13 years as police chief.

But, most importantly, he was the loving and devoted husband of 35 years to his wife, Jennifer, and the proud father of four—Michael, Jr., Joe, Zak and Vanessa.

Chief Kallai was also very proud to be an assistant wrestling coach at Wadsworth High School for the past 19 years.

He was born in Barberton, Ohio, and lived in the area all of his life, and he touched the lives of people all across our community with his outgoing spirit.

Chief Kallai was known as a cop's cop and a true professional. His death was a shock to his family and the City of Barberton and the numerous communities throughout Ohio which he touched.

Over the past weeks, we have seen just how much he meant to so many. Though he was soft spoken, Mike had a commanding presence and was very well respected and, as the hardest worker on the force, helped every service department in Barberton in some way or another.

So much love was felt for the chief throughout the community that over 100 former and present wrestlers, who were coached by Chief Kallai, were in attendance at his funeral. Police officers stood at attention outside the church in sweltering heat. The sea of blue uniforms was a testament to the fraternal brotherhood of police that he embraced, the thin blue line.

His spirit and dedication to our community will be sorely missed, but his service and his sacrifice will never be forgotten.

Barberton was the community he grew up in. It was the community he served in and he embraced. His memory will live on in the hearts of his family, friends, and our community.

Chief Kallai will truly be missed. We will always remember Mike for his commitment to his community and his dedication to his family. He was a friend and a leader, and he leaves a void that cannot be filled.

On behalf of the people of Ohio's 13th District, I want to express my deepest sympathies to the Kallai family. They have lost a great son, brother, husband, father, and grandfather who passed away much too soon, and we have lost a true friend and committed member of our community.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PEARLAND HIGH SCHOOL LADY OILERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. OLSON) is recognized for 5 minutes.

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Pearland High School Lady Oilers for winning the UIL–5A State softball championship.

The Lady Oilers defeated Austin Bowie on June 5 with a 4–0 victory. It's impressive to note that five Lady Oilers were named to the UIL State All-Around Team. Coach Laneigh Clark and her softball team posted an impressive 37–6-1 record for the season.

There is no question that these students have the leadership, dedication, and commitment that it takes to achieve great things now and in the future. They are persistent. They finished second last year; now they are number one.

The Lady Oilers are proven role models and a source of pride for Pearland. With hard work and dedication, they have achieved their lofty goals.

Mr. Speaker, I congratulate the Pearland Lady Oilers on their championship and thank them for representing their community and school in a manner befitting the champions that they are.

HELP THE UNEMPLOYED AND THE WORKING FAMILIES IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. TOWNS) is recognized for 5 minutes.

Mr. TOWNS. Madam Speaker, I rise today to encourage my colleagues to help the unemployed and the working families in America.

Last week we did the seemingly impossible. We helped millions of Americans that were no longer able to put food on the table because through no fault of their own, their company had to let them go. We sent a message that this Congress, and this President, would not leave them behind on our road to recovery.

Last month, over 8,300 jobs were added in the private sector in NYC alone. That's pretty significant, but we can do better.

While the unemployment rate is steadily dropping across the country, unemployment within minority communities is, at best, staying the same, at nearly double the rate. That's pretty significant too.

I have said this time and time again—but small business will drive our economy towards recovery. Our colleagues in the Senate are currently working on efforts to assist small businesses across the nation. They are helping to ensure that small businesses will have access to something desperately needed—credit. I support the work that the Senate is doing and hope that when this proposal returns to the House for a vote, my colleagues here will join me in support.

Let's not forget our working families—in particular, in communities of color. As our country moves forward, let's move forward together. Let's not leave anyone behind.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING CHILDREN'S AID SOCIETY OF CLEARFIELD, JOHNSONBURG BOROUGH, AND TIOGA IN FIFTH DISTRICT OF PENNSYLVANIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise this evening to mark a number of very important anniversaries and celebrations within my congressional district.

First, today I rise to honor the compassionate work that goes on in the nearly 100-year-old Children's Aid Society house in Clearfield, Pennsylvania. On this coming August 6, the society will be celebrating its 120th anniversary, marking over a century of dedication and service.

Originally founded as a child welfare agency, which served to place orphan children into suitable homes, the Society eventually grew into a successful children's home. Several auxiliaries were established, from DuBois to Winburne, and they proved instrumental in fundraising, investigating homes, maintaining contact with the children placed in homes.

As the years passed, the Society also expanded within Clearfield and became involved in many programs, such as Big Brothers Big Sisters and the Health and Human Services Council.

This organization has received consistent praise and monetary support from the public and has battled through many financial and procedural issues. Their endurance through time and their far-reaching services attest to the authenticity of their work.

Mr. Speaker, I congratulate the Children's Aid Society on their success and wish them the best in the future. Here's to another 120 years of successful service.

Mr. Speaker, this also, this August, marks the 200th anniversary of the Johnsonburg borough in Elk County, and we will be celebrating this milestone in August.

Founded in 1810, its major industry was paper, with a mill still operating in the area. Originally owned by Curtis Publishing Company, which published the Saturday Evening Post, it was thought to be the largest coated paper mill in the world.

Once called Quay, Johnsonburg is the oldest settlement in Elk County. Considered a booming town along the Clarion River, former President Ulysses S. Grant used to come there to fish and visit the other retired Civil War generals.

As befits a 200th anniversary, the community will hold a grand celebration, including a parade and ceremonies at the Johnsonburg Fire Department, which is celebrating its own 100th anniversary.

There will be a social, fireworks display, a pancake breakfast, and a Fire Department Anniversary Dance. From carnival games to an Elvis impersonation, the 3 days of activities August 27 through 29 promises to hold something for everyone.

I am proud of this community in my district and wish it continued success and prosperity for the next 200 years.

Finally, Mr. Speaker, the tiny community of Tioga celebrates its 150th anniversary this year. It's located in Tioga County, Pennsylvania, near the border of New York State.

When it was founded, the community was a dense and overpowering wilderness of towering pines and hemlocks with deep undergrowth and teeming wildlife. The early inhabitants were tribes of Seneca Indians, who viewed it as prime hunting and fishing grounds.

□ 2120

It took a brave family, Jesse Losey and his wife, to travel from New Jersey and become the first settlers in the area. Later, Benajah Ives acquired the Losey land and built a house and inn at the southern part of Tioga Borough, now located beneath the Tioga Dam. There is even a story that Thomas Berry won Ives' Inn in a poker game, and it was at Berry's Inn that the first local elections were held in Tioga County in 1804.

It was 1860 when Tioga Borough was separated from Tioga Township and recognized as a separate political division. It is that date that is celebrated this year. The residents are proud of their town and their history, and I wish them sincere congratulations on this historic occasion.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. BRIGHT) is recognized for 5 minutes.

(Mr. BRIGHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. PUTNAM) is recognized for 5 minutes.

(Mr. PUTNAM addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

(Mr. LINCOLN DIAZ-BALART of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 5 minutes.

(Mr. FORTENBERRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MAKE IT IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. GARAMENDI. Mr. Speaker, before I start, I would like to ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of Manufacturing in America. This is the subject of my Special Order tonight.

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

There was no objection.

Mr. GARAMENDI. Mr. Speaker, if I might just review with you and others what's happened since 2007 here in the United States. As this diagram indicates, beginning in 2007, the Great Recession during the George W. Bush administration, reaching its lowest point

in December of 2008 and January of 2009 where 750,000 jobs were lost. The Barack Obama administration came in in January of 2009 and within 2 months passed the first stimulus bill which leveled off the decline and slowly began the recovery of the American economy. And most every month since January of 2009 we've seen an improvement, so that in this year, in 2010, we are now seeing small, but important, gains in the employment in America. Some 600,000 jobs have been created over the last several months. This is the result of policies that were enacted by the Democratic Congress, the Senate, and signed by the President.

Those policies we need to understand. They began with the stimulus bill and carried on through several other pieces of legislation. In each and every one of those pieces of legislation, there was no help from our Republican colleagues. They were absent. They voted ''no'' on the American Recovery and Reinvestment Act; they voted ''no'' on the Workers, Homeownership, and Business Assistance Act—93 percent of them voted ''no.'' One hundred percent voted ''no'' on the stimulus even though, as you can see from the charts here, it stabilized the economy and then led to 2.8 million people keeping their jobs and getting a job here in the United States.

The Student Aid and Financial Responsibility Act, 100 percent of Republicans voted ''no,'' denying students larger loans, greater Pell Grants, and it goes on and on. The Cash for Clunkers—and we will hear from Ohio in a few moments—a majority of the Republicans voted ''no.'' The Democrats had to carry the day. The hiring incentives to restore employment, the HIRE Act, creating 300,000 jobs, again, it was the Democrats; the Republicans voted ''no.''

So after this 18 months of concerted effort to create jobs in America through the various stimulus programs, such as the Cash for Clunkers, the homeowners assistance programs, all of those, we're seeing an improvement. But this was the first 18 months. We are now moving on to the second half of the Democratic agenda. If I might just reach over here, this is the second half of the Democratic agenda, Make It in America; Make It in America so that America can make it.

Manufacturing matters, and that's the subject of our discussion. The first 18 months, get people back to work, stimulate the economy, set a solid foundation. We are now on the road to permanent improvement in the American economy through manufacturing.

Joining me here tonight are my colleagues from Wisconsin and from the great State of Ohio to talk about manufacturing in the Heartland—some of it a little cool, or cold, depending on the time of the year, and some of it, the central part of America's manufacturing sector.

I would like to ask the gentlewoman from Ohio, BETTY SUTTON, to join us and share with us her experiences about the great State of Ohio and ''making it in America.''

Ms. SUTTON. Thank you very much, Representative GARAMENDI, for your leadership as we move forward to activate our manufacturing base to revitalize our economy. By enacting policies that will work with our U.S. manufacturers and our workers, we are going to ''make it in America.''

Manufacturing is the backbone of our economy; it's the backbone of our national security and, frankly, the promise of the middle class. When I grew up, it was a time when people could count on a good manufacturing job to put food on the table and take care of their families and have a pension that they could count on that would be there when they retired, and security. But we've watched our Nation witness the loss of millions of good manufacturing jobs due to policies that put our companies and our workers at an unfair disadvantage. Over the last decade, we've certainly seen those effects across the country, but we've seen them in a big way in Ohio.

The U.S. has lost roughly 6 million manufacturing jobs, with Ohio losing more than one in three manufacturing jobs in the last decade. We've seen factory after factory close as jobs are shipped overseas. We've seen our workers and our jobs undercut by foreign countries and foreign companies and competitors that engage in unfair trade tactics, ranging from Chinese currency manipulation, which is the same thing as cheating, to illegally subsidized steel; and for too long we haven't had a comprehensive plan to reverse this trend. But with our Make It in America initiative, we are saying very loudly, very clearly, and very persistently that we have had enough, that we are going to pass policies that work with and for our U.S. manufacturers and our workers and our country.

Today we passed three bills that are going to bolster U.S. manufacturing and provide for families in northeast Ohio and across this country opportunities for good jobs for today and for tomorrow, because though we may make different things or improved things, we still need to make things; and we're going to do it today, and we're going to do it tomorrow.

Manufacturing jobs have a multiplier effect like no other job out there. Each manufacturing job can generate at least four other jobs in the private sector. Our workers can compete—we know it—as long as they have a level playing field, and our Make It in America agenda is going to help level that playing field.

So I'm very happy to be with you. I know we're going to talk about the bills that were passed today. And I want to just also, before I turn it over, talk about something that we're going to do tomorrow. Tomorrow we are going to, under the Make It in America agenda, we are going to take up the Assistance, Quality, and Affordability Act, known as AQUA. It includes an amendment of mine that will ensure that U.S. taxpayer dollars, number one, are going to be used to build our cities' drinking water and sewer systems, and that when we do that, American-made steel and iron and manufactured goods are going to be used to build them.

□ 2130

It is just another example of the things that we can do to make it in America and to make it possible for our workers and for our economy to make it in America.

Mr. GARAMENDI. Would the gentlelady yield for a moment?

Ms. SUTTON. I yield.

Mr. GARAMENDI. Do I understand you to say that, presently, our tax dollars that are used for water projects and sanitation projects purchase steel, pumps and other material which are manufactured overseas?

Ms. SUTTON. We have seen our ''buy America'' provisions in a number of our bills be whittled away over time so that we aren't ensured the way that we should be. When taxpayer dollars are used, I think the American taxpayers expect that we use goods made in America and that we put Americans to work. That is what this amendment is now going to ensure so that the predicament that you've described can't happen, because we now have an amendment to stop it.

Mr. GARAMENDI. So we will use our tax dollars to create manufacturing jobs in America.

Ms. SUTTON. Exactly.

Mr. GARAMENDI. We will make it in America.

If the gentlelady would yield, I would like to turn to our colleague, Dr. KAGEN from Wisconsin. He and I were chatting earlier, and he was in a rage about what happens on the international scene.

Would you like to share that with us, Dr. KAGEN?

Mr. KAGEN. I certainly would.

I want to thank you for convening this special hour to have this conversation about manufacturing things here in America and about making it in America.

Ms. SUTTON from Ohio described what we need. We need a level playing field because, with a level playing field, we can compete and win against anybody in the world as long as we have a level playing field, but that level playing field hasn't existed for quite some time. I'm not going to point fingers at which party started it, because we all had something to do with it—Democrats and Republicans alike.

How did it happen? How did our manufacturing base escape and bleed away? Who opened the door? Who put the hole in the ship? Who bled away our American manufacturing base?

I think it was corporate America. I think, today, we are really back to 1910 where our real competition is on Wall Street.

So people who are back home, listening tonight, have to ask themselves a question: Well, whose side are we on? Do we have our heads in the boardroom of a Wall Street bank or of a Wall Street corporation that is benefiting by shipping our jobs overseas?

No, not at all. We have our feet on the factory floor, and our voting record shows it.

You mentioned earlier in your opening remarks about tax cuts. The Democrats have delivered over $300 billion in tax cuts to the middle class—to people like Elaine from Peshtigo, who wrote me this note. It's people like Elaine who have rung the bell:

I am soon an 80-year-old woman and a widow. My husband and I farmed, and we certainly had hard times the first years, but the years now are harder for old people. Oil companies take a huge profit. The CEOs make a salary no man on earth is worth. Pill companies are taking huge profits with no consideration for old people. The people of my generation lived through the Depression, World War II and two more wars, and now, in our old age, we face other obstacles.

Well, Elaine, from Peshtigo, Wisconsin, has nailed it. We are on her side. We voted to prevent the Republicans from privatizing Social Security. We voted to prevent the Republicans from sending her money to Wall Street. We voted to strengthen Medicare and to make sure that there are services available for prevention—and at no cost to her and to her husband, should he still be around. We have strengthened Medicare, but the Republicans are trying to destroy it.

Let me come back to the essential point of being here. We know things are tough for everybody in California, Ohio, Wisconsin, and everywhere else in America. How did it get this way? Well, we have been through some tough times. We are going to make it, but we have a lot of work to do.

What happened to our middle class? Middle class destruction. Here is where it is today:

Today, the banks own more homes than people do.

Mr. GARAMENDI. Excuse me.

Are you telling us that banks own more homes than individual families do?

Mr. KAGEN. The banks own more homes today than individual people do.

Mr. GARAMENDI. Those would be Wall Street banks?

Mr. KAGEN. Those would be banks which derivatized and created these derivatives to somehow gin up the mortgage market to $63 trillion when it was down to $13 trillion. The banks own more homes than people do, but people need to be in their own homes at prices they can afford to pay.

Secondly, executives on Wall Street earn incomes that are 300 times that of a worker on the factory floor—300–1. Well, 25, 30 years ago, it was 20- to 25–1. Now it's 300–1. So things have been tilted in Wall Street's favor.

Again, whose side are you on—Wall Street's or Main Street's?

Third, these numbers are pretty frightening.

Mr. GARAMENDI. If the gentleman would yield, the Wall Street Reform Act goes to the heart of both of those issues.

Mr. KAGEN. Exactly.

Mr. GARAMENDI. There was significant reform of the mortgage industry with the Wall Street Reform and Consumer Protection Act, and there was also a provision—well, it wasn't in the Wall Street Reform Act, but there is a debate going on now here in Congress and in the Senate about what to do with this executive pay, with this 300–1 ratio. That is the question of:

Do we continue the middle class tax cuts, and do we let the tax cuts expire that the Bush administration put in for the high and the mighty and the wealthy?

Mr. KAGEN. Would the gentleman yield?

Mr. GARAMENDI. Please.

Mr. KAGEN. The wealthy in America have had a 10-year free ride. For the past 10 years, they haven't paid their fair share. As a direct result, 63 percent of the people in America who used to be middle class are now living paycheck to paycheck and week to week, and 43 percent of Americans have less than $10,000 in their retirement funds. That is going up towards half of the people in this country who will never be able to retire.

Things have tilted towards the top. This trickle-up philosophy that Republicans launched on us for the past 8 years really hasn't worked for the middle class. That is why I call it ''middle class destruction,'' and the numbers prove it. We have to keep people in their own homes, but they can only afford homes if they have the higher wage jobs, jobs where they're making things in America.

Let me show you this one. If you thought that was bad, here is our competition.

How does the middle class become destroyed? How do you compete with garment workers in China who are being paid 82 cents per hour? Well, I guess you go to Cambodia, because they get paid 22 cents per hour.

Now, America is watching tonight. Do you think Elaine's children and grandchildren are looking forward to working for 22 cents an hour? Maybe the banks should own all of the homes. As for the middle class in America, I'm not sure why we even talk about it. It's an endangered species.

Mr. GARAMENDI. Before you go to the next issue, I recall a piece of legislation that we had on the floor more than a month ago. That piece of legislation dealt with corporate tax breaks. It ended corporate tax breaks for corporations that ship jobs offshore. When a corporation under the present Tax Code sends a job offshore, it gets a tax break. It amounts to $14.5 billion a year.

Would you put that previous one back up?

Mr. KAGEN. I sure will. Do you want the 22 cents an hour?

Mr. GARAMENDI. The 82 or the 22 cents an hour. Either way.

So, if a corporation were to be making shirts, ties, or suits here in America, it could ship those jobs to China or to Cambodia and get a tax break. Now, this House voted to end that tax break. We voted to end that tax break.

Mr. KAGEN. But it was Democrats.

Mr. GARAMENDI. Again, whose side are you on?

Mr. KAGEN. Right.

Mr. GARAMENDI. Every Republican voted to continue that corporate tax break, giving those corporations tax advantages, literally giving them our tax money so that they could offshore that garment worker's job.

Ms. SUTTON. Excuse me. Will both gentlemen yield for just a moment?

Mr. GARAMENDI. Of course.

Ms. SUTTON. You bring up such an important point.

We had this policy that encouraged jobs to be moved offshore, and we had other policies that, frankly, allowed, for many years, unfair practices to undercut our workers and our businesses.

Now, I know we're all pretty new here. You know, I'm in my second term, and you're in your first term, and the gentleman from Wisconsin—you know, we just came here, so we're fresh in the fight. Yet the reality is that it is important to notice what was happening before the big recession hit.

□ 2140

So in Ohio, those wages have taken our jobs overseas, with the help of tax policies that we have finally been able, with the majority on this side of the aisle, to pass by ourselves to try and change.

And it does beg the question, and I listened to your comments earlier about how we went through this litany of measures to try and stabilize the economy, and we did. And now, of course, this is so important because this goes beyond stabilizing the economy, and it goes towards creating real value by making real things, not pretend values that the banks made and people moving money around made.

Mr. KAGEN. Would the gentlewoman yield?

Ms. SUTTON. I will yield.

Mr. KAGEN. We want a middle class to have higher wage jobs, to earn the money they need, to not just educate themselves as workers, but also their family, to begin to save for a retirement that so far they haven't had, and that can only happen with manufacturing jobs. But how can any corporation on Wall Street or Main Street compete with a government?

What's really going on in the world today is the idea, the free market capitalism idea that grew up our middle class, the greatest middle class in human history. Free market capitalism has bumped into a brick wall in

China because the Chinese and Asian model of capitalism is the government is the business, because over in China, the case against China, they have no environmental protection laws. We do. The cost of everything we make went up. Theirs went down.

They have absolutely no social safety net. If a worker in a factory gets injured, he or she is a widget and is gone. No social safety net.

And finally, they really, until recently, haven't had a middle class. They're beginning to move up and develop a middle class. But, you know, where I come from, why should we have to have our middle class begin to disappear just so they can develop their own? I think that's wrong.

And my final slide here, the chase against China. Everybody on the Democratic side of the aisle is fervently interested in promoting making things in America. But how can we compete against China when they continue to manipulate their currency? It gives them a 20 percent to 40 percent price advantage right out of the chute. When China provides subsidies to investors from foreign nations to come in and not pay taxes for several years, well, we can't afford to do that. We actually care about people in America.

And what about the value-added tax, giving them 17 percent benefit? They have import barriers you can't believe.

And then they have something else we're going to begin to talk about, like ''Buy American.'' They've had, for a number of years, ''Buy Chinese.'' They have taken advantage of the United States of America. And this Congress, both the House and the Senate, until this point in time, has been had because we fell into this trap of chasing things at the lowest price of production. But these days must come to an end, and I believe it's time for the American people to understand whose side are we on.

The Democrats have a policy and a way forward to work our way back into prosperity, and it begins with addressing our trade imbalance with Asia and, specifically, with China. It begins with this administration changing their mind about allowing China to manipulate its currency. It begins with people like Ms. SUTTON, Mr. GARAMENDI, myself, standing up to big corporations on Wall Street and calling them out.

It's time to change their ways, begin to make things in America, do that through our trade deals as well.

And I yield.

Mr. GARAMENDI. Ms. SUTTON, would you like to pick it up from there?

Ms. SUTTON. I appreciate the gentleman's remarks and I would—because sometimes we come down here and we make the case, but it's important to also let people know that it's not just us saying this. The Economic Policy Institute, on this point about China, the Economic Policy Institute reported that unfair trade with China has cost our Nation 2.4 million jobs between 2001 and 2008.

Ohio, where I am so honored to serve, has lost nearly 92,000 jobs because of China alone. In my congressional district, the 13th District of Ohio, made up of hardworking citizens who want nothing but a fair shake, in my congressional district, 5,700 jobs have been lost as a result of China's currency manipulation, pointed out by the gentleman from Wisconsin, and other illegal subsidies and unfair trade barriers. And these, of course, are good paying jobs that pay family sustaining wages.

And if I could just indulge the gentleman for one moment about a case study, something that has played out in the past year or so. You know, during this recession, when market forces would indicate that you cut back on steel production, do you know what China did? They ramped up production. They dumped that steel into the United States, and my steel companies, our manufacturing companies in Lorain, Ohio, at U.S. Steel—and I like the name, U.S. Steel—were undercut, and so our workers were laid off.

So what did we do? What is our mechanism? Right? Our mechanism is we go to the International Trade Commission. So they had a preliminary hearing, and I went to the preliminary hearing, which was, evidently, an unusual move. But I think I've got to do everything I can to stand up for the people that I represent, so I went to the preliminary hearing.

We got them to move the process forward to a final hearing. We took a letter, I took a letter signed by 40-some colleagues in this House, and we went—I went and others got others to go, and we all went to the final hearing of the ITC. This was about oil country tubular goods, which is what we make in the 13th Congressional District, and how China was unfairly subsidizing their steel.

And what happened? A unanimous decision that it was, indeed, happening. And you know what? That's good, right. That's good news. But the only problem is our people have been out of a job for over a year before we get the tariff gone.

Mr. GARAMENDI. Let me, if I might, just bring that to the West Coast. The San Francisco Bay Bridge, from Oakland to San Francisco, major artery, had a problem with the Loma Prieta earthquake and had to be rebuilt. It's been a long process to rebuild. It's going to be a magnificent new bridge.

The CalTrans, California Transportation Authority went out to bid. An American contractor proposed two bids. One bid was the steel would be manufactured and fabricated here in the United States; the other bid was the steel would be manufactured and fabricated in China. There was a 10 percent difference. The State of California chose to save 10 percent, and all of the steel winds up being imported from China.

We lost jobs. This is an example of where our tax money, and that's exactly what it is, was not used to support American jobs but, rather, used to support jobs in China. For what, 10 percent?

It turns out it actually turned out to be more expensive because the Chinese welds in the fabrication were not satisfactory, were purposely hidden, and it was only because an inspector finally arrived from California, looked at it and said, Oh, my. This will not work. So they had to go back and do the whole thing over.

One example. I'll give you more examples as we go down here, but I'm telling you this: We can make it in America.

Wind turbines. We led in the development of wind turbines. We're spending billions of dollars a year to subsidize the wind turbine industry.

China said, Oh, we've got wind in China. Let's build wind turbines. They have excluded every international company except a Chinese company in the manufacturing of turbines, and now they are exporting those turbines to America.

The same way with solar panels, photovoltaic panels. And I'll come to buses a little later. But this is something that I find extraordinarily wrong, and we're going to change it. And before this conversation is over, we're going to talk about how it can change.

Mr. KAGEN—excuse me. Dr. KAGEN.

Mr. KAGEN. Yes, yes, the doctor in the House. Thank you.

I was very moved by the idea of steel being targeted for extinction by Communist China. I was very moved. But I represent Paper Valley, you know, Kimberly-Clark, Proctor & Gamble. We have 22 different paper companies in my district or just outside of it. We invented the tissue business and femcare products. We have some tremendous paper products.

□ 2150

But we have some problems. The problem is that China has targeted not just steel for extinction here in America, but also automobiles, and a number of other things. And the list goes on: armaments, power generation, oil and petrochemicals, telecommunications, civil aviation, shipping, machinery, automobiles, information technology, iron, steel. They have some very strategic plans underway to target everything we manufacture for extinction to take the jobs away.

And let me detail how they did it in paper. The government would purchase raw materials in Brazil, at government expense ship it over to China, ship it from the port on trucks up to the paper mill, make the paper. And then again at government expense, after the government allows slave-like wages to be paid, the government then pays for the paper to be shipped back to the port, shipped over off of Oakland, and then dumped into the United States of America below our cost of production.

Well, as Ms. SUTTON pointed out, the International Trade Commission can at times be effective, but it takes so long.

You know, justice delayed is justice denied. In health care, treatment delayed is malpractice. And what happened in the paper industry, we lost two paper companies in my district because of unfair trade and unbalanced trade with Communist China. Only recently did the Appleton company that makes coated paper have a successful case before the ITC.

I had the opportunity to testify, much as BETTY did, and I was proud to hold up a picture of the family and to let these judges know that we're not talking about dollars and cents and the worth of a piece of paper like a stock. We're talking about people that live in their home and can't chase their job to China. You can't swim to China, get the job. You can't survive there. So the bottom line is we have to ship our values overseas, not our jobs.

Ms. SUTTON. You are so right. I just want to put a highlight on this fact. When we went to that hearing, the standard for judgment is material harm. So we showed that these actions were undertaken and resulted in material harm; and that material harm, those are people, people with families that they're trying to raise right here in this country right in Lorain, Ohio, and in Wisconsin, and all over this great country. And because of the length of time that this went on, these folks didn't have the income coming in. And guess what? Then our communities didn't have the tax base to support what? Police and fire and city services. And we end up what? Paying unemployment. And people suffer the loss of the dignity of work, which is so important to the people that I represent. They just want an opportunity.

Mr. KAGEN. Everybody that we represent understands the United States of America can't pay its bills, can't pay its debts on unemployment checks. We need real checks, checks that come from manufacturing. And that we can do with balanced trade, but we are running out of time. The American people understand that. That's part of their anger. That's part of their great frustration.

And I know that we have been listening to them on the Democratic side of the aisle, and we are moving as hard and pressing as hard as we can against any administration, against anyone in the United States Senate to begin to identify how we can begin to make things in America again, put people back to work so they can stay in their own home.

Mr. GARAMENDI. At the beginning of this discussion, the gentlewoman from Ohio talked about the wise use of our tax money, in this case in the water systems and the sanitation systems, to use that tax money for materials and products and machines that are built in America. That's but one example. It's a very good example, because we desperately need that infrastructure. It's the foundation for quality life, for healthy life, as well as for building our economy.

There's another one that came to me in this process. Actually, today I had a telephone town hall, and a fellow said, you know, in Vallejo, California, the old shipyard at Vallejo, Mare Island Shipyard, has this huge building, and one of the European train companies is setting up a shop there. They don't know what they are going to do with it, but is there some way that you could help that company bring to Vallejo, California, and Mare Island jobs to refurbish trains? And my answer was, yes, absolutely.

We have had a buy American provision in your tax money for years and years. There has also been in the law four waivers that Secretaries of Transportation have used repeatedly for more than 20 years now to waive off, forget about, ignore the buy America clause. So about $5 billion a year of our gasoline tax money is used not to buy buses and trains and light rail cars made in America, but rather made overseas.

So my answer to this gentleman was a piece of legislation that I have introduced, a lot of support among my Democratic colleagues to simply tell the Secretary of Transportation you don't have four waivers; we're eliminating three of those discretionary waivers. If the cost is more than 25 percent, then maybe you can have a waiver. But the other three waivers, they're gone. We're bringing those manufacturing jobs, those manufacturing jobs that build the buses, that build the trains, that build the BART cars, the MARTA cars, the transit cars here in Washington, DC, we are going to make those in America because, by golly, that's our tax money, and we're going to use it in America just as we're going to use our tax dollars to make those sanitation systems and water systems from American-made goods. That's our promise, and we can do it.

I talked to Secretary LaHood, the Secretary of the Department of Transportation, yesterday. I said, Mr. Secretary, I know that you have been working hard not to give waivers, but I want to give you—in fact, I want to take away three of the tools that your predecessors have used to ship jobs overseas. And he said, I'm not giving waivers. And I said, if my bill passes, you won't be able to. We're going to spend that money in America. One more example of what we can do not just for jobs today, but for tomorrow and for generations in the future using our tax money to make it in America.

Manufacturing matters. It's the heart and soul of the middle class. It is the strength of the economy. And we're going to reestablish in America the manufacturing industries of yesterday and today, whether it's buses or trains or light rail.

Mr. KAGEN, you were kind of getting agitated there. Maybe you want to add to this.

Mr. KAGEN. Yeah, I was going to actually ask you a question. Isn't it true that we have really begun to close those tax loopholes that allowed these Wall Street corporations, with the Republican support, to take our jobs overseas? Is that really true?

Mr. GARAMENDI. Well, the answer is halfway home. This House passed legislation more than a month ago, and tomorrow I believe we will have that same legislation back for another vote. Our Republican colleagues universally voted ''no'' on ending the tax loophole that gives corporations $14.5 billion of our tax money to offshore American jobs. We're going to end it. We're going to put the issue back on the floor tomorrow.

The problem is the United States Senate and the Republican Party, where in the Senate one Republican Senator stands up and objects and says I'm going to filibuster, and everything stops. They got to round up 60 votes. The Republican Party controls that 60 votes, and they have repeatedly, time after time said ''no'' to jobs for American workers in the first 18 months of this Congress, where we have put 2.8 million people back to work. The Republicans in this House and in the Senate say ''no.''

I have got a solution for it. The next Senator that says, I object and I'm going to filibuster ought to be paraded down to the well of the Senate, the microphones turned on, and start talking, Mr. Senator. Let's see how long you are going to talk with the C–SPAN cameras on you. My guess is within an hour you'll make a fool of yourself. The filibuster will be over. The votes will be there to put Americans back to work.

I yield.

Ms. SUTTON. I thank the gentleman, and I could not agree more. Call the bluff. Let them get up, make the case to the American people about why they're standing between people who need jobs and the jobs that can be there. I mean, I don't think the American people will stand with them. I think they will stand with these policies that we are offering now in this agenda and this moment forward on making it in America.

And I just have to ask the question, because it is really startling if you think about, you laid out all of the things that we did to try and stabilize the economy, and all of the actions we are undertaking and have been undertaking as we build towards the future, where we can make products in America and we can also enable our communities and our workers and our businesses to make it in America.

□ 2200

Every once in a while people must turn on the TV, I know that they do, and they hear our counterparts on the other side, and they say over and over again, as if the American people won't notice that they're voting against everything, they say: Where are the jobs? Where are the jobs?

Well, the reality of it is we're putting the bills on the floor and you're voting

against the jobs. So there's this idea that they must insult the American people by suggesting that somehow the jobs are missing. You're voting against the jobs, and now you have a chance to join us in the Make It in America.

Mr. GARAMENDI. Yesterday, Dr. KAGEN and I were in the Transportation and Infrastructure Committee hearing, and Dr. KAGEN was in the chair, and we heard from a panel of contractors and bus manufacturers that the stimulus bill actually created jobs.

Dr. KAGEN, I know you have personal experience in this. You had told me about it earlier. Why don't you share that experience where Republicans say no jobs are created, yet the contractors, the voters are saying thank goodness for the stimulus bill because it kept me in business, it kept my employees employed. Dr. KAGEN.

Mr. KAGEN. The real question would be where would America be today, where would our economy be today, had we not in February of 2009 passed the American Recovery and Reinvestment Act? We'd be in the tank.

Mr. GARAMENDI. That was the stimulus bill.

Mr. KAGEN. That was the stimulus bill. More and more people would be out of work. We stabilized State governments. We stabilized private corporations like road builders, like asphalt people, like bridge builders. We stabilized State and local governments to make sure that the police would be there when you dial 911. We stabilized fire departments to make sure if you're on fire at home, help will be on the way. But no, somebody over there has got people confused and angry that somehow it just didn't work.

Look, many economists have said that the economic stimulus bill that we passed last year simply wasn't big enough to get us all the way out of the economic ditch that we're in, but make no mistake about it. The Democratic Party and all of us here in Congress who are voting ''yes'' for progress, we are cleaning up after the biggest elephant parade in American history. There is so much mess to clean up.

Now, I always told my patients that it would take you about as long to get better as it took you to get sick and to come into my office, and it's going to take us a while to work our way back into prosperity. We will succeed but people in America have an election coming up, and not to be electioneering, but you have to ask yourself the question: What would your life be like without the stimulus bill and having the police and firemen there when you need them? What would your children's life be like at school not to have a qualified educator and teacher in the room to help your children get that world-class education they're going to need to compete against unfair trade deals, as we have with Asia?

So the bill clearly worked and the testimony yesterday in the Transportation and Infrastructure Committee was a resounding ''yes.'' I asked each of the gentlemen there to testify, a hypothetical question: If you had been in Congress, knowing what you know now about how it benefited your company, would you have voted for the stimulus bill. Yes, yes, yes, yes, universally it has helped.

Now, where do we need to invest? Here in America. And when I ask my constituents I say, look, I'm your hired hand. I've got your tax dollars right here. Where should we build the next bridge, the next school, in the sands of Iraq, maybe in northern or southeastern Afghanistan? No, Doc, we need that invested here at home.

Our Nation's infrastructure is about $2.1 trillion behind. We need to build our bridges once again, our schools, our water treatment plants. Our hard-earned tax dollars are better invested here at home to grow the economy, to grow the jobs that we need, not on Wall Street but on Main Street, and the real contest here is who are we listening to.

Now, if the C–SPAN camera pans around, they will see a whole lot of empty chairs, but there are three Members standing up having a conversation about in which direction we're going to be moving. But you have to ask the question: who are these other gentlemen and ladies listening to? I'm listening to Elaine from Peshtigo. You're listening to people back home from California, from Ohio, and this is a painful job. This is a painful job because progress is so slow.

But be confident, America. We're beginning to make progress. We're moving our economy forward and up. We need to move up, not down.

Mr. GARAMENDI. Let me give another example of where we can set the stage for future manufacturing jobs in America. It was America that really created the photovoltaic cells. We've lost this industry in America. This is in China. Some of it is in Europe. But it's no longer really much of a manufacturing industry in America.

We talked earlier about the wind turbines and the way in which that industry has gone offshore. We talked about the buses. It turns out that many, many economists, and certainly I would join with them, say that the future industries are green technology industries. We have to shift away from coal and oil. We needed to be energy independent. The green technologies of solar, wind, all of those biofuels and algae fuels, all of those are the industries of the future.

Yet, our tax money is not used to support those industries. All too often here's what happens: Just as in buses, our tax money is used to buy wind turbines from China or Korea. I will give you another example on the wind turbine. Let me get that wind turbine back up here so I can get excited about this.

I represent some of the biggest wind resource areas in the Nation: the Altamont Pass and the Solano wind resource area. I was out there touring it one day with one of the three companies that operate in the area. I looked at this thing. It's 400 feet tall. The blades are wider than the length of a football field. It's going round and round and generating electricity, and I said, where is it made? And the executive looks at me and said, well—I said, no, no, where is it made? He said, well, the tower is made in Korea. Oh, how about the blades? Well, the blades are coming from Europe. And I said what about the generator and all of the electronics? Well, it's not made here. It's either made in China or it's made in Europe. And I told him, I said, what's wrong with that story? And he said, well, that's where it's made. And I said you're receiving serious taxpayer subsidies to build those, to put those towers in place, and you are subsidizing China. Do you think that's right?

He goes, well—and I said, I'm going to promise you this. I'm going to go back to Washington and I'm going to introduce legislation that says in the green technology, all of those subsidies, all of those tax subsidies for putting the photovoltaic system on top of your roof, for building a huge, giant solar thermal system or biofuels of all kinds, and of course the wind turbines, if you want that tax subsidy, it's going to be made in America or else you will get no tax subsidy. Those are our tax dollars. Those tax dollars are going to be spent on American-made equipment. And he said, Well, I don't think we can do it. I said, Your choice; you don't want the subsidy, then you can buy it from China, but by golly, if you want a subsidy, you're going to buy American-made equipment.

That bill is introduced. It is going to move because Democrats understand American taxpayer money, whether it's building a sanitation system or a water system or paying for a wind turbine or a photovoltaic system on top of your house, those are going to be made in America.

Ms. SUTTON. Or a bridge or a highway. We want this to all be made in America. These are taxpayer dollars. The taxpayers expect it to happen. We need to do this work when it needs to be done, but we need to do it with the American workers and American businesses having the chance to make it in America.

I just want to say to my friend from Wisconsin, I know what he's trying to convey in his remarks, but you know, the American people, they are facing great challenges, and that's what you're reflecting in your comments.

And I have to tell you that I still think that this job, this honor that I have to serve here, I don't think it's painful. I think it's a privilege and I think it's an honor, and I know that the gentleman thinks the same thing about his service in this House.

□ 2210

Because when people are facing the unfair competition that they are facing, the policies that are working

against them instead of with them, the cheating that goes on with currency manipulation and unfair practices, all of those things that are happening, we are here in this moment and we have a chance to change it for them and it matters the most.

So I am very excited about being here, fighting forward, not fighting back, but fighting forward to make sure that we make it in America by strengthening U.S. manufacturing at every turn in ways that make sense for our country, our people. We know we need to manufacture here also because our national security requires us to make things in America.

Mr. GARAMENDI. Dr. KAGEN.

Mr. KAGEN. I certainly appreciate my colleague's comments and I couldn't agree with her more that what we are talking about is our national security. If you don't make anything, you won't have anything. If we don't have a viable economy, we cannot defend ourselves with our military. So we need to manufacture things here in America if, for nothing else, for our own national security.

Mr. GARAMENDI. Well, we have about 10 minutes left, and I would like to bring us back really to where we started, or where I started this discussion, and that is, for the first 18 months, the strategy of the Democratic Party in this House, in the Senate, and with President Obama has been to stabilize the American economy. Let me go back to this. Let's review what was happening.

Beginning in December of 2007, the last 2 years of the George W. Bush administration, the American economy slid into a recession. It became the greatest recession in America's recent history, since the Great Depression of the 1930s.

By December of 2008, in January of 2009, the last months of the Bush administration, we were losing over 700,000 jobs, 750,000 jobs a month. President Obama came in and my two colleagues here—I was not yet in Congress, having just joined last November—you put through the stimulus bill, the American Recovery and Reinvestment Act. It stabilized. It stopped the slide, and people began to go back to work, with the largest, middle class tax cut in America's history, the largest middle class tax cut ever in American history. There were major investments in infrastructure. The result, after 18 months, was 2.8 million Americans working that otherwise would have been out of work or had gone back to work; 2.8 million Americans.

We see that here. We see the improvement, the monthly reduction in the number of people losing jobs. So that by this year, 2010, after 1 year of the stimulus program and other programs that were all voted on by Democrats with virtually no Republican support, we began to see job growth; not enough, not nearly enough.

We are now shifting gears. We are into the second half. We have stabilized the first half. We have reached some improvement, and now, now it is the second half.

In the second half, manufacturing matters. This is the heart, the soul, the strength of the American economy, and it is where the middle class makes it. It happens to be, as you so eloquently pointed out, Dr. KAGEN, it is where the middle class lost. When those manufacturing jobs were shipped overseas, middle class lost. We will make it in America when we manufacture once again in America.

Both of my colleagues here have laid out some very important elements. One is the international competition, and I would like, Dr. KAGEN, if you could review with us the international competition and the disadvantage of one—both hands tied behind the American manufacturer's back.

Dr. KAGEN.

Mr. KAGEN. We are beginning to build a better Nation. We are beginning to put people back to work. There is a great deal of work to do, but our trade deals have to be balanced. Where I come from, people don't want fair trade or free trade; they want it to be balanced.

And if China is sending us a ship with $50 million worth of goods that they produced and unloading it for sale here in the United States, then they should purchase from our manufacturers, from our workers, $50 million worth of goods, again, to take back to their country. We have to balance our trade deals.

But it is hard to balance a trade deal when the country manipulates its currency and begins with a 20 to 40 percent price advantage just because they are cheating on the price of their money. It is hard to balance a trade deal when China is subsidizing foreign investors to come in and gives them taxes for free, a free ride for several years. It is hard to have a balanced trade deal when you have got value-added taxes that benefit the Chinese Government's corporations.

When you understand that there is no difference between the government and a corporation, I don't know of a single company that can defeat a government, especially one that is manipulating its currency. You know they have got a ''buy China'' policy.

We need to balance this deal, have a level playing field, and it begins by manufacturing, giving our manufacturers the tax advantages they need to create American jobs for American workers. For too long, for too long the Republican tax policy has been to reward the wealthy, not those who are working.

If you reward work instead of wealth, we can begin to not just balance our trade deals, but keep people in their own homes to solve our housing crisis and make certain that people have a positive future once again.

Mr. GARAMENDI. Before I turn to the gentlewoman from Ohio, I want to pick up that tax policy. American tax policy, probably set by both Democrats and Republicans in the past decades, gave an advantage to United States corporations that would offshore American jobs with a tax credit, $14.5 billion a year.

The end of those credits came to the floor a month ago on a piece of legislation that would end those tax breaks that American corporations have for offshoring jobs. The Democrats voted to move that to the Senate. Not one Republican voted for ending those despicable tax breaks that the corporations have.

There is a difference here. Where do you stand? For whom do you fight?

Now, the gentlewoman from Ohio started us off talking about how we might use our tax money more wisely. Would you please bring us back to the reality of what's going on in your district and how this would benefit your district.

Ms. SUTTON. Well, certainly.

The taxpayers in my district and the businesses, the workers there and across this country, I believe, expect that, when we use those tax dollars, that we use them to buy things and build things in America.

This is about their money and making sure we put it to work for them by putting them to work and not about shipping the money to foreign countries so that they can produce the products there and then ship them back over here.

So today, something very important happened and was passed. It is called the End the Trade Deficit Act, sort of to put a punctuation mark on this. You know, our trade deficit has continued to grow for all of the reasons that we talked about, and our trade deficit increased to $42.3 billion for May of this year, up from the previous month. The deficit with China, alone, in May was $22.3 billion, up from $19.3 billion in April.

So this Make It in America program—and it is not a flash in the pan. This is an ongoing mission that we are on because we are going to revitalize U.S. manufacturing, and we are going to stand up for U.S. manufacturing against unfair competition.

You know, the issue of currency manipulation—we have to, when we come back, I urge everyone, and I know you guys are on board, to bring the bill that is part of Make It in America called the currency manipulation—end currency manipulation, End Chinese Currency Manipulation bill to the House floor for a vote so we can see who wants to stand with U.S. manufacturing. And I am fairly certain that those on this side of the aisle are prepared to do it.

I think we do have some even on the other side of the aisle who are prepared to do it. But it is so critically important that we do take all of these steps on this multifaceted mission that we are on to make sure that our businesses and workers get a fair shake, because we know when they do, it

strengthens our economy. It strengthens our national security, and our folks will be able to make it in America.

□ 2220

Mr. GARAMENDI. How correct you are. And we would reach out to our Republican colleagues and ask them to join us on Making It in America.

We've had enough of our tax dollars shipped overseas to buy buses that are manufactured overseas, to buy trains and ferries. Our tax dollars need to be spent at home. If it's a water system, a sanitation system, a bus, if it's our tax dollars, make it in America. If it's our tax dollars, then let's use it to make our future energy supplies—wind turbines, solar systems—make it in America. It's our mission, in the second half of this session, to make it in America.

Mr. RAHALL. Madam Speaker, we in West Virginia understand well the need for this "Make it in America" initiative. Even as we diversify, from broadband infrastructure to tourism marketing, we all know what the manufacturing center means for good paying jobs. The leap from a hard days work, producing the best products in the world, to a service-based industry is a far stretch—one that leaves our national security at risk. The House Democrats understand the need for a plan and action to increase American manufacturing and create new American jobs.

When we "Make It in America," we create jobs to lead the world economy. First and foremost, we must ensure that every nook and cranny of the federal government is geared towards American products, American companies and American workers. In 2007, the Defense Department alone allowed over 14,000 contracts for goods and services to go to foreign companies. That's $5.7 billion American tax dollars we waved goodbye to. We've got to shut the floodgates on the tidal wave of taxpayer's dollars flowing overseas, and shore up our contracts for goods and services bought by the federal government and provided by American workers. I'm a long time advocate for 'Buy American' provisions in law, but a concentrated effort will sharpen the focus on a fair deal for our workers and small business and industries.

A global economy doesn't mean a one way trade route for American capital. There's no question we can compete here at home, under fair rules applied to all competitors. Federal agencies should be partners, not competitors, with our workers. The first step towards this realignment is the National Manufacturing Strategy. We passed Congressman LIPINSKI's bill that calls for a National Manufacturing Strategy and will create the high-skill, high-wage jobs of the future—promoting American competitiveness, innovation, and exports.

The manufacturing sector generates two-thirds of our exports, and employs millions of Americans. This manufacturing strategy goes hand-in-hand with the newly formed Buy American Caucus, of which I am a member, by working to promote American jobs; reclaim American leadership in manufacturing; support small businesses; and close loopholes in current law to ensure that the federal government is purchasing American-made products.

Our efforts have the potential to assist manufacturing businesses throughout southern West Virginia. We are proud of those manufacturers who continue to support the economy and workers, and are particularly proud of those in the Third District of West Virginia. We have to create a continued demand for American products and create a rebirth of our state and nation as the manufacturing world leader. That effort must start with buying American products here at home.

POSITIVE SOLUTIONS

The SPEAKER pro tempore (Mr. PERRIELLO). Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. GRAVES) is recognized for 60 minutes as the designee of the minority leader.

Mr. GRAVES of Georgia. Mr. Speaker, I guess I rise at an appropriate time to follow the dialogue that we just heard.

It amazes me, as I'm here now on my 44th day in the House of Representatives, and it seems like on each and every day I've heard the other side of the aisle do nothing but blame a previous administration for the failings of today. It is my hope that at some point they will begin taking responsibility for some of the policy actions.

But what we're here to talk about tonight are positive solutions. We've heard a lot of blaming and name calling here over the past several weeks, and we're here tonight to talk about positive solutions to some of the difficult challenges.

So to the colleagues that were just speaking, we're here to call your bluff. You said come call your bluff, well, here we are, and I've got some good gentlemen that are going to join me. But what I want to start out with today is we're going to talk about the kitchen table solutions.

As you may have heard, we have had a program here where we've been actually going out and seeking solutions from the American people, not from our leadership, not from a political party, but from the American people; and it's called America Speaking Out. And there have been more than 12,000 specific ideas generated from the American people, more than 600,000 votes cast on these ideas as to what is most important.

And so the top concerns from the kitchen table all across America: number one, jobs—and I think we've been saying, where are the jobs? Number two, spending. Why isn't the Federal Government balancing their checkbook? And then health care, ObamaCare itself. So that's what we are going to talk about tonight.

As we move through this, I know we have some colleagues that are going to join me. My good colleague from Georgia (Mr. GINGREY) is going to be with us and also Mr. THOMPSON from Pennsylvania. But first we're going to talk about the number one issue facing America: jobs, jobs creation.

We have a few quotes here. One—this is, I guess, just from last year, it says: "Our stimulus plan will likely save"—"likely," key word—"save or create 3 to 4 million jobs. Ninety percent of these jobs will be created in the private sector and the remaining 10 percent in the public sector." But now the public sector has lost nearly 8 million jobs in the last 2 years; government has gained 656,000 jobs. So when our colleagues from the other side of the aisle stood here a minute ago and said jobs have been created, they were in fact true; but they were created in the public sector, not the private sector.

And then it also says estimated unemployment without the stimulus would be 8.8 percent this year. Well, with all of the stimulus bailouts, buyouts, Cash for Clunkers, you ring it all up, unemployment in May was 9.7; far exceeded their expectations. So obviously the plans are not working.

So what have been the job killers? Excessive taxation, insufficient liquidity, economic uncertainty, and red tape and government mandates. So over the last year we've seen nearly double-digit unemployment, the debt is continuing to grow, we've got a job-killing agenda, and according to the National Federation of Independent Businesses, one in six small businesses are concerned about the uncertainty of the future. Fifteen million people out of jobs, out of work right now, unemployment at its highest rate in 25 years, and the private sector, again, has lost 8 million jobs.

So we heard a minute ago, stimulus: that was creating all the jobs, that was going to take care of America. Well, I think about stimulus and health care and all that we saw last year, and it brought Americans to the National Capital last year. If you will remember, on September 12, Americans from all over this Nation rode on buses here, flew on airplanes to celebrate—was it to celebrate or to speak out against what has been done? And we all know the American people are not happy right now.

So what is coming up next? 2011, 5 months away, under the leadership here in Congress, we will see taxes go up on each and every American. We heard "middle class tax cuts" just a few minutes ago. There aren't going to be any middle class tax cuts; in fact, every tax rate goes up for every American all across the country in so many different ways. Every individual tax bracket goes up. We have a marriage penalty, the Child Tax Credit will be cut in half. It doesn't sound like a tax cut to me; it's actually a tax increase. And then farmers, small business owners will see their tax rate go up to 55 percent in the States. And then of course capital gains and dividend taxes will rise as a result of the leadership here in Washington.

So much to do, so much to do. The good thing is that we have positive solutions. That's what we are here to talk about tonight. I know my good friend, Mr. THOMPSON from Pennsylvania, is a good leader on job creation and is working hard in that area. I would love to have you join us, if you

would like, to share with us some positive solutions here to get Americans back to work. And does that include public sector jobs or private sector jobs?

Mr. THOMPSON of Pennsylvania. I thank my good friend for coordinating this hour tonight, very important hour. This is about real solutions, not the types of policies we've seen over these past 19 months which has grown the size of government—bloated the size of government, actually. We have increased the deficit to the point that what we have is a legacy of debt. There is not a generation, I don't think, that ever wants to have it so that—we always want to leave this country better than what we found it, to pass it on to our children and our grandchildren. Yet with the trend that we have been on from the leadership, or the lack of leadership, from my colleagues across the aisle in terms of the taxing, the spending, the borrowing, what we have today for the generations to follow us is just a tremendous legacy of debt.

I think the data that just recently came out showed the deficit pushing $14 trillion, $14 trillion. But you know what? There are better ways. We've been working on these. These are not new ideas. We've had bills that we have introduced. Unfortunately, the Speaker has control over what bills get to the floor. We have many solutions. What I call is, as opposed to Big Government solutions which we've been seeing, we've been working on smart government solutions, those that truly stimulate the economy—or would stimulate the economy if we were able to get moving on those.

Many of those have to do with who the true economic engine is in this country, and frankly that economic engine is small business. There are over 20 million small businesses in this country. These are the folks who take risk. They're the ones that work 6, 7 days a week; they're putting in those 16- and 17-hour days. Many times they do that without taking a dollar back for themselves. They keep reinvesting in their companies. They're growing jobs. They've got that American Dream, and they are trying to live that dream. Unfortunately, what we've seen in the past 19 months is this government, the Obama administration and Speaker PELOSI, just crushing those dreams.

On back home, I describe it as, if the economy is a football game, there are yellow flags flying everywhere for piling on the backs of small businesses. Actually, a former colleague here, Dick Armey, I understand once described it—it was a great description, I repeat it often—that if the economy is a horse race, and of course the economy is the horse and government is the jockey, at whatever point the jockey becomes larger than the horse, you know you've got problems. And that's what we have today.

We've been working on things and looking at trying to reduce the costs for small businesses, and it has been very challenging to do in the 111th Congress with the folks that we have here.

□ 2230

To start out with, I'll share one bill that I have that I've been working on, which I introduced some time ago. It was to allow individuals—entrepreneurs—who have this vision, who have this American dream, to be able to take some money and to be able to put that money into a tax-deferred savings account. It allows them to do that on a regular basis and to build that amount of money up. You know, they've got the dream. They've got the idea. They know what they want to do. When they've accumulated enough of the tax-deferred savings, they can use that money to purchase maybe physical property, maybe the resources, equipment or capital they need to start that business and to be able to stimulate a new business that grows jobs.

That is just one of, obviously, I think, thousands of ideas that we've been working on as Republicans. You know, we are often accused of being the party of ''no,'' N-O. Well, that's a partial truth, actually. There are a lot of half-truths around Capitol Hill. The fact is we are the party of ''know,'' K-N-O-W. More importantly than that, we are listening to the American people.

I thank my colleague for really emphasizing tonight America Speaking Out and the fact that we are here as public servants.

We are here to work for the American people. That means we want to have a dialogue. That means we want to be communicating with the people we work for. So America Speaking Out is just a great program that has allowed Americans from coast to coast to be able to do that. That, to me, is so important. I look forward to it.

Mr. GRAVES of Georgia. Well, let's get to some simple facts, because you're right. America has been speaking out. The main thing they've been asking is: Where are the jobs?

Just in the last year, we know there have been 2.5 million jobs lost here in the United States. So, you know, I guess a great admittance to that is the fact that the Democrats were pushing through the expansion or the extension of the unemployment benefits. If, in fact, their policies were to work or were working, there would be no need to extend unemployment benefits. The truth is they had to extend them because their policies aren't working.

Let's get to some simple facts here real quick. I'm a finance major. You know, the problem is not that difficult. The challenges are certainly great, but the facts are simple. There is a commonsense equation here.

We have total employers in the United States of about 24 million. The unemployment rate is 9.5 percent. We have about 14.6 million unemployed Americans right now. So there is a simple equation, which is, if one in three businesses hired just one employee over the next year, the unemployment rate would be 4.4 percent. That gets it to reasonable, sensible, easy-to-understand ideas.

Here is the equation: If one in three businesses adds one new hire in the next 12 months, unemployment is down to 4.4 percent.

So the question is: How do businesses get to this point where they hire that next person? Right now, they're not doing it, and there is a reason for that. It is called ''uncertainty.'' It is the uncertainty of what is about to happen to them next—and I think we know the tax increases that are coming and things like that. It's certainly scaring businesses.

So what are some of the solutions?

I guess the broader solution is getting government out of the way of job creation and fighting the efforts here, you know, that we've seen as they're pushing through the largest tax increase in the history of this country, and it is coming in 5 months.

Yet today, here tonight, right before us, stood Members of the other party, saying, Oh, middle class tax cuts. That's not what is happening.

In 5 months, we will have the largest tax increase in the history of this Nation. We need to return to spending levels that were from the 2008 levels and then roll back taxes. You know, we often hear them say, Oh, those big corporate tax breaks. Well, guess who hires Americans? Businesses. Wouldn't it be sensible to relieve them of some of the tax burdens here in the United States instead of increasing taxes like they're going to do? Then, of course, there's rolling back the regulatory burdens that we see. There is so much to do, so much to do.

We heard them a few minutes ago say, Well, Republicans have voted against these job-creation packages. Well, I don't know that any of those packages have been successful, so it's probably a good thing that Republicans have voted against them.

The fact is they have a majority that is far greater than the Republicans. They can push through anything they want to push through, and they have certainly been doing that against the will of the American people.

Mr. GOHMERT. Will the gentleman yield for a question?

Mr. GRAVES of Georgia. Yes, sir.

Thank you for joining us.

Mr. GOHMERT. I love having a new Congressman here who's so good at math.

The question is: We have heard repeatedly that the majority wants to have a green economy like that in Spain. Now we've heard from Spain, and it turns out they're having to abandon their green effort at a green economy because they have determined that, every time they created one green job, they lost two regular jobs in the economy.

I was just wondering if the gentleman from Georgia would make a

calculation and figure out how long it would take us to get to the 4 percent unemployment rate if we were to lose two jobs for every one job the majority were to create under their green plan.

Mr. GRAVES of Georgia. I think we'd be going backwards a little bit. You're right.

I mean the fact is we need to empower the business community. We need to embrace the entrepreneurial spirit. We need to equip them with lower burdens of regulation, and we need to lower tax rates. We do not need to be creating jobs as a government. Instead, we need the private sector to be creating jobs. It's a zero sum game. There are only so many employees in the United States, and if more of them are shifting to the public sector, it is only taking intellectual capital and wealth out of the private sector.

I would love to turn it over to my good colleague from Georgia (Mr. GINGREY).

Thank you for joining us on this late evening to talk about getting this country back on track.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman from Ranger in Gordon County. It's almost my district. We have contiguous congressional districts, and we have the privilege, actually, of sharing Gordon County.

The gentleman from Ranger, Representative GRAVES, has done a great job in a short period of time, Mr. Speaker, in the House of Representatives, and he knows of what he speaks. I mean this is the kind of work that he did in the Georgia House of Representatives, and he represented us extremely well at the State level. It is really interesting to see him on the floor of the House of Representatives now, here to explain to the American people and to our colleagues, Mr. Speaker, what truly is going on here.

He and I had the privilege, I guess you could say, of watching the previous hour, of watching our colleagues from the Democratic majority. It seems, Mr. Speaker, that they spent an hour whining about competition from other countries, particularly from China. They wanted to focus in on China and talk about, you know, all of these unfair trade practices and what China is doing in regard to their currency and dumping and all of these things. You'd think there were, indeed, no World Trade Organization to police anything. Yet it was, you know, a whole hour of blaming other countries for the woes that we have in our country.

As Representative GRAVES pointed out, the fact is that we have an unemployment rate of 10 percent, and 16 million people are out of work.

I even heard from the other side of the aisle, Mr. Speaker, the Representative from Wisconsin, the distinguished Dr. KAGEN, say that the problem is that the economic stimulus package of February 2009 of $862 billion—that's right, with a ''b''—was not enough, that they just simply didn't pour enough money into this problem.

Of course, we all know on this side of the aisle that we conservative Republicans are going to continue to fight this plan the Democratic majority has of just spending more money. You cannot spend your way out of debt. Every family in this country understands that and understands that very clearly. We'll talk about this in the ensuing hour as we proceed with the colloquy.

As Representative GRAVES points out, Mr. Speaker, the problem is not them. The problem is us. We can blame other countries all we want for our own woes. We can blame Greece. We can blame Spain. They spent an hour blaming China. How about blaming our tax policy that has a corporate tax rate of 35 percent? It is one of the highest rates of any industrialized country. While all of the other countries in Western Europe are lowering their corporate tax rates, we just leave it alone. We don't do anything about it.

As the gentleman from Calhoun and from Gordon County just said, we are about to let—not ''we,'' but you, Mr. Speaker, and the Democratic majority—the Bush tax cuts expire.

Representatives GRAVES talks about marginal rates. He didn't have a chance yet—and I'm sure he will—to get into the estate tax and, instead of there being a 15 percent tax on dividends, letting it go up to the marginal rate, indeed up to 39.6 percent, and letting capital gains go back up from 10 or 15 percent to 20 percent.

□ 2240

These are the job killers. All of these regulations, union wages, kowtowing to them, giving them special deals, paying them, in many instances far more, and, indeed, even letting them work Federal jobs and negotiate union activities while they're supposed to be working for the taxpayer.

I could go on and on, but I want to yield back to the gentleman controlling the time and look forward to my colleagues as we go through this hour.

Mr. GRAVES of Georgia. Well, let's take a quick glance at where we are from a perspective financially, and then the positive solution of balancing the budget. Imagine that, balancing the budget, balancing the checkbook here at the Federal Government.

Well, here's the truth of where we are. And we heard earlier when our friends from the other side were talking about how good it was since the new administration has taken over. Well, here's some facts. The facts don't lie. I mean, the truth is that the deficit under this current administration and leadership has just blossomed tremendously since they've taken charge.

Now, we've heard a lot. In my 44 days, I've heard so much about President Bush, President Bush, the last 8 years, his administration. But you know what? I think they've had a little bit of amnesia, because they took the majority in 2006, swore in their Speaker in 2007, and look what happened. From that point forward, the deficit bloomed and unemployment increased.

It all works together simultaneously, but yet they want to look back over the full decade and forget that, You know what? They're responsible. They were in a governing position, and yet they don't want to accept the responsibility of governing.

So that leads us to where we are right now, at a point of lack of governing, because for the first time since 1974 no budget has been presented here. And the question is: Where's the budget?

And right here you can read the quote. It says, Skipping a budget resolution this year would be unprecedented. And we've seen a lot of unprecedented things over the last several months, but this, in itself, is unprecedented. The House has never failed to pass an annual budget resolution since the current budget rules were put into place in 1974. And that's reported here back in April.

But budgets are necessary, according to the leadership here. STENY HOYER, our current majority leader, said, enacting a budget was the most basic responsibility of governing. That was the year they took over, the year they took over. And since then, look what's happened.

And then, of course, from the House Budget Committee chairman, if you can't budget, you can't govern. Right there it is.

Well, that leads us to today. I believe it's time to let the American people know that we have solutions to balance the budget and actually have a proposal in place, and that, I can tell the American people, hasn't got a hearing. I wonder why. I wonder why.

H. Con. Res. 281, which I know many of the colleagues here have signed on to it—I'm not sure if one would want to speak to it in its specifics, but it provides tax relief, returns to 2008 spending levels, makes no changes to the Social Security laws as they currently are, provides spending increases equivalent to the inflation growth in Medicare and Medicaid, requires each committee in this House to find savings equal to 1 percent of the mandatory spending, repeals the Troubled Asset Relief Program, TARP, repeals TARP, repeals ObamaCare, and then also provides medical liability reform, freedom to purchase health care across State lines, repeals Davis-Bacon, so many other things, great concepts there. And I'm sure you'd like to speak to some of those and the need, the importance of balancing the budget here in the United States Congress.

Mr. GOHMERT. I appreciate my new friend for yielding.

And going back to a comment from good Dr. GINGREY from Georgia about the $862 billion stimulus package, because I know he recalls and others recall that CBO told us that it was a $787 billion stimulus package. And lo and behold, we get here a year later, and they say, Oh, you know what? We blew it by about 15 percent. We just blew it.

Most statistical analysts say, you know, it's within the margin of error, 2

to 4 percent. Not with CBO here. You know, maybe we can blow it 25 percent, in this case, 15 percent or so. Whoops.

In a year's time, we were $100 billion off the mark. Really, to be fair, $80 billion off the mark. But still, that points out just how irresponsible things have gotten.

And when you look at the numbers, too, you find out that CBO really has been a bit of a willing ally, an accomplice, complicit in what's been going on. They told the country, okay, this ridiculous health care bill that's going to bankrupt the country, we're already finding, they're already starting to tell people we're going to have to ration your care. And, by the way, it's going to cost about $250 billion more than we thought it would. We just misplaced some numbers somehow, because if we had found them before the bill came for a vote, people had said they wouldn't vote for it if it was more than $1 trillion.

Well, what difference does another $250 billion make when you're putting us in debt $1 trillion? But the CBO just magically forgot, misplaced, you know, 200, $250 billion or so until after it passed, and then within a matter of a couple of months they found it.

We're in trouble here and we need to get rid of CBO. We need to get some kind of independent group, whether it's Moody's or some other, that can do an adequate statistical analysis.

But the games that are being played with jobs would be comical if it weren't representing real people hurting, real people hurting. And I proposed a year and a half ago that instead of spending $1 trillion, and we were told that we may be spending $3 to $9 trillion just to try to get the economy going. Hey, spend $1.21 trillion and you would let everybody in America forego paying any income tax for the year. You let people keep their own money and they would jump-start this economy.

Yet, what our friends across the aisle are saying, ''No, no, no. Our friends across the aisle want to give tax cuts and allow the lower rates only to go to the wealthy.'' Because the way they identify it, the 53 percent of adult Americans that will pay all of the income tax this year they consider to be the wealthy. And so what they're, in effect, saying is the Republicans want to give tax relief to the only people paying the taxes.

''We, on our side of the aisle, we want to give tax relief to all the people that aren't paying any tax.'' Well, there's another name for that. It's called redistribution of the wealth. It means those who have not been able to earn anything will have money taken away from those that earned it and given to those who didn't.

We need to help those that can't help themselves, no question. But we do not need to become a government that did what I saw as a judge, where the government lures people into a rut they can never get out of and gives them no hope, no way out, just still feeding them a little unemployment check, feeding them a little check here and there just to keep them in a rut with no help getting out.

It's time to blow the lid off this thing and get an economy going where small businesses create the jobs. Yes, the small businesses are the ones that need the tax cuts. They certainly don't need the biggest tax increase in American history that's coming in January. They're the ones that are going to provide the hope for creating the jobs.

And so I hope and pray we'll be able to help the small businesses create the jobs instead of just doling out these little temporary census worker jobs, which, as my friends know, was all that happened in June. 411,000 out of 431,000 jobs created in America were temporary census jobs.

I yield back to my friend from Georgia.

□ 2250

Mr. GRAVES of Georgia. You know what's so exciting about this America Speaking Out program is that we're getting ideas from Americans that are sitting around the kitchen table and they're talking about what would they do if they were in charge. What would they do if they were making these decisions. As they're watching the TV, and oftentimes in disgust seeing what comes out of Washington, D.C. The ideas that they have proposed and the thousands of connections that have been made.

And I took that to my district and somewhat implemented a program much like that and developed an economic advisory council of business and community leaders from each and every county in my district to seek input from them to tear down that wall. Because for far too long Washington has not been listening. And so we just took that wall down and said, hey, we want your ideas so we can push them up and present them here to the full House as the ideas from Main Street itself, not from Capitol Hill. But we need the ideas from the hills of north Georgia, are where the ideas come from, and the hills from all over this great Nation.

But you know, balancing the budget is a great start. Every American family has to balance their checkbook. But yet right now, here, leading by example, a terrible example is a Federal Government that is so far outside of its bounds with deficit spending and increasing its debt, it's unsustainable.

So I guess the Republicans have a solution right here. House Concurrent Resolution 281 balances the budget, cuts taxes, and cuts spending, something that's unheard of here in Washington, D.C. When every State and local government all around this Nation's cutting spending right now, every family's cutting spending out of their personal budget, here on the Federal level we just keep spending, spending, spending.

Mr. THOMPSON, you looked like you had something good to add to the conversation here.

Mr. THOMPSON of Pennsylvania. Well, I thank my good friend. And I want to come back to one word I think that really describes what is suppressing jobs, what is killing jobs, what is keeping jobs from being created. And that is uncertainty. Uncertainty is the direct result of all the policies we've seen piled upon the American economy in the past 19 months. And you know, as I travel around in my district, just like you do, you talk with the job creators, you talk with the people who take the risks, that every year take their profits—and no, that's not a bad word, that's a good word. That's how we've grown and built this wonderful Nation, on the backs of entrepreneurs and small business men and women.

And they take their profits and they reinvest them back in their company. And they add a product line or they build a new site. They hire people. Well, they're not doing that right now. They're sitting on the sidelines. And that's a direct result of just all the terrible policies that have been crushing our small businesses.

When I think over this past 19 months, and I'm in my first term here, you know how many times taxes have been raised? Now, we're looking at the largest tax increase ever that's looming. And we should talk more about that. But we should not lose sight of the fact that taxes have already been raised tremendously on these job creators, these small businesses.

Now, my colleagues across the other side will say, well, we only taxed the wealthy, those folks who made somewhere around $200,000 or more a year. And you know, where I come from, yeah, that's a lot of money. Absolutely. But when you really drill down and you look at who those people are, 60 percent of those folks are small business owners whose small businesses are organized as a limited liability corporation or an S corporation. They pay their taxes as individuals. And out of that maybe $200,000, if they are lucky, that they generate, they're paying a payroll, they're employing people, they're providing family-sustaining jobs. And, you know, I've lost count of how many times they've raised taxes on those folks since January 2009. It's crushing.

And you talked about the largest tax increase ever. And this has been my fear all along, that 2009 was a really tough year. 2010's a tough year. But it's been—you know, there's almost like an anesthesia that, Doc, that's been applied. You know, all this government money's been thrown at people so it makes folks feel a little bit better because unemployment went down. But as my good friend from Texas noted, a lot of those were temporary government sector jobs that drove down unemployment nationally for a short time. Never went down much less than 10 percent, but it took the edge off.

Well, my greatest fear is in January 2011 we're going right off the cliff. Because that's when these new taxes,

these new regulations—we've tripled the size of the Environmental Protection Agency, although around home I refer to them as the Excessive Punishment Agency. You know, all that takes effect beginning January of 2011. And then you put on top of that the things that you've talked about, the largest tax increase ever, $3.8 trillion. What will that be? Well, we are going to see the marriage penalty is going to return. The child tax credit's going to be halved. The death tax, which I think is just double taxation at the least. We put a tax on somebody's death.

Mr. GRAVES of Georgia. Let's stop there for a second. You're talking about the marriage tax. Now, those are the people, the wealthy married people or is that all married people? That's everyone, right?

Mr. THOMPSON of Pennsylvania. That's everybody.

Mr. GRAVES of Georgia. And now the individuals with children are the ones getting the penalty here, the ones who are the wealthy, or is it everyone who has children?

Mr. THOMPSON of Pennsylvania. It's everyone.

Mr. GRAVES of Georgia. It is everyone. So the fact that they stood over here, what, 40 minutes ago and said, oh, these are tax cuts for the middle class, that's not the case. The largest tax increase in the history of this Nation will occur in 5 months. But we have a bill that we've introduced, and I am sure y'all have cosponsored it, I cosponsored it, to block that, to block that tax increase, and to allow the taxes to remain at the level they are today. And of course we would want to see them lowered. But it's not a tax cut. We're just saying, hey, keep it at the level it is. Don't raise them. Because that's what they are doing. They're raising taxes.

Let me finish this balance the checkbook thing real quick, and we'll talk about confidence in a minute. So balance the checkbook. Republicans, we're saying let's cut spending. Let's stop this excessive spending that's going on here in Washington. We can do that by repealing the unused portions of the stimulus bill. They talk about how great it's been, the grand fanfare of the stimulus, when in fact a third of it hasn't even been spent, which means, again, it's not working.

We need to end the bailouts. And then of course the big one, repeal ObamaCare, which is a nearly $600 billion tax increase on all Americans and businesses all over the United States.

Mr. GINGREY of Georgia. If the gentleman will yield.

Mr. GRAVES of Georgia. Billion, right, that's nine zeroes.

Mr. GINGREY of Georgia. In regard to America Speaking Out, the poster—if you don't mind, Mr. Speaker, have the gentleman put that America Speaking Out poster back up so our colleagues can take a good look at it. I was just, as I stood here, thinking about our colleagues from the majority side of the aisle who had the previous hour. There was a Member from Ohio, there was a Member from Wisconsin, and there was a Member from California.

And I will just bet you, Mr. Speaker, if the folks in those great States will take the opportunity of going on that Web site, www.AmericaSpeakingOut.com, and input what their concerns are, it would probably mirror what is on that poster that Representative GRAVES has presented to our colleagues this evening in regard to balance the checkbook, cut spending, repeal the stimulus, $862 billion. Indeed, the Representative from Wisconsin said that wasn't enough spending; we need to spend more.

Mr. GRAVES of Georgia. This is what Americans are saying right here. Americans did not go to AmericaSpeakingOut.com—and this is nonpartisan, it's confidential—Americans did not go to that Web site and say increase spending. They did not say increase the stimulus and do another one. They did not say continue the bailouts or keep ObamaCare. They actually said stop all this stuff. Stop it. That was America speaking out right here.

Mr. GINGREY of Georgia. If the gentleman will yield, I would say that the gentleman is absolute, Mr. Speaker, right on target. And he said a key word. And that is that this is a nonpartisan Web site. Yes, it is created by the Republican minority for all of America to let us know, whether they be Democrats, Republicans, independents, libertarians, whatever. Let them have the opportunity to tell us, and let's have a bubble-up-from-the-bottom contract with America, not a top-down driven government-knows-better-than-anybody-else kind of plan that it seems the Democratic majority is heck bent and determined to force on the American people, just as they tried to force a year-and-a-half ago cap-and-trade, an energy policy that was run amok, that would result in probably $1,500 minimum a year per family in increased energy costs.

And then of course they come right back after that with this ObamaCare that Representative GRAVES is talking about. He mentioned the $600 billion worth of increased taxes to pay for it.

□ 2300

What he didn't mention was the additional $525 billion cut to the Medicare program, which we all know, all four of us know, is $75 trillion of unfunded liability over the next 50 years, and you're going to gut it 12 percent a year and then have the unmitigated gall, Mr. Speaker, to spend taxpayer money and send out these brochures, these glossy, fancy Medicare brochures assuring seniors that it's going to be better for them to cut their programs 12 percent a year and Medicare Advantage 18 percent a year.

I think the American people know better, and I think that the folks in Wisconsin, the folks in Ohio, and the folks in California are going to let those three Representatives know and give them a sure earful when they get back to their districts come August recess.

Mr. GRAVES of Georgia. Thank you, Dr. GINGREY. You are absolutely right.

Now, let me summarize. We've been talking about solutions here tonight. First one we were talking about was job creation. Certainty was mentioned by Mr. THOMPSON there. Uncertainty being the problem; certainty being the solution. So some certainty would be let's pass this legislation that blocks the largest tax increase in the history of our Nation. Let's get some of this regulation out of the way. Let's empower the small business owners and just embrace and ignite that entrepreneurial spirit. The solutions to job creation.

The second component we were talking about is the spending and balancing the budget. It's time to cut spending. Let's say enough is enough here in Washington. All of America, all businesses, all State, all local governments are cutting spending, whereas here we are, we're raising spending. But we've even gone a step further, taken a bold step and said, we've got a plan to balance the budget here for the Federal Government.

And now the third category, which I think really involved the American people last year, not in a positive way because they weren't engaged in the process, because it was a process that was behind closed doors, but it raised the awareness of the abuse of the process and the abuse of the rules and abuse of the system right here, and that was health care.

As we've talked about America Speaking Out, repealing ObamaCare was one of the top items mentioned or indicated out of the—what did we say, nearly 12,000 respondents, 12,000 specific ideas and 600,000 votes cast for different ideas. We've got an interesting chart here, and this will be the debut I believe of it publicly to show the health care plan as passed, the health care plan as passed.

It was approached or presented as a plan that was patient friendly, right? Isn't that what it's called, the Patient Protection Act? This is the ObamaCare health care plan in a schematic of what occurred out of the 2,000 pages of legislation. They're still today figuring out that portions of it were in there that they never expected or knew were in there, including new additional taxes.

But let me point out as we discuss this, and I know, Doctor, you've probably got a lot of insight into it because we do have an alternative plan. We had one then, it was presented then, but it's still in committee right now.

But let me point out to those watching. Here's the physician at this point. Here's the patient down here at this point, and all of this government is in between. How is that better for the American patient, for the young boy

that's needing care? How is this better for that young single mom who's just trying to get care for her child? This is not better. This is a mess, a governmental nightmare right here, and this is as it's passed and has been signed into law, the Obama health care plan.

Mr. GINGREY of Georgia. If the gentleman will yield, Mr. Speaker, this is absolutely astounding. I have seen that chart before, not maybe in quite such a vivid highlight and outline, but Mr. Speaker, my degree is in chemistry. And when I first saw Representative GRAVES put that chart up for all of our colleagues to see, I thought that was the periodic table. Really, it took me back to my chemistry days and the periodic table of the elements. It's probably changed some now because it has been a long time since I attended Georgia Tech and got that BS in chemistry, but this is more complex than the periodic table.

And I'm sure the gentleman from Ranger will agree with me, it's something like 130 new Federal agencies that were created by this mess, all between the doctor and the patient. Maybe my colleague will point out where the doctor is on that chart and where the patient is.

Mr. GRAVES of Georgia. You're right. This is the doctor. There's the patient. You would think the patient and doctor would be in the center, right? That should be the center of this diagram, but it is not. It is this newly empowered Secretary of the Health and Human Services that is in the center of which all of this spirals off of, and all of this is documented and all the code sections are outlined on here how it was created, and it indicates new mandates, new taxes, new programs, new processes. All of this is in this new health care plan that is going to be a mess for Americans right here.

The great thing is, though, that as we stand before America tonight, we don't stand here without an alternative, without another idea. We come before America boldly with another alternative, and the first step, in my opinion, is we have to defund this mess. Let's just put the brakes on it. We don't need another, what, $600 billion in new taxes. We need to defund this, and we have introduced legislation that is H.R. 5882, which each of you are probably cosponsors of and I'm the sponsor of the legislation to just defund it altogether, and let's start over because the process was broken. The policy is flawed.

Let's get a patient-centered, patient-driven health care plan in place of which we've got good alternatives. Would you like to share a little bit about the proposal that's out there, or do you have some ideas yourself?

Mr. THOMPSON of Pennsylvania. Thank you so much for looking at this. What a nightmare this is. I spent 28 years managing a rural hospital, and what I see there, when I look at that chart is not the periodic table. I see bankruptcy for hospitals, physicians, health care providers.

I mean, my health care career goes back to the beginning of the 1980s, and I am a proud survivor of the first prospective payment system, diagnostic related groups that were rolled into hospitals all across the Nation. I was there in the 1980s. I was there in the 1990s for the Health Insurance Portability and Accountability Act, HIPAA.

HIPAA would just be one of those circles on that chart, but let me tell you the experience of health care, and it's health care everywhere, but it really hits hard in rural health care and underserved urban areas.

The bureaucracy that was required to implement HIPAA in the 1990s was tremendous. It took dollars from actually providing what I thought was compassionate and cost-effective care, and you had to hire clerical staff, you had to hire compliance individuals, you had to hire people that never saw a patient, never did anything to directly touch that life of somebody that was facing life-changing disease and disability in the health care work that I was privileged to participate in for 30 years.

You take that experience of HIPAA in the 1990s and now multiply that by the complexity of that chart. You know we have worked hard, I know Dr. GINGREY has, all health care professionals work very hard to make sure that health care is patient-centered. It's about the patient. And this is not about the patient. This obviously is government. This is not patient-centered health care. This is government-centered health care, and there's many different proposals out there.

Let me just touch on two of those because I think it's very important that as we show the negative impacts of this, that we show the alternatives, the things we are working on that are better solutions, what I like to call smart government solutions.

Going back to July of 2009 when we introduced the Putting Patients First Act. That's an act that addresses people with preexisting conditions and makes sure they're able to purchase affordable health care insurance. It's about providing greater access to care. It was about bringing down the cost of health care for all Americans. It was about preserving and even increasing the innovation quality of health care that comes out of this country and certainly about preserving that important decisionmaking relationship between the patient and physician, not allowing the government or bureaucrat to do that.

□ 2310

Putting Patients First Act, I encourage people to check that act out. You know what, it doesn't raise taxes a dollar. No cuts to Medicare, and yet it achieves all the things it needs to achieve.

You know that's the kind of thing, when we repeal this, that's what we need to replace it with. And I would tell you there are things we need to surgically repair right now, because I don't expect that President Obama—I would expect a veto on any general repeal any time soon, so we need to surgically repair, certainly working with an eye to repeal.

And I am sure all my colleagues on the floor here are also cosponsors of H.R. 5141. It goes right back and it deals with the health care bill, but the impact's directly on small businesses.

Under the ObamaCare plan, every small business, for every exchange of business, a vendor, a contractor, just buying resources, anything more than $600, they are required to file a 1099 form today under the ObamaCare plan. For some businesses, that's thousands of 1099 forms. We are talking more clerical staff. We are talking more overhead cost. We are talking about complying with bureaucracy that is just raising the cost on small businesses.

I am proud to be a cosponsor of H.R. 5141. It puts an end to what I call death by a thousand paper cuts. And that is where health care buries small businesses, in paperwork.

That's another example of a Republican, smart government solution that we have put forward and it has been introduced. It's out there and, frankly, it would be good for America.

Mr. GRAVES of Georgia. You are absolutely right. So you presented a solution. H.R. 3400 would be the Empowering Patients First Act. We have talked about deauthorizing the funding for this mess here, and you talk about surgically removing some items here. I mean, this is a mess.

Mr. THOMPSON of Pennsylvania. It's going to be a whole lot of surgery, though.

Mr. GRAVES of Georgia. You wonder why this component would be in a health care proposal. The IRS, the Internal Revenue Service, is part of a health care plan; although, I think we all know that the American people do not want to have to go through this maze in order to get their health care taken care of here in the United States.

We have a couple of opportunities. One, H.R. 5882, for those whom are viewing this tonight, could encourage their Members to sign on to, and that would not allow any funds to be authorized or spent towards this here. Then there is the Repeal It proposal that repeals this altogether, and there are two of those out there. There is a letter or petition to have one voted on here on the floor, and that's H.R. 4972, by Mr. KING. That's the Repeal It legislation.

Then you have spoken about the alternative, the replacement. So you have defund it, repeal it, and then replace it with H.R. 3400, which is a free market, capitalistic solution to health care for Americans to allow them to be empowered, empowering them.

Would you like to add some more to this? I know we are getting close here before we need to stop sharing the truth here.

Mr. GOHMERT. It should be noted in all those little areas, you talk about all the new parts of government that are created and brought together in this—it's not a health care bill. It's a GRE—government running everything—bill. But they all have little references to the specific areas within the law that created them and created the relationship. That's one thing.

Another thing is, you know, all of the records, the medical records that people consider so personal and so dear will be in the Federal Government control. I think they are contracting out to their dear benefactors and contributors at General Electric, but they will have all that information, and the IRS could have access to your most personal information.

Can you imagine the debt collectors of America being able to have your most personal medical records? Well, that's what will occur here, and there's a great quote from Patrick Henry. People remember, ''Is life so dear and peace so sweet as to be purchased at the price of chains and slavery?''

He had one quote where he said, ''The Constitution is not an instrument for the government to restrain the people; it is an instrument for the people to restrain the government—lest it come to dominate our lives and interests.'' When I look at that board and I look at all the new government that is just going to be overwhelming people, they don't need the doctor after they start dealing with all this stuff.

Is that quote ever more appropriate that the Constitution should restrain the government lest it come to dominate our lives and interests? Will it ever?

Mr. GRAVES of Georgia. Last August, the American people were pretty upset about that. They were fired up 1 year ago as the leadership of this Hall went out all across America and avoided town hall meetings because they could not defend this 2,000-page spaghetti plate here of mess, because the American people know that the government taking over their health care is not the best option. The best option is the patient, the individual that is being empowered.

Mr. GINGREY of Georgia. You know, you talk about there is a temptation to try to surgically repair. But, Mr. Speaker, when you look at that chart that Representative GRAVES is presenting and you realize the complexity and there is so much wrong with this bill, I am afraid that by the time that you tried to surgically repair, there would be very little left to say grace over. That's why so many of our colleagues on this side of the aisle feel like that we need to repeal this bill, this monstrosity, this omnibus of 2,400 pages, government takeover of one-sixth of our economy, 16 percent, and start over, and start over.

Just this past week in the Energy and Commerce Committee—but we deal with a lot of health care issues, and this monstrosity, indeed, started over a year ago. We passed, this week, eight separate health care-related bills, none of which were more than five pages long, and we did it in a bipartisan way.

We can certainly come back and, with four or five really good solid ideas, and maybe we can present those in a subsequent town hall meeting or Special Order hour here on the House floor, but that's what we really need to do. I think it's important that people understand that.

I thank the gentleman for having us here and this colloquy so that our colleagues, Mr. Speaker, and the American people can better understand what we truly need to do to repair this.

Mr. GRAVES of Georgia. Mr. Speaker and my colleagues, I want to thank you for joining me tonight, because here at this late hour here on the east coast, we are standing before the American people presenting alternatives, solutions to these challenging days.

We started off by talking about the economy and jobs and job creation, and that's empowering the private sector, not empowering government, creating certainty in the marketplace as opposed to the uncertainty that is out there today by standing in the way of the largest tax increase in the history of this Nation, which is about to be unfolded here in the next 5 months. And then also the reduction of capital gains. The reduction of the corporate tax rate and just igniting that entrepreneurial spirit once again to allow that entrepreneur, the American business owner, to dream, and to dream big and to go work hard.

Then next we talked about spending and spending cuts, balancing the budget. Very difficult items here on the Federal level, it would seem by the majority party. But, instead, we have proposed positive solutions to balance the budget like has never been seen before.

Then lastly, the health care. And all of this comes as a result of America Speaking Out, the Web site in which 12,000 responses were given and over 600,000 votes were cast on different ideas and concepts. Listening to the American people about jobs and the economy, about spending, about balancing the budget and the health care proposal, which leads us to defunding it, repealing it and then replacing it with a patient center, patient-driven concept that provides affordability, portability, and accessibility to Americans.

But this is not a time in which we stand and point fingers as we have heard over the past several weeks. My 44 days being here, the other side has pointed fingers back, back in time. But we are not here to do that. This is not about Republican and Democrat. This is about America right now and this is about getting our economy back on track. It's about creating the confidence once again in the marketplace and then providing true health care solutions.

So I appreciate my colleagues in joining me tonight on this late hour. I know it means a lot to your constituents that you would do that and that you would be working at this late hour in the evening because you know how important it is.

Mr. Speaker, I yield back.

□ 2320

CELEBRATING 100 YEARS OF THE BOY SCOUTS OF AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for half the remaining time to midnight.

Mr. GOHMERT. Mr. Speaker, I do appreciate my friends from Georgia and the wonderful contributions that they have made to enlightenment with regard to these issues.

There is an issue that we want to recognize and take up tonight, and it's a wonderful topic, the 100th anniversary of the Boy Scouts of America here in the United States.

The Boy Scouts of America were incorporated on February 8, 1910 and chartered by Congress in 1916. The mission statement of Boy Scouts was to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the scout oath and the scout law.

It's interesting, doctors say that often our short-term memory is the first to go and our long-term memory seems to last longer, but I still do recall the scout law, that a scout is supposed to be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent. Those are good things to live by. The Boy Scouts have continued to live by that and produced incredible Americans over the years.

Right now we celebrate this fact because there is the National 2010 Boy Scout Jamboree going on at AP Hill—not terribly far from here—and so we've had thousands of Boy Scout visitors come through Washington, come through the Capitol. It's been an honor to take many through the Capitol and through this area, and we have many more coming. I know my district has 85 in one group that will be coming through on August 4 when they leave the AP Hill area and others have been helping as staff members.

But the jamboree is worth noting. There are 45,000 attendees that will include 37,000 Boy Scouts from all 50 States, 8,000 scout leaders and staff. A whopping 275,000 visitors will join the celebration over the course of 10 days to partake in the festivities. This 76,000-acre area has been hosting the National Scout Jamboree since 1981. The Boy Scouts use approximately 3,000 acres of this land to support a city of over 50,000 inhabitants.

One of my daughters asked years back, after having found out that one of the parents of one of her friends had

been at Woodstock, asked me, Daddy, did you go to Woodstock, she said. I said, Well, no I didn't. She said, Do you remember where you were during Woodstock? I said, I certainly do. Well, where were you? I was outside of Coeur d'Alene, Idaho, at the 1969 National Boy Scout Jamboree. And we had rest rooms that worked, we didn't commit immoral acts, we didn't have illegal drugs, and we didn't need the National Guard to come in and rescue us from ourselves as happened at Woodstock. Today there are those who are proud to proclaim that they had the morals of Woodstock—some continue to, they continue to attack the Boy Scouts.

Of course we know the Speaker and 10 other people had pointed out in 2000 that the Boy Scouts had an ''intolerant policy'' of excluding people who practice homosexuality from leadership, so they were demanding that President Clinton step down as honorary chairman. He did not do that. And President Obama right now is Honorary Chair of the Boy Scouts of America and has spoken to them by video, and I know the scouts appreciate that.

Scouting has meant so much to so many. It prepares you for the future. It prepares you to save lives. I never thought I would have an opportunity to use any CPR training that I had gotten through all my years as a Boy Scout, going up to becoming an Eagle Scout; but when the day occurs, there is no substitute for having been through that. I get a big hug from a dear friend at church every time and he says, This is the guy that saved my life. Actually, it was the Boy Scouts that did it through all those years of training.

I've been joined by a dear friend, also a Boy Scout—I believe an Eagle Scout as well—and I would certainly be glad to yield to a fellow Eagle Scout.

Mr. THOMPSON of Pennsylvania. Well, I appreciate being yielded to by a fellow Eagle Scout.

It truly is an honor and a privilege to be here this evening to recognize an organization that has for 100 years, for an entire century, served this Nation through serving the youth. It is just a remarkable organization.

This is actually my 40th year in scouting, and so I've had tremendous opportunity to be able to see how scouting touches the lives of boys and girls. We think scouting today is the Boy Scouts of America, but frankly the Venture Scouts is a coed organization, and the Boy Scouts make a tremendous difference in the lives of boys and girls.

I have with me today actually the 12th printing of the Boy Scout Handbook, which is a handbook that is just a fascinating read. For 100 years, 12 editions, this has been printed, and the basics are still the same. Like my good friend from Texas talked about, he named those 12 parts of the scout law. The principles of citizenship are here, of character, of the scout motto, ''Be prepared,'' the scout slogan, ''Do a good turn daily,'' and the principles that are found within the scout oath.

This 12th edition, since 1910 there have been 39,470,000 handbooks printed. What a legacy in terms of service. And I want to take from it just a couple of quotes. First of all, the vision statement for the Boy Scouts of America. And this is a vision that is just as solid today in terms of serving youth—and I think our Nation—as it was in 1910 when a Chicago businessman, William D. Boyce, was traveling to London, England and was out on a foggy evening.

He was looking for a business address, and he was absolutely lost in the fog, as the story goes. And as he was bewildered and wandering aimlessly, he was approached by a young youth from England who volunteered his services, not just to point this American businessman in the right direction, but to actually physically take him to that location. This boy went out of his way to serve him—to provide a good turn, so to speak. At the end of that, the businessman wanted to reward the lad.

I suppose he reached into his pocket to offer him a coin and the young boy said, sir, I can't take that, I'm a scout, and we provide that kind of service. This was a good turn. That so impressed Mr. Boyce that he came back to this country, got together with some other leaders within this Nation, and soon gave birth to the Boy Scouts of America 100 years ago, all from the selfless service and good acts of one young person. And today, scouting continues to make differences one good turn at a time.

I would like to share with you the vision which really stands as true today as it has been. This is the vision statement: ''The Boy Scouts of America will prepare every eligible youth in America to become a responsible, participating citizen and leader who is guided by the scout oath and the scout law.'' I mean, what a great vision, a vision that continues to guide an organization that serves our youth.

I want to share and also quote because my good friend from Texas reflected on our President and past President related to scouting. This is another President who also was an Eagle Scout. This was former President Gerald Ford, who was an Eagle Scout and the 38th President of the United States of America. And President Ford was quoted: ''I can say without hesitation that because of scouting principles I know I was a better athlete, I was a better naval officer, I was a better Congressman, and I was a better prepared President.'' And so obviously President Ford recognized the value of scouting in his life.

□ 2330

Mr. GOHMERT. If the gentleman will yield back for a moment, I owed the Army 4 years from an Army scholarship to Texas A&M.

From the years of being a Boy Scout, I was good at orienteering, which is the process of taking a map and a compass and finding your way from point A to point B and getting back. Those were things that were important to know when you were in the Army. There is no question that I was quite good at it in the Army because I'd had fantastic training in the Boy Scouts. It was the same way when learning to fire a .22 out on the range as a very young Boy Scout. The first day was the camping, the cooking. It was all about this planet and the things that occupy the planet—this amazing creation that God provided to us, which we learned and studied and had to spend a great deal of time becoming so acquainted with as Boy Scouts.

It may seem silly, but when my wife and I were helping with some decorations before a big dance there in Tyler, there were some ladies on a big scissor lift, helping put up heavy 10-, 15-pound decorations to suspend from the ceiling. They had a 50-pound fishing line, but they couldn't get any knot to hold to keep those things up.

So they yelled down, Does anybody know of a knot that would hold?

Well, I was an Eagle Scout. Of course I do. So they brought the scissor lift down. I got on. I got somebody to come up and help.

I would yield to my friend: If you had somebody yelling, ''Does anybody know a knot that would hold?'' what would my friend seek to use?

Mr. THOMPSON of Pennsylvania. Oh, there are a couple that come to mind. I'd probably start with a bowline, though.

Mr. GOHMERT. That's exactly what I did, a bowline, and that thing doesn't give. You can even do it with one hand.

Mr. THOMPSON of Pennsylvania. That's right.

Mr. GOHMERT. They made you learn to do it with one hand. In case you were hanging from a rope on a mountainside, you could reach up with the other hand and tie that bow and be able to suspend yourself, just hanging with the rope, without having to hold on for dear life. So there are amazing things you learn in the Army—from the stars to Morse code. I don't remember that so well anymore, but what phenomenal training.

One of the facts we have indicates that, in 2009, Boy Scouting recognized their 2 millionth Eagle Scout. We know that the Eagle Scouts are only a tiny percentage of all of those who actually go into Scouting and who benefit from Scouting. So that's quite an accomplishment. There are 2 million Eagle Scouts in the Boy Scout program.

Another thing that is worth noting is, when you see a Boy Scout get to be a Tenderfoot and as you work your way up to Second Class, First Class, Star, Life, and Eagle, you don't attain those badges, those accomplishments, by representing only yourself. No Boy Scout ever has or ever will. It represents the millions of people who have helped Scouting over the years.

In my case, my parents were so encouraging, and my mother was actually more than encouraging. She was

downright pushy—my late mother, rest her soul. My Scoutmaster—rest his soul, Sam Parker—had more influence on my life than any man besides my father, I think. I've had such wonderful men and women help teach and encourage me; but my Scoutmaster, who was also an American history teacher, instilled just a love of American history and of America's greatness, not because America just all of a sudden appeared and did these things, but because it was blessed by God. Those things are in the Scout Oath.

My daughter Katie prepared a collage some years back, and it had all kinds of things on there from the music I liked to different things I'd accomplished. There was high school football and all of these different things that were pasted, and there were slogans and things. Well, right in the middle, on a small piece of paper—in the center of everything and with all the other things emanating out from it—was the Boy Scout Oath:

''On my honor, I will do my best to do my duty to God and my country and to obey the Scout Law to help other people at all times, to keep myself physically strong, mentally awake, and morally straight.''

When I saw that and saw that that was the centerpiece of everything, I asked, ''Sweetheart, do you think of me as a Boy Scout?''

She said, ''Daddy, you'll always be a Boy Scout.''

I take that as quite a compliment, as I know my friend Mr. THOMPSON, likewise, is proud of the accomplishment.

One other thing before I yield to my friend about becoming an Eagle Scout: The people in my hometown who contributed, the churches and businesses that helped make our Scout troop a success and the volunteers who worked and made it go and who gave us that opportunity deserve such accolades for what they did and for the difference they made in all of our lives as boys.

When it came time for the Eagle Court of Honor, which is where I received my Eagle Award, I was the oldest of three boys. I have another sister who is older, and I just lost my younger brother a few months ago. We each, in turn, became Eagle Scouts. After my mother passed away in 1991, we were looking through her jewelry box. She had some jewelry pieces that were very nice; but in a small area, she had the most valuable pieces of jewelry she'd ever owned. There was a ring that had some rubies and diamonds on it. There was a gold nugget necklace, which had real gold nuggets. Then there were the three Eagle Pins that Eagles pin on their mothers at the time they're awarded the Eagle. It made it pretty clear that, not just for me but in my mother's life, her boys—all three—becoming Eagle Scouts was one of the most treasured things that she had.

I yield to my friend, Mr. THOMPSON.

Mr. THOMPSON of Pennsylvania. Well, I thank my good friend.

You know, I think the statistic is one out of every three persons has had some experience with Scouting, with Boy Scouting. They've been Boy Scouts or they've been parents of a Scout or they've had a sibling who's a Scout. There is a connection there. I know, for those who have been in Scouting for just a few years, what a difference it makes.

One of the hardest things I had to do 19 months ago when I was sworn into Congress was, 3 days before that, I had to retire as Scoutmaster. I wasn't going to be home for the meetings. Certainly, when I am home on weekends, I wish I could go on camp-outs. It doesn't happen in this job, just the demands of it. I served as a Scoutmaster for 30 years and saw literally dozens of boys earn their Eagle Scout Awards. You know, that's what they do. In the 100 years of Scouting in this country, there has never been one Eagle Award given away. They've all been earned—each one.

□ 2340

And to have three sons that are Eagle Scouts and who frankly, went on to—I've seen how that has made a difference in their lives.

And it has just been, you know, my home troop of Howard, Pennsylvania, Troop 353 is a great troop, and it's a family experience, too, in scouting. It makes families stronger. There's just a role. It's not just for the youth. It's families. Moms and dads get involved and extended families get involved.

And I think back very fondly to my years, from age 11 to 18, as a youth in scouting, Walker Township Troop 52, where—and my scoutmaster. Actually, I just talked with my scoutmaster. He'll always be my scoutmaster, even though I'm 51 now.

I talked with him just a few days ago, Harold Yearick, and Ray Lahr, who was assistant scoutmaster and also scoutmaster during that time. Those were men that just, you know, the values that I learned from them they demonstrated in their actions of duty to God and duty to country and duty to others and duty to self.

And so, to this day, those are principles I use when I make decisions in Congress. I ask myself those four questions. Is the decision I'm making, what about my duty to God. Is it righteous according to God's word?

The SPEAKER pro tempore (Mr. PERRIELLO). The gentleman is recognized for an additional 20 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker. And I yield again to my friend from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Thank you.

Duty to country. The decision I'm going to make, is it according to the Constitution?

Duty to others. Is the decision I'm going to make as a Member of Congress today in this job, you know, how does is it impact the people that I work for? What are the intended consequences? What are the unintended consequences?

And, frankly, duty to self. Am I prepared to do my best?

Those are values that—I learned those starting when I was age 11.

One of the most important things that probably happened in my life was that I had a foster brother come live with my family at age 11. And when Mom and Dad brought Bob into our home, they had made a promise to him that he could continue in the scouting program—he was a couple years older than I—that he had been attending in a neighboring valley. And, frankly, as a younger brother, I got to tag along. And I'd have to say that was probably one of the most important things that ever happened to me. I'm so thankful for that opportunity, and it has just made just a tremendous difference in my life.

I want to share just from 2009, in terms of the service to the Nation of scouting. What has scouting been?

And just most recently, we're celebrating 100 years. But just this past year, there has been 1,634,715 boys, ages 7 to 10, in Cub Scouts in this Nation. What a number. Amazing.

Of boys 11 to 17, so that would be Boy Scout age or what we call Varsity Scouts, a parallel program, 897,868 boys involved in that program.

And then you go ages 14 to 20. This is the coed program that we have in scouting today. This is young men and young women, ages 14 to 20. They're Adventurers or Sea Scouts; 257,361 of those young folks.

We have over 800,000, almost 850,000 boys and girls in elementary through high school in what's called Learning for Life Character Education programs in this country.

And then finally, over 120,000 young men and women ages 14 to 20 in exploring career-based programs. I think that's an important part of scouting. I've seen that. I still call them boys, but they are adults today that I remember vividly when they were 11 years old, came into my scout room. But today they're grown, they're married, they have children of their own who are actually in scouting, many of them.

And, you know, I saw their career paths take shape through the scouting program, whether it was involved in a high adventure program that we might have done, a camping program, or more than likely through one of the merit badge programs where they learned a specific skill. And as a result of that exposure and that experience in the scouting program, they picked a career path, and it's a passion that they pursued. And, frankly, scouting opened that door for them and so just creates all kinds of great opportunities.

Mr. GOHMERT. Well, to follow up on some of the numbers that my friend, Mr. THOMPSON, was quoting:

Total youth served in the hundred years of scouting here in the United States, 114,304,329; adult volunteers, 33,364,261; total number of merit badges, over 117 million. And those merit badges don't just represent little pieces of fabric with stitching on them.

They represent a great deal of work, skills attained, knowledge attained, things that will help throughout life in the issues that come in the future.

Now, I do feel we need to touch on this briefly because Boy Scouting has been under attack. There have been groups that have been trying to eliminate and have successfully eliminated, like in San Francisco. For years, there have been efforts to restrict scouting from enjoying the parks that other groups might enjoy. There are efforts in Congress on a regular basis to try to hurt the scouting effort. And it all boils down to this one thing about scouting.

Despite the oath that scouts take, the Scout Law, scouting has chosen to stay faithful to religious tenets that man represented as the only full face of all the greatest lawgivers in this room. Every one of them has a side profile except the one in the middle who's considered to be the greatest lawgiver of all time. That's Moses. And one of the laws that Moses said were given to him that he gave was thou shalt not commit adultery. In other words, you shall not have sex, sexual relations, outside the marriage of a man and a woman.

Scouting, through all these years, has chosen to honor that Commandment, honor the Ten Commandments in all it did. And obviously, all sin, all fail, fall short, but scouting, at least, has tried to exemplify the best of humanity that most of us in this country believe come out when we try to live by those Ten Commandments.

So scouting has upheld that they preferred adult leaders who were not open adulterers. And I know, in our society today, so many believe that it's no big deal, there's nothing wrong with it. Adultery is no big deal, regardless of the sexual gender of the people participating. It's just fine.

Boy Scouting has chosen to say, we believe the Commandments given by Moses that he believed and we believe came to him from God are worth observing and trying to follow. Scouting has and, ironically, it has produced such great ire among so many who now want to kill the program because Boy Scouts say, We just believe those Ten Commandments are a good thing, including that one about adultery, not having sexual relations outside of marriage between a man and a woman.

And as a result, there's a number of corporate sponsors who used to give huge sums, six, seven figures even, to the Boy Scouts to assist them, who've chosen to say that because Boy Scouts have persisted in believing that avoiding adultery is a good thing, then they're not going to help the Boy Scouts.

□ 2350

And in the process, they have robbed so many, many minorities, people who would love to be Scouts. And I know in our east Texas area there are so many young minorities without fathers who we've met with and talked with and talked to their moms about starting Scout troops. And they're so excited. And some have started, and it's such a help. And it would be so wonderful if those corporate sponsors were not blaming Scouts for thinking the Ten Commandments were a good thing, and therefore withholding contributions, choosing to give them to groups who think that just blatantly violating the Ten Commandments are the best thing that we could do in America.

So they're giving to those who demean those who think morality is a good thing and in the process hurting so many who could be Eagle Scouts, who could be great Scouts. But the contributions are dropping, and the involvement has been dropping some.

I think that we're seeing things turn in this Nation in such a way that we're going to have a reawakening, we're going to have a great awakening, and people are going to come back to the fact that the real truth is this Nation has been blessed by God because this Nation has lived up to the blessed tenets that God said to live by. And as we return to those—certainly don't want to give up on the progress that this, the greatest Nation in the history of mankind has made. But in the moral area, where we've fallen apart and Boy Scouting has stayed so steadfast, I think we'll see people come back to the basics on morality, and we'll see even greater accomplishments.

And so it should be observed that 50 percent of all the NASA astronauts were Boy Scouts. More than 30 percent of all graduates from the military, Air Force, and naval academies were involved in Scouting in their youth, and five of our Presidents have been Boy Scouts. And even within this Congress, 199 of our current Members once participated in Scouting. And 22 in Congress, are, as my friend G.T. and I, Eagle Scouts. I had somebody try and say I was a former Eagle Scout. But it's kind of like being an Aggie: once you are, you are for the rest of your life.

And so that's why in my district office something wonderful my wife did, I believe it was Father's Day, she had a shadow box, unknown to me, put together with my Eagle award and so many of the things I traded for and had earned during my time in Scouting in that shadow box. And I am so proud of that. That's in my office back in east Texas.

But Scouting has done so much to contribute not merely to making boys far better than they could have been otherwise, but by making this Nation so much greater than it ever would have been without Boy Scouts of America.

I yield to my friend Mr. THOMPSON.

Mr. THOMPSON of Pennsylvania. I thank you for yielding.

I want to take a moment to talk about an important key member of the Scouting team, and that is sponsoring organizations, from all over. Every Scouting unit has a community partner called a sponsoring organization. And they are churches, fire departments, Lions clubs, Rotary, Salvation Army. I mean, there are just an endless list of organizations who step forward. In becoming a partner, they sponsor these Scouting units.

And it seems fitting, as we pay tribute to the 100th anniversary of Scouting, to say ''thank you'' to those community partners. They play such an important role in making sure that the units, the Scouting units have qualified leadership, that they usually provide a place for them to meet, they provide them the support they need to have within the community. So ''thank you'' to certainly our sponsoring organizations within Scouting.

And, finally, just touch on the things that Scouting provides in a real tangible way to our communities, because they are a central part of our community, our Scouting units. It's called the National Good Turn Project. It started in February of 2004, and it began to track all the things that we knew Scouting has done for a hundred years of the amount of hours of community service. I remember washing a lot of fire trucks when I was 11 years old. Only later did I find out my Scoutmaster was fire chief. But that was good training for community service.

And we went on to do litter pickups and do all kinds of community service. Well, we never tracked that prior to 2004. But February 2004 we began to start to keep track. You know, since February 2004 Scouting has provided 8.5 million hours of community service in this country. That's what's documented. I am sure there's stuff that didn't get documented.

And, finally, the Eagle Scout projects this past year totaled just in service what calculates to be $47 million of community service, of providing and reaching out to the community. So I am just real proud to be here this evening to join my good friend and fellow Eagle Scout to pay tribute to the 100th anniversary of Scouting and also to wish a safe and enjoyable and fun Scouting experience at Fort A.P. Hill for the tens of thousands of Scouts that are gathered from all over this Nation just about an hour south of our Capitol. And thank you for being with me tonight.

Mr. GOHMERT. Thank you. I would ask my friend to stay with me one more moment as we have been paying tribute to Boy Scouts of America, the organization, what they've done. I know that as an Eagle Scout, as a Scoutmaster, my friend, Mr. THOMPSON has many Courts of Honor stood and asked all of those Boy Scouts and Eagle Scouts to stand and say the scout oath together. I wondered if my friend might join me, as I yield time to him, as we might conclude tonight.

Mr. THOMPSON of Pennsylvania. I would be honored. I think that's a fitting tribute and way to do that.

Mr. GOHMERT. That's what went through my mind.

Mr. THOMPSON of Pennsylvania. All right. Here we go.

Mr. GOHMERT. On my honor, I will do my best, to do my duty to God and my country, and to obey the Scout Law; to help other people at all times; to keep myself physically strong, mentally awake, and morally straight. Two.

Mr. GOHMERT. Mr. Speaker, with that we yield back.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KAGEN) to revise and extend their remarks and include extraneous material:)

Ms. LEE of California, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Ms. SUTTON, for 5 minutes, today.

Mr. BRIGHT, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. THOMPSON of Pennsylvania) to revise and extend their remarks and include extraneous material:)

Mr. PUTNAM, for 5 minutes, July 29.

Mr. FORTENBERRY, for 5 minutes, today.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4899. An act making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 5849. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 27, 2010 she presented to the President of the United States, for his approval, the following bills.

H.R. 725. To protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes

H.R. 4684. To require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center

H.J. Res. 83. Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes

Lorraine C. Miller, Clerk of the House further reports that on July 28, 2010 she presented to the President of the United States, for his approval, the following bill.

H.R. 5849. To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 56 minutes p.m.), the House adjourned until tomorrow, Thursday, July 29, 2010, at 10 a.m.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 2480, the Truth in Fur Labeling Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 2480, THE TRUTH IN FUR LABELING ACT OF 2010, AS AMENDED AND TRANSMITTED TO CBO ON JULY 27, 2010

	By fiscal year in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
	Net Increase or Decrease (−) in the Deficit												
Statutory Pay-As-You-Go Impact [a]	0	0	0	0	0	0	0	0	0	0	0	0	0

[a] The legislation could increase civil and criminal penalties and thus would affect federal revenues and direct spending: CBO estimates those effects would not be significant in any year.

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 4658, the Benton MacKaye Cherokee National Forest Land Consolidation Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 4658, THE BENTON MACKAYE CHEROKEE NATIONAL FOREST LAND CONSOLIDATION ACT OF 2010, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON AGRICULTURE, ON JUNE 30, 2010, WITH AN AMENDMENT PROVIDED BY THE HOUSE COMMITTEE ON THE BUDGET ON JULY 28, 2010

	By fiscal year in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
	Net Increase or Decrease (−) in the Deficit												
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	0	0

H.R. 4658 would authorize the Secretary of Agriculture to sell 67 acres of land in the Cherokee National Forest to the Towee Falls Baptist Church. Proceeds from the sale would be available to the Forest Service, without further appropriation, to acquire other lands within the Cherokee National Forest.

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 5669, To direct the Secretary of Agriculture to convey certain Federally owned land located in Story County, Iowa, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 5669, A BILL TO DIRECT THE SECRETARY OF AGRICULTURE TO CONVEY CERTAIN FEDERALLY OWNED LAND LOCATED IN STORY COUNTY, IOWA, AS INTRODUCED ON JULY 1, 2010, WITH AN AMENDMENT PROVIDED BY THE HOUSE COMMITTEE ON THE BUDGET ON JULY 28, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
	Net Increase or Decrease (−) in the Deficit												
Statutory Pay-As-You-Go Impact	0	−1	1	0	0	0	0	0	0	0	0	0	0

H.R. 5669 would authorize the Secretary of Agriculture to sell 44 acres of land in Story County, Iowa, to the city of Ames. Proceeds from the sale would be available to the Secretary, without further appropriation, to acquire other lands and to support activities related to the National Animal Disease Center.

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 5872, the General and Special Risk Insurance Funds Availability Act of 2010, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 5872, THE GENERAL SPECIAL RISK INSURANCE FUNDS AVAILABILITY ACT OF 2010, AS INTRODUCED BY THE HOUSE COMMITTEE ON FINANCIAL SERVICES ON JULY 27, 2010, WITH AN AMENDMENT PROVIDED BY THE HOUSE COMMITTEE ON THE BUDGET ON JULY 27, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
	Net Decrease (−) in the Deficit												
Statutory Pay-As-You-Go Impact [a]	−94	0	0	0	0	0	0	0	0	0	0	−94	−94

[a] This legislation would enable the Federal Housing Administration (FHA) to guarantee up to $20 billion in mortgage loans under its General and Special Risk Insurance program in fiscal year 2010. Under current law, FHA is permitted to insure up to $15 billion in loan guarantees. With this additional loan commitment authority, FHA would make additional loan guarantees and consequently the budget would record additional receipts under procedures in the Federal Credit Reform Act. CBO estimates that enacting this legislation would reduce direct spending by $94 million in 2010. Enacting this legislation would not affect revenues.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8606. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — South American Cactus Moth Regulations; Quarantined Areas [Docket No.: APHIS-2010-0037] received July 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8607. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Notification Requirements for Awards of Single-Source Task or Delivery Orders (DFARS Case 2009-D036) received July 12, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8608. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Contract Reporting Requirements of Intrastate Natural Gas Companies [Docket No.: RM09-2-000; Order No. 735] received July 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8609. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report entitled, ''Report to Congress on Abnormal Occurrences: Fiscal Year [FY] 2009'', pursuant to 42 U.S.C. 5848; to the Committee on Energy and Commerce.

8610. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Commerce Control List to Update and Clarify Crime Control License Requirements [Docket No.: 080721866-0167-02] (RIN: 0694-AE42) received July 14, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8611. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8612. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report on the use of the Category Rating System during calendar year 2009, pursuant to 5 U.S.C. 3319(d); to the Committee on Oversight and Government Reform.

8613. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-42; Item XII; Docket 2010-0078; Sequence 2] received July 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8614. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Reedville July 4th Celebration, Cockrell's Creek, Reedville, VA [Docket No.: USCG-2010-0293] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8615. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Shore Thing & Independance Day Fireworks, Chesapeake Bay, Norfolk, VA [Docket No.: USCG-2010-0294] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8616. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fourth of July Fireworks Event, Pagan River, Smithfield, VA [Docket No.: USCG-2010-0454] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8617. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mackinac Island 4th of July Fireworks, Lake Huron, Mackinac Island, MI [Docket NO.: USCG-2010-0497] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8618. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Festivals & Fireworks Celebration, East Moran Bay, Lake Huron, St. Ignace, MI [Docket No.: USCG-2010-0452] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8619. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sault Saint Marie 4th of July Fireworks, St. Mary's River, Sault Saint Marie, MI [Docket No. USCG-2010-0543] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8620. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Stockton Ports Baseball Club/City of Stockton, 4th of July Fireworks Display, Stockton, CA [Docket No.: USCG-2010-0369] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8621. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Jameson Beach 4th of July Fireworks Display [Docket No.: USCG-2010-0378] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8622. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Swim Across the Sound, Long Island Sound, Port Jefferson, NY to Captain's Cove Seaport, Bridgeport, CT [Docket No.: USCG-2009-0395] (RIN: 1625-AA08) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8623. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tacoma Freedom Fair Air Show, Commencement Bay, Tacoma, Washington [Docket No.: USCG-2010-0495] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8624. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Delta Independence Day Foundation Celebration, Mandeville Island, CA [Docket No.: USCG-2010-0364] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8625. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Private Fireworks, Wilson Creek, Gloucester, VA [Docket No.: USCG-2010-0257] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8626. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; City of Chicago's July 4th Celebration Fireworks, Lake Michigan, Chicago, IL [Docket No.: USCG-2010-0249] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8627. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Pittsburg Independence Day Celebration, Pittsburg, CA [Docket No.: USCG-2010-0366] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8628. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual Firework Displays within the Captain of the Port, Puget Sound Area of Responsibility [Docket No.: USCG-2010-0063] (RIN: 1625-AA00) recieved July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8629. A letter from the Attorney, Department of Homeland Security, transmitting

the Department's final rule — Safety Zone; Michigan Orthopaedic Society 50th Anniversary Fireworks, Lake Huron, Mackinac Island, MI [Docket No.: USCG-2010-0436] (RIN: 1625-AA00) received July 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8630. A letter from the Secretary, Federal Trade Commission, transmitting the ninth annual report pursuant to the College Scholarship Fraud Prevention Act of 2000; jointly to the Committees on Education and Labor and the Judiciary.

8631. A letter from the Inspector General, Department of Health and Human Services, transmitting a report entitled ''Review of Medicare Contractor Information Security Program Evaluations for Fiscal Year 2007''; jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 4692. A bill to require the President to prepare a quadrennial National Manufacturing Strategy, and for other purposes; with an amendment (Rept. 111–574, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 3534. A bill to provide greater efficiencies, transparency, returns, and accountability in the administration of Federal mineral and energy resources by consolidating administration of various Federal energy minerals management and leasing programs into one entity to be known as the Office of Federal Energy and Minerals Leasing of the Department of the Interior, and for other purposes; with an amendment (Rept. 111–575, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 5781. A bill to authorize the programs of the National Aeronautics and Space Administration, and for other purposes; with an amendment (Rept. 111–576). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 1568. Resolution providing for consideration of the bill (H.R. 5893) to amend the Internal Revenue Code of 1986 to create jobs through increased investment in infrastructure, to eliminate loopholes which encourage companies to move operations offshore, and for other purposes (Rept. 111–577). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 1569. Resolution providing for consideration of the bill (H.R. 5850) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. 111–578). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the Committee on Agriculture discharged from further consideration. H.R. 3534 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII the Committee on the Budget discharged from further consideration. H.R. 4692 referred to the committee of the Whole House on the State of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DOGGETT (for himself, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Mr. MCDERMOTT, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 5890. A bill to amend the Internal Revenue Code of 1986 and title XIX of the Social Security Act to reform the provision of long-term care insurance; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LINDER:

H.R. 5891. A bill to direct the Bureau of the Census to publish improved annual measures of family income for use in more accurately determining the extent of poverty in the United States and the anti-poverty effectiveness of means-tested benefit and tax programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 5892. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LEVIN (for himself, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BECERRA, Mr. PASCRELL, Mr. CROWLEY, Ms. BERKLEY, Mr. MEEK of Florida, Mr. DAVIS of Illinois, Mr. ETHERIDGE, Mr. HIGGINS, Mr. GARAMENDI, Mrs. DAHLKEMPER, Mr. KAGEN, Mr. PERRIELLO, Ms. KILROY, Mr. MCMAHON, Mr. KISSELL, and Mr. CARNEY):

H.R. 5893. A bill to amend the Internal Revenue Code of 1986 to create jobs through increased investment in infrastructure, to eliminate loopholes which encourage companies to move operations offshore, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself, Ms. BERKLEY, Mrs. CAPPS, Ms. CLARKE, Mr. CONYERS, Mr. GRIJALVA, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MATSUI, Ms. MOORE of Wisconsin, Ms. NORTON, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, and Ms. WOOLSEY):

H.R. 5894. A bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students; to the Committee on Education and Labor.

By Ms. WATERS (for herself, Mr. CONYERS, and Mr. JACKSON of Illinois):

H.R. 5895. A bill to limit the effect of legal releases in certain civil actions, and for other purposes; to the Committee on the Judiciary.

By Mr. MINNICK (for himself and Mr. SIMPSON):

H.R. 5896. A bill to authorize an additional district judgeship for the district of Idaho; to the Committee on the Judiciary.

By Mr. OBERSTAR (for himself, Ms. NORTON, Mr. RAHALL, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. BISHOP of New York, Mr. CARNAHAN, Ms. HIRONO, Mr. ARCURI, Mr. KAGEN, Ms. RICHARDSON, Mr. HARE, and Mr. JOHNSON of Georgia):

H.R. 5897. A bill to reauthorize and improve programs and activities carried out under the Public Works and Economic Development Act of 1965, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER:

H.R. 5898. A bill to amend the Buy American Act to require each department or independent establishment to conduct an annual audit of its contracts for compliance with such Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. NUNES (for himself, Mr. RYAN of Wisconsin, Mr. SHIMKUS, Mr. BISHOP of Utah, and Mr. SIMPSON):

H.R. 5899. A bill to expand domestic fossil fuel production, develop more nuclear power, and expand renewable electricity; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Ways and Means, Oversight and Government Reform, Armed Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself, Mr. LEVIN, Mr. MICA, Mr. COSTELLO, and Mr. PETRI):

H.R. 5900. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend airport improvement program project grant authority and to improve airline safety, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY:

H.R. 5901. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investment in United States real property interests, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Ms. BALDWIN, Mr. BRALEY of Iowa, Mr. DELAHUNT, Ms. DELAURO, Ms. EDWARDS of Maryland,

Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. GRIJALVA, Mr. HARE, Mr. HASTINGS of Florida, Mr. HONDA, Ms. KAPTUR, Mr. LANGEVIN, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mr. MCDERMOTT, Mr. MICHAUD, Ms. PINGREE of Maine, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SIRES, Ms. SUTTON, Mr. THOMPSON of California, Ms. WOOLSEY, and Mr. WU):

H.R. 5902. A bill to amend the Fair Labor Standards Act with regard to certain exemptions under that Act for direct care workers and to improve the systems for the collection and reporting of data relating to the direct care workforce, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CULBERSON:

H.R. 5903. A bill to restore State sovereignty, and to dedicate excess grant funds to deficit reduction; to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUTTERFIELD (for himself, Mr. ETHERIDGE, Mr. JONES, Mr. MCHENRY, Mr. PRICE of North Carolina, Ms. FOXX, Mr. KISSELL, Mr. MILLER of North Carolina, Mr. WATT, Mr. SHULER, Mr. COBLE, Mr. MCINTYRE, and Mrs. MYRICK):

H.R. 5904. A bill to designate the facility of the United States Postal Service located at 204 South Main Street in Seaboard, North Carolina, as the ''Louise Lassiter Post Office''; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia:

H.R. 5905. A bill to amend the Internal Revenue Code of 1986 to deny a deduction for removal costs and damages for which taxpayers are liable under the Oil Pollution Act of 1990; to the Committee on Ways and Means.

By Mr. GOHMERT (for himself, Mr. PENCE, Mrs. LUMMIS, Mr. CONAWAY, Mr. COFFMAN of Colorado, Mr. FRANKS of Arizona, Mr. POSEY, Mr. BARTLETT, and Mr. SHADEGG):

H.R. 5906. A bill to prohibit the expenditure of funds for the construction or lease of buildings or space in the District of Columbia for the United States Government until January 1, 2012; to the Committee on Transportation and Infrastructure.

By Ms. HARMAN (for herself and Mr. SHIMKUS):

H.R. 5907. A bill to require the National Telecommunications and Information Administration to conduct a competition to award grants for the development of nonstationary radio over Internet protocol devices that support mission-critical broadband voice and data communications of public safety personnel, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KINGSTON:

H.R. 5908. A bill to authorize the Secretary of the Interior to conduct a special resource study of Point Peter in St. Marys, Georgia, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY:

H.R. 5909. A bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Administrator of the United States Fire Administration to provide assistance to firefighting task forces, and for other purposes; to the Committee on Science and Technology.

By Mrs. LOWEY:

H.R. 5910. A bill to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to issue rules that designate no-fly zones in the vicinity of certain nuclear power plants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MARKEY of Colorado:

H.R. 5911. A bill to modify the boundary of Rocky Mountain National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. ORTIZ:

H.R. 5912. A bill to designate the facility of the United States Postal Service located at 313 East Main Street in Robstown, Texas, as the ''Lieutenant Juan G. Carrion Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. PAULSEN (for himself and Mr. LANGEVIN):

H.R. 5913. A bill to establish a pilot program for law enforcement agencies to use anonymous texts from citizens to augment their anonymous tip hotlines; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 5914. A bill to repeal the requirements under the United States Housing Act of 1937 for residents of public housing to engage in community service and to complete economic self-sufficiency programs; to the Committee on Financial Services.

By Mr. ROONEY (for himself, Mr. PAUL, Ms. ROS-LEHTINEN, and Mr. LINCOLN DIAZ-BALART of Florida):

H.R. 5915. A bill to amend the Internal Revenue Code of 1986 to create Catastrophe Savings Accounts; to the Committee on Ways and Means.

By Mr. SALAZAR (for himself, Mr. SIMPSON, Mr. REHBERG, and Ms. MARKEY of Colorado):

H.R. 5916. A bill to establish a methamphetamine prevention campaign grant program; to the Committee on Energy and Commerce.

By Mr. FRANKS of Arizona:

H. Con. Res. 306. Concurrent resolution authorizing the use of the rotunda of the Capitol for the photo exhibition ''Being Untouchable'' and a ceremony in honor of the exhibition; to the Committee on House Administration.

By Mr. HALL of Texas (for himself and Mr. COFFMAN of Colorado):

H. Res. 1565. A resolution expressing support for the designation of the third Thursday of April as ''Rachel's Challenge: A Day of Kindness and Compassion'' in honor of the triumph and hope stemming from the life of Rachel Scott and in memoriam of the Columbine High School tragedy; to the Committee on Education and Labor.

By Mr. LEWIS of Georgia (for himself and Mr. COHEN):

H. Res. 1566. A resolution recognizing the 50th anniversary of the Student Nonviolent Coordinating Committee (SNCC) and the pioneering of college students whose determination and nonviolent resistance led to the desegregation of lunch counters and places of public accommodation over a 5-year period; to the Committee on the Judiciary.

By Mr. HONDA (for himself, Mr. FILNER, Mr. FALEOMAVAEGA, Ms. KILPATRICK of Michigan, Mr. COHEN, Mr. ISRAEL, and Mr. TEAGUE):

H. Res. 1567. A resolution welcoming and commending the Government of Japan for extending an official apology to all United States former prisoners of war from the Pacific War and moving forward in planning to invite surviving members to Japan; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

355. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Resolution No. 51 decrying the atrocities taking place in Darfur; to the Committee on Foreign Affairs.

356. Also, a memorial of the Senate of the Commonwealth of the Northern Mariana Islands, relative to Senate Resolution No. 17-20 requesting that the Congress grant the Northern Mariana Islands full voting rights in the U.S. House of Representatives on matters affecting the Northern Mariana Islands; to the Committee on the Judiciary.

357. Also, a memorial of the House of Representatives of the State of New Hampshire, relative to House Concurrent Resolution 28 rescinding any and all requests by the New Hampshire legislature for a federal constitutional convention; to the Committee on the Judiciary.

358. Also, a memorial of the House of Representatives of the State of New Hampshire, relative to House Joint Resolution 20 urging the Congress to maintain the crime victims fund; to the Committee on the Judiciary.

359. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 166 calling to task the Obama Administration for its failed leadership on preventing Asian Carp from invading the Great Lakes; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. TONKO, Mr. QUIGLEY, and Ms. WASSERMAN SCHULTZ.

H.R. 205: Mr. SHUSTER.

H.R. 333: Mr. SPACE.

H.R. 413: Mr. STARK and Mr. ORTIZ.

H.R. 442: Mr. KINGSTON.

H.R. 571: Ms. ESHOO.

H.R. 745: Mr. DEUTCH.

H.R. 775: Mr. ENGEL.

H.R. 1021: Mr. HODES.

H.R. 1124: Mr. SIRES, Ms. RICHARDSON, and Ms. WATERS.

H.R. 1230: Mr. HOLDEN.

H.R. 1324: Mr. GARAMENDI.

H.R. 1337: Mr. PALLONE.

H.R. 1347: Mr. LOEBSACK.

H.R. 1507: Ms. NORTON and Mr. PALLONE.

H.R. 1547: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 1549: Mr. OBEY and Mr. MCDERMOTT.

H.R. 1712: Mr. CARTER.

H.R. 1765: Mr. HILL.

H.R. 1806: Mr. THOMPSON of California and Mr. CRITZ.

H.R. 1895: Ms. SPEIER.

H.R. 1929: Mr. JONES.

H.R. 1990: Mr. HINCHEY.

H.R. 2000: Mr. LAMBORN, Mr. BUTTERFIELD, Mr. DOYLE, Ms. MARKEY of Colorado, Mr. SCHIFF, Mr. THOMPSON of Mississippi, Ms. VELÁZQUEZ, Mr. WEINER, Mr. HOYER, and Mr. MCINTYRE.

H.R. 2016: Mr. DEUTCH.

H.R. 2112: Mr. EHLERS.

H.R. 2267: Mr. CAMPBELL.

H.R. 2296: Mr. LOBIONDO.

H.R. 2378: Mr. GEORGE MILLER of California.

H.R. 2598: Mr. MEEKS of New York.

H.R. 2648: Mr. WU.

H.R. 2811: Ms. CASTOR of Florida.

H.R. 3186: Mr. TONKO.

H.R. 3199: Mr. MCNERNEY.
H.R. 3408: Mr. CRITZ.
H.R. 3412: Mr. TIBERI.
H.R. 3710: Mr. HONDA, Ms. MATSUI, Mr. HALL of New York, and Mr. DEUTCH.
H.R. 3716: Mr. HILL, Mr. SPACE, and Mr. BRALEY of Iowa.
H.R. 3742: Mr. LYNCH and Mr. DELAHUNT.
H.R. 3786: Ms. SHEA-PORTER and Mr. STUPAK.
H.R. 3787: Mr. MILLER of Florida.
H.R. 3839: Mr. RUPPERSBERGER.
H.R. 4116: Mr. LOEBSACK and Mr. HEINRICH.
H.R. 4149: Mr. DEUTCH.
H.R. 4223: Ms. FUDGE.
H.R. 4278: Mr. CANTOR.
H.R. 4306: Mr. GARY G. MILLER of California and Mr. DUNCAN.
H.R. 4383: Mr. HEINRICH.
H.R. 4420: Ms. TSONGAS.
H.R. 4509: Mr. PRICE of North Carolina.
H.R. 4530: Mr. LYNCH and Ms. SCHWARTZ.
H.R. 4554: Mr. CLAY and Mr. DAVIS of Illinois.
H.R. 4689: Ms. HERSETH SANDLIN and Mr. KLEIN of Florida.
H.R. 4693: Mr. REYES and Mr. BRALEY of Iowa.
H.R. 4698: Mr. LOBIONDO.
H.R. 4756: Mr. THOMPSON of Mississippi, Mr. SCOTT of Georgia, Mr. CARSON of Indiana, Mr. ELLISON, Mr. FATTAH, Mr. WATT, Mr. CLAY, Mr. DAVIS of Illinois, Mr. RUSH, and Ms. MOORE of Wisconsin.
H.R. 4785: Mr. SCHOCK.
H.R. 4788: Mrs. LOWEY, Mr. RYAN of Ohio, and Mr. MILLER of North Carolina.
H.R. 4923: Ms. ZOE LOFGREN of California.
H.R. 4951: Mr. WITTMAN.
H.R. 4959: Mrs. CAPPS, Mr. LOBIONDO, and Mr. PLATTS.
H.R. 4960: Mr. BLUNT.
H.R. 4986: Mr. ROHRABACHER, Mr. WAMP, and Mr. CAO.
H.R. 4993: Mr. BOUCHER and Mr. DELAHUNT.
H.R. 5001: Mr. MURPHY of New York and Mr. GRIJALVA.
H.R. 5008: Mrs. DAHLKEMPER.
H.R. 5034: Mr. SESSIONS.
H.R. 5037: Mr. HODES.
H.R. 5040: Mr. HOLT.
H.R. 5041: Mr. DEUTCH.
H.R. 5044: Mr. CONNOLLY of Virginia and Ms. MCCOLLUM.
H.R. 5081: Mr. MCNERNEY and Mr. THORNBERRY.
H.R. 5107: Mr. ORTIZ and Mr. STARK.
H.R. 5111: Mr. BARTON of Texas and Mr. AUSTRIA.
H.R. 5137: Mr. WOLF, Mr. BILIRAKIS, and Mr. DEUTCH.
H.R. 5156: Mr. KLEIN of Florida and Mr. DEUTCH.
H.R. 5240: Ms. CHU and Mr. CLAY.
H.R. 5244: Mr. PRICE of North Carolina.
H.R. 5291: Mrs. DAHLKEMPER.
H.R. 5363: Mrs. DAHLKEMPER.
H.R. 5374: Mr. ALEXANDER.
H.R. 5380: Mr. SABLAN.
H.R. 5434: Mr. ELLISON, Mr. GRIFFITH, Ms. CASTOR of Florida, Mrs. HALVORSON, Mr. SARBANES, Ms. SUTTON, Mr. PETERS, and Ms. MCCOLLUM.
H.R. 5454: Mr. BOSWELL, and Mr. HEINRICH.
H.R. 5456: Mr. RYAN of Ohio.
H.R. 5504: Ms. SLAUGHTER, Mr. ELLISON, and Mr. HEINRICH.
H.R. 5527: Mr. BRALEY of Iowa.
H.R. 5533: Mr. ALEXANDER, and Mr. MICHAUD.
H.R. 5539: Mr. SMITH of Nebraska.
H.R. 5554: Mrs. CAPITO.
H.R. 5575: Mr. ELLISON.
H.R. 5597: Mr. RUPPERSBERGER, Mr. KIND, Ms. TITUS, Mr. DEUTCH, Mr. PAUL, Ms. FUDGE, and Mr. THOMPSON of Mississippi.
H.R. 5599: Mr. ISRAEL, and Mr. BOUSTANY.
H.R. 5612: Mr. WU.
H.R. 5631: Mr. DEUTCH.
H.R. 5637: Ms. SHEA-PORTER.
H.R. 5643: Mr. FILNER, and Mr. SCHRADER.
H.R. 5663: Ms. BERKLEY, Mr. LARSEN of Washington, Ms. MCCOLLUM, and Mr. JACKSON of Illinois.
H.R. 5677: Mr. PUTNAM.
H.R. 5688: Mr. GUTIERREZ.
H.R. 5729: Mr. LAMBORN and Mr. RUPPERSBERGER.
H.R. 5769: Mr. BRIGHT and Mr. MCINTYRE.
H.R. 5778: Mr. SCHOCK, Mr. BLUNT, Mr. HILL, and Mr. SULLIVAN.
H.R. 5806: Mr. GRIJALVA and Mr. BACA.
H.R. 5817: Ms. DELAURO.
H.R. 5842: Mr. PITTS, Mr. PENCE, Mr. LATTA, Mr. BARTLETT, Mr. PRICE of Georgia, Mr. BROWN of South Carolina, Mr. GINGREY of Georgia, Mr. LAMBORN, Mr. ROONEY, Mr. FRANKS of Arizona, Mr. OLSON, and Mr. NEUGEBAUER.
H.R. 5853: Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. ROGERS of Alabama, Mr. BROUN of Georgia, Mr. AKIN, Mr. GRIFFITH, Mr. POSEY, and Mr. GARY G. MILLER of California.
H.R. 5860: Mr. NEUGEBAUER.
H.R. 5874: Mr. MORAN of Virginia and Mr. CONYERS.
H.R. 5875: Mr. EDWARDS of Texas and Mr. HINOJOSA.
H.R. 5876: Mrs. MCCARTHY of New York.
H.R. 5877: Mr. OLVER, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Ms. TSONGAS, Mr. TIERNEY, Mr. MARKEY of Massachusetts, Mr. LYNCH, and Mr. DELAHUNT.
H.R. 5882: Mr. JORDAN of Ohio, Mr. BARTLETT, Mr. LATTA, Mr. PITTS, Mr. GOHMERT, Mr. HALL of Texas, Mr. LAMBORN, Mr. GARRETT of New Jersey, Mr. BROWN of South Carolina, Mr. ISSA, and Mr. BRADY of Texas.
H. J. Res. 42: Mr. GRAVES of Georgia.
H. J. Res. 94: Mr. GENE GREEN of Texas, Mr. SABLAN, Mr. DELAHUNT, Mr. WITTMAN, Mr. ROSS, Mr. SCOTT of Georgia, Mr. MEEKS of New York, and Mr. SIRES.
H. Con. Res. 274: Mr. BOUCHER and Mr. WALDEN.
H. Con. Res. 291: Mr. SNYDER.
H. Con. Res. 298: Mr. STARK.
H. Res. 111: Mr. TURNER, Mr. RYAN of Wisconsin, and Mr. STUPAK.
H. Res. 771: Mr. KLEIN of Florida.
H. Res. 1191: Mr. TIBERI.
H. Res. 1217: Mr. MCMAHON.
H. Res. 1226: Mr. MILLER of Florida.
H. Res. 1319: Mr. COURTNEY.
H. Res. 1326: Mr. WILSON of South Carolina.
H. Res. 1445: Ms. SHEA-PORTER.
H. Res. 1449: Mr. GARRETT of New Jersey, Mr. LAMBORN, Mr. BILBRAY, Mr. GOHMERT, Mr. HALL of Texas, Mr. FRANKS of Arizona, Mr. KLINE of Minnesota, Mr. SHADEGG, Mr. PITTS, Mr. HENSARLING, Mr. LATTA, Mr. BRADY of Texas, Mr. BARTLETT, Mr. ISSA, Mrs. BACHMANN, Mr. SCHOCK, and Mr. WHITFIELD.
H. Res. 1476: Mr. HODES, Ms. PINGREE of Maine, Ms. MOORE of Wisconsin, Mr. LARSEN of Washington, and Mr. SHERMAN.
H. Res. 1485: Mr. MCCAUL, Mr. LAMBORN, Mr. HEINRICH, Mr. DAVIS of Illinois, Mr. SNYDER, Mr. PITTS, and Mr. LOEBSACK.
H. Res. 1518: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 1519: Mr. BAIRD.
H. Res. 1522: Mr. GRIFFITH, Mr. TERRY, Mr. DONNELLY of Indiana, Mr. CARNAHAN, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MOORE of Kansas, Mr. SCHOCK, Ms. KOSMAS, Mr. CONNOLLY of Virginia, Ms. LEE of California, Mr. LATOURETTE, Ms. KILPATRICK of Michigan, Mr. COBLE, Mr. YOUNG of Florida, Ms. SHEA-PORTER, Ms. BORDALLO, Mr. BLUNT, Mr. VAN HOLLEN, and Mr. TONKO.
H. Res. 1524: Mr. REYES, Ms. LINDA T. SÁNCHEZ of California, Mr. SABLAN, Mr. SERRANO, Mr. GONZALEZ, Mr. ORTIZ, Mrs. DAVIS of California, Ms. JACKSON LEE of Texas, Mr. STARK, Ms. SUTTON, Mr. POLIS, Ms. RICHARDSON, Mr. RANGEL, Ms. MOORE of Wisconsin, Ms. HIRONO, Mr. JOHNSON of Georgia, Ms. HARMAN, Ms. MATSUI, Ms. WOOLSEY, Mr. LEWIS of Georgia, Mr. HONDA, Mrs. CAPPS, Mr. FILNER, Ms. ZOE LOFGREN of California, and Mrs. NAPOLITANO.
H. Res. 1527: Mr. DENT, Mr. BACA, and Mr. PASTOR of Arizona.
H. Res. 1532: Mr. SHULER and Mr. MORAN of Kansas.
H. Res. 1534: Mrs. MYRICK, Ms. GINNY BROWN-WAITE of Florida, Mr. BARTLETT, Mr. BROWN of South Carolina, and Mr. FRANKS of Arizona.
H. Res. 1546: Mr. MCNERNEY and Mr. HOLT.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative GEORGE MILLER of California, or a designee, to H.R. 5851, the Offshore Oil and Gas Worker Whistleblower Protection Act of 2010, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SPRATT

The provisions that warranted a referral to the Committee on the Budget, in H.R. 5893, the Investing in American Jobs and Closing Tax Loopholes Act of 2010, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. LEVIN

The provisions that warranted a referral to the Committee on Ways and Means, in H.R. 5893, the Investing in American Jobs and Closing Tax Loopholes Act of 2010, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 1548: Mr. SABLAN.