United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, WEDNESDAY, MARCH 30, 2011 No. 44

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 30, 2011.

I hereby appoint the Honorable ROBERT HURT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

HONORING DANIEL P. MULHOLLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. PRICE) for 5 minutes.

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor the distinguished career of a man who has been an institution within an institution: Daniel P. Mulhollan, the director of our Congressional Research Service, who will retire next month after more than 17 years at the helm of CRS and nearly 42 years of service to the Congress overall.

To say that Dan is an institution around here is really an understatement. In many ways, he has personified the growth of CRS from a relatively small division of the Library of Congress into the world-class source of objective and authoritative research and analysis that it is today.

Dan first joined what was then the Legislative Reference Service as an analyst in American national government in September of 1969, fresh out of his doctoral training at Georgetown. At the time, just two of the 435 Members currently serving in this House had been elected to Congress—and a fair number serving here hadn't even been born yet!

For the next 25 years, Dan steadily acquired seniority and respect within the Government Division of CRS, excelling as both an analyst and a division chief. When the Librarian of Congress, Dr. James Billington, conducted a strategic review of the Library's priorities in the early 1990s, Dan was tapped to help ensure that the Library's services were as relevant as possible to the Members, committees, and staff that it exists to serve. This assignment led him to assume the role of Acting Deputy Librarian of Congress, and when CRS found itself in search of a new director a few years later, Dan was a natural fit.

As director, Dan has continued to exemplify both the analytical depth that is at the core of his organization's mission and the strategic vision needed to bring CRS into the 21st century. He expanded the service's ability to bring interdisciplinary scholarship to bear on complex issues of policy, recruiting scientists and engineers to work alongside policy analysts and attorneys. He developed a personnel succession plan to ensure that CRS will continue to be able to recruit topnotch talent as older analysts retire.

Mr. DREIER. Will the gentleman yield?

Mr. PRICE of North Carolina. I would be happy to yield to my friend from California, who I know has made a special effort, given his leadership duties, to join us on the floor.

Mr. DREIER. I would like to join the gentleman from North Carolina in extending our hearty congratulations to Dan Mulhollan for his extraordinary service to this institution and, in particular, for the work that he has done to ensure that the House Democracy Partnership has been able to succeed.

I want to thank my friend for taking out this very important time, and I thank him for yielding.

Mr. PRICE of North Carolina. I thank my friend and colleague Mr. DREIER, the chairman of the House Democracy Partnership, which I had the privilege to chair for the past four years.

Dan Mulhollan and the Congressional Research Service have indeed been critical partners in our efforts around the world in developing democracies to increase the capacity of their parliaments.

Mr. DREIER. We should say we have four of them here, in fact, this week.

Mr. PRICE of North Carolina. We have delegations from four parliaments in town this week for workshops on committee operations. They're from Pakistan, Indonesia, some members from Iraq——

Mr. DREIER. Lebanon.

Mr. PRICE of North Carolina. And from Lebanon. That's right.

There are four groups of parliamentarians here this week, and the CRS, as usual, is a full partner in putting on workshops for these members, workshops that will help them strengthen their operations back home. These exchanges are very useful to us as well.

As my colleague has stressed, the main reason for the two of us being here to offer this tribute today is because of the support Dan Mulhollan has offered over the years: first to the Frost-Solomon Task Force, the precursor of our present commission,

Printed on recycled paper.

which in the early 1990s worked in Central and Eastern Europe, offering technical assistance to the parliaments emerging from communist rule; and then for the last 6 years to the House Democracy Partnership.

So we are happy to join today in thanking Dan Mulhollan for all these years of work on behalf of the Congress and particularly for the kind of support that he has offered our international partnerships.

Dan knows a lot about Congress and has a profound respect for the institution. He has brought a particular sense of mission to the work of our commissions. As a political scientist, he recognizes how critical legislative research is to the growth of democracy, first in post-Communist Europe and now to all kinds of emerging democracies around the world.

I had the privilege of traveling last year with Dan to Warsaw to observe the 20th anniversary of that earlier task force's work. I can assure my colleagues he received a hero's welcome. His work has not gone unnoticed, and it is not going to go unnoticed by us either.

We want to salute Dan Mulhollan for his many, many years of distinguished service. We want to thank him for all that he has done, and we want to wish him well in his retirement and offer him our sincere gratitude and praise for a job well done.

HONORING THE EXTRAORDINARY LIFE OF EDGAR HAGOPIAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. MCCOTTER) for 5 minutes.

Mr. MCCOTTER. Mr. Speaker, today I rise to honor the extraordinary life of Edgar Hagopian and to mourn his passing at the age of 80.

Born on August 16, 1930, to Haroutun and Cariana Hagopian, Edgar dedicated his life to serving our community and our country. He was an exemplary citizen with an incredible work ethic who held an absolute love for his ancestral Armenia.

After graduating from Detroit's Cass Tech High School in 1948, Edgar studied at the University of Michigan and valiantly served in the United States Army during the Korean war. After being honorably discharged on December 7, 1954, Technical Sergeant Hagopian joined his father's business, where he had frequently worked since childhood.

Thus began a long and storied career, establishing himself not only as a successful entrepreneur but as an ardent advocate and activist for our community and Armenian causes.

Edgar served on the board of directors of the Armenian Assembly of America, the board of governors of the Michigan Design Center, the Detroit chapter of the Armenian General Benevolent Union, and the Michigan chapter of the Seeds of Peace. He was an associate in the Founders Society of the Detroit Institute of Arts, and was involved with the Armenian Library. Edgar also founded the Detroit chapter of the Armenian American Business Council.

Edgar was named ''Man of the Year'' by the Canadian Armenian Business Council in 1995. In 2002, he was inducted into the International Institute Heritage Hall of Fame, and Edgar was awarded the 2005 Ellis Island Medal of Honor. This prestigious award was created to honor ancestral groups who, through struggle, sacrifice, and success, helped build this great Nation.

Edgar Hagopian deeply loved his community, and his community loved him. Always mindful of his humble roots, Edgar always endeavored to better our world. He was a mentor to many and an avid patron of the arts. A pensive philanthropist, Edgar led Hagopian Companies to donate in excess of $70 million in goods and services to local charities.

Sadly, on March 27, 2011, Edgar passed from this earthly world to his eternal reward. He is survived by his beloved wife of 54 years, Sarah, and his children Suzanne, Edmond, and Angela. Yet Edgar's legacy will continue in the lives of his grandsons Alexander, Adam, and Nicholas. As he joins his brother Arthur in eternity, Edgar is also survived by sisters Mary and Ilene and his brother Steve.

Mr. Speaker, Edgar Hagopian will be long remembered as a compassionate father, a dedicated husband, a passionate champion of Armenian causes, a philanthropist, a community leader, and above all, as a friend. Edgar was a man who deeply treasured his family, friends, community, and his country.

Today, as we bid Edgar Hagopian farewell, I ask my colleagues to join me in mourning his passing and in honoring his unwavering patriotism and legendary service to our community and our country.

□ 1010

I would also ask us to reflect on what is perhaps the most poignant part of Edgar's legacy: We are not enriched by what we do for ourselves but by what we do for others within the short span of time God grants. Truly, Edgar Hagopian used the time he was given to leave us all better off; and now, in honor of him, let us return the favor to our fellow human beings.

THE FAIRNESS IN TAXATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY) for 5 minutes.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to address a grave threat to both our economy and our democracy, and that is the disappearing middle class.

Over the last 30 years, there has been a dramatic and deliberate transfer of wealth from the middle class to the very, very, very rich. Income inequality is now at the highest level since 1928. Wages have stagnated for middle and working class families despite enormous gains in productivity. Where has the money gone?

This chart shows the change in the average pre-tax household income from 1979 to 2005. The bottom 20 percent—that's that number way down in the corner—of households saw their incomes over those 30 years grow just $200. Over the same period, the top 0.1 percent saw income growth of nearly $6 million each year. The top 100th of 1 percent now makes an average of $27 million per household per year. The average income for the bottom 90 percent of Americans: $31,244.

Meanwhile, Republicans, who squandered a budget surplus, created a huge deficit with unpaid-for tax cuts that went mainly to the very rich, and whose policies allowed Wall Street recklessness to bring our economy to near collapse, are now demanding that the middle class foot the bill. Their solution to our fiscal mess is to gut vital programs like Social Security, Medicare, and Medicaid, and to make cuts in domestic spending that would cause an additional 700,000 middle class Americans to lose their jobs.

In the next chart, you can see some of the enormous cuts that they are proposing: $1.3 billion from community health centers, the only source of medical care for many families; $5.7 billion from Pell grants, reducing the size of the grant for 9.4 million students who want to go to college; and $1 billion in funding for high-speed rail, important infrastructure projects that will create good jobs—thousands and thousands of good jobs.

Once again, they are showing their utter disregard for the shrinking middle class and those who aspire to it by cutting important jobs programs and assistance programs for poor families.

Part two of the Republican program for addressing our economic problem, and every other problem, is to cut taxes even more for the rich. Enough is enough. It's time for millionaires and billionaires to pay their fair share. This isn't about punishment and it isn't about revenge. It is about fairness.

Currently, the top tax bracket starts at $375,000, failing to distinguish between the well-off and billionaires. I have introduced the Fairness in Taxation Act, which would create new tax brackets beginning at 45 percent for income over $1 million, rising to 49 percent for income of $1 billion a year or more; and, yes, there are people in our country who made $1 billion or more just last year. Historically, these rates are relatively modest. During most of the Reagan administration, the top tax rate was 50 percent; and in previous decades, the top tax rate was as high as 94 percent.

My bill would also address a fundamental inequality in our current law by taxing capital gains and dividends

at ordinary income rates in those brackets. Rich hedge fund managers should not be paying a lower tax rate than their secretaries because much of the income of the hedge fund manager is capital gains and dividends.

According to Citizens for Tax Justice, the Fairness in Taxation Act will raise more than $78.9 billion if enacted in 2011, allowing us to avoid the harsh cuts that will hurt the middle class. This is an idea that Americans support. In a recent poll, 81 percent of respondents supported placing a surtax on Federal income for those who make more than $1 million per year in order to reduce the deficit.

Passing the Fairness in Taxation Act will allow us to stop the war on the middle class, restore fiscal integrity and fairness, and fund initiatives that reflect our American values and goals.

RECOGNIZING GUS MACHADO FORD FOR RECEIVING THE FORD MOTOR COMPANY PRESIDENT'S AWARD

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate a constituent of my south Florida community, Gus Machado of Gus Machado Ford, for receiving the Ford Motor Company's President's Award. The President's Award is a prestigious honor and is awarded to less than 10 percent of all dealers nationwide. It recognizes Gus Machado Ford for exceeding customer expectations in every department.

Customer satisfaction is more important than ever during these tough economic times. Its loyal and supportive customer base has allowed Machado Ford to prosper where others have seen their markets shrink. Certainly, in the past year and a half, we have sadly witnessed many dealers close up shop, and it has been a very difficult period for car dealers nationwide; but Gus has not only survived but has flourished. I applaud Gus Machado Ford for making the interests of customers its number one priority.

To further recognize his contribution to our south Florida neighborhoods, two outstanding individuals, Remedios and Fausto Diaz-Oliver, will acknowledge the significant aid that Gus has provided to others with a community event this Sunday. Gus may be best known for his outstanding company, but his hand in helping those less fortunate in our south Florida area is admirable.

In 1985, Gus organized the first golf shootout at the Doral Golf Resort. With all proceeds going to the American Cancer Society, the charity event was so successful that his shootout has become an annual event.

Along with his golf event, Gus is also founder of two additional charity events. He is the founder of the first PGA Tour Senior Golf Classic in Miami at Key Biscayne, which donates to the American Cancer Society and to the United Way. He is also the founder of the Gus Machado Classic Charity Golf Tournament, which has raised over half a million dollars for cancer research.

In 2008, to better serve the community through his charitable contributions, he created the Gus Machado Family Foundation. Every year, the foundation celebrates the Gus Machado Community and Back to School Fair on the grounds of his car dealership. The event provides hundreds of children with backpacks full of school supplies. Along with the generous donations of school materials that the foundation supplies to our children, it also offers immunizations and ID cards for kids in conjunction with different State and local government agencies during the back-to-school community fair.

As a contributor to over 30 charitable organizations, few in our community have impacted south Florida as much as Gus has. Again, congratulations to Gus Machado for his recent commendation and for his leadership to our community.

RETIREMENT OF ERVIN HIGGS

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to honor Ervin Higgs on his well-deserved retirement after 46 years of public service in the Florida Keys. Ervin's long and distinguished career was marked by a solid 35 years as property appraiser of Monroe County, otherwise known as the Keys. In his service to the Keys, Ervin has borne witness to the unique and profound changes that have taken place in our Keys community. His commitment to excellence has truly allowed him to shape the lives of countless Conchs.

It is sad to see such a fine and dedicated public servant retiring, but those who follow in his footsteps will truly have much to establish. There are few greater rewards than the satisfaction of serving one's community, and I thank Ervin so very much for having embraced this most noble of endeavors with such high principles.

Congratulations to Ervin on his retirement, and I wish him all the best on this new chapter of his life.

□ 1020

LIBYA: THERE SHOULD HAVE BEEN A VOTE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, a little over a week ago, the executive branch launched U.S. military force against yet another Middle Eastern country. This time it is oil-rich Libya. U.S. naval and air forces attacked Libyan military installations across that country, wiping out air defenses, intelligence systems, tanks, and also apparently is now targeting that nation's ground forces.

Under what policy is the executive branch operating without a vote of Congress in expending millions of defense dollars and State dollars on offensive action taken inside a nation that did nothing provocative toward the United States. In fact, last year, Libya was even a recipient of U.S. foreign aid. The President's justification for this action was that it was not an act of war but, rather, a humanitarian mission to prevent a catastrophe that would have resulted from Libya's military forces under the command of Libyan President Muammar Qadhafi from taking the civilian center of Benghazi.

Our President says he did not act alone, as French, British, Canadian, and other Western NATO members participated in these attacks. The President informed Congress that future operations will be handled by NATO. Well, who exactly decided all of this? Not Congress. If this is not an act of war, as F–16s fly over and bomb and U.S. naval forces shell, what is it?

The President has further said he authorized this military action to enforce U.N. Security Council Resolution 1973; yet on that resolution, many nations who normally are U.S. allies abstained from the vote, such as India, Brazil, and Germany.

The President said he sought the permission of the Arab League before taking action. But in fact it was 3 days into the bombing when the press reported the Arab League said it had ''no objection'' to the bombing. So where in these operations have been the Arab League's planes and soldiers? And I might ask, where is the African Union's engagement? Why are they silent?

It appears the administration consulted key allies from oil-dependent Europe, like the French, who dropped the first bombs, and the British. But the President didn't bother to ask Congress. We live in very strange and dangerous times. The administration says it made a couple of phone calls to Members of Congress serving in the leadership. Well, who exactly were they? And then the administration set up an after-the-fact briefing for Members of Congress in the Capitol Visitor Center. None of these gestures meet the spirit or letter of the law under our Constitution relating to military engagement abroad.

Yes, protest movements seem to be springing up across Africa and the Middle East, and we witness some Libyan rebels—though we really don't know exactly who they are or who is funding them—take to the streets to demand reform and an end to the Qadhafi government's grip on power. But we also see troops very loyal to the Qadhafi regime who are fighting to maintain that regime.

So why is America taking a military role in an internal civil conflict without a vote of Congress on behalf of the American people whose sons and daughters are engaged in these operations? Should we not be clear and vote

on whom it is we are supporting, for how long, and through what legal means?

I and the entire world watched with horror the news reports of Qadhafi's troops attacking civilians, including shutting off food, water, and fuel, shelling cities and towns, and targeting innocent people for killing. Those responsible for these crimes must face justice for what they have done. But please tell me, where across that region do we not have dictators in charge of nations? Is America to intervene everywhere there is an uprising?

Libya is certainly not the only African country facing a humanitarian crisis. We have all but ignored the situation in Côte d'Ivoire which has already displaced approximately 500,000 people, with triple the population of Libya. The crisis in Côte d'Ivoire would dwarf the violence in Libya. Would the President's logic extend there? Or what about the Congo? Or Sudan? Is it America's new 21st century Monroe Doctrine to now intervene militarily under the guise of humanitarian aid wherever a President chooses?

The crisis in Libya was several weeks old when the President chose to take action. Surely there was time to seek congressional approval. I am highly concerned that this military intervention took the familiar pattern of launching attacks just when Congress left town to go back to our districts for a week, thus silencing our voices in Congress even more as this floor was shut down. How premeditated and how irresponsible I believe the current course of events to be.

I have sent an official letter to the Obama administration asking under what U.S. legal authority U.S. forces have been engaging in Libya. As a member of the Defense Subcommittee, I fully expect a matter of this nature would have been brought up before us. It never was.

Moreover, what have the operations cost to date? And from which accounts are funds being taken? The Department of Defense claims it cannot create a civil works employment program to employ our returning U.S. Iraqi and Afghani veterans when they come home here, yet it finds money for this excursion.

Mr. Speaker, there should have been a vote on the use of force outside our borders, not a notice after the fact. Anyone who is following the news has seen the reports of protest and unrest in multiple nations. Mr. Speaker, on the operations in Libya, there should have been a vote here.

Does this Administration, like the last one, believe that it has the authority to take military action wherever it chooses in the Middle East? Could the President's same rationale extend to Yemen? Or Lebanon? What about Syria? How would the Administration respond to a similar situation in Iran? Or Pakistan? The list goes on.

The simultaneous commitment of U.S. military force in multiple countries is a serious matter. And the Administration needs to be rebuked for its failure to appropriately engage Congress.

Not only is Congress a co-equal branch. Congress and Congress alone has the Constitutional authority to commit the Republic in such matters. F–16's, Harpoon missiles, Apache helicopters, are all weapons of war not humanitarian assistance. And who exactly are the rebels we are favoring in this Libya incursion, and where is their funding and weapons coming from? Which interests do they represent? Mr. Speaker, on the operations in Libya, there should have been a vote here.

GETTING OUT OF AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, a couple of weeks ago, we had the opportunity to vote to bring our troops home from Afghanistan. It was Mr. KUCINICH's resolution that many of us hoped that my party would have joined. We only had eight Republicans vote to bring our troops home this year from Afghanistan.

Mr. Speaker, what is so ironic, we sit on this floor and we debate cutting the budget, doing this and that, and yet we are supporting a corrupt leader named Karzai in Afghanistan.

In fact, I want to share with the people that a former Marine general is my confidential adviser. I don't have permission to use his name. I could, I guess, but I don't have his permission. This is what he said in a recent email to me:

''What do we say to the mother and father, the wife, of the last soldier or marine killed to support a corrupt government and corrupt leader in a war that can't be won?''

Let me share with you, Mr. Speaker, a couple of comments from the leader of Afghanistan, President Karzai, on March 12, 2011, in The New York Times:

''I request that NATO and America should stop these operations on our soil,'' he said. ''This war is not on our soil. If this war is against terror, then this war is not here'' because there is no terrorism here on our soil.

Karzai further stated, on December 8, 2010, in a meeting with Petraeus and Eikenberry, that he now has three main enemies: the Taliban, the United States, and the international community. He said, ''If I had to choose sides today, I'd choose the Taliban.''

This is the leader of a country where our young men and women are going and getting killed and losing their legs and their arms. It makes no sense, Mr. Speaker.

According to a Washington Post/ABC News poll on March 15 of this year, 73 percent of Americans no longer think the war in Afghanistan is worth fighting. Mr. Speaker, 73 percent of the American people say the war in Afghanistan is not worth fighting.

I was very disappointed when Secretary Gates recently spoke to the Armed Services Committee, which I serve on, and I would like to read his quote because we are going to be there until about 2014 or 2015 unless this Congress demands that we start bringing our troops home. This is his quote:

''That is why we believe that, beginning in fiscal year 2015, the U.S. can, with minimal risk, begin reducing Army active duty end strength by 27,000 and the Marine Corps by somewhere between 15,000 and 20,000. These projections assume that the number of troops in Afghanistan would be significantly reduced by the end of 2014, in accordance with the President's strategy.''

Mr. Speaker, we are going to be there until 2014 or maybe even 2015.

I also would like to show this poster. This was in the Greensboro, North Carolina, paper called the News & Record on February 27, 2011. There's a flag-draped coffin coming off a plane, Mr. Speaker, and the paper in Mr. HOWARD COBLE's district said, ''Get out.'' Get out of Afghanistan before it's too late. And it's a black hole with no end to it.

In closing, Mr. Speaker, I would like to read from a letter from a marine down in my district, Camp Lejeune in Jacksonville, North Carolina. He served 31 years and retired as a colonel in the United States Marine Corps.

''I urge you to make contact with all of the current and newly elected men and women to Congress and ask them to end this war and bring our young men and women home. If any of my comments will assist in this effort, you are welcome to use them and my name,'' Dennis G. Adams, Lieutenant Colonel, Retired, United States Marine Corps.

Mr. Speaker, before I close, yesterday, with Congresswoman SUE MYRICK, I went to Walter Reed Hospital to visit the young soldiers and marines who have lost their legs, their arms. Two of them that we saw, Mr. Speaker, have no body parts below their waist. No body parts below their waist. And here we are supporting a corrupt leader of a nation that, quite frankly, will never be a nation. It is a country.

□ 1030

It is not a nation. It never will have a national government. Why are we wasting $7 billion a month in Afghanistan, and our young men and women are coming back with broken bodies?

Mr. Speaker, it is time to get out of Afghanistan. I close by asking God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God, in his loving arms, to hold the families who've given a child dying for freedom in Afghanistan and Iraq.

I ask God to bless the House and Senate that we will do what is right in the eyes of God. And I will ask God to please bless the President, that he will do what is right in the eyes of God.

And I will say three times, God, please, God, please, God, please continue to bless America.

IS TWO WARS IN THE MIDDLE EAST NOT ENOUGH?

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise to express my deep concern about the military campaign in Libya, one that has been underway the last week and a half.

First off, it's distressing to once again see that Congress's power has been so casually disregarded in our role and responsibility regarding war. There should have been a robust debate in this Chamber about the proper course of action in Libya. The American people deserve it. The Constitution mandates it.

The President gave a fine speech Monday night, as he certainly does, but I found him more eloquent than persuasive. I'm not satisfied that he has made a thorough case for military action against Libya. There are still too many unanswered questions.

What is our responsibility now?

Where does our commitment end?

Does the Pottery Barn rule apply in Libya? If we break it do we own it?

I'm not comforted by the fact that NATO is now in charge of this mission because the fact is, the United States is the dominant force within NATO. Any NATO-led operation is one in which we still bear an enormous responsibility.

And then there's the cost. The Pentagon has acknowledged that it's already spent $550 million on the Libya operation. That's after 1½ weeks, Mr. Speaker. The bill to the taxpayer could easily climb over $1 billion. And, Mr. Speaker, at a time when we're already spending close to $7 billion a month on a failed military occupation in Afghanistan; this, at a time when my friends in the majority want to snap the purse shut on so many important programs the American people need.

There is unquestionably, unquestionably a humanitarian crisis in Libya. I'm appalled, as we all are, about Qadhafi's brutality against his own people. But I fear that that operation will set a dangerous precedent and send us sliding down a slippery slope.

We can't afford to head down a path of perpetual U.S. military engagement around the world. With developing situations in Syria, the Ivory Coast, Congo, Yemen, et cetera, et cetera, et cetera, we can't give up on diplomatic and humanitarian efforts in favor of guns and bombs everywhere there's violence and unrest.

We're already fighting two wars in the Middle East. Is that not enough? Have we learned nothing over the last decade? Have we learned nothing about the danger of open-ended military conflicts where the exit strategy is unclear and victory is ill-defined?

The war in Afghanistan is sapping America of its strength in so many ways. It has cost us in precious taxpayer dollars and has cost us more than 1,500 of our bravest people. And it is costing us credibility and moral authority in ways that can't even be measured yet or quantified every single day.

The time is now, Mr. Speaker, for less war, not more. Let's stop, let's turn, and let's insist that we don't turn Libya into another black hole. Let's bring our troops home from Afghanistan, and let's give our children a future of peace.

AMERICA'S RISING ENERGY PRICES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes.

Mr. WALBERG. Mr. Speaker, I rise today to talk about a topic that affects every American, rising energy prices. I've spoken on this floor about it before, and I will continue to do so until we increase our energy production here in America, and our dependence on the political earthquake zones of this world is depleted.

While President Obama was traveling in South America, I returned home to my district last week, and I heard from my constituents loud and clear: Gas prices are too high. We need to do something about it. That's why I found it so outrageous and appalling when I heard our President last week offering assistance and encouraging energy production, not here in America, but in Brazil.

No, that's not the right direction. We need to encourage energy production right here at home, not Brazil. We need to develop our offshore energy resources so that jobs can be created here in America, not Brazil. And we need to encourage energy independence so that we return to more reasonable energy costs, not in Brazil, but right here in America.

Mr. Speaker, the time is now to confront this issue and encourage energy exploration and production right here at home. The time is now to create our independence from foreign energy sources and secure our present and future as good stewards of our God-given resources and the blessings of liberty.

THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2011

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Hawaii (Ms. HIRONO) for 5 minutes.

Ms. HIRONO. Mr. Speaker, today a united Hawaii delegation will be introducing the Native Hawaiian Government Reorganization Act in both Chambers of Congress. Long denied the recognition and rights accorded to America's other indigenous people, this bill will finally enable Native Hawaiians to embark on their long awaited process of achieving self-determination.

On the House side, Congresswoman HANABUSA and I have the great pleasure of being joined in this effort by Congressman Don YOUNG, Congressman ENI FALEOMAVAEGA, Congresswoman MADELEINE BORDALLO and Congressman TOM COLE. All are longstanding friends of Hawaii and Native Hawaiians.

How we treat our native indigenous people reflects our values and who we are as a country. Clearly, there is much in the history of our interactions with the native people of what is now the United States that makes us less than proud. The American Indians, Alaska Natives, and Native Hawaiians, all indigenous people, have suffered at the hands of our Government. But one of the great attributes of America has always been the ability to look objectively at our history, learn from it, and when possible make amends.

The bill we are introducing today has been more than 10 years in the making. It has been a deliberative and open legislative process. There have been 12 congressional hearings on Native Hawaiian recognition, five of which were held in Hawaii. These bills have been marked up by committees in both Chambers. The House has passed Native Hawaiian recognition bills three times: First in 2000, again in 2007, and most recently just last year.

The goals and purposes of the Native Hawaiian Government Reorganization Act are consistent with the history of the Native Hawaiian people and the record of United States involvement in Hawaii. The bill is also consistent with over 188 existing Federal laws that promote the welfare of Native Hawaiian people.

I know there are Members who question these authorized programs simply because Native Hawaiian is in the title, which is exactly why we need this bill. It will formalize the very special political and legal relationship between the United States and the Native Hawaiians by providing a process through which the Native Hawaiian community can reorganize its governing entity within this relationship. This is how we treat Alaska Natives and American Indians, and this is how we should treat Native Hawaiians.

The Kingdom of Hawaii was overthrown in 1893. Hawaii's last monarch, Queen Liliuokalani, was deposed by an armed group of businessmen and sugar planters who were American by birth or heritage, with the support, abetted by U.S. troops. The Queen agreed to relinquish her throne, under protest, to avoid bloodshed.

□ 1040

She believed the United States, with which Hawaii had diplomatic relations, would restore her to the throne.

There may be new Members to this body who have not had occasion to learn the history of Hawaii, and I extend an open invitation to those Members to share this history with you.

The State of Hawaii motto, which is also the motto of the Kingdom of Hawaii, is, ''Ua mau ke ea o ka aina i ka

pono,'' which translates to, ''The life of the land is perpetuated in righteousness.''

Native Hawaiians, like American Indians and Alaska Natives, have an inherent sovereignty based on their status as indigenous aboriginal people. I ask for your support of the Native Hawaiian Government Reorganization Act.

Mahalo nui loa. (Thank you very much).

CAROL ANNE BEAVER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. BARTON) for 5 minutes.

Mr. BARTON of Texas. Mr. Speaker, my dear sweet sister-in-law, Carol Anne Beaver, went to be with her Lord on Saturday, March 26, 2011. She passed away in her home near Lockhart, Texas, following a long and valiant battle with cancer. She is the first of four daughters of James Brasher and Betty Hodges. She was born on December 19, 1955, in Pasadena, Texas.

In addition to her parents, she is survived by her loving husband of 7 years, Jeff Beaver; three sons, Michael, Dustin, and Layton Warmack; Layton's wife, Holly; two granddaughters, Kelsie Anne Warmack and Maddy Ruiz; one grandson, Layton Warmack; three sisters, Vicki Perdue, Barbara Payne, and my wife, Terri Barton. She is also survived by numerous aunts, uncles, nieces, nephews, cousins, her stepfather, Steven Hodges, two brothers-in-law, two stepdaughters, and of course her husband's family.

She began her business career in Houston, Texas, as a bookkeeper for Brinadd Company, a multinational workover and completion fluids company that was owned by her late stepfather, James Jackson. While with Brinadd Company, she gained an early knowledge of computerized accounting systems when she worked closely with the programmer to convert a handwritten system into a computerized one.

She moved to Lockhart, Texas, in Congressman LLOYD DOGGETT's district in Caldwell County, in 1988. She worked several years as a secretary and bookkeeper at a local law office. She subsequently returned to the accounting field, first working for Lifeway, then Columbia Health Care, and finally went to work for Austin's municipal transit system, Capital Metro System. She retired from Cap-Metro, when she came down with cancer, as the payroll manager for the entire system.

Carol was a very loving, caring woman. She had a ready smile, a twinkle in her eye. She treasured her husband, her family and many, many friends.

When I started dating her baby sister, Terri, she was, as she should be, very skeptical of whom she called Congressman JOE. She wasn't sure that her baby sister should be associated with anybody that was a Member of Congress. I would have to say, though, that when I invited Carol, her mother and two sisters and Terri to the local Dairy Queen in Lockhart, Texas, I was able to at least neutralize their opposition with some ice cream sundaes and some Barton-backer T-shirts. Carol and I became fast friends, and she came to respect not only me but this institution.

She is going to be missed. She was the absolute most courageous, dedicated human being in fighting her long battle with cancer. She never complained. She never grumbled or whined about ''Why me, Lord?'' She took her battle with cancer in stride. She is now with her Lord in a better place. We will miss her very, very much, but we know that one day we will see her again.

Her funeral will be tomorrow in Lockhart, Texas, at 1 o'clock. Visitation is this evening from 5 to 8 p.m. at the McCurdy Funeral Home in Lockhart, Texas.

Sweet, sweet, Carol, we miss you very much.

GERALDINE FERRARO

The SPEAKER pro tempore (Mr. POE of Texas). The Chair recognizes the gentlewoman from New York (Mrs. MALONEY) for 5 minutes.

Mrs. MALONEY. Mr. Speaker, I rise to remember the late Geraldine Ferraro. There will be services held for her tomorrow in New York, which many of us will be attending.

It was the night of July 19, 1984, in San Francisco that Geraldine Ferraro changed the game, changed the rules, and changed history when she accepted the Democratic Party's nomination as Vice President of the United States of America.

I was there on the floor that night as a young delegate, and when Geraldine Ferraro walked out on that stage it was electrifying and inspiring beyond words. What her nomination meant to me and to millions of women everywhere, what she accomplished in that moment and what she said that night was all so important that her words still ring in my ear as if it were yesterday.

She said, ''By choosing a woman to run for our Nation's second highest office, you send a powerful signal to all Americans. There are no doors we cannot unlock. We will place no limits on achievement. If we can do this, we can do anything.''

That moment served as a hammer blow to the glass ceiling and a clarion call for a greater gender equality in our country.

I remember reading Time Magazine, and Time Magazine heralded her selection as ''A Historic Choice.'' But even more than that, it was a life-changing event. It changed the course of women's lives for the better. I know beyond question that it changed mine.

Because even in that not too distant era, it had been all too commonplace for those in power to believe that: She simply cannot do that. She is a woman. It didn't matter if you had the talents, the education, the abilities and the drive to be the best one to get the job done if it was a job that many believed women simply could not do. That was the kind of thinking that was all too often applied to roles in politics, to career choices, and to sports. And Geraldine Ferraro changed all of that.

When she gained admission to Fordham Law School, an admissions officer said to her: You're taking a man's place, you know. You really should not go to law school.

Geraldine Ferraro knew a woman's place was in the House, the Senate, or any job she wanted to take. When she first ran for Congress in 1978, all the political experts said she could not win in her home district in Queens. She not only won; she went on to become a leader here in Congress, and she went on to become a friend, a mentor, and a role model.

That is one of the reasons that, to honor her, I have redoubled my efforts to pass the Equal Rights Amendment and to add to our Constitution the simple words: ''Equality of rights under the law shall not be denied or abridged by the United States on or by any State on account of sex.'' Those words embody the principles that Geraldine Ferraro lived by and the equality of opportunity that she sought.

I saw her several weeks ago. She was full of energy and plans and had some constituent issues she wanted me to take care of. She never gave up. She never gave in.

Towards the end, Geraldine Ferraro fought her own battle against cancer with the same dignity, courage, tenacity, and grace that she brought to all of her fights, whether it was battling for equal rights or for human rights, for women and men alike.

It can truly be said of Geraldine Ferraro, this heroin and role model for the ages, what was once said of the great heroes of old. She was, as Tennyson wrote, ''One equal temper of heroic hearts, made weak by time and fate, but strong in will, to strive, to seek, to find, and not to yield.''

Geraldine Ferraro. We shall never forget her. And I remember one of her great sayings was, ''Every time a woman runs, women win.''

□ 1050

THE TRUTH ABOUT THE DEBATE OVER DEFUNDING PLANNED PARENTHOOD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

Mr. PENCE. Mr. Speaker, abortion on demand is an American tragedy, but public funding for abortion and abortion providers is an American disgrace. Fortunately, we have never been closer to denying public funding to abortion providers in America than we are today.

On February 18, 2011, with bipartisan support, the House of Representatives

passed H.R. 1, which included the Pence amendment ending taxpayer funding for Planned Parenthood, the largest abortion provider in America. Despite efforts to suggest otherwise, the Pence amendment does not reduce funding for cancer screening or eliminate one dime of funding for other important health services to women. If the Pence amendment becomes law, thousands of women's health centers, clinics and hospitals would still provide assistance to low-income families and women. The Pence amendment would simply deny all Federal funding to Planned Parenthood of America.

Over the past several weeks, Planned Parenthood has used its vast resources to launch slick Madison Avenue television ads portraying the Nation's largest abortion provider as an altruistic organization that provides health care services to the poor with only an incidental interest in the abortion industry. The truth is far afield from the image. The truth is that a major source of Planned Parenthood's clinic income comes from the abortion business.

Despite attempts by advocates for the abortion industry and ideologues on the left to portray efforts to defund Planned Parenthood as some kind of a ''war on women,'' the issue here is big business, and that business is abortion. This legislative battle over the Pence amendment is about Big Abortion versus American taxpayers and American women specifically.

As Abby Johnson, a former Planned Parenthood director, recently said, ''Planned Parenthood's mission, on paper, is to give quality and affordable health care and to protect women's rights. But in reality,'' she said, ''their mission is to increase their abortion numbers and in turn increase their revenue.''

There is no doubt that Planned Parenthood's focus is on making Big Abortion even bigger. In 2009, the group made only 977 adoption referrals and cared for 7,021 prenatal clients, but performed an unprecedented 332,278 abortions. In fact, in 2009, a pregnant woman entering a Planned Parenthood clinic was 42 times more likely to have an abortion than to receive either prenatal care or to be referred to an adoption service.

According to their most recent annual report, the organization raked in $1.1 billion in total revenue. Of that amount, $363.2 million came from taxpayers in the form of government grants and contracts. This is about big business, and that business is abortion.

And for all the talk about how poor women would be harmed if taxpayers stopped subsidizing Big Abortion, it is telling to see how they have been spending their money. According to a June 2008 story in The Wall Street Journal, Planned Parenthood was flush with cash and using its profits to rebrand itself to appeal to more affluent American women. Their rebranding effort was designed to build their business by increasingly targeting wealthy consumers to complement their existing targeting of poor and minority women.

While taxpayers underwrite their operations, Planned Parenthood is building large luxury health centers in shopping centers and malls designed by marketing experts with touches like hardwood floors, muted lighting, large waiting rooms and the like.

And Big Abortion routinely puts profits over women's health and safety. When women testify on behalf of improved safety standards at abortion clinics, Planned Parenthood opposes it and fights them every step of the way. And despite the fact that 88 percent of Americans favor informed consent laws that provide information about the risks and alternatives to abortions for women, Planned Parenthood opposes these efforts and works to keep women in the dark in jurisdictions across the country.

The reality is abortion on demand is an American tragedy, but public funding of abortion providers is an American disgrace. The time has come to deny any and all funding to Planned Parenthood of America and this week, as House Republicans reaffirm our commitment to H.R. 1, to reaffirm our commitment to make a down payment on fiscal responsibility and reform. Let us also seize this moment to reaffirm our commitment to defend the broad mainstream values of the American people in the way we spend the people's money.

I urge continued support by my colleagues on both sides of the aisle of the Pence amendment denying public funding to Planned Parenthood of America.

TRIBUTE TO GERALDINE FERRARO

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LEWIS) for 5 minutes.

Mr. LEWIS of California. Thank you, Mr. Speaker. I very much appreciate my colleague yielding me this time.

I have come to the floor to let the world know that during the time I have been in the Congress, from my view, one of my dearest friends has just passed away.

Geraldine Ferraro and I came to the Congress together as classmates some three decades ago. She was more than just a friend. She managed to have me serve on the same committee with her that first term. From the Public Works Committee, it wasn't very long before she convinced a cross-section of us to travel with her to New York to attempt to have us better understand the difficulty New York has in delivering potable water to the people of the great City of New York.

Geraldine was a really, really tough lady, according to some. I knew her as a wonderful friend. She was a woman who cared about her constituency and fought very hard to represent their interests; and, indeed, the initial role of any Member of Congress is to represent or try to represent their people well, and Gerry and I learned together what that was all about.

So over these years as I look back on this service, the opportunity to serve with the woman who became the first major-party woman as a Vice Presidential nominee, it was always my privilege to say that Gerry Ferraro most importantly was my friend.

Mr. Speaker, when Gerry Ferraro and I came to Congress in 1979, she was one of just 16 women serving in the House of Representatives. It could be frustrating for my female colleagues at that time—my friend Congresswoman Shirley Pettis, who I had the honor of succeeding in the House, told stories of being asked on several occasions if she was someone's secretary when she got off the member's elevator.

But Gerry Ferraro, who had made a name for herself in the New York district attorney's office, soon caught the eye of Speaker Tip O'Neill. He named her to the Public Works and Transportation Committee and later to the Budget Committee. It was the beginning of a close relationship with Tip O'Neill, who eventually had a strong hand in putting Gerry in line to be named as the first female vice presidential candidate from a major party.

As a fellow member of the Public Works and Transportation Committee, I quickly saw that Gerry would be a very strong advocate for the needs of her Queens district. We both understood the absolutely essential priority of serving our constituents, and ensuring that federal dollars flowed where they could provide solutions to very major challenges.

I also found that although Gerry Ferraro had a pretty liberal reputation, she was ready and willing to work with members on both sides of the aisle to accomplish goals and serve the needs of her constituents and all Americans. She and I worked together often in recognition of the fact that 90 percent of the issues we confront here have nothing to do with partisan politics.

Her willingness to fight for her district and her ability to get things done brought her respect and admiration from people throughout New York and beyond. It also led Tip O'Neill to get her appointed to chair the party's convention platform committee in 1984. And that in turn led Walter Mondale to realize the great qualities of this hardworking, pragmatic representative from Queens. He asked her to be his vice presidential nominee, and history was made.

Mr. Speaker, today we welcome 74 women colleagues in the House and 17 in the Senate. That is without question an improvement to be applauded, although my old friend Gerry Ferraro would say there is still a lot of work to do. I do not doubt that many of those who serve with me drew their inspiration to run for office from Geraldine Ferraro's pioneering spirit, and I will always be proud that I served as her classmate.

So, with that, in memory of Gerry's service here in the Congress, I watched her grow as a human being and a public servant, and I am very proud of the fact that she is my friend.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 59 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

With the Psalmist we pray:

Those who put their trust in You, Lord God, are like the mountains that cannot be shaken. They seem to absorb all the turmoil and controversy. They stand tall and strong forever.

Just as the mountains, as well as the depths of the sea coasts, surround this Nation, so, Lord, Your love holds Your people now and forever.

You will not allow the power of lies and half truths to dominate the air breathed in by the just, nor will You allow fear to paralyze their hands when it comes to defending what is right.

Do good, Lord, for those who seek the common good and are openhearted. Drive away those who are so deceived they create only indecision and dissension among the virtuous.

Give us peace, Lord, now and forever. Amen.

THE JOURNAL

The SPEAKER. 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.

Mrs. MILLER of Michigan. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mrs. MILLER of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Rhode Island (Mr. CICILLINE) come forward and lead the House in the Pledge of Allegiance.

Mr. CICILLINE 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.

ANNOUNCEMENT BY THE SPEAKER

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

GOP AGENDA OF MISGUIDED PRIORITIES

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

Mr. GENE GREEN of Texas. Mr. Speaker, Members: Ignoring the facts, the experts, political reality, and the best interests of the American people, the Republican leadership continues to embrace a spending plan already rejected by the Senate that would destroy 700,000 jobs and derail the economic recovery.

The Republican spending plan is a doctrine of misplaced priorities. They want to lay off teachers, cut Pell Grants, slash programs for homeless veterans, and reduce Head Start, among other shortsighted and harmful cuts.

Incomes and consumer spending increased in February, helping to expand the Nation's economy. First time jobless claims decreased by 5,000 a week. The total number of people receiving benefits fell to the lowest level in 3 years, due, in part, to increased hiring.

The February jobs report shows a gain of 192,000 jobs, a significant employment increase that marks the 12th straight month of private sector growth and a drop in the unemployment rate to 8.9 percent, the lowest level in almost 2 years.

Let's don't hurt our fragile recovery by the Republican majority shutting down the government.

FOREIGN POLICY AND CONSTITUTIONAL CRISIS

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

Mr. KUCINICH. Madam Speaker, we are in the midst of a foreign policy and constitutional crisis. The administration has committed our Nation to a war against Libya in violation of the Constitution of the United States.

The administration has said they do not have full information about the rebels they are assisting. But it is clear that for the last 30 years, U.S. intelligence has had a relationship with prominent elements within the Libyan opposition.

Further, The New York Times today reports that elements of the opposition may be linked to al Qaeda, and that we are considering arming them.

When it comes to the war in Libya, the administration has subverted Congress and the United States Constitution. Tomorrow, I will present to Congress a definitive 1-hour response to the administration's Libyan war in the form of facts and questions. Congress must challenge violations of our constitutional principles relating to war and peace.

The critical issue today is not the defense of Libyan democracy but the defense of American democracy.

RECOGNIZING PROVIDENCE VA MEDICAL CENTER

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

Mr. CICILLINE. Madam Speaker, I rise today to recognize and honor the Providence Veterans Affairs Medical Center for their outstanding service to the heroic men and women who serve in our Armed Forces.

The Providence VA Medical Center is an award-winning health care facility in Rhode Island providing personalized outpatient and inpatient health care to our veterans. Recently the Providence VA received the National Center for Patient Safety's 2010 Cornerstone Recognition Program Bronze Award for successfully providing high quality health services to our veterans.

The men and women who serve in the Armed Forces put their lives on the line every day to protect the freedoms that we enjoy here at home. We owe our troops, veterans, and their families our utmost gratitude and respect, in addition to exceptional medical care for their great sacrifices on our behalf.

I commend the Providence VA Medical Center for their excellent service to our veterans. Congratulations on your achievements, and thank you for your commitment to Rhode Island's veterans.

LOAN MODIFICATION CRISIS

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

Ms. TSONGAS. Madam Speaker, last year, I heard from a single father from Haverhill, Massachusetts, who put his life savings into purchasing a home. After a reduction in his salary forced him to modify his mortgage, his servicer stopped returning his phone calls, lost his documents, and refused to provide him with any information to help him modify his loan.

He wrote to me saying, ''My bank told me that they had not received the application documents I had sent at the beginning of the modification process. It was ridiculous, as I have the original documents on file with the fax receipt. Nonetheless, I faxed everything again.''

Over the course of an entire year, he called and re-sent his documents, speaking with multiple people, none of whom could give him an answer or even find that he had a modification in place.

This story represents just one of the many that I have heard from constituents. We should be doing far more to ensure that these lenders are playing by the rules.

Instead, my Republican colleagues have sought to terminate every step taken by the Federal Government to help homeowners like my constituent, leaving them at the mercy of unscrupulous lenders such as these.

□ 1210

JAPAN

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

Mrs. DAVIS of California. Madam Speaker, in the past few weeks we have seen the devastating images of the massive earthquake and tsunami in Japan.

As someone who lived in Japan, it is hard to believe entire towns and cities in this beautiful country have been destroyed, and I am heartsick for the more than 9,800 lives that have been lost. I can only imagine the grief and shock felt by the families and friends of the victims, and my heart goes out to them.

I am grateful that San Diego's own USS *Reagan* departed for Japan on March 11 to help with relief efforts. With the more than 17,500 people still missing and more than 245,000 people in evacuation centers, daunting challenges lie ahead.

Madam Speaker, I urge this body to stand in solidarity with the Japanese people and reassure our ally that America is ready and committed to giving our partner the support needed to cope with this horrible disaster.

IMMIGRATION

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

Mr. BACA. Madam Speaker, America's broken immigration system continues to wreak havoc in communities across the country.

Real families with real children live in fear that someone they love may be torn away from them. No child deserves to grow up without the love of their parents. We must bring an end to the separation of families. We must all remember that immigrants are not our enemies. They are our neighbors, our classmates, our fellow churchgoers. They are part of the American fabric.

Over the coming month, I look forward to working with CHC and advocates across the Nation to speak on the human impact of our broken immigration system.

Immigration is not just a Latino issue. It is an American issue that impacts all of us. Let's work together to stop this hateful rhetoric and pass real immigration reform.

EARLY CHILDHOOD PROGRAMS

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

Mr. SIRES. Madam Speaker, I rise today to promote early childhood programs, which are an investment not only in our children, but in our country's future.

In 1990, the Child Care and Development Block Grant was created for low-income parents who are either working or in school. If the proposed cuts to Child Care and Development Block Grants are signed into law, 150,000 families nationwide will lose child care subsidies. In my home State, the annual cost for child care for an infant can be nearly $12,000 a year and the annual cost for a toddler can be as much as $9,000.

Head Start is another vital service that has provided education, health, nutritional and social services for 3- and 4-year-olds since 1965. If the cuts proposed in H.R. 1 become reality, 218,220 children nationwide will lose access to Head Start, and approximately 55,000 Head Start employees will lose their jobs; 3,719 children in New Jersey would be left without access to Head Start, and we already have 9,500 children on the waiting list.

I ask Congress to continue debate in support of the bill.

CUTS TO JOBS AND SERVICES

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

Ms. FUDGE. Madam Speaker, I rise today to talk about the loss of jobs and services in America.

So far, this Republican-controlled Congress has had nearly 100 hearings, but not a single one has addressed the real issue in this country, which is jobs. Republican attempts to cut more than 50 percent—50 percent—of funding for Head Start, which will affect more than 200,000 children, and their proposal to cut 62 percent from Community Development Block Grants have hurt our communities. They are depriving hardworking Americans of services they need.

According to the latest Bloomberg national poll, when given five choices of the most important issues facing this Nation, 43 percent of all Americans picked unemployment and jobs as number one. Reducing the deficit and spending came in a distant second at 29 percent.

Madam Speaker, the American people want leadership that will create jobs and jump-start our Nation's economy.

SOROPTIMIST INTERNATIONAL OF SAN RAMON VALLEY

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

Mr. MCNERNEY. Madam Speaker, I rise today to recognize the members of Soroptimist International of San Ramon Valley for their work to improve the lives of women in our community.

This is the final week of the Women's History Month; and, as such, it is fitting that we recognize an organization that is helping the next generation of women to succeed and make history.

The Soroptimists of San Ramon Valley recently held a conference for the 7th year in a row to help young women gain self-confidence and develop important life skills. The event included presentations from speakers and interactive workshops that promote leadership and help the participants to pursue their life's goals.

The Soroptimists of San Ramon Valley, which is one of many chapters of the Soroptimists International throughout the world, also issue awards to girls who are involved in community service and provides grants to women so they can participate in job training and education programs.

The Soroptimists of San Ramon Valley have made a difference for many in our community. I ask my colleagues to join me in recognizing the members of this organization for their hard work to improve the lives of women.

SUPPORT MORE DIVERSITY IN THE UNITED STATES CAPITOL

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

Mr. COHEN. Madam Speaker, this week I plan to introduce a bill that will allow States to submit three statues for display in the United States Capitol.

This bill seeks to include more diversity among the honored in our Capitol by increasing that number of statues to include more notable women, minorities, and other ethnic groups that have contributed significantly to our history.

Currently, there are 100 statues on display given by the States, and only 16 are women or minority groups. Ten are women with three Native-Americans; three statues are Native-American males, two are Hispanic, and one is a Pacific Islander. Although there have been many noteworthy African Americans and Asian Americans in our history, no State has submitted a statue honoring one of them. This disparity must be rectified.

If you walked through the Capitol and looked at the statues, you would think all the heroes and leaders were granite white men. This bill is to express that equal representation of all Americans is essential in our historical perspectives and the educational value that the Capitol offers its thousands of visitors.

I urge my colleagues to look at the bill, to support it, and to have more diverse representation among the statuary in the United States Capitol.

GROW THE ECONOMY

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

Ms. JACKSON LEE of Texas. Madam Speaker, I ask the American people to

wake up from the malaise of this debate about the deficit and raising the debt ceiling. You have lost your way. Let me just ask you to raise your voices against the issue of a broken government and the potential of a shutdown on the question of, what do you want for your children.

As we go back to our districts and our school districts and our States, parents are standing in lines at school board meetings crying about 60-seat classrooms and teachers being laid off. Don't you understand that it starts right here in Washington? You need to be speaking to our friends on the other side of the aisle. It is time to invest and grow the economy. It is time to recognize that consumer spending has increased, that jobs have been created, and that it is important to invest in this economy.

If you don't get in the way and get in the mix, I can tell you that the rise that we have of 192,000 jobs being created, the unemployment going down, economists saying we should invest now, you are going to lose it, tied up with those who have views that are only self-centered, our friends that are in the tea party. It is time for people to put education first and realize that if you let us fall on the spear here in Washington on the grounds of mislabeled politics and not worry about your children, you are going to lose.

Wake up, America. It is time to get in the fight. Fight for your children. Invest and grow the economy now.

CONTINUE FUNDING FOR COMMUNITY HEALTH CENTERS

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

Ms. HIRONO. Last week, when most of us were in our respective districts, representatives from community health centers around the country came to Capitol Hill to remind us of the essential role they play in our communities. I hope that the staff of Members who voted for H.R. 1, which drastically cuts funding for these very health centers, listen to the stories they heard last week.

I have long supported community health centers because in my district, spread over seven inhabited islands, access to care is a challenge. Although their principal focus has been to provide health care for the underserved, these centers serve people at all income levels.

Hawaii's network of community health centers serve nearly 127,000 patients, and only one-third of them are Medicaid eligible. On the island of Lanai, 40 percent of the residents receive care through their community health center. This population, 25 percent of which are over 65 years of age, can't afford to fly to another island for care.

Funding for community health centers is an investment because prevention is more cost effective than treatment. I urge my colleagues to reject cuts to community health centers.

□ 1220

WAKE-UP CALLS; ARE WE LISTENING?

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

Mr. TONKO. Madam Speaker, wake-up calls; are we listening? Yes, there are wake-up calls. Can we hear them?

This majority in the House has not heeded a wake-up call. They have ignored the investments that we need in the clean energy economy to grow jobs.

What are those wake-up calls? Well, there is, first, the hard-earned American energy consumer dollars, $400 billion plus, that go to unfriendly nations that will take those dollars and invest in fighting the American troops while they supply us fossil-based fuels. Then there is the oil spill in the gulf that reeked damage on our ecosystem and wrecked the regional economy. Then there was the sticker shock at the pump, at the gas pump, that is driving down the American economy. And no one is listening.

Now maybe we will pay attention to the sad announcement today. Last year, we dropped to number three in clean energy investment after China and Germany. When will we wake up?

I say today, as the President talks to us about energy security in our economy, that we need to reduce oil imports and innovate into a clean energy future. We need to heed that clarion call. It is a wake-up call that's necessary.

The America I know and love is number one. It should never be three on the list of clean energy investment.

WASHINGTON DOESN'T UNDERSTAND CALIFORNIA'S WATER PROBLEMS

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

Mr. COSTA. Madam Speaker, California's Governor will soon declare an end to the drought that devastated the San Joaquin Valley. Our cities are flooding and our rivers are raging and the snowpack in the Sierras is deeper than it has been in any 15-year period. It is clear that the drought is over. Somehow, though, Washington has not gotten the news.

With unemployment still in double digits in seven counties in the valley and unemployment continuing to be very problematic, the folks in Washington think that communities can recover from the Great Recession with just over half the water our farmers need. They don't understand the valley. They don't understand us.

Do you hear me, Commerce Department? Do you hear me, Secretary Locke? Water is the lifeblood of the San Joaquin Valley. It puts food on our table. It sustains our economy, and it creates good jobs. That is why I am introducing legislation that will allow the needed flexibility for California's water policy.

As we work to find short-term and long-term solutions to California's broken water system, passing commonsense legislation will bring over half a million acre-feet of water to valley farmers and farm communities. It is time to put aside our political differences. It is time to reach a compromise, and it is time to end this regulatory drought.

FISCAL AND PUBLIC HEALTH SAFETY AND SANITY PREVAILING

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

Mr. COURTNEY. Madam Speaker, a few hours ago, fiscal and public health safety and sanity prevailed when the Food and Drug Administration clarified an order on February 3 approving the drug Makena, which is an injectable medication for women at risk of preterm birth, one of the biggest health care challenges that our country faces. There are a half million premature births in this country. They cost the health care system $29 billion. They are the leading cause of infant mortality.

This new medication which the FDA approved on February 3 is promising, but it costs $1,500 per injection, $30,000 per pregnancy. At the same time, OB–GYNs in this country have been prescribing a compound alternative that costs only $20 per treatment per medication. And yet the order on February 3 indicated that there would only be exclusive treatments under the $1,500 medication.

The order this morning clarifies that there will be no exclusivity, that OB–GYNs will continue to be able to prescribe the cheaper alternative, but FDA retains its power to still require exclusivity.

For the sake of taxpayers and patients, Congress must keep a close eye on the FDA to not take away this option to OB–GYNs all across America.

PROVIDING FOR CONSIDERATION OF H.R. 471, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

Mr. BISHOP of Utah. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 186 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 186

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 471) to reauthorize the DC opportunity scholarship program,

and for other purposes. All points of order against consideration of the bill are waived. The amendment recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Delegate Norton of the District of Columbia or her designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS). During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this resolution provides for a structured rule for consideration of H.R. 471, the Scholarships for Opportunity and Results Act, sometimes called the SOAR Act, with 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Oversight and Government Reform Committee.

Further, this proposed rule will make in order all of the amendments filed at the Rules Committee for H.R. 471. Admittedly, it was only one amendment, but it is made in order, and it is offered by the gentlewoman from the District of Columbia (Ms. NORTON). This is an amendment that was presented in the committee and defeated on a 12–21 vote, but which will be reoffered here today as a substitute measure. In short, this rule is about as fair as they potentially get.

Madam Speaker, this is a very open, straightforward rule that we will be considering today, and I am pleased to stand before the House in support of this rule as well as the underlying legislation, H.R. 471. I commend the sponsor of this legislation, the distinguished Speaker of the House, the gentleman from Ohio (Mr. BOEHNER), who has previously served as chairman of the Education and Workforce Committee, and he understands education issues very, very well.

Madam Speaker, when the Cubs in the 1960s hired Leo Durocher to be their manager, he was hired 2 years after they finished the season 49 games out of first place. In his short period of time there, he would take them to the top, in which case, in 1969, a year that still hurts, the Cubs were atop the National League for 155 days. Unfortunately, 7 of those days they were not on top included the last day of the season.

□ 1230

But Durocher always said for his team that ''I make a great effort to argue for the issues, but there are two things that are working against me: the umpires and the rules.''

There will be a lot of people—some people—who will speak against this motion, perhaps even this rule, and there are two things against them: One is the unique constitutional relationship between Congress and the District of Columbia that is not there, vis-a-vis the States; and, number two, the underprivileged kids who benefit from this underlying bill.

If I were to predict a preview of what will be taking place in the debate, not only on the rule but also on the bill itself, I would predict four themes will be appearing time after time after time.

One will be the concept of the constitutional mandate that is here. When this Republic was established, the Constitution gave unique jurisdictional responsibility to Congress over the District of Columbia. That is not going to be a violation of their home rule concept, but it is a responsibility of Congress. And there is great precedent for this particular kind of provision.

In 1996, it is Congress that insisted upon a charter school program in the District of Columbia. You will hear from both sides of the aisle recognition of the great value that that program has, and justifiably so. There is a waiting list in the District of Columbia for those charter schools. This underlying bill increases the percentage of funding going to charter schools in the District.

In 2003, an Opportunity Scholarship was instituted, at the insistence of Congress. Again, there was a waiting list of people wanting the opportunity; disadvantaged kids who wanted the opportunity that this scholarship afforded them. In the appropriation bill for 2010, unfortunately, Congress intervened again in a negative way and cut out this Opportunity Scholarship program. There were a lot of upset students and parents who couldn't believe how special interest politics got in the way of their son's or daughter's dreams and was snatched from their very hands. Their opportunity to make what they believe were better educational choices was basically taken away from them.

H.R. 471 remedies this inequity. There were 216 kids at the time scheduled to enter the program who were not allowed because of the action of that particular appropriation bill. Those 216 kids, by this particular legislation, will be given priority in once again being able to apply for this Opportunity Scholarship.

A second discussion point that will be coming up repeatedly deals with the efficacy of these programs. There will be conflicting data that will be thrown from both sides as to the effectiveness. But I think the one piece of information that can be clearly stated is that 91 percent of the kids enrolled in this Opportunity Scholarship complete their coursework. That is 21 percent higher than a control group of kids who were interested but were not allowed the opportunity to complete this particular program. That completion rate is almost 32 percent higher than the regular completion rate of kids in the public education system in Washington, D.C.

To quote Dr. Patrick Wolf, who was the lead investigator of the evaluation mandated by Congress of this program, he concluded by stating: ''The research evidence and the testimonials of parents confirm that the District of Columbia is a better place because of the Opportunity Scholarship program.''

The third issue that you will be hearing deals with the support of this particular program. There will be dueling statistics that will be coming at you during the course of the debate. Those in favor of the bill will give lists of groups who are in favor of this particular program. Those against the bill will give lists of groups and unions who are opposed to it. Each side will give a list of political leaders both within Washington, D.C., and outside who are in favor; and those opposed will give lists of political leaders who do not support this program.

There will be poll results that will be given from both sides, the most recent of which will be given by advocates, a Lester & Associates poll, which simply says 74 percent of the D.C. residents polled supported this program and wanted it restored and made available to all D.C. students for all their abilities to participate. You will hear polling data to the contrary. You will hear anecdotal stories to the contrary.

Perhaps the most telling, though, issue of support deals with parents and the kids in Washington, D.C., who lined up for this program; who went on waiting lists for the opportunity to become involved in this program; who cried and pled with Congresses past when this program was eliminated. They clearly do not want this program to totally be destroyed because it takes away from them their chance, their option, their opportunity to individualize and upgrade their educational opportunities.

This program probably has a philosophical basis, a kinship, if you would, with the Pell Grant, the GI Bill of

Rights, in which, once again, government tried to empower with choices with few strings attached individual adult students or parents so they could choose their own personal education future. That's what this bill still tries to do.

The final concept that will probably be presented during debate on the rule as well as the bill deals with the concept of liberty. We have a Statue of Liberty in New York Harbor. The Revolutionary War was supposedly fought for the purpose of preserving personal liberty.

I have to admit, though, as I was teaching school that it was difficult for my kids there to really comprehend what liberty meant. It was an abstract noun, to say the least. The Founders clearly understood what that concept meant as they looked upon a government that was far, far away from them. And in the Declaration of Independence we're willing to write that the government far away has erected a multitude of new offices and sent hither swarms of officers to harass our people and eke out their stance. Indeed, they had waged war against them. Those of us who live in the West today have the Department of the Interior to remind us of those same circumstances.

But the kids, mainly in urban and rural settings and suburban settings, still have a problem understanding what it means really to have liberty until you try and talk about liberty in terms of choices. Options, opportunity, without the heavy hand of a government official defining what those options and opportunities may or may not be.

The entrepreneurial world gets it. They realize if they want a market share, they have to give people choices in their lives. So if I want a mobile phone, there are all sorts of plans from which I may choose. Even in the smallest corner market in Washington there are still a whole row of breakfast cereals from which I may choose. I may want Pringles potato chips, but they still give me 16 varieties. If indeed Omaha Steaks sends me an invitation every week to try and come up with one of their products, I will choose this week to order one that fits for me.

Only in Washington in this government do you still have people that truly believe in a one-size-fits-all approach and that mandates can actually be worked, that believe and go back to the concepts of Henry Ford when the automobile was so unique he could with a straight face look at a consumer and say, You can have a car in any color you want as long as it is black.

Unfortunately, many of the ideas and philosophies still in government today, indeed some of the programs still in government today, were born in that era in which the idea of an elite sitting in some darkened office would decide what I wanted and what was indeed best for me. That's liberty.

The icons who face us in this Chamber, all of them were related in some way of moving the concept of law forward, which led to the concept of liberty. This bill is based on that concept of choice, opportunity, and options for people. It deserves our support because it is an opportunity. Call it an education app for Americans living in the District of Columbia. The most needy and deserving can actually have their choice of how they want their education to take place and it is done under the sphere of responsibility given to Congress by the Constitution.

This bill is worthy of our heritage. It is a symbol of our legacy. One can only assume that the Founders, indeed the icons that are looking down from the perch above us, are smiling now, saying, Congress doesn't always do it correctly, but this time with this bill they got it right.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased today to rise in strong opposition to H.R. 471, the Scholarships for Opportunity and Results Act, also known as the SOAR Act. I also am very pleased that my friend from Utah has, in the tradition of this committee, granted the time to our side. This legislation revives the District of Columbia's school voucher program, a program that was allowed to expire after 5 years of failing to improve student achievement.

My colleague said that there will be statistics on both sides. Doubtless that is true. I also have great respect that the presenter of the rule today is a school teacher. At least if somebody is going to meddle in somebody else's business, they ought to at least know a little bit about what they're talking about. Too many times in our States, too many times in this place, many of us who are not educators, nor have we been involved, are making decisions about the education of children when we should be being a lot more careful.

□ 1240

For example, I'm sure that my colleague, who knows his State well, as I know mine and as we know ours—all of us in this institution—is mindful that in the last 41 years voters have rejected private school vouchers every time they have been proposed—interestingly enough, two times in Utah, I would urge my good friend. As late as 2007, Utah voted 62 percent to 38 percent not to have vouchers. Before that, it was sort of like the District of Columbia. Incidentally, in 1981, 89 percent of the people in a referendum in the District of Columbia voted against vouchers—but in 1988, in Utah, 67 percent. It didn't change very much from that time to 2007, which isn't very much time from now.

So how dare we come here to tell these people that we are going to thrust upon them something they don't want without a single bit of consultation with a single member of the public officials in this community being consulted. I might ask why we are here debating such a misguided, narrowly focused measure when violence is raging in the Middle East, when earthquakes and tsunamis have ravaged Japan, and when our own Nation's economy is kind of sputtering along. I suppose, when it is one of the leadership of the Republican Party's pet issues, the people's work can always be put on hold. This matter is nothing more than a shallow attempt to, once again, appease the right-wing of the Republican Party.

Well, Madam Speaker, Congress' oversight of the District is not an excuse for political pandering to the Republicans' special interest of the day du jour. My colleague used Leo Durocher. He played with and against Yogi Berra. Yogi Berra reminds me, if I were to use an analogy, that this is deja vu all over again.

He and Leo would be proud that we are talking about them, Mr. BISHOP.

Whether it is gun rights, a woman's right to choose or education policy, the District is not and should not be the dumping grounds for Republicans' ideological whims. My colleagues have already stripped the District of its limited vote in Congress. The least they could do is allow them to control their education system just as every other jurisdiction in this country is able to do.

The people of the District of Columbia did not ask for or want this program, nor were they or their elected officials consulted, as I have pointed out. If they had been, I'm sure the committee would have been told what many of us already know: that this program is simply a waste of money. According to legislatively mandated evaluations, the D.C. voucher program failed to show any statistically significant impact on student achievement. This is in contrast to reading and math scores across the District, which did improve over the same period. Though my colleagues claim that this program serves students who would otherwise be stuck in failing schools without the resources to adequately meet their needs, only about a quarter of the students using vouchers came from schools in need of improvement.

Additionally, the Department of Education found that students participating in the D.C. voucher program were significantly less likely to attend a school with ESL programs, learning support and special needs programs, tutors, and counselors.

Further, private schools are not required to hold the same level of transparency or accountability as public schools. Rather than directing these funds toward improving all of the District's public and charter schools, as Delegate ELEANOR HOLMES NORTON has proposed, this program only serves 1.3 percent of the 70,000 students enrolled in the D.C. public schools.

Though my colleagues may claim to have a newfound commitment to education—my friend from the Rules Committee being an exception—albeit for

only a few select students they have found this commitment. Let's not forget that, just a few weeks ago, some in this body and most in the Republican Party were content to cut—and my friend just used the kinship of Pell Grants with this proposal—Federal funding for 9.4 million students, to eliminate over 200,000 Head Start placements, to do away with supplementary education services for 957,000 underprivileged students, and to reduce or get rid of, they said, after-school programs for 139,000 students across this Nation.

I was just with the CEO of the Urban League's Broward and Palm Beach Counties—my constituency—and they were talking about how drastic this is going to affect the constituency in that area of underprivileged students and who they are seeing and what the juvenile justice system is now reaping from this ill harvest that we have thrust upon these people.

On the one hand, the Republicans go on about the need for fiscal discipline. They refuse to negotiate on legislation to keep the government operating, and they propose billions of dollars in cuts to our Nation's students. Yet they are perfectly willing to throw millions of dollars at a program that has proven year after year to be unpopular, inefficient, and downright ineffective.

If my colleagues truly wanted to improve the District's schools, along with the schools across the Nation, they would be bringing forth a serious measure to reform the No Child Left Behind provision. But no. Instead, we are debating a measure that has no hope of becoming law. It is simply to appease the political whims of a few in the Republican Party. The American people, in my view, are tired of the majority's using this institution to do nothing but spew ideological rhetoric.

Madam Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to provide that immediately after the House adopts this rule it will bring up H.R. 639, the Currency Reform for Fair Trade Act, and I am mindful that there will be speakers regarding the same. The amendment will provide our government the tools to rein in unfair currency policies by the Chinese.

I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. I am going to at this time reserve any further comments that I have after the following statement:

It has been 13 weeks and still no jobs bill and no substantive plan to improve our Nation's economy. When my friends in the majority are ready to get down to the serious business of improving the lives of all American people, we will be waiting.

I reserve the balance of my time.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

Madam Speaker, I appreciate the opportunity of being here, and I also appreciate being here with my good friend from Florida (Mr. HASTINGS), who is one of the true delights with whom I have such an opportunity to work here in Washington.

I guess, if he is saying that we have the group du jour from whom we are presenting bills, today's group du jour would be those who are financially disadvantaged and still want a better opportunity for education.

As I said, there would be four issues that would be discussed. We can check off three of the four already. Only the concept of ''liberty'' has yet to be addressed here. Some of them may be non sequiturs, but they were still there nonetheless. I guess the last statistic that still can be put out there as to whether this program works or not deals with the parents who, when the free market of ideas was opened up to them, they chose this program. They wanted this program. They wanted to maintain this program, and they will flock back to it.

Since my good friend Mr. HASTINGS also used a baseball reference to tie me, I have to one-up him one more time. In the words of the great Satchel Paige, who was consulting a struggling pitcher who was failing to get it over on the corners, he just said, Throw the pitch. Just throw strikes. Home plate don't move.

This program is one of those strikes. All we need to do is throw it. Home plate don't move.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Before yielding, I'll one-up the one-upper: Satchel Paige also said, Don't look back.

I am pleased to yield 3 minutes to my distinguished friend and colleague from the Rules Committee, the gentleman from Colorado (Mr. POLIS).

□ 1250

Mr. POLIS. I thank the gentleman.

This bill, the SOAR Act, reestablishes a program to send D.C. students to private elementary and secondary schools. The main issue that I struggle with, that this body needs to struggle with, with regard to this measure is the justification for pushing Federal will onto Washington, D.C., which is counter to local control over education, a concept that has broad bipartisan support.

One of my top priorities in this body is to improve our education system—ensure that every child has an effective teacher in a classroom, improve accountability for all schools, and provide a pathway to college and careers for lifelong success. To be clear, the overall state of the schools in Washington, D.C., is a disgrace. A recent Education Week study showed a 48.8 percent on-time graduation rate. Frankly, we as Americans should be ashamed. We need to do better, the Americans who live here in Washington, D.C.

Yet it's absurd, Madam Speaker, that we as elected officials from 50 States are executing a right to determine how schools are funded in a jurisdiction that doesn't even have a vote in this body. I'm a Representative of part of one State, Colorado, and yet here I am in a position to make school funding decisions on behalf of Washington, D.C., students. We wouldn't do this to Colorado, Ohio, or any other State.

A district near mine in the State of Colorado, Douglas County School District, recently enacted a district-wide voucher program. The residents of D.C. are no less American than the residents of Douglas County, and yet in Douglas County, Colorado, there will be candidates that run for school board for the program, candidates that run for school board against the program, and the future of whether or not vouchers can continue in Douglas County, Colorado, will be decided where it should be, by the residents of Douglas County, Colorado.

This vote underscores the need for Washington, D.C., to control its own public school system as the State does. In fact, Madam Speaker, I think Washington should be a State. Until that day, Congress should respect the wishes of D.C. elected officials with regard to the administration of their education system.

I would point out that there is a Federal interest with regard to what the States do and what Washington, D.C., does with regard to education. States and the District of Columbia should have the discretion to make the changes they need to improve education but not the discretion to stand back and do nothing. In fact, I worry considerably about a recent announcement by Mayor Gray that they would fund capital for charter schools at only $2,800 per pupil as opposed to the $5,800 that the conventional public schools get.

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

Mr. POLIS. I would ask for an additional 45 seconds, Mr. HASTINGS.

Mr. HASTINGS of Washington. I yield the gentleman an additional 45 seconds.

Mr. POLIS. If the elected officials and people of Washington, D.C., wanted a system of school vouchers, they would have created it and not relied on the Federal Government.

The important moral imperative of education reform can occur with or without vouchers, and at this point in time, I think it's critical to give education reformers that are hard at work in the District of Columbia a chance to succeed on a route that they have laid out, which apparently does not include vouchers at this time.

I will continue to push for D.C. statehood and for a Federal role that encourages transparency and accountability, improves and builds upon our

successes in public education, and makes sure that we change what doesn't work, with the tools and discretion at the local level to make those tough decisions.

Mr. BISHOP of Utah. Again, Madam Speaker, I'm pleased to be here and also be joined my good friend from Colorado, whom I should probably publicly apologize to for saying disparaging things last night. I screwed up and I apologize for that.

However, he presents to us an unusual conundrum that is here on who gets to decide what will or will not be allowed. Whatever we do in this unique situation, the decision will be made. If we pass the underlying bill, we empower parents in Washington, D.C., to make a choice. If we don't pass the underlying bill, we prohibit parents in Washington, D.C., from making that kind of choice. Once again, when they were allowed to make that choice, they had a waiting list for those wishing to participate. It's a conundrum whatever we do, yes or no. It makes a decision on behalf of the people of Washington, D.C.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, would you be so kind as to inform us as to the remaining time.

The SPEAKER pro tempore. The gentleman from Florida has 16¾ minutes remaining. The gentleman from Utah has 17½ minutes remaining.

Mr. HASTINGS of Florida. I am very pleased at this time to yield 3 minutes to the distinguished gentlewoman from the District of Columbia, my good friend, Ms. HOLMES NORTON, who knows more about this issue than all of us combined.

Ms. NORTON. Thank you very much, and I certainly thank my good friend from Florida for his work on not only this bill, H.R. 471, but for his strong respect for the District of Columbia and its residents and his support for our right to self-government as American citizens.

I oppose this rule, I oppose this bill, and at the appropriate time, I will have a substitute to redirect the funds in this bill in accordance with the home-rule wishes of the District of Columbia. May I say, I appreciate the words of my good friend from Utah, but I do resent the use of the word ''liberty'' at a time when this bill will deprive the residents of the District of Columbia of the liberty every other district has in deciding local educational decisions for itself. They have it in Utah, and we will never be satisfied as long as we do not have each and every right you have in Utah.

Now, the majority ought to approach this rule with caution. Many in the House ran on the promise to reduce the power of the Federal Government and to reduce the budget. Now, we are 3 months into the new Congress, and if they vote for this rule, they will be breaking their promises.

They will be voting for an unprecedented expansion of the Federal Government's power into the quintessentially local decision of elementary and secondary education. They will be voting for this rule against the will of the jurisdiction, the only jurisdiction to which it applies, the District of Columbia. They will be voting for this rule with no consultation with any elected official in the local jurisdiction involved. They will be voting to authorize the Federal Government to mandate that a local government offer a program for students to attend private schools at public expense, Federal expense, that is. They will be voting to increase the deficit by $300 million with no offset whatsoever for these funds because this is a new program and their own protocols demand an offset for new programs.

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

Mr. HASTINGS of Florida. To complete her thought, I yield the gentlelady an additional 30 seconds.

Ms. NORTON. So in the first test of their legislative cut-go protocol, they will be voting to violate it. They will be voting to do so with $300 million added to the deficit at a time when they are cutting $11.6 billion with a ''b'' from education throughout the United States of America. We are American citizens.

Mr. BISHOP of Utah. Madam Speaker, again, I appreciate the opportunity of discussing this particular issue.

There is one effect where the Delegate from the District of Columbia does have something in common with the State of Utah. Over 70 percent of my land is owned by the Federal Government in Utah, and it is one of those factors that inhibits our ability to fund our education system in the State of Utah. The District of Columbia has that same initiative problem with so much of the land owned by the Federal Government.

The difference, though, is that this program is giving Federal money to the District of Columbia to fund not just the scholarship opportunity but also increased funds to fund their charter schools, as well as funds to fund the regular public education system. In that respect, I wish we were very similar to what's happening in the District of Columbia, but unfortunately we are not.

□ 1300

I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 2 minutes to the distinguished gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman from Florida for yielding.

Madam Speaker, I urge my colleagues to defeat the previous question so that we can address this important issue of currency manipulation and trade.

Manufacturers in my home State of Rhode Island and those across the Nation are working hard and playing by the rules, and they are suffering disproportionately because their Chinese counterparts refuse to play by the same set of rules in the global economy.

One way Chinese businesses cheat is by keeping their currency artificially low so that their imports are cheaper than U.S. goods. That is simply not fair, and this practice must end. Artificially low Chinese currency contributes greatly to the global trade imbalance, which puts U.S. businesses and workers at a significant disadvantage.

China's unfair currency manipulation has destroyed millions of good-paying American jobs and jeopardizes the future of the American middle class. Employment in manufacturing shrank from 20 million jobs in 1979 to fewer than 12 million jobs today. In Rhode Island, we experienced the loss of more than 30,000 manufacturing jobs in the last decade alone.

Despite these sobering statistics, the American manufacturing sector is in the midst of a resurgence. If this vital economic engine is to be sustained, Congress must continue its investments in programs that help manufacturers compete in the global economy, ending currency manipulation. And by doing that, we can level the playing field for American manufacturers, give them a fighting chance to compete, and speed up our economic recovery and create jobs.

With so many factories shuttered, small businesses barely hanging on, and Rhode Island workers continuing to look for jobs, we can't afford to wait any longer for the Chinese to correct their unfair trade practices. That's why I am proud to cosponsor this legislation to end China's unfair currency manipulation, because in States like Rhode Island, we have to fight back against countries like China that won't stick to their obligations under international agreements and play by the rules.

If our country is going to compete in the global economy, we have to guarantee that manufacturers are not disadvantaged by an uneven playing field in foreign trade. We must demand that China play by the rules.

Mr. BISHOP of Utah. Madam Speaker, I reserve the balance of my time so I can find another baseball metaphor.

Mr. HASTINGS of Florida. Sort of like ''Joe DiMaggio was against vouchers.''

Madam Speaker, at this time I would like to yield myself 10 seconds to explain that we are still on the D.C. voucher matter, but the previous question is with reference to Chinese currency.

With that, I am pleased to yield 2 minutes to the distinguished gentleman, my good friend from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Madam Speaker, the Republican follies go on. The Republicans have done nothing in their 13

weeks in charge of this House to help Americans get jobs, nothing to open markets for businesses to expand, nothing to open up markets overseas for American workers and businesses to compete more fairly. While they hold the economy hostage to their cultural war agenda, maybe we could do something to help the American people.

I rise today in support of the effort to defeat the previous question so that we can take a first step toward addressing the egregious imbalance between China's currency and our own. For too long, the Chinese have been playing unfairly in the international trade arena, and this Congress has to send a clear message that China must become a responsible player in multilateral trade. The Chinese export-driven strategy is smart, but subsidizing it by suppressing their currency is an unfair way to do it.

This effort is a good step, and we should follow up by working together with our trading partners to bring a multilateral WTO case against China on the currency issue. This commonsense legislation helps the Commerce Department do a fairer job for making the multilateral mechanisms more available to U.S. businesses. We must send a clear signal with this legislation that the American people respect international agreements and expect fairness.

After years of an unlevel playing field, it is time to act; and this motion to defeat it and bring it to the floor is the right kind of measured first step we can take now. I hope the Republicans will join us in helping this economy. I am tired of reading the Constitution and all the silly things we have done for the last 13 weeks. When are we going to see anything having to do with job creation?

Mr. BISHOP of Utah. Madam Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, at this time, I am pleased to yield 2 minutes to my very good friend, the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

Madam Speaker, some of the 15 million unemployed Americans no doubt got together with some of their friends this morning around a kitchen table and talked about another fruitless day of job searching, another sleepless night, another paycheckless Friday that's coming. And I wonder, Madam Speaker, what they would think about what's going on on the floor of this House today. At a time when there are 15 million Americans out of work, the House majority has decided to pretend that it is the District of Columbia Board of Education.

Now, there are profound issues about the quality of schools for children in the District of Columbia. I would be guided by their elected representative, Ms. HOLMES NORTON, who speaks for them but tragically does not have the right to vote on their behalf. She should have that right. But beyond that, what are we doing?

This is a time when Americans are struggling and suffering and losing their homes. What we should be doing is coming together, Republicans and Democrats, on this floor to create an environment where entrepreneurs and small businesses can create jobs for the American people.

We have a proposal on the floor right now that would say the following: Let's stop China from unfairly manipulating its currency that puts American manufacturers at a disadvantage.

It is estimated that 1 million manufacturing jobs could be added in this country if the Chinese were made to stop their unfair practice of discriminating and manipulating currency. Now, you may think that's a good idea or a bad idea. I think it's a good idea. But why don't we take a vote on that instead of how to run the District of Columbia Public Schools? That's a question that the voters of the District of Columbia should decide for themselves. What we ought to decide is to get our act together and get Americans back to work.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

Madam Speaker, I am not objecting at all to the concepts and the comments about Chinese trade. I think that's a legitimate issue. It has its time and place, perhaps not necessarily on this particular bill. But as an approach that the opposition, the minority, wishes to take, I can understand that.

I do, though, have my baseball analogy still here, and I'm not going to count the DiMaggio joke because that was made up. That was not a true one. But it is true that Casey Stengel at one time, talking about I think one of the best second basemen ever, Bobby Richardson, said: I just can't understand it. He doesn't smoke, he doesn't drink, he doesn't stay out at night, and he still can't hit .250.

Now, even though a healthy lifestyle may extend a career, it still has no ability or connection to the ability of hitting a curve ball. But those kind of non sequiturs are part and parcel of the entire debate that we will be having not just on this rule but also extended on to the other debate as well.

I find it personally very difficult to understand why anyone would oppose this bill, which only expands choices for D.C.'s brightest and least financially blessed schoolkids and does not subtract from school funding for D.C. public schools. In fact, it increases funding while keeping within Federal budget disciplines. It increases the percentage of money going to the charter school program as well as to the public schools. This is a win-win-win situation because it sends money to three distinct efforts: the regular public school; the charter schools, which have a waiting list more than ever before; and also this Opportunity Scholarship Program, which had a waiting list and will again as well.

With that, I reserve the balance of my time.

□ 1310

Mr. HASTINGS of Florida. Madam Speaker, my friend is absolutely correct about the Joe DiMaggio comment. But I've been around long enough to remember the Washington Senators. One of my personal friends played baseball with them, Earl Battey, and I won't tell you some of the things that Earl said to me when it wasn't about school vouchers.

But I leave to the seriousness of the moment 5 minutes of my remaining time to the gentlewoman from the District of Columbia (Ms. NORTON), who has, with great persistence, tried to get clarity about taxation without representation.

Ms. NORTON. Madam Speaker, you know, in the later days of European colonialism, countries like France allowed some representation from the colonies because the whole notion of voting on the fate of the colonies with nobody there who could also vote seemed even then to be a dilemma they could not live with. And I don't understand how any Member of the House believes she has a right to vote on local education matters or any other local matter affecting any part of the United States, including the District of Columbia.

I note, Madam Speaker, that Mr. POLIS of the Rules Committee indicated yesterday that there was a county in Colorado that had created its own voucher program. I respect that because they didn't come to the Federal Government to ask that their local voucher program be funded, nor, Madam Speaker, did we.

I think every Member of this House ought to ask, since we've had 5 years of a voucher bill, why is there no national bill on the floor? I think the gentleman from Florida has said one of the good reasons, and that is that the Bush Department of Education found that, when compared with the students in comparable schools in DC, there was no increase in test scores in math or reading. So there's a merit reason why there's no national bill.

But there's another reason why. The majority doesn't have the nerve to put a national voucher bill on the floor because it knows that in each and every state referendum, including in referendums in Utah, from which my good friend comes, not once has such a referendum succeeded.

I don't know why the majority thinks it can go home now and say I voted for vouchers, when you, yourselves, were against the use of public money for private schools in your district. I would not like to be at that town meeting where you have to explain why you voted for a rule for $300

million for one district that did not want that money for that purpose.

Madam Speaker, I very much resent the use of Article I, Section VIII of the Constitution whenever the majority wants to move in on the District of Columbia with one of its pet ideas, or because it disagrees with some issue in the District of Columbia. That's quintessentially the absence of democracy.

It's one thing to have no democracy. It's another thing to press your version of policy on another jurisdiction. That's why I have an alternative, a substitute that I will be bringing at an appropriate time.

Madam Speaker, in 1973, after 150 years, this Congress finally said we have been wrong for most of the existence of our country in allowing no democracy whatsoever in the District of Columbia, no mayor, no city council. We give up. We delegate self-government to you. We are out of your affairs.

Self-government means nothing if the District of Columbia can still be a dumping ground for every pet project and pet idea of the majority. We have our own pet ideas, and we will insist on respect for our own ideas, and not yours.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I would advise my friend from Utah that I am going to be the last speaker.

Mr. BISHOP of Utah. Madam Speaker, may I inquire how much time I have left?

The SPEAKER pro tempore. The gentleman has 15 minutes remaining.

Mr. BISHOP of Utah. I will yield 10 minutes if the gentleman from California wants it. Otherwise, I will be happy to use what he does not use.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 10 minutes.

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

Mr. DREIER. Madam Speaker, first, let me thank my friend for his superb management of this rule and to say that I have the utmost respect for my colleague from the District of Columbia. Since I reside here in the District of Columbia, she represents me here in this institution. And when I'm here—of course I'm a Californian, first and foremost—but when I'm here, I get her newsletters in the mail. She and I have served on a commission together, focused on reform of this Congress in the 1990s, and I do have the utmost respect for her.

That is one of the main reasons that we chose, when she offered the one amendment to this measure, to make it in order, because there's been a commitment that Speaker BOEHNER and I and others have made that we want to have a free-flowing debate. And I think that the notion of concluding that somehow this is a cut-and-dried issue was really wrong.

I have to say that I felt, as I sat in the Rules Committee last night and listened to my good friend and I listened to Mr. MCGOVERN, I was really saying, my gosh, maybe there is no support for this measure at all. Especially when Mr. MCGOVERN, the second ranking Democrat on the Rules Committee, said every city council member in the District of Columbia is opposed to this measure. In fact, he said it not once but two, maybe even three, times.

And then I was handed a list. And I have just been told that Mr. BISHOP raised at the beginning that there are going to be lists on either side.

But the notion, to conclude, Madam Speaker, that we somehow are imposing the will of the majority on the people of the District of Columbia, that there's no support for this whatsoever, which is what I inferred from what was offered in the Rules Committee last night, is just plain wrong.

I don't often cite the editorial work of The Washington Post, but The Washington Post has editorialized strongly in support of this notion. Why? Because they're committed, as I believe we all are, Democrats and Republicans alike, I believe that all of my colleagues are committed to improving educational opportunities for our fellow Americans.

I think that what we need to recognize is that educational choice is an important thing, and that's why The Washington Post has editorialized in support of this.

And then when one looks at the list of D.C. leaders, some currently holding office, some formerly having held elective office here in the District of Columbia, the notion that there's only one voice that's elected by the people of the District of Columbia is an inaccurate one.

The fact is, the chairman of the city council, chairman-at-large, Kwame Brown, is a supporter of this measure. The former mayor, Adrian Fenty. I recognize that he did not win reelection. I don't know that this was the sole determinant in the outcome of that election. But Adrian Fenty, in fact, is a supporter of this measure.

The mayor before that, Anthony Williams, is a supporter of this measure. Marion Barry, the former mayor; Kevin Chavous, former chairman of the D.C. City Council Education Committee; Patrick Mara, the D.C. school board member; and, of course, the often-cited Michelle Rhee, the former D.C. school chancellor, they all happen to be supporters of this measure.

And so that's why, some elected, some not elected, some hold office today, some formerly held office, but I believe, Madam Speaker, that every single one of these people, along with the editorial pages, as I said, of The Post, The Journal, a number of other publications, lots of organizations are very, very committed to ensuring the quality of education is improved in the District of Columbia, and, Madam Speaker, they are very, very committed to ensuring that we see the quality of education improved across this country.

□ 1320

It is very important for us to do that. And that is why I find it very interesting that the previous question battle that we are dealing with here is one that is designed to focus on the issue of international trade and creating jobs here in the United States.

I can understand there is a great deal of concern about the fact that jobs have fled overseas. That has happened because of the policies of the United States of America. The fact that we have the highest tax rate on job creators of any country in the world, the fact that we have chosen over the last few years to stick our heads in the sand when it has come to market opening opportunities through trade agreements which have been signed by our past administration and the leaders of other countries, is an indication that we have chosen to ignore great job-creating opportunities. And I am speaking about these trade agreements, the ones that President Obama said that he would like to see us pass here in the House. First, the Korea-U.S. Free Trade Agreement which he talked about. And I am grateful that he talked about the importance of Colombia and Panama, two agreements that were actually signed before the completion of the U.S.-Korea Free Trade Agreement.

Now, Madam Speaker, if we were to focus attention on those items, plus reducing that top rate on job creators from 35 percent to 25 percent, that would do more to create job opportunities than almost anything we could do.

And then we get back to the core issue here, and that is education. We need to make sure that the United States of America, as we seek to remain competitive in this global economy, that we have the best educated young people. That is why educational choice, I believe, is critically important.

We are going to have an opportunity for debate. The Rules Committee has chosen to make in order and give 40 minutes of debate to my friend from the District of Columbia so we will be able to continue this exchange.

I urge my colleagues to vote ''yes'' in favor of the previous question, and in so doing, we will be able to pursue tremendous items like the pending three free trade agreements and reducing the top rate on corporate income, those on job creators, so that we can generate more job opportunities in this country.

Vote ''yes'' on the previous question. Vote ''yes'' on the rule. I believe that the underlying legislation will dramatically enhance the opportunity for young people in the District of Columbia to have educational opportunities that they otherwise would not have.

Mr. HASTINGS of Florida. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 2 minutes remaining.

Mr. HASTINGS of Florida. I yield 1 minute of that time to the gentlewoman from the District of Columbia, Ms. HOLMES NORTON.

Ms. NORTON. No one ever said that everybody in the District of Columbia or even every public official was against vouchers.

Mr. DREIER. Will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from California.

Mr. DREIER. I just said that Mr. MCGOVERN in the debate last night in the Rules Committee said that every city council member, and then I was given this list.

I thank my friend for yielding.

Ms. NORTON. On the contrary, a letter is on its way up here from city council members. The present mayor opposes the bill. Yes, the former mayor was for the bill. The largest demonstration of citizens since I have been in the Congress was held when this bill was imposed on the District of Columbia.

If you ask people in the District of Columbia, ''Would you support some Federal money for vouchers?'' a lot of them will say yes. If you ask them the right question, ''Would you want money for private school vouchers or would you want money for public charter schools?'' hands down, they will say, relieve those long waiting lists of all of us trying to get in our public charter schools and give the money to our public charter schools.

Nobody on that side of the aisle knows anything about the residents of the District of Columbia or they never would have put this bill in in the first place.

Mr. BISHOP of Utah. Madam Speaker, I will reserve the balance of my time, and I will tell the gentleman from Florida that I am prepared to close when he is.

Mr. HASTINGS of Florida. Thank you very much, and I shall conclude.

I say to the chairman, before he leaves the room, that if any American corporation is paying 35 percent corporate tax, they need to fire their accountants.

Madam Speaker, if the people of the District of Columbia wanted a school voucher program, they would have created one—without the interference of Congress.

This pilot program was allowed to expire for a reason: It didn't work.

Why the self-proclaimed party of fiscal conservatism would support authorizing millions, 300 of those, in new spending for a downright useless program with no offset is beyond me. It is time for Republicans to take their hands out of the internal affairs of the District, and instead focus on what our constituents sent us here to do—rebuild our economy and put Americans back to work.

At a time when our Nation's schools and communities find themselves in dire fiscal straits, we should not be throwing money away to revive a program that has, by all objective measures, failed.

Madam Speaker, I urge my colleagues to vote ''no'' and defeat the previous question, so we can debate and pass real jobs legislation today, I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. BISHOP of Utah. Once again, I appreciate the discussion, I appreciate my good friend from Florida if for no other reason that all of a sudden people are now sending me baseball stories and analogies here. I have one from Casey Stengel which I will save for the next time we join together here on the floor.

Madam Speaker, it is fairly clear what we are dealing with in this particular bill. This is money that is within our Federal budgetary discipline. We are talking with this bill about money that would go to the traditional public education system in the District of Columbia, an equal amount of money that would go to the charter schools which does have a waiting list here in the District of Columbia, as well as money that would go to this new opportunity scholarship.

Once again, with our dueling statistics, whether one wants to say that it was successful or not, the bottom line is still there were parents who wanted that program, there were parents who complained when the program was taken away from them by Congress, and there are parents who still want this program reestablished. They want those options for their children.

We have a choice here. If we act favorably on this bill, we empower those parents. If we refuse to act favorably on this bill, then we limit those parents and the choices that they seem to want. That is one of those issues that is there.

Madam Speaker, in closing, I want to reiterate the fairness of this structured rule. I urge its adoption, along with the underlying legislation. I urge members to support this rule which will allow the House to consider good legislation that affords bright and competitive D.C. students with an enhanced opportunity to pursue a higher quality of education while not harming the underlying public education system in the District of Columbia.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 186 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, 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. 639) to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to a fundamentally undervalued currency of any foreign country. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. 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 Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated,

control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

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

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

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

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

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

Mr. HASTINGS of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 186, if ordered; and approval of the Journal, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 237, nays 182, not voting 13, as follows:

[Roll No. 199]

YEAS—237

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—182

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—13

Barton (TX)
Butterfield
Campbell
Carson (IN)
Clarke (NY)
Cleaver
Conyers
Costello
Frelinghuysen
Giffords
Ruppersberger
Shuler
Whitfield

□ 1353

Ms. BROWN of Florida, Messrs. TIERNEY, CLARKE of Michigan, HONDA, ISRAEL, and Ms. LINDA T. SÁNCHEZ of California changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 235, nays 178, not voting 19, as follows:

[Roll No. 200]

YEAS—235

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley

McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—178

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—19

Barton (TX)
Bass (NH)
Brooks
Butterfield
Campbell
Carson (IN)
Clarke (NY)
Cleaver
Davis (IL)
Frelinghuysen
Garamendi
Giffords
Hayworth
Heller
Polis
Quigley
Rangel
Shuler
Slaughter

□ 1400

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.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 309, nays 107, answered ''present'' 1, not voting 15, as follows:

[Roll No. 201]

YEAS—309

Ackerman
Adams
Aderholt
Akin
Alexander
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Capps
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Courtney
Crawford
Crenshaw
Critz
Crowley
Culberson
Davis (CA)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Engel
Eshoo
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Franks (AZ)
Gallegly
Garamendi
Garrett
Gerlach
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hanabusa
Harper
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Holden
Holt
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Inslee
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Payne
Pence
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Price (GA)
Price (NC)
Quayle
Quigley
Rehberg
Reichert
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—107

Altmire
Baldwin
Bass (CA)
Becerra
Bilbray
Bishop (NY)
Boswell
Brady (PA)
Brown (FL)
Burgess
Capuano
Cardoza
Carnahan
Chu
Clarke (MI)
Costa
Costello
Cravaack
Cuellar
Cummings
Davis (IL)
DeFazio
Dent
Deutch
Dicks
Dold
Donnelly (IN)
Ellison
Farenthold
Farr
Filner
Fitzpatrick
Foxx
Fudge
Gardner
Gibbs
Graves (MO)
Gutierrez
Hall
Hanna
Harris
Hastings (FL)
Heck
Heller
Hinchey
Honda
Hoyer
Hunter
Israel
Jackson (IL)
Jackson Lee (TX)
Keating
Kinzinger (IL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Luján
Lynch
Maloney
McCotter
McDermott
McGovern
McKinley
Meeks
Miller, George
Moore
Napolitano
Olver
Pallone
Pastor (AZ)
Pearce
Pelosi
Peters
Peterson
Poe (TX)
Rahall
Rangel
Reed
Renacci
Reyes
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Scott (VA)
Sires
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tipton
Towns
Visclosky
Weiner
Wu
Young (AK)

ANSWERED ''PRESENT''—1

Amash

NOT VOTING—15

Andrews
Barton (TX)
Buchanan
Butterfield
Campbell
Carson (IN)
Clarke (NY)
Cleaver
Frelinghuysen
Giffords
Gohmert
Perlmutter
Posey
Shuler
Slaughter

□ 1408

Ms. BASS of California changed her vote from ''yea'' to ''nay.''

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained on official business and missed rollcall vote Nos. 200 and 201. Had I been present, I would have voted "nay" on rollcall vote Nos. 200 and 201.

SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

Mr. ISSA. Mr. Speaker, pursuant to House Resolution 186, I call up the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BASS of New Hampshire). Pursuant to House Resolution 186, the amendment recommended by the Committee on Oversight and Government Reform now printed in the bill is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 471

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 ''Scholarships for Opportunity and Results Act'' or the ''SOAR Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their child.

(2) For many parents in the District of Columbia, public school choice provided under the Elementary and Secondary Education Act of 1965, as well as under other public school choice programs, is inadequate. More educational options are needed to ensure all families in the District of Columbia have access to a quality education. In particular, funds are needed to provide low-income parents with enhanced public opportunities and private educational environments, regardless of whether such environments are secular or nonsecular.

(3) While the per student cost for students in the public schools of the District of Columbia is one of the highest in the United States, test scores for such students continue to be among the lowest in the Nation. The National Assessment of Educational Progress (NAEP), an annual report released by the National Center for Education Statistics, reported in its 2009 study that students in the District of Columbia were being outperformed by every State in the Nation. On the 2009 NAEP, 56 percent of fourth grade students scored ''below basic'' in reading, and 44 percent scored ''below basic'' in mathematics. Among eighth grade students, 49 percent scored ''below basic'' in reading and 60 percent scored ''below basic'' in mathematics. On the 2009 NAEP reading assessment, only 17 percent of the District of Columbia fourth grade students could read proficiently, while only 13 percent of the eighth grade students scored at the proficient or advanced level.

(4) In 2003, Congress passed the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), to provide opportunity scholarships to parents of students in the District of Columbia to enable them to pursue a high-quality education at a public or private elementary or secondary school of their choice. The DC Opportunity Scholarship Program (DC OSP) under such Act was part of a comprehensive 3-part funding arrangement that also included additional funds for the District of Columbia public schools, and additional funds for public charter schools of the District of Columbia. The intent of the approach was to ensure that progress would continue to be made to improve public schools and public charter schools, and that funding for the opportunity scholarship program would not lead to a reduction in funding for the District of Columbia public and charter schools. Resources would be available for a variety of educational options that would give families in the District of Columbia a range of choices with regard to the education of their children.

(5) The DC OSP was established in accordance with the Supreme Court decision, Zelman v. Simmons-Harris, 536 U.S. 639 (2002), which found that a program enacted for the valid secular purpose of providing educational assistance to low-income children in a demonstrably failing public school system is constitutional if it is neutral with respect to religion and provides assistance to a broad class of citizens who direct government aid to religious and secular schools solely as a result of their genuine and independent private choices.

(6) Since the inception of the DC OSP, it has consistently been oversubscribed. Parents express strong support for the opportunity scholarship program. Rigorous studies of the program by the Institute of Education Sciences have shown significant improvements in parental satisfaction and in reading scores that are more dramatic when only those students consistently using the scholarships are considered. The program also was found to result in significantly higher graduation rates for DC OSP students.

(7) The DC OSP is a program that offers families in need, in the District of Columbia, important alternatives while public schools are improved. This program should be reauthorized as 1 of a 3-part comprehensive funding strategy for the District of Columbia school system that provides new and equal funding for public schools, public charter schools, and opportunity scholarships for students to attend private schools.

SEC. 3. PURPOSE.

The purpose of this Act is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunities for enrolling their children in other schools in the District of Columbia, at least until the public schools in the District of Columbia have adequately addressed shortfalls in health, safety, and security, and the students in the District of Columbia public schools are testing in mathematics and reading at or above the national average.

SEC. 4. GENERAL AUTHORITY.

(a) OPPORTUNITY SCHOLARSHIPS.—

(1) IN GENERAL.—From funds appropriated under section 14(a)(1), the Secretary shall award grants on a competitive basis to eligible entities with approved applications under section 5 to carry out a program to provide eligible students with expanded school choice opportunities. The Secretary may award a single grant or multiple grants, depending on the quality of applications submitted and the priorities of this Act.

(2) DURATION OF GRANTS.—The Secretary may make grants under this subsection for a period of not more than 5 years.

(b) DC PUBLIC SCHOOLS AND CHARTER SCHOOLS.—From funds appropriated under paragraphs (2) and (3) of section 14(a), the Secretary shall provide funds to the Mayor of the District of Columbia, if the Mayor agrees to the requirements described in section 11(a), for—

(1) the District of Columbia public schools to improve public education in the District of Columbia; and

(2) the District of Columbia public charter schools to improve and expand quality public charter schools in the District of Columbia.

SEC. 5. APPLICATIONS.

(a) IN GENERAL.—In order to receive a grant under section 4(a), an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) CONTENTS.—The Secretary may not approve the request of an eligible entity for a grant under section 4(a) unless the entity's application includes—

(1) a detailed description of—

(A) how the entity will address the priorities described in section 6;

(B) how the entity will ensure that if more eligible students seek admission in the program of the entity than the program can accommodate, eligible students are selected for admission through a random selection process which gives weight to the priorities described in section 6;

(C) how the entity will ensure that if more participating eligible students seek admission to a participating school than the school can accommodate, participating eligible students are selected for admission through a random selection process;

(D) how the entity will notify parents of eligible students of the expanded choice opportunities in order to allow the parents to make informed decisions;

(E) the activities that the entity will carry out to provide parents of eligible students with expanded choice opportunities through the awarding of scholarships under section 7(a);

(F) how the entity will determine the amount that will be provided to parents under section 7(a)(2) for the payment of tuition, fees, and transportation expenses, if any;

(G) how the entity will seek out private elementary schools and secondary schools in the District of Columbia to participate in the program;

(H) how the entity will ensure that each participating school will meet the reporting and other program requirements under this Act;

(I) how the entity will ensure that participating schools submit to site visits by the entity as determined to be necessary by the entity, except that a participating school may not be required to submit to more than 1 site visit per school year;

(J) how the entity will ensure that participating schools are financially responsible and will use the funds received under section 7 effectively;

(K) how the entity will address the renewal of scholarships to participating eligible students, including continued eligibility; and

(L) how the entity will ensure that a majority of its voting board members or governing organization are residents of the District of Columbia; and

(2) an assurance that the entity will comply with all requests regarding any evaluation carried out under section 9(a).

SEC. 6. PRIORITIES.

In awarding grants under section 4(a), the Secretary shall give priority to applications from eligible entities that will most effectively—

(1) in awarding scholarships under section 7(a), give priority to—

(A) eligible students who, in the school year preceding the school year for which the eligible students are seeking a scholarship, attended an elementary school or secondary school identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316);

(B) students who have been awarded a scholarship in a preceding year under this Act or the DC School Choice Incentive Act of 2003 (sec. 38–

1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this Act, but who have not used the scholarship, including eligible students who were provided notification of selection for a scholarship for school year 2009-2010, which was later rescinded in accordance with direction from the Secretary of Education; and

(C) students whose household includes a sibling or other child who is already participating in the program of the eligible entity under this Act, regardless of whether such students have, in the past, been assigned as members of a control study group for the purposes of an evaluation under section 9(a);

(2) target resources to students and families that lack the financial resources to take advantage of available educational options; and

(3) provide students and families with the widest range of educational options.

SEC. 7. USE OF FUNDS.

(a) OPPORTUNITY SCHOLARSHIPS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), an eligible entity receiving a grant under section 4(a) shall use the grant funds to provide eligible students with scholarships to pay the tuition, fees, and transportation expenses, if any, to enable the eligible students to attend the District of Columbia private elementary school or secondary school of their choice beginning in school year 2011–2012. Each such eligible entity shall ensure that the amount of any tuition or fees charged by a school participating in such entity's program under this Act to an eligible student participating in the program does not exceed the amount of tuition or fees that the school charges to students who do not participate in the program.

(2) PAYMENTS TO PARENTS.—An eligible entity receiving a grant under section 4(a) shall make scholarship payments under the entity's program under this Act to the parent of the eligible student participating in the program, in a manner which ensures that such payments will be used for the payment of tuition, fees, and transportation expenses (if any), in accordance with this Act.

(3) AMOUNT OF ASSISTANCE.—

(A) VARYING AMOUNTS PERMITTED.—Subject to the other requirements of this section, an eligible entity receiving a grant under section 4(a) may award scholarships in larger amounts to those eligible students with the greatest need.

(B) ANNUAL LIMIT ON AMOUNT.—

(i) LIMIT FOR SCHOOL YEAR 2011–2012.—The amount of assistance provided to any eligible student by an eligible entity under the entity's program under this Act for school year 2011–2012 may not exceed—

(I) $8,000 for attendance in kindergarten through grade 8; and

(II) $12,000 for attendance in grades 9 through 12.

(ii) CUMULATIVE INFLATION ADJUSTMENT.—Beginning the school year following the school year of the date of the enactment of this Act, the Secretary shall adjust the maximum amounts of assistance described in clause (i) for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

(4) PARTICIPATING SCHOOL REQUIREMENTS.—None of the funds provided under this Act for opportunity scholarships may be used by an eligible student to enroll in a participating private school unless the participating school—

(A) has and maintains a valid certificate of occupancy issued by the District of Columbia;

(B) makes readily available to all prospective students information on its school accreditation;

(C) in the case of a school that has been operating for 5 years or less, submits to the eligible entity administering the program proof of adequate financial resources reflecting the financial sustainability of the school and the school's ability to be in operation through the school year;

(D) agrees to submit to site visits as determined to be necessary by the eligible entity pursuant to section 5(b)(1)(I);

(E) has financial systems, controls, policies, and procedures to ensure that funds are used according to this Act; and

(F) ensures that each teacher of core subject matter in the school has a baccalaureate degree or equivalent degree, whether such degree was awarded in or outside of the United States.

(b) ADMINISTRATIVE EXPENSES.—An eligible entity receiving a grant under section 4(a) may use not more than 3 percent of the amount provided under the grant each year for the administrative expenses of carrying out its program under this Act during the year, including—

(1) determining the eligibility of students to participate;

(2) selecting eligible students to receive scholarships;

(3) determining the amount of scholarships and issuing the scholarships to eligible students;

(4) compiling and maintaining financial and programmatic records; and

(5) conducting site visits as described in section 5(b)(1)(I).

(c) PARENTAL ASSISTANCE.—An eligible entity receiving a grant under section 4(a) may use not more than 2 percent of the amount provided under the grant each year for the expenses of educating parents about the entity's program under this Act, and assisting parents through the application process, under this Act, including—

(1) providing information about the program and the participating schools to parents of eligible students;

(2) providing funds to assist parents of students in meeting expenses that might otherwise preclude the participation of eligible students in the program; and

(3) streamlining the application process for parents.

(d) STUDENT ACADEMIC ASSISTANCE.—An eligible entity receiving a grant under section 4(a) may use not more than 1 percent of the amount provided under the grant each year for expenses to provide tutoring services to participating eligible students that need additional academic assistance. If there are insufficient funds to provide tutoring services to all such students in a year, the eligible entity shall give priority in such year to students who previously attended an elementary school or secondary school that was identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

SEC. 8. NONDISCRIMINATION AND OTHER REQUIREMENTS FOR PARTICIPATING SCHOOLS.

(a) IN GENERAL.—An eligible entity or a school participating in any program under this Act shall not discriminate against program participants or applicants on the basis of race, color, national origin, religion, or sex.

(b) APPLICABILITY AND SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in subsection (a) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subsection (a) is inconsistent with the religious tenets or beliefs of the school.

(2) SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—Notwithstanding subsection (a) or any other provision of law, a parent may choose and a school may offer a single sex school, class, or activity.

(3) APPLICABILITY.—For purposes of this Act, the provisions of section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) shall apply to this Act as if section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) were part of this Act.

(c) CHILDREN WITH DISABILITIES.—Nothing in this Act may be construed to alter or modify the provisions of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(d) RELIGIOUSLY AFFILIATED SCHOOLS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a school participating in any program under this Act that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1 et seq.), including the exemptions in such title.

(2) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this Act to eligible students, which are used at a participating school as a result of their parents' choice, shall not, consistent with the first amendment of the Constitution, necessitate any change in the participating school's teaching mission, require any participating school to remove religious art, icons, scriptures, or other symbols, or preclude any participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(e) RULE OF CONSTRUCTION.—A scholarship (or any other form of support provided to parents of eligible students) under this Act shall be considered assistance to the student and shall not be considered assistance to the school that enrolls the eligible student. The amount of any scholarship (or other form of support provided to parents of an eligible student) under this Act shall not be treated as income of the parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

(f) REQUESTS FOR DATA AND INFORMATION.—Each school participating in a program funded under this Act shall comply with all requests for data and information regarding evaluations conducted under section 9(a).

(g) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school, including the schools described in subsection (d), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

(h) NATIONALLY NORM-REFERENCED STANDARDIZED TESTS.—

(1) IN GENERAL.—Each participating school shall comply with any testing requirements determined to be necessary for evaluation under section 9(a)(2)(A)(i).

(2) MAKE-UP SESSION.—If a participating school does not administer a nationally norm-referenced standardized test or the Institute of Education Sciences does not receive data on a student who is receiving an opportunity scholarship, then the Secretary (through the Institute of Education Sciences of the Department of Education) shall administer such test at least one time during a school year for each student receiving an opportunity scholarship.

SEC. 9. EVALUATIONS.

(a) IN GENERAL.—

(1) DUTIES OF THE SECRETARY AND THE MAYOR.—The Secretary and the Mayor of the District of Columbia shall—

(A) jointly enter into an agreement with the Institute of Education Sciences of the Department of Education to evaluate annually the performance of students who received scholarships under the 5-year program under this Act;

(B) jointly enter into an agreement to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this Act; and

(C) make the evaluations described in subparagraph (A) and (B) public in accordance with subsection (c).

(2) DUTIES OF THE SECRETARY.—The Secretary, through a grant, contract, or cooperative agreement, shall—

(A) ensure that the evaluation under paragraph (1)(A)—

(i) is conducted using the strongest possible research design for determining the effectiveness of the opportunity scholarship program under this Act; and

(ii) addresses the issues described in paragraph (4); and

(B) disseminate information on the impact of the program—

(i) in increasing the academic growth and achievement of participating eligible students; and

(ii) on students and schools in the District of Columbia.

(3) DUTIES OF THE INSTITUTE OF EDUCATION SCIENCES.—The Institute of Education Sciences of the Department of Education shall—

(A) use a grade appropriate, nationally norm-referenced standardized test each school year to assess participating eligible students;

(B) measure the academic achievement of all participating eligible students; and

(C) work with the eligible entities to ensure that the parents of each student who applies for a scholarship under this Act (regardless of whether the student receives the scholarship) and the parents of each student participating in the scholarship program under this Act, agree that the student will participate in the measurements given annually by the Institute of Educational Sciences for the period for which the student applied for or received the scholarship, respectively, except that nothing in this subparagraph shall affect a student's priority for an opportunity scholarship as provided under section 6.

(4) ISSUES TO BE EVALUATED.—The issues to be evaluated under paragraph (1)(A) shall include the following:

(A) A comparison of the academic growth and achievement of participating eligible students in the measurements described in paragraph (3) to the academic growth and achievement of the eligible students in the same grades who sought to participate in the scholarship program under this Act but were not selected.

(B) The success of the program in expanding choice options for parents of participating eligible students, improving parental and student satisfaction of such parents and students, respectively, and increasing parental involvement of such parents in the education of their children.

(C) The reasons parents of participating eligible students choose for their children to participate in the program, including important characteristics for selecting schools.

(D) A comparison of the retention rates, high school graduation rates, and college admission rates of participating eligible students with the retention rates, high school graduation rates, and college admission rates of students of similar backgrounds who do not participate in such program.

(E) A comparison of the safety of the schools attended by participating eligible students and the schools in the District of Columbia attended by students who do not participate in the program, based on the perceptions of the students and parents.

(F) Such other issues with respect to participating eligible students as the Secretary considers appropriate for inclusion in the evaluation, such as the impact of the program on public elementary schools and secondary schools in the District of Columbia.

(G) An analysis of the issues described in subparagraphs (A) through (F) by applying such subparagraphs by substituting ''the subgroup of participating eligible students who have used each opportunity scholarship awarded to such students under this Act to attend a participating school'' for ''participating eligible students'' each place such term appears.

(5) PROHIBITION.—Personally identifiable information regarding the results of the measurements used for the evaluations may not be disclosed, except to the parents of the student to whom the information relates.

(b) REPORTS.—The Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Oversight and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Homeland Security and Governmental Affairs of the Senate—

(1) annual interim reports, not later than April 1 of the year following the year of the date of enactment of this Act, and each subsequent year through the year in which the final report is submitted under paragraph (2), on the progress and preliminary results of the evaluation of the opportunity scholarship program funded under this Act; and

(2) a final report, not later than 1 year after the final year for which a grant is made under section 4(a), on the results of the evaluation of the program.

(c) PUBLIC AVAILABILITY.—All reports and underlying data gathered pursuant to this section shall be made available to the public upon request, in a timely manner following submission of the applicable report under subsection (b), except that personally identifiable information shall not be disclosed or made available to the public.

(d) LIMIT ON AMOUNT EXPENDED.—The amount expended by the Secretary to carry out this section for any fiscal year may not exceed 5 percent of the total amount appropriated under section 14(a)(1) for the fiscal year.

SEC. 10. REPORTING REQUIREMENTS.

(a) ACTIVITIES REPORTS.—Each eligible entity receiving funds under section 4(a) during a year shall submit a report to the Secretary not later than July 30 of the following year regarding the activities carried out with the funds during the preceding year.

(b) ACHIEVEMENT REPORTS.—

(1) IN GENERAL.—In addition to the reports required under subsection (a), each eligible entity receiving funds under section 4(a) shall, not later than September 1 of the year during which the second school year of the entity's program is completed and each of the next 2 years thereafter, submit to the Secretary a report, including any pertinent data collected in the preceding 2 school years, concerning—

(A) the academic growth and achievement of students participating in the program;

(B) the high school graduation and college admission rates of students who participate in the program, where appropriate; and

(C) parental satisfaction with the program.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information.

(c) REPORTS TO PARENTS.—

(1) IN GENERAL.—Each eligible entity receiving funds under section 4(a) shall ensure that each school participating in the entity's program under this Act during a school year reports at least once during the year to the parents of each of the school's students who are participating in the program on—

(A) the student's academic achievement, as measured by a comparison with the aggregate academic achievement of other participating students at the student's school in the same grade or level, as appropriate, and the aggregate academic achievement of the student's peers at the student's school in the same grade or level, as appropriate;

(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions; and

(C) the accreditation status of the school.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

(d) REPORT TO CONGRESS.—Not later than 6 months after the first appropriation of funds under section 14, and each succeeding year thereafter, the Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Oversight and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Homeland Security and Governmental Affairs of the Senate, an annual report on the findings of the reports submitted under subsections (a) and (b).

SEC. 11. DC PUBLIC SCHOOLS AND DC PUBLIC CHARTER SCHOOLS.

(a) CONDITION OF RECEIPT OF FUNDS.—As a condition of receiving funds under this Act on behalf of the District of Columbia public schools and the District of Columbia public charter schools, the Mayor shall agree to carry out the following:

(1) INFORMATION REQUESTS.—Ensure that all the District of Columbia public schools and the District of Columbia public charter schools comply with all reasonable requests for information for purposes of the evaluation under section 9(a).

(2) AGREEMENT WITH THE SECRETARY.—Enter into the agreement described in section 9(a)(1)(B) to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this Act.

(3) SUBMISSION OF REPORT.—Not later than 6 months after the first appropriation of funds under section 14, and each succeeding year thereafter, submit to the Committee on Appropriations, the Committee on Education and the Workforce, and the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Appropriations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate, information on—

(A) how the funds authorized and appropriated under this Act for the District of Columbia public schools and the District of Columbia public charter schools were used in the preceding school year; and

(B) how such funds are contributing to student achievement.

(b) ENFORCEMENT.—If, after reasonable notice and an opportunity for a hearing for the Mayor, the Secretary determines that the Mayor has not been in compliance with 1 or more of the requirements described in subsection (a), the Secretary may withhold from the Mayor, in whole or in part, further funds under this Act for the District of Columbia public schools and the District of Columbia public charter schools.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to reduce, or otherwise affect, funding provided under this Act for the opportunity scholarship program under this Act.

SEC. 12. TRANSITION PROVISIONS.

(a) REPEAL.—The DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code) is repealed.

(b) SPECIAL RULES.—Notwithstanding any other provision of law—

(1) funding appropriated to provide opportunity scholarships for students in the District of Columbia under the heading ''Federal Payment for School Improvement'' in title IV of division D of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 653), the heading ''Federal Payment for School Improvement'' in title IV of division C of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3181), or any other Act, may be used to provide opportunity scholarships under section 7(a) for the 2011–2012 school year to students who have not previously received such scholarships;

(2) the fourth and fifth provisos under the heading ''Federal Payment for School Improvement'' of title IV of Division C of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3181) shall not apply; and

(3) any unobligated amounts reserved to carry out the provisos described in paragraph (2) shall be made available to an eligible entity receiving a grant under section 4(a)—

(A) for administrative expenses described in section 7(b); or

(B) to provide opportunity scholarships under section 7(a), including to provide such scholarships for the 2011–2012 school year to students who have not previously received such scholarships.

(c) MULTIYEAR AWARDS.—The recipient of a grant or contract under the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this Act, shall continue to receive funds in accordance with the terms and conditions of such grant or contract, except that—

(1) the provisos relating to opportunity scholarships in the Acts described in subsection (b)(1) shall not apply; and

(2) the memorandum of understanding described in subsection (d), including any revision made under such subsection, shall apply.

(d) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Mayor of the District of Columbia shall revise the memorandum of understanding entered into under the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this Act, to address—

(1) the implementation of the opportunity scholarship program under this Act; and

(2) how the Mayor will ensure that the District of Columbia public schools and the District of Columbia public charter schools comply with all the reasonable requests for information as necessary to fulfill the requirements for evaluations conducted under section 9(a).

(e) ORDERLY TRANSITION.—Subject to subsections (c) and (d), the Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this Act from any authority under the provisions of the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of enactment of this Act.

SEC. 13. DEFINITIONS.

As used in this Act:

(1) ELEMENTARY SCHOOL.—The term ''elementary school'' means an institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under District of Columbia law.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means any of the following:

(A) A nonprofit organization.

(B) A consortium of nonprofit organizations.

(3) ELIGIBLE STUDENT.—The term ''eligible student'' means a student who is a resident of the District of Columbia and comes from a household—

(A) receiving assistance under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

(B) whose income does not exceed—

(i) 185 percent of the poverty line; or

(ii) in the case of a student participating in the opportunity scholarship program in the preceding year under this Act or the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of enactment of this Act, 300 percent of the poverty line.

(4) MAYOR.—The term ''Mayor'' means the Mayor of the District of Columbia.

(5) PARENT.—The term ''parent'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) PARTICIPATING ELIGIBLE STUDENT.—The term ''participating eligible student'' means an eligible student awarded an opportunity scholarship under this Act, without regard to whether the student uses the scholarship to attend a participating school.

(7) PARTICIPATING SCHOOL.—The term ''participating school'' means a private elementary school or secondary school participating in the opportunity scholarship program of an eligible entity under this Act.

(8) POVERTY LINE.—The term ''poverty line'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) SECONDARY SCHOOL.—The term ''secondary school'' means an institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under District of Columbia law, except that the term does not include any education beyond grade 12.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $60,000,000 for fiscal year 2012 and for each of the 4 succeeding fiscal years, of which—

(1) one-third shall be made available to carry out the opportunity scholarship program under this Act for each fiscal year;

(2) one-third shall be made available to carry out section 4(b)(1) for each fiscal year; and

(3) one-third shall be made available to carry out section 4(b)(2) for each fiscal year.

(b) APPORTIONMENT.—If the total amount of funds appropriated under subsection (a) for a fiscal year does not equal $60,000,000, the funds shall be apportioned in the manner described in subsection (a) for such fiscal year.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 112–45, if offered by the gentlewoman from the District of Columbia (Ms. NORTON) or her designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 471 and include extraneous materials thereon.

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

There was no objection.

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

Mr. Speaker, it is a great pleasure for me to rise in strong support of H.R. 471, the Scholarships for Opportunity and Results Act.

H.R. 471 is not new but H.R. 471 is essential. It reauthorizes and makes improvements in the D.C. Opportunity Scholarship Program, which was created by Congress in 2003 to provide eligible low-income District parents with an opportunity to send their children to a private school of their choice.

□ 1410

But it does more. It also provides an equal amount of money for chartered public schools, which are greater in the District of Columbia perhaps than anywhere else in the Nation, and an equal amount for improving the public school system in the District of Columbia.

Mr. Speaker, this Act gives twice as much money to the two categories of public schools—conventional schools and chartered public schools—than it does to the scholarship program. However, the scholarship program is a focus of this bill, and it's a focus because this program has proven to be successful. In fact, 74 percent of all District residents, when polled, favor the continuation of this program as to these D.C. Opportunity Scholarships. Obviously among those who have had opportunities they would not otherwise have had, those who have gone on to college and enjoyed benefits because of their opportunity to seek an education of their choice, it is 100 percent valuable.

Mr. Speaker, we have pursued regular order on this bill. We have gone through both the subcommittee and the committee process. We have had an extensive hearing, and we believe this bill is absolutely essential. I will mention that, pursuant to the goals of the Republican House, we have made some austerity. Originally, this would have been $75 million. It is $15 million less because at this time, although we would like to do more, we have to make those kinds of trimmings that are possible.

Still, Mr. Speaker, this is a jewel of the D.C. school system. It is an opportunity for people to have the kind of choice they have in few other areas. And I want to personally thank the Speaker of the House for bringing this piece of legislation and for all of his work through all of the years in which he worked so hard on the Education Committee to understand this program in a way that no other Member does.

I reserve the balance of my time.

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

I rise today in strong opposition to H.R. 471.

Let me be very clear: Public funds should support public education. But this bill, which would authorize $300 million to support education in the District of Columbia, includes an authorization for the expenditure of $100 million over 5 years to enable a tiny fraction of D.C. students to attend private schools. We have been told that the purpose of this bill is to help D.C. children get a better education. But House Republicans passed legislation earlier this year that slashes billions of dollars from educational programs across the country. In H.R. 1, which passed the House in February, House

Republicans cut $5.7 billion from the Pell Grant program, $1 billion from Head Start, $757 million from Federal Supplemental Educational Opportunity Grants, $694 million from Title I-A grants, and $100 million from the 21st Century Community Learning Centers. Under these Republican cuts, nearly 44,000 students from the District of Columbia could see their Pell Grants reduced, 700 would lose their Head Start placements, 500 could face reduced or eliminated after-school placements, and 2,500 would lose supplemental educational services.

Remarkably now, after voting to leave so many behind, the Republican leadership wants to authorize $100 million in new spending just for private schools in the District as part of a $300 million authorization for education in that one district. And the majority does not even pay for any part of this $300 million bill. Let me be clear on this point: There is no offset for this bill. For that reason, H.R. 471 also appears to violate the legislative protocols issued by the majority with such fanfare at the beginning of this Congress. So all the rhetoric supposedly justifying massive cuts to education funding, all the talks about budget constraints, about tightening our belts, and about making sacrifices, all that goes out the window when the majority wants to give $100 million in taxpayer funds to private schools.

Also problematic is that the D.C. voucher program has not resulted in better student achievement. The Institute for Education Sciences evaluated this program and found that in 2010, there was no overall statistically significant impact on student achievement in reading or math. By comparison, reading and math test scores did improve among students enrolled in the District's public schools and its public charter schools from 2007 to 2010.

The bill is also a direct assault on D.C. home rule. The Speaker did not consult with the District's representative or its elected officials before introducing the bill. Our committee did not receive testimony from the mayor of the District before we marked up this bill. And the Republicans have not introduced a national voucher bill because using taxpayer dollars to fund private schools is highly unpopular and has failed in every referendum placed on State ballots.

Despite all of these arguments against the bill, to me, the most significant problem is that it diverts funds away from educational programs that help all of the District's 70,000 students. Instead, the bill would use a lottery system to award vouchers to send about 1.3 percent of District students to private schools. I know there are Members on the other side of the aisle who are truly concerned about the education of our Nation's children, and they have a sincere desire to help students of the District of Columbia. But we should help all of the students. We should provide a high-quality education for all of them, and we should support continued improvements that raise all student achievement.

I have said it over and over again: The greatest threat to our national security is the failure to properly educate every single one of our children, every one of them. We should not adopt a measure that spends $100 million so that about 1,000 students can go to private schools. And as a graduate of public schools and a longtime advocate of quality public education, as one who has sat on a charter school board, I agree with the President's statement of the administration's policy which opposes creating or expanding a voucher program and asserts that the ''Federal Government should focus its attention and available resources on improving the quality of public schools for all students.'' Because this bill does not do that, I urge my colleagues to reject H.R. 471 in its current form.

Mr. Speaker, later during this debate, my distinguished colleague Congresswoman ELEANOR HOLMES NORTON, who represents the District of Columbia, will offer an amendment to redirect funding for private schools to improve public education for all of the District's students. This amendment is a thoughtful improvement, and I urge all Members to support it.

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

Mr. ISSA. Mr. Speaker, it's now my pleasure to yield 5 minutes to the gentleman from Minnesota (Mr. KLINE), the chairman of the Committee on Education and the Workforce.

Mr. KLINE. I thank the gentleman for yielding time.

Mr. Speaker, I rise today in support of H.R. 471, this legislation that would reauthorize the D.C. Opportunity Scholarship Program. This program was created in 2004 with bipartisan support. This program has provided an educational lifeline and meaningful choices to thousands of District families. I urge my colleagues to support this legislation.

Everyone agrees now that our educational system is broken. As we work to craft targeted reforms, we must support existing education programs that improve student achievement. The D.C. Opportunity Scholarship Program is one such initiative with a proven track record of success. Over the past 7 years, this program has helped more than 3,000 low-income children receive a high-quality education at the private school of their choice. The Department of Education's own research confirms the program's success in increasing graduation rates to more than 90 percent in the low-income population of students previously trapped in underperforming schools.

□ 1420

Additionally, this scholarship program has improved parental involvement in education. Four consecutive studies have shown parents of program participants are more engaged in their children's education and more satisfied with their academic progress than parents of public school students.

The evidence is clear, Mr. Speaker. This innovative program works and serves as a real alternative for parents who want to give their children the educational opportunities they never had. Yet, despite this proof, the administration and some in Congress are determined to destroy this groundbreaking program.

Without the D.C. Opportunity Scholarship Program, thousands of parents will be denied an opportunity to make decisions about their children's education. Equally troubling, thousands of children will be denied the opportunity to achieve their full potential, leaving them unequipped to succeed in a 21st century workforce. We must put children first and stop a vocal minority from taking vital opportunities away from thousands of D.C. families.

The program has received widespread support from Washington residents, including three former Democratic Mayors, several members of the D.C. City Council, and thousands of students and parents. Congress cannot turn its back and deny students a chance, a chance for a better future.

As our Nation fights to get back to the path to prosperity, we cannot afford to eliminate critical educational opportunities that will prepare our Nation's youth for tomorrow's workforce.

All parents should be empowered to decide what school is best for their child. A quality education should not be a luxury available only to those who can afford it.

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

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from the District of Columbia, ELEANOR HOLMES NORTON.

Ms. NORTON. Mr. Speaker, I thank the gentleman from Maryland for his terrific help on all we have done on this bill.

Let me count the ways I strongly oppose H.R. 471:

Because it reestablished a program that failed to improve academic achievement as measured by standardized reading and math tests;

Because it infringes on the local government's right to make decisions about quintessentially local education matters;

Because it was introduced without so much as consultation with any elected official from the affected jurisdiction, the jurisdiction I represent;

Because it provides Federal funds to send students to religious and other private schools, despite the absence of support for vouchers, as demonstrated by the failure of every State referendum to authorize vouchers, including two in California; and

Because it increases the deficit by $300 million, violating the majority's own CutGo for discretionary authorization legislative protocols.

Although I am a proud graduate of the D.C. Public Schools and strongly

support our public schools, especially given their great improvement, I have always supported public charter alternatives for those parents who are dissatisfied with our traditional public schools. Children can't wait until public schools now in the throes of ''a race to the top'' meet the top.

I'm proud that the District of Columbia has the largest charter school system in the United States of America, with almost half of our children attending. Parents and organizations in the District of Columbia have made this alternative, not the Congress of the United States.

The existence and the phenomenal growth of our public charter schools has fueled the competition that has actually helped our public schools improve. The reason is because the charter schools and the public schools, unlike the voucher schools, are competing for the same local dollars.

So, today, it is interesting to note that the National Assessment of Educational Progress found that the D.C. Public Schools have awakened to the competition, and now is the only one of 18 large urban school systems that showed improvement in the fourth and eighth-grade achievement tests over the past 2 years.

Now, contrast this with what the Bush Education Department found for the very voucher program we will be voting on in H.R. 471, and I'm quoting:

The Department of education found ''no conclusive evidence that the Opportunity Scholarship Program affected student achievement'' as measured by standardized reading and math tests. Yet the program was established precisely to measure and improve performance of the lowest achieving students in our schools.

D.C. charter schools, however, outperform the D.C. public schools and greatly outperform the voucher schools. Our public charter schools at the middle and high school level, with a majority of economically disadvantaged students, scored almost twice as high as their D.C. Public School counterparts in math and reading, and the graduation rate of charter school students is 24 percent higher than the graduation rate of our traditional public high schools and 8 percent higher than the national average. Yet these public charter schools have a higher percentage of African American students and of disadvantaged students than our public schools.

They are entirely accountable. They can be closed and, like public schools, they have been closed.

With this remarkable record, why in the world would anyone pick the District of Columbia to impose a voucher program on, or target the only big school system that has set up an alternative public charter school system?

If the majority were truly interested in our education agenda, instead of their own, they would do what former Speaker Newt Gingrich did. When he approached me about private school vouchers, I told him of public opposition to vouchers in the city, but not to charter schools, as demonstrated by a fledgling charter school program in the District that had attracted few charters. And there was a District of Columbia charter school law. He worked with me, not against me, to introduce a bill——

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

Mr. CUMMINGS. I grant the gentlewoman an additional 1 minute.

Ms. NORTON. To introduce P.L. 104–134, which has helped us produce a large-scale robust alternative public school system that is now a model for the Nation.

The pattern of this Congress could not be clearer. They began by stripping the District of Columbia of its vote. They have done nothing but try to take from the District of Columbia with bill after bill. Now they want to help us, against our will.

We reject the insult of your help with the children of the District of Columbia. We are not second-class citizens. We are not children. If you want to help us, give us the courtesy, have the good grace to ask us how we want to be helped.

Mr. ISSA. Mr. Speaker, as it says in the Constitution, to exercise exclusive legislation in all cases whatsoever over the District, and that is what we are doing.

It gives me great pleasure to yield 5 minutes to the gentleman from California (Mr. MCCARTHY), the whip of the House.

Mr. MCCARTHY of California. As I listen to the debate, people want to know if anybody was asked. You realize that there are four times as many children who want a scholarship than there's one for? Those are the people we should ask. Those are the people who have been asked. Those are the people that have asked to be able to have a new life, a new direction and a hope that we all dream about in America.

I will tell you, this morning, like almost every morning when I'm in Washington, D.C., we get that time, we call home. As a husband and a parent, I call my wife, and the first thing we talk about is our children. We talk about our children, about how they're feeling, how they're doing, but more importantly, how's their education—who are the latest and where they are going. It's the same question that every single parent that's a Member of this body asks. Every Member of this body that's a parent doesn't care about what they will become. You care about what your children will become.

□ 1430

The greatest opportunity you have for your children to expand all the dreams and hopes they have as an American is making sure they have the right education. But it is not just for a select few. We want to make sure everybody does.

Last Congress, one of the toughest times I watched on this floor was the new Obama administration and the Democratic majority, where they worked to terminate this program to prevent new children from participating, and going so far as revoking 216 new children for a scholarship that had already been elected to the 2009–2010 school year. Not only was it unfair; it was unwise.

We have an opportunity on this floor to do something different. We have an opportunity on this floor to actually make a correction. It is not a correction for you and me. It is a correction of a hope and a dream that a child can unleash and unshackle something that holds them back. It is a dream that they can rise to the occasion, they can have the foundation, they can have the ability that the country has always talked about. That is why I support the SOAR Act, because I believe these children can soar higher. I believe these children can reach a new dream, and I do not believe in holding them back.

For all those who sit there and still want more, four to every one, I for one am going to join with them. Support this bill and support a new hope and dream. It is not about what we will become. It will be about what the next generation in America can achieve, and we want them to soar to new heights.

Mr. CUMMINGS. In regards to what was just stated by the gentleman, we care about all these children. And it would be helpful if $5.7 billion was not slashed from the Pell Grants when these kids get to college.

It is my honor to yield 1 minute to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the chair for yielding.

Mr. Speaker, I wanted to come to the floor today to say that I think this debate is a distraction. I have spent a lot of time visiting schools and talking with teachers and parents in my district, and this debate does nothing to address what they tell me they need.

What they want is for us to work together to reauthorize the Elementary and Secondary Education Act and to fix the things that we know are wrong with No Child Left Behind.

If we care about improving their education, we should be working to make our system more flexible and less punitive, which is something that both sides of the aisle agree needs to happen.

I urge my colleagues to come together to work on the pressing education issues: America's decline in international education rankings; unacceptable dropout rates and achievement gaps; and the need to create a smart, innovative workforce prepared for the jobs of tomorrow.

I urge my colleagues to vote against this bill.

Mr. ISSA. Mr. Speaker, no one has worked harder on this than my subcommittee chairman, the gentleman from South Carolina (Mr. GOWDY), to whom I yield 3 minutes.

Mr. GOWDY. I would like to thank the distinguished chairman of Oversight for his graciousness and leadership.

Mr. Speaker, we have found consensus. Sweet, elusive consensus. We found it. Not in a final committee vote; that would be too much to ask. Not even in the testimony of the witnesses who came before the subcommittee. But we found consensus among the Members themselves, one after the other after the other who testified as to the power and the magic of education to transform not just their lives but generations of lives.

I spoke with a distinguished Member from the other side of the aisle, a gentleman that I happen to like and respect very much and is one of the most powerful speakers in this body. And I will not call his name because the conversation was not public. But he recalled for me the day that he was sworn into office, and how his father came to him with tears streaming down his face. And some of the tears were the tears that only a father can have who is delighting in the success of a child. But some of the tears were also the acknowledgement that it could have been the father and not the son had the father not been born in the wrong town, at the wrong time, and in the wrong State, and, yes, in the eyes of our educational system of yesterday, the wrong race.

It is that shared acknowledgement that education is the pathway to prosperity that makes me struggle with how someone can oppose this bill. The parents want it. They feel more vested. They feel like their children are safer.

Mr. Speaker, you should have seen the parents that came and crossed political and cultural and racial lines to testify on behalf of this bill in the subcommittee. They want it desperately. The students want it. They feel safer. They feel like it's an educational environment that is conducive to their learning. Their test scores are higher. But even if they were not, their graduation rates are higher.

As a former prosecutor who cannot remember the last high school graduate that I prosecuted, the simple fact that they are graduated from high school in and of itself is enough of a reason to support this. Educational achievement is higher. Educational attainment is higher.

The parents want the same choices for their kids that the President of the United States and, indeed, most of us who are Members of Congress have for ours. Even the United States Department of Education once lauded this program as an example of something that works, until someone or something told them to think otherwise. The residents of the District of Columbia, again crossing racial, political lines overwhelmingly support this program.

And the most insidious argument is also the most demonstrably false, that somehow this program takes dollars away from the three-sectored approach that the District of Columbia uses. The public schools will still be funded. Their charter schools will still be funded. This just provides a third alternative, a third choice for parents who desperately want it and need it.

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

Mr. ISSA. I yield the gentleman an additional 1 minute.

Mr. GOWDY. One of the reasons that public approval for our body is sometimes so historically low is we have a tendency to demagogue those with whom we disagree and we create false dichotomies. This bill is no more about the independence of the District of Columbia than anything else. The District of Columbia does not think twice before accepting Federal dollars for the public school system, the charter school system, or a host of other agendas. Nor does the District of Columbia think twice when it accepts Pell Grant monies that allow an 18-year-old to go to Georgetown, which is a private school, but will not allow a 17-year-old to go to a private high school.

Nor is this bill about whether or not someone believes in the public school system. I went to the public schools in South Carolina. My wife teaches in the public schools in South Carolina. And my son will graduate from the public schools in South Carolina. But I will miss his graduation, like many of you have missed things in your lives, because we will be in session.

What I will not miss is the opportunity to throw a lifeline to kids who were born through the vicissitudes of life into poverty. We will give them the same choices and chances that we have had.

Mr. CUMMINGS. Mr. Speaker, it is not a false dichotomy when, through H.R. 1, $1.8 billion is being slashed from the Head Start budget, causing 218,220 Head Start students to not get a start.

I now yield 3 minutes to the gentleman from Illinois, Congressman DANNY DAVIS.

Mr. DAVIS of Illinois. I thank the gentleman from Maryland for yielding.

Mr. Speaker, I rise to join my colleagues in opposition to H.R. 471, the D.C. voucher bill. While I share the same commitment to improving the quality of education here in D.C., in Chicago, and throughout the Nation, as a staunch supporter of public schools I strongly disagree with vouchering public dollars to private schools and institutions. I do not believe that the D.C. public schools should become experimental labs for the rest of the Nation. As I have stated previously on a number of occasions, paying for school vouchers translates into fewer taxpayer dollars for traditional public schools which have the responsibility to educate all, and I emphasize, all of the children.

Improving public education in the District of Columbia, as in the rest of the Nation, has been and continues to be a long and arduous task. It is an absolute priority of mine. However, now is not the time to abandon our obligation to ensure top-notch public education for all students by shifting Federal dollars to private schools.

I understand and commend the Federal Government for playing a critical role in providing the District with badly needed funding for improving education since 2004.

□ 1440

But I have never found any conclusive evidence that vouchers have increased achievement, nor have I seen any evidence in any study that an overall school district has improved as a result of vouchers. If the Federal Government is serious about improving the quality of education for the city's 70,000-plus deservedly young minds, then we should place our resources towards educational opportunities for all.

I must add that in the District we have seen improvement during the last 2 and 3 years. And while we didn't seek any real testimony from the officials of the District of Columbia or school officials and students in public schools, we did hear from Delegate ELEANOR HOLMES NORTON, whose thoughts represent the thinking of a large number of Washingtonians, and she has told us that continued investment in D.C.'s public school reform efforts will yield far greater benefits for the city as a whole rather than spending millions of dollars on less than 2,000 students to attend private schools.

I agree with Delegate ELEANOR HOLMES NORTON. She represents the thinking of the people of the District of Columbia. I urge that we vote down this voucher bill and support the amendment that will be presented by Delegate ELEANOR HOLMES NORTON.

Mr. ISSA. Mr. Speaker, it is a great honor to yield the customary 1 minute to the author of the bill, the gentleman from Ohio (Mr. BOEHNER), Speaker of the House.

Mr. BOEHNER. Let me thank my colleague for yielding and let me start by also thanking him and the members of the Government Reform Committee for their work on this bill. Also I want to thank our 50 cosponsors and all the Members on both sides of the aisle who are standing with us today. I also appreciate the efforts of our colleagues in the Senate, particularly Senator JOE LIEBERMAN, who are working on similar legislation.

Today, the House will have the opportunity to do something special for the future of our country. I think just about every Member would agree that we have got to do everything we can to help our education system. Americans are concerned that their children won't be able to have the same blessings that they have had, and if we want to protect the American Dream, there is no substitute for a quality education.

My view has always been that education reform starts with giving children a way out of our most underachieving public schools. Of course,

that doesn't mean that we abandon those schools. It means we take some of the pressure off of them while they work to turn themselves around.

So we came together here about 7 years ago and said let's try something different. Instead of just throwing money at the problem, let's empower parents from lower-income families to choose the schools that are best for them. We wouldn't deny any school money that they had already been receiving. We would be injecting freedom and competition into a system that is caught up in the status quo.

We had a strong bipartisan coalition, including Anthony Williams, who was the Mayor here at the time, and Dick Armey, who for years led this fight in the House, paving the way for this program. He and I started working together on school choice in the early nineties when we served on the Education and Labor Committee together. We said let's give kids in our capital city a real chance at success and a real shot at the American Dream that they don't have. We thought to ourselves, what do we have to be afraid of? Well, as it turned out, there was nothing that we needed to be afraid of.

Thousands of families have taken advantage of the D.C. Opportunity Scholarship Program, and there is strong evidence that it is both effective and cost-effective. Unfortunately, the education establishment in our country sees this Opportunity Scholarship Program as a threat. In reality, this is an opportunity to raise the bar, because competition makes everybody better. I think if you look beyond the talking points and focus on the facts, you will find that the D.C. program provides a model that can work in other communities around our Nation.

Now, I think all of you know that this issue is important to me, but I will tell you this: This is not about me. I am proud to say that I have supported the Opportunity Scholarship Program from the get-go, but I am even more proud of the fact that I had nothing to do with its success. For that, we can thank the students and parents who have become more than the program's beneficiaries—they are its greatest ambassadors.

In recent days, I have received letters from many of them asking Congress to do the right thing, and I will be submitting some of those for the RECORD. You see, they know what it was like before. They remember living just blocks from great schools, but feeling miles away from them, and all they did was ask us to have a chance to have the same kind of education that kids down the street were getting. There is no controversial idea here. It is the American way.

So if we are serious about bipartisan education reform, we should start by saving this successful bipartisan program that has helped so many underprivileged children here in D.C. get a chance at a quality education. I urge the House to support and save this important program.

MARCH 29, 2011.

DEAR SPEAKER BOEHNER, I want to thank you for spending so much time and energy on a cause that does not benefit you but helps me and a lot other DC children.

I was a lucky one. I had the opportunity to be a scholar and it worked! I was accepted into Archbishop Carroll and Bishop McNamara High School. I'm proud of my success. One day I would like to attend Spellman College. When I get to college I know it will be because of the solid foundation I received in my elementary school. The foundation for my future was possible because of my scholarship.

Again, thank you for fighting to save the Opportunity Scholarship. I know you care about us and I wish you a lot of good luck!

Sincerely,

SAMAYA MACK,
8th grade,
St. Anthony Catholic School.

MARCH 29, 2011.

DEAR MR. SPEAKER, my name is Katherine Campos and I am a recipient of the Opportunity Scholarship. I am an eighth grader at Sacred Heart School and have received the scholarship for the past six years.

I want to thank you from the bottom of my heart for introducing the SOAR Act to Congress. I know that you really believe in the Opportunity Scholarship and that means the world to me. I believe in the scholarship, too.

The scholarship has offered me an escape from some of the harsher realities of the city. It has offered me a chance to grow in my spirituality and academics because it allowed my mom to choose Sacred Heart for me. My family is happy now that I have a better chance of getting into a good high school. Without the scholarship, I wouldn't be where I am today and I wouldn't have as much hope for tomorrow. I know that I am better prepared for a successful future because I am a recipient of the Opportunity Scholarship.

Thank you, Mr. Speaker, for all that you are doing to help me and all the other scholarship recipients. You really do make a difference in my world.

Sincerely,

KATHERINE CAMPOS,
8th grade,
Sacred Heart School.

MARCH 29, 2011.

DEAR MR. SPEAKER, We met for the first time at the State of the Union. Remember you gave me advice on giving interviews? Since then a lot of people have asked me about OSP and I just wanted to say thank you, Mr. Speaker, for all of the hard work you're putting into bringing back this Program. This program has helped me and a lot of other DC children.

Without this program I would not have attended St. Anthony Catholic School and probably would not have achieved the success I have. I love my school and am glad my parents had the option to send me here.

Since we met I am proud to share that I earned a full four year academic scholarship to Gonzaga and will be going there in the fall. This high school scholarship was possible because the elementary school that my parents chose for me provided me with a strong academic foundation. I know I will do well in high school. And then, I plan to do well at Ohio State University for college.

I hope the SOAR Act passes so other kids will get the chance I did. Thank you again!

Sincerely,

OBI MBANEFO,
8th grade,
St. Anthony Catholic School.

MARCH 29, 2011.

Hon. JOHN BOEHNER,
Speaker of the House, The Capitol, Washington, DC.

DEAR MR. SPEAKER, I am writing to thank you for never giving up in your fight to restore the D.C. Opportunity Scholarship Program.

As a mother who has seen the benefits of the program first-hand, I can attest to the value of this program. Nico, my nine year old son attends Naylor Road Private School on an opportunity scholarship and is excelling in his small classes. If Nico were unable to attend Naylor Road, he would have been forced to attend a failing, underperforming school.

I can also attest to the heartbreak of having my daughter's scholarship revoked by President Obama's Secretary of Education. My daughter Nia received an opportunity scholarship in 2009 to attend the same school as her brother and receive the same educational opportunities. But that is no longer the case.

My daughter was one of 216 students who received a letter from Secretary of Education Arne Duncan retracting her scholarship. Suddenly, I did not know where I was going to send my daughter to school. I know that I will not send my daughter to any of the schools in my area. While I have been blessed by emergency, private scholarships to send Nia to Naylor Road with her brother, I do not know if this support will continue.

As a single mother on disability, I am unable to work enough to afford tuition. Education is the first priority in my household, and this program allows my children to attend safe schools and thrive.

I can tell you that your work, and that of so many other Members of Congress, has not gone unnoticed in the parts of our city that many people too often ignore.

For me, it will mean a quality education for my children. It will also mean peace of mind, because I will know that my children will not, one day, be separated—my son to attend a safe and nurturing school, and my daughter, forced elsewhere.

Please keep fighting for this program. Please. And I encourage all Members of Congress to follow your lead in voting YES for the SOAR Act. I know that with the chance to thrive in better schools, my children will truly SOAR!

Sincerely,

LATASHA BENNETT.

Mr. CUMMINGS. Mr. Speaker, most respectfully to our Speaker, I know his intentions are very good and honorable, and I wanted to be clear on this side of the aisle, Mr. Speaker, that we care about every single child being educated and becoming all that God meant for them to be, too. That is why we oppose the $1.08 billion cut from Head Start in H.R. 1 and the $5.7 billion cut from the Federal Pell Grant program.

With that, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking member of the Education and Workforce Committee.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding. I thank him for his discussion of this legislation on the floor.

I rise in opposition to this legislation because I don't believe that we can afford to spend $100 million on a program

that in fact, in spite of what has been said on the other side, has been proven time and again to be ineffective and inefficient.

Supporting our students, especially in poor minority communities, is the right thing to do, and particularly in this economy it is absolutely essential. But that is not what this bill does.

If you really care about school reform, you want to help our students, our future, you do it in a sustainable and systematic way. You can't arbitrarily throw money at a small group of students and just hope against overwhelming evidence that your ideology somehow will work this time. You can't decide that only a handful of students deserve special attention. You can't ask Congress to vote for programs that the citizens of D.C. and the elected officials and the Mayor have not asked for. You certainly can't decide to continue a program that does not help students succeed.

There are a number of concerns about this bill. First and most importantly, the program does not help the students succeed. Just 2 weeks ago, the Republicans made harmful cuts in proven programs based upon purported standards of inefficiency, seeking to get rid of inefficient programs. If this is the standard, the D.C. voucher program fails the test.

The D.C. voucher program does not increase student achievement or graduate students so they are prepared to go on to college or careers. In fact, four Department of Education studies over both administrations found that the voucher program has had no effect on the academic achievement of the voucher students.

These findings are consistent with other private school voucher programs in Milwaukee and Cleveland. Just yesterday, the State test results showed that voucher students in Milwaukee's 20-year voucher program are actually performing similar or worse than other poor Milwaukee students. The study mandated by Congress about the D.C. voucher program says very clearly that the use of vouchers had no statistically significant impact on the overall student achievement in math or reading.

So what is the purpose of the expenditure of this money, other than to prop up an inefficient, an ineffective, ideological point of view about how these students might learn? These students are not going to the schools that will change the outcomes.

□ 1450

These students are not graduating with a set of skills that will allow them to succeed in college or a career. But the fact of the matter is there are many public schools in the District of Columbia that are in fact achieving those goals that are working for those parents and for those students.

The District of Columbia has open choice. Parents can go wherever. But we simply decided to take these Federal dollars and put it into a program on the belief that it works in spite of all of the evidence that it's not working for these students. So why are we paying a premium of another $100 million in taxpayers' money to pursue this effort when on its face it's not working? Yes, you've done telephone surveys of parents and they said, I think I made a good choice. Okay. You do telephone surveys of the students, Are you any safer? The answer is: No, we don't feel any safer.

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

Mr. CUMMINGS. I yield the gentleman 1½ additional minutes.

Mr. GEORGE MILLER of California. A great deal is made about the choice of these parents. It's to be honored and respected. What about the choice of the parents of Head Start students that made a choice to put their children into Head Start, in an effective program that makes a difference when they leave that program on whether or not they are school ready, whether or not they're prepared to proceed at fourth grade and eighth grade and tenth grade, those critical points when a student decides to drop out of school. Those parents who are making the choice about effective education for their children, they get cut, a quarter of a million of them. But if you make an ineffective choice and it's consistent with the ideology, you get funded.

That's just not the way we should do business here, and that's not the way to do business in terms of school reform. That's not the way to help these children, and that's not the way to incentivize the other schools that are struggling to achieve better results, to achieve better success for their students.

If you're going to say, We'll fund them, whether it's successful or not, we'll put a $100 million into it because it comports with our view of the constellations, that's just the wrong way to proceed in this effort for these children and for other children who will follow them.

Mr. ISSA. Mr. Speaker, I now yield 2 minutes to the gentlewoman from New York (Ms. BUERKLE).

Ms. BUERKLE. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of H.R. 471, the Scholarships for Opportunity and Results Act, because today I stand here not only as a Member of Congress but also as a mother of six children and a grandmother of 11. I know from personal experience the process that parents follow when they're choosing which school is the best choice for their children. Each child has different needs, different strengths. And as a parent reaches out to make that choice, we can realize that school choice is not cookie cutter. It should not and it must not be. And who better to make that decision than the parents of that child? Who knows best the needs of that student? Certainly, not the government bureaucracy.

The SOAR Act is about empowering parents to make the choice that's best for their own child. The Act is about giving them the freedom to pursue educational opportunities not available to them in failing public schools. The parents of the D.C. public school children deserve the same opportunities as Members of Congress, the Secretary of Education, and the President of the United States. Sadly, the parents of the children in the D.C. voucher program do not have the ability to pick up and move elsewhere for better public schools, and they can't afford private schools.

The D.C. system needs substantial and sustained reform, but that reform process does not have to come at the expense of the children who live in the District. I stand here and I encourage my colleagues to support H.R. 471.

Mr. CUMMINGS. I yield 3 minutes to the distinguished gentleman from Virginia, Mr. BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, our public schools need more resources, not less. This bill diverts funds that could be used for public schools into private school vouchers. Instead of helping public schools, the bill helps the privileged few who can both win the lottery and have the resources to pay the difference between the voucher and the cost of an education. That cost of education is usually more than just the tuition charged. So the recipient not only has to cover the whole tuition but also has to get access to a charity or a religious institution that would subsidize the cost of the education. Many who win the voucher lottery find that they can't even use the voucher because they can't afford the remaining cost of education.

And so we've heard a lot about the so-called choice of a private school education. That choice is only available to those who win the voucher lottery. So it's not a choice. It's a chance. With that same logic we can solve the Social Security problem by just selling Lotto tickets. Those who win the Lotto will be much better off. But, of course, few will win. Likewise, 90 percent of those who seek a voucher will lose the voucher lottery, and so they don't have a choice. Even though they have chosen the lottery, they don't have the choice. They will remain in public schools. And those schools will be worse because the money has been diverted.

The evidence now shows that even those who win the lottery may not be better off. Studies of the D.C. voucher program reveal that there's virtually no improvement in education. Furthermore, those the program was supposed to help are the ones that are benefiting. Those in failing schools represent a small portion of those who use vouchers. Many of those who use vouchers were already in private schools. And many more would have gone to private schools anyway.

The schools that these children attend with vouchers are not covered by the same educational accountability standards as public schools, and the students and employees are not covered by the same civil rights protections. So we should defeat this bill and channel these funds into the public schools in Washington, D.C.

Mr. ISSA. Mr. Speaker, sometimes you just hear something that's hard to believe. We're wasting money here in Washington. The American people are hearing it first here today.

[From the Washington Post]

WHITE HOUSE IGNORES EVIDENCE OF HOW D.C. SCHOOL VOUCHERS WORK

With the House poised to vote Wednesday on legislation to reestablish a voucher program that allows low-income D.C. students to attend private schools, the Obama administration issued a strongly worded statement of opposition. The White House of course has a right to its own opinion, as wrongheaded as we believe it to be. It doesn't have a right to make up facts.

''Rigorous evaluation over several years demonstrates that the D.C. program has not yielded improved student achievement by its scholarship recipients compared to other students in D.C.,'' President Obama's Office of Management and Budget proclaimed Tuesday, in response to H.R. 471, sponsored by House Speaker John A. Boehner (R–Ohio).

That dismissal might come as a surprise to Patrick J. Wolf, the principal investigator who helped conduct the rigorous studies of the D.C. Opportunity Scholarship Program and who has more than a decade of experience evaluating school choice programs.

Here's what Mr. Wolf had to say about the program in Feb. 16 testimony to the Senate Committee on Homeland Security and Governmental Operations. ''In my opinion, by demonstrating statistically significant experimental impacts on boosting high school graduation rates and generating a wealth of evidence suggesting that students also benefited in reading achievement, the DC OSP has accomplished what few educational interventions can claim: It markedly improved important education outcomes for low-income inner-city students.''

There are, we believe, other benefits to a program that expands educational opportunities for disadvantaged children. The program, which provides vouchers of $7,500 to low-income, mainly minority students to attend private schools, is highly regarded by parents, who often feel it allows their children to attend safer schools or ones that strongly promote achievement. Our view has never been that this voucher program is a substitute for public school or public school reform. But while that reform proceeds, scholarships allow a few thousand poor children to escape failing schools and exercise a right that middle-class parents take for granted—the right, and dignity, of choice.

We understand the argument against using public funds for private, and especially parochial, schools. But it is parents, not government, choosing where to spend the vouchers. Given that this program takes no money away from public or public charter schools; that the administration does not object to parents directing Pell grants to Notre Dame or Georgetown; and that members of the administration would never accept having to send their own children to failing schools, we don't think the argument is very persuasive. Maybe that's why an administration that promised never to let ideology trump evidence is making an exception in this case.

[From the Washington Post, Mar. 30, 2011]

SCHOOL CHOICE IS NOT A PARTISAN ISSUE

(By Kevin P. Chavous)

Seventy-four percent of people rarely agree on anything.

In Pew poll in September, for instance, not even 60 percent of Americans could correctly name Joe Biden as the vice president. But here in Washington, there is overwhelming consensus on something: education reform. More specifically—the D.C. Opportunity Scholarship Program.

Indeed, 74 percent of city residents, multiple members of the D.C. Council—including Chairman Kwame R. Brown—former local Democratic elected officials like me and former mayor Anthony A. Williams, and thousands of parents, students and other activists all support the Scholarships for Opportunity and Results (SOAR) Act, set for a vote in the House today. This legislation would reauthorize the Opportunity Scholarship Program, a federally funded initiative that provides low-income children with money to attend private schools. It would also infuse the District's traditional public and public charter schools with $40 million in additional funding per year.

It's a smart, well-constructed plan. But if we were to listen only to the national narrative surrounding school choice in the District, it would seem as if all of the program's supporters were Republicans and none of them have any connection to the city besides happening to work here on weekdays.

In reality, local support for returning all options to the District's low-income children comes from all corners of the city. After years of divisive battles over the creation of the program, its destruction in 2009, and its path toward resurrection in the current Congress, there is wide support among local leaders for the view that reauthorizing the program will be beneficial for students and families, as well as all three education sectors serving children in the city. Even Mayor Vincent Gray has in the past expressed support for the three-sector federal initiative, and it was noteworthy that he was not critical of the voucher program itself—emphasizing instead home-rule issues and the success of the city's public and charter schools—in his lone Capitol Hill appearance to testify on the reauthorization bill.

The only significant local opposition comes from D.C. Del. Eleanor Holmes Norton, who claimed at a House oversight hearing on the SOAR Act that providing educational options for low-income students was somehow a ploy by Republicans to use District children to further a set of ''ideological preferences'' by dismissing the ''independent, self-governing'' nature of Washington.

But if the city is to truly be self-governing as its representative suggests she wants, Norton and other scholarship opponents must do what they so often criticize others for not doing. They must listen to the city's residents.

The only common ideology among supporters of the Opportunity Scholarship Program is that it's the right thing to do. Parents of the 91 percent of program participants who graduate from high school know that, as do the parents of students who have seen their children increase their reading scores through the program. These are certainly many of the same people who elected Norton to her 11th term as their representative in Congress with 89 percent of the vote in November.

This is not, as pundits often contend, a partisan issue. The large majority of the city's residents are Democrats—myself included—and we believe in a set of core values that are consistent with both Democratic ideals and a more fundamental set of ideals rooted in the belief that all children deserve a chance to receive a quality education by any means necessary.

And we're tired of seeing opponents of school choice use traditional party breakdowns as cover for opposition to a program that works or use disparaging language about the intentions of the other side. The fact of the matter is that those who continue to fight for this program want what's best for the District's children, and there is a simple reason why a city full of Democrats want to bring the Opportunity Scholarship Program back to the nation's capital: It's the right thing to do.

[From Politico, Mar. 30, 2011]

GIVING STUDENTS A CHANCE AT SUCCESS

(By Rep. Darrell Issa and Rep. John Kline and Rep. Harold Rogers)

The House is due to vote Wednesday on reinstating the Opportunity Scholarship Program for the District of Columbia.

This is a critical education reform that can offer low-income students and their parents the chance to break out of low-performing public schools and receive a quality education. The reauthorized program would give an annual voucher of $8,000 for elementary students and $12,000 for secondary students within 185 percent of the poverty line. It could make it possible for thousands of district school children to prepare for college at the competitive private school of their choice.

But it is not just about helping one city's schoolchildren. This is part of a larger national conversation about school reform. Across the country, an increasing number of states are looking for ways to break the cycle of low graduation rates and substandard public education to give under-privileged students an educational environment where they can succeed.

Opponents of school choice represent some of the most powerful special interests in the country. Teachers unions, for example, have long opposed school choice and have tried to block voucher programs like the DC Opportunity Scholarship. It was pressure from these groups that influenced President Barack Obama's decision to end the DC scholarship two years ago. This injustice must be corrected.

The success of school choice programs like this one—which was originally passed in 2004—is convincing. Parental satisfaction for scholarship recipients far exceeds that of parents whose children are trapped in failing public schools.

Students in the Washington program who get to attend better-performing private schools in the District are approximately three months ahead in reading ability, compared to non-scholarship students. Graduation rates for scholarship recipients are more than 30 percentage points higher than others in the district's public schools.

These programs enjoy widespread support among those involved. Almost 75 percent of D.C. residents believe the Opportunity Scholarship Program's success deserves reauthorization, according to a recent poll by the American Federation of Children. The D.C. City Council chairman, Kwame Brown, favors continuing the program, as do two former Washington mayors.

Growing bipartisan support in Congress means Democrats and Republicans can work together to help underprivileged students in Washington—which is Congress's responsibility under the Constitution.

School choice programs, like the DC Opportunity Scholarship, strengthen public education systems by offering greater competition. A study by economist David Figlio

of Northwestern University demonstrated that similar school choice programs in other parts of the country have improved public education.

In fact, no study to date has suggested school choice hurts student achievement in public schools.

Everyone benefits from the success of these school choice programs. High-performing students are better-equipped for a college education. College graduates are better prepared for well-paying jobs.

In this economy, Congress should be doing everything it can to give the next generation of lawyers, doctors, teachers, engineers and entrepreneurs a chance to suceed. School choice is a critical part of the path to success.

Support for school choice is about providing immediate assistance for parents and their children—many of whom now wait years to get into charter schools. In many cases, these parents know that their kids attend some of the nation's worst public schools, with some of the highest rates of drug use and crime. No parent should be forced to keep their children in unsafe schools that fail to provide a quality education.

We can think of no reason why Washington students should wait for long-term public school reform when immediate relief is now possible.

Reauthorizing the DC Opportunity Scholarship Program can open the doors to success for thousands of students living in the shadow of their nation's Capitol. More than that, it provides an example for states across the country to follow as they seek to reform a broken system of public education.

I now yield 2 minutes to the gentleman from Arizona, Dr. GOSAR.

Mr. GOSAR. Thank you, Mr. Chairman.

Our children are being let down. Our education system is no longer the world's best. In the District of Columbia, they are facing an education crisis like none other in our country. According to some experts, the D.C. public schools spend over $20,000 per year on each and every student. Despite this, D.C. students perform the worst when compared to all 50 States. One study found that only 13 percent of eighth-graders in the D.C. public schools were proficient in reading. This must change.

You may be wondering, Why is Congress focusing on just the D.C. schools today? That is because the D.C. public schools are unique, in that under the Constitution, Congress has the sole responsibility to govern over the District of Columbia. With that in mind, it is our responsibility to ensure that we no longer allow these students to slip through the cracks. That is why I'm urging my colleagues to support H.R. 471, the SOAR Act. This bill allows low-income D.C. students a scholarship to attend a school of their parents' choice. Seventy-four percent of parents in D.C. support this plan because that has achieved real results.

While I believe education is best decided on the local level, Congress is constitutionally obligated to fund D.C. students and their education. That is why we must give parents the choice as to where their children will attend school. We can't afford to continue to ignore these students. They deserve a chance to attend better schools that achieve greater results.

Today, we have a golden opportunity to make D.C. public schools better. Today, we have an opportunity to help students in the lowest-achieving school district in the country. Today, we can give D.C. students an opportunity to succeed and pursue their dreams. Join me in supporting H.R. 471.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I rise today in strong opposition to this bill to expand the failed private school voucher program in Washington, D.C. In this time of budget strife and cutbacks for public school districts all across the country, this is the wrong time to take Federal money away from public schools and give it to private schools.

When I evaluate education or any other policy, I want to see the research on what works. Despite claims that the D.C. voucher system would improve academic achievement of D.C. students, multiple congressionally mandated Department of Education studies have concluded that the program has not improved these students' academic achievement in reading or math.

□ 1500

Further, the studies found the voucher program to have had no effect on student satisfaction, engagement, motivation, or students' feelings of security. The studies found no significant impact on students' career aspirations, participation in extracurricular activities, homework completion, reading for fun, or tardiness. Students with special education needs, English language learners, and gifted students in the voucher program were less likely to have access to key services than their peers in public school.

Despite receiving public money under the D.C. voucher program, these private schools do not take all students. In addition, teachers at these private schools are not subject to the same certification requirements as those in D.C. public schools.

This bill also makes an exception to the majority's own budget rules, which require that all legislation proposing new funding must slash funding from somewhere else. This bill adds $300 million to the deficit without any such offset. These kinds of exceptions make a mockery of their own rules, particularly when there is little evidence to support the underlying bill, itself.

I understand that many voucher supporters are disappointed with the quality of our public schools. This says to me that there is common ground for Members from both sides of the aisle to improve our public schools. I urge my colleagues to vote ''no'' on this bill.

Mr. ISSA. At this time, I yield 2 minutes to my colleague from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

This is a fascinating discussion we are having here. The gentleman who spoke a while ago said, because this is a lottery and because not every one of the children who wants in this program can get in the program, it represents not a choice but a chance. I can tell you a lot of these kids will settle for a chance. I mean, give them a chance. Give them a choice, a chance, whatever. Just give them the opportunity, however slim it might be. The fact that they only have a chance and that not all of them can get in the program speaks about the demand for the program. It speaks about how many people actually need it and value it and want it, and we ought to expand it further and give more individuals a chance.

I live in an area where there are pretty good public schools. My children—I have five of them—have either been in the public schools or are currently in the public schools. Those public schools are better because of the competition around them. We have a robust charter school program in Arizona. There are lots of them around. There are many choices for kids to have. The public schools my kids attend are better for it, and the same will hold true in D.C. as well.

If you want to improve the public schools where most children typically attend, then offer a choice and a chance. Competition and accountability does that. It does it all across the economy. It does it in every other phase of our lives. Why we say it won't happen in public education is just beyond me.

So I commend those who have put this bill forward. I wholeheartedly support it. I was involved several years ago in crafting the original one, and I am very pleased to support this today. This will be good for all kids.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time is left on both sides.

The SPEAKER pro tempore. The gentleman from Maryland has 4½ minutes remaining, and the gentleman from California has 10½ minutes remaining.

Mr. CUMMINGS. I yield 2 minutes to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, I rise with great excitement. My Republican colleagues have made a vow to offset new spending, but they found a cause worthy enough to bypass this promise.

My Republican colleagues have rallied behind the SOAR Act, a $300 million bill without an offset. Reportedly, the goal of the bill is to give ''all students a shot to win the future'' by ''restoring hope'' and ''building stronger public schools.'' This is truly encouraging as it matches my goals as well as those of many of my Democratic colleagues. However, I strongly disagree with the proposed solution. The $300 million bill will continue the D.C. Opportunities Scholarship Program, which was ineffective.

Department of Education reports show the voucher program had no statistically significant impact on overall

student achievement, aspirations for the future, the frequency of doing homework, or attendance or tardiness rates. Further, although built on the premise of choice, voucher schools can and do reject students based on prior academic achievement, economic background, English language ability, or disciplinary history, which significantly limits choice.

This $300 million program, which has proven ineffective, is not the solution for the intended goal. To reach this goal, we can begin by repealing the H.R. 1 cuts to programs that remove barriers for low-income students, such as title I programs, Head Start and TRIO.

I urge my colleagues who are truly invested in the goal to reject these cuts to key education programs and to oppose the SOAR Act.

Earlier, I heard one of the persons on the other side talk about persons who support vouchers in D.C. Most of the political persons who support it either were defeated or have left and have no more say.

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

Mr. Speaker, we've heard a lot of talk, and it seems like most of the talk is about how we are being unfair to the District of Columbia by giving them money that, in fact, they don't really need. Let me just be candid. The District of Columbia gets all the other Federal money that the States get and other cities. This is additional money, but here is the amazing fact:

Depending upon whose figures you use, for each student in the District of Columbia, they spend between $17,000 and $28,000 per student. Cato says $28,000. We'll take the District at $17,000. These Opportunity Scholarships go between $7,500 and $12,000. I'll agree that perhaps some of those students would have gone to a parochial or to a private school otherwise; but for those who leave the public school to take advantage of this scholarship, they leave all $28,000 behind; and they leave with $7,500 in opportunity and some parent who cares enough to find a way to make up the rest if there is additional cost. Many of the parochial schools mentioned that are high school equivalents of Georgetown—except they're not getting Pell Grants; they're getting this grant—in fact, take this as the entire payment.

So the truth is that this is a gift to the District of Columbia in several ways, and I want it understood here today: when you look at the ranking of all of the States, if the District of Columbia were a State, it would be 51st. If you rank it against the top 50 inner cities, it's still only around 22nd. It is a failed school system with the second highest amount, by their own figures, per capita spent on students. If you take Cato's figures, they're far and away the most expensive public schools anywhere in the country.

Mr. Speaker, we've had a lot of talk about how Republicans are cruel because we're funding less than the Democrats would like, and we're actually funding less on this program than they would have. The difference is they were simply handing $75 million a year for the next 5 years, or at least for this year, to the public schools, with no strings attached, while, in fact, we are breaking it into three pots of $20 million in order to allow the public school to get something.

The Speaker, in this bill, believes strongly they should get something so they're net better off. There is another $20 million so that children can go to charter schools. Let's understand something. If you go to the public school, they say you have choice, but the regular public schools have districts, boundaries. You can't exceed them. Going to a charter school gives you an opportunity to cross town for the school of your choice. The last 20, a mere $20 million out of hundreds of millions of dollars, in fact, goes to these few lottery winners.

The gentleman on the other side of the aisle—and rightfully so—said it's a lottery. Yet as a former businessman—and I don't call myself a recovering businessman because I hope to never forget the lessons I learned in business—if you came to the State of California and said, We'll give you, whether it was $60 million or $600 million, but you've got to take a small amount of that and put it out for lotteries, and if you asked the voters in California would they take it, you'd get the same 74 to 80 percent absolute approval. If it were absolutely new money, they would.

□ 1510

But if you went to a businessman, if you went to somebody who had to understand how to make a dollar go further, there's no question what you would find is—let's do the math. I spend between $17,000 and $28,000 on each student; $7,500 in expanding these Opportunity Scholarships. If they were to use their own in-district money, for every time they hand out $7,500, they would leave themselves over $17,000. It means that every student who remained would have more dollars.

The fact is, it's a self-inflicted wound for the District of Columbia not just to take all of this money but to take additional money because every student who exits is an opportunity to have more for those who stay, but that's not the way public education thinks. It thinks in terms of how much do I get per student, how many union teachers do I make sure I employ, how much union dues do I get.

I'm sorry, but that's not way the rest of America thinks. It's not the way the Speaker thinks when he crafted a bill that was incredibly fair to the District of Columbia and fair to many of the students who, yes, have an opportunity to get these few scholarships; and God help us, I just wish there were more because they wish there were more.

I reserve the balance of my time.

Mr. CUMMINGS. I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, the majority has been obsessed with depriving the District of Columbia of its home-rule rights ever since this Congress opened. They have come now with their choice, their preference, for the people I represent. If, in fact, the majority is correct that this program has been so effective, I ask you why you have not brought a national voucher bill to the floor so that your constituents could have the very same thing my constituents have? I know why. It's the height of hypocrisy to put it on us and not bring a bill to the floor to give the same wonderful, wonderful opportunity to your own people.

I have a home-rule agenda in the amendment coming up. I challenge you, I challenge you to bring a national voucher bill to the floor this session.

Mr. ISSA. I would like to inquire of the minority, do you have additional speakers at this time?

Mr. CUMMINGS. No, I do not.

Mr. ISSA. Then are you prepared to close?

Mr. CUMMINGS. I am prepared to close, Mr. Speaker.

Mr. ISSA. Then I will reserve the balance of my time to close.

Mr. CUMMINGS. Might I inquire how much time each side has.

The SPEAKER pro tempore. The gentleman from Maryland has 1½ minutes remaining, and the gentleman from California has 5 minutes remaining.

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

Let me say this, Mr. Speaker. The ranking member said that basically this is a gift to the District of Columbia, and you know, the chairman of the committee—and I would appreciate it if he would take into consideration—while handing the District of Columbia $20 million in vouchers, H.R. 1, which he voted for, would take from the District of Columbia now $2.39 million from the D.C.'s title I funding, $500,000 for the funding for the 21st Century Community Learning Centers. This is just from the District of Columbia; $23.5 million from Pell Grants so that when these kids get through the system like he just said, they would be able to have some money to go to school; but H.R. 1 takes away $845 per year. That's a lot of money for a college student. $5.7 million from Federal supplemental educational opportunity grants, $3.92 million from Head Start programs which would disallow 700 Head Start students from going to Head Start.

So when you talk about giving a gift, I mean, that's one thing; but just in Pell Grants alone you've taken away from the very people that you say you support.

And, you know, let's just be fair about this. Mr. Speaker, this is about every child. I've said it in committee, and I'll say it again. There is nobody

on this side of the aisle who wants more for every child to have an education and have a good education than we do; and so hopefully this matter will be resolved, but this is not the way to do it.

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

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

You know, there has been a lot of talk about H.R. 1, and I think that's a bigger picture than what we're looking at here today; but it should be considered.

Republicans offered on this floor, and passed without the support for the most part of the other party, a continuing resolution. We have been responsible in trying to fund the government, and we tried to fund the government at over 90-some percent of what it would have been funded had the majority not changed and certainly at or above 2008 levels.

But that bill died in the Senate. Everything seems to have died in the Senate. And yet it can be demagogued as though we've cut, but you can't cut what you haven't done and you can't cut what you haven't offered an alternative for. We cut what was already on the book: $75 million to $60 million.

We did decide, the Speaker's leadership, that we were going to keep this program which we believe works. At $20 million, it's just a fairly large pilot program. As one of the speakers on the Democratic side so aptly said, you have to win the lottery, there aren't enough slots. You're right, there aren't enough opportunities for the District of Columbia. But unlike what the gentlelady, the Delegate from the District of Columbia said, we don't have an authority to go out and do this as a national referendum; but more importantly, we don't have the money. This is more a matter of showing the benefit to States which may or may not choose and giving an opportunity to one of the worst school systems, most failed school systems in the Nation.

Students in the District of Columbia in math and science and reading are typically 51st when compared to the 50 States. This is, in fact, a difficult area if you happen to be a student in this District. If you're like the President's family or his predecessor or his predecessor or his predecessor, if they have school-age children, they don't go to public school. They go to private school. That's pretty well-known.

But private school offers opportunities and it offers choice; and, Mr. Speaker, this $20 million per year of special funding for Opportunity Scholarships is all we're talking about today. One of the speakers, rightfully so, called it $100 million over 5 years. The Delegate from the District of Columbia called it $300 million, but she was forgetting the other $200 million goes right where she wants it to go. The only thing we're debating is over 5 years will $100 million go to Opportunity Scholarships that don't basically go to union schoolteachers that are failing the students in a system that is failing.

We just lost the head of education here, Ms. Rhee; and, in fact, part of the reason she left was she saw a new administration that didn't seem to live up to the high expectations that the previous one did. That's a local matter. That's local control and local rule. We're not preempting that. They have a right to fail, and they are failing; but Congress has a right to at least intervene.

And in closing, what I want the Speaker to understand and America to understand is in 1996, when chartered public schools were authorized in the District, it was authorized by my predecessor on the Republican side, Mr. Davis. He got it in and got it funded, and he got it made law over the objection at that time of the people of the District. We've looked through our records and can find no broad support for this mandate. The District did not do chartered public schools on their own. They did it with an act of Congress, with help.

I believe they should take the same suggestion. If they want to choose to disagree with the conservative extreme Washington Post, so be it, but I think they have to begin to look at themselves more deeply, at those that they actually represent, those who voted for them but did not vote to have this money rejected.

I urge strong support for this bill, for this opportunity for the few who win the lottery.

Mr. CONNOLLY of Virginia. Mr. Speaker, today the House will vote on H.R. 471, a bill to make Congress the de-facto School Board for the District of Columbia. This legislation, introduced without a hint of irony by self-proclaimed small-government conservatives, would authorize $60 million in federal taxpayer subsidies for private schools in the District of Columbia. The same party that just cut $1.2 billion in Head Start funding for Americans across the country will readily transfer tax money from all Americans to the District of Columbia. Moreover, the concern expressed today for District of Columbia students rings hollow in light of the Republicans' repeal of voting rights of the Delegate from the District of Columbia, which occurred in the first vote this session. Thus, this legislation is hypocritical on three levels, as it represents federal intrusion in local affairs, a federal spending increase in D.C. in contrast to nationwide education funding cuts, and disingenuous concern for the welfare of D.C. residents.

Although H.R. 471 is blatantly inconsistent with Republicans' alleged fealty to fiscal conservativism and federalism, it is quite consistent with Republicans' ideologically driven efforts to unravel public education. This bill is not about providing educational alternatives for students: It is about defunding public schools and gutting teachers' unions. Does this sound familiar? Middle class Americans are attempting to survive a similar assault by Republican governors and state legislatures in Wisconsin and Ohio. Ultimately, this bill isn't even about vouchers, but rather about power. There is not any compelling data that vouchers work, after all, while there are several studies suggesting that, at best, they divert resources and talented students from public schools. But whether vouchers work or not is irrelevant to the party whose goal is elimination of the public education system as we know it, for vouchers are just a means to that end.

Educational policy should put students first rather than sacrifice them for ideological objectives. H.R. 471 would make District of Columbia students lab rats in a Republican experiment to gut public education and replace it with an unproven alternative. H.R. 471 makes a mockery of Republican commitments to federalism and fiscal conservativism, even as it belies their callousness to the welfare of their own constituents.

Finally, my colleagues should be aware that this bill did not pass out of the Oversight and Reform Committee without controversy. Congressman PLATTS of Pennsylvania made what may have been the most articulate speech in opposition to the bill. He reminded us that even if vouchers did work—and there's no evidence they do—they would still abandon the rest of our students. Mr. PLATTS called on all of us to work toward an education system that helps all students succeed, and I would hope that we could identify that as our objective rather than diverting money from public schools through vouchers.

I urge my colleagues to put students first and vote against H.R. 471.

Mrs. MALONEY. Mr. Speaker, I rise today in opposition to H.R. 471, the DC voucher bill. I opposed the creation of the DC Voucher Program when it came before the House in the 108th Congress and I oppose today's bill that would extend this unsuccessful program. As a mother and a former educator, I understand the desire and the value of giving children the best educational opportunities. That is not what this bill would do.

This program has neither the same accountability standards for improving student academic achievement as public schools nor do students in the program have the same civil rights protections as students in public schools. The U.S. Department of Education (ED) evaluated the Washington, DC voucher program in both the Bush and Obama Administrations and issued reports indicating the program was ineffective and has not lived up to its promises. In its 2010 Final Report, the ED concluded that the use of a voucher had no statistically significant impact on overall student achievement in reading and math. There also is concern that students in the voucher program who have special needs, including those with learning disabilities and those in ESL courses, do not have access to programs or resources to address these needs.

Unlike our nation's public schools, the private schools in the DC voucher program are not accountable for the public dollars they receive. In 2007, GAO issued a report on the DC voucher program documenting concerns with the accountability of the program operator, questioning whether the operator has sufficient oversight to govern the use of federal funds. Furthermore, the GAO report found that this program does not proportionally reach the students it is meant to target, those from schools in need of improvement. It also raised concerns that many teachers in the voucher program do not have adequate educational attainment or certification to teach.

This bill extends and expands the only federally funded voucher program in the U.S. At a time when the utmost fiscal responsibility is needed, and especially when our public schools are facing giant cuts, we should not be wasting money on programs that do not work and fail our students. My colleagues who support this bill have neither paid for the $300 million cost nor have they kept to their own legislative rules by making the cost offset by cuts to other programs. This voucher program is clearly not the best use of federal taxpayer dollars and does not provide the youth of our nation's capital with the best learning opportunities.

I fully support measures that encourage our children and youth to rise to new heights. However, this legislation extends a program that does not do what the title suggests and usurps DC's prerogative of self-governance. Congress should be focusing on providing the best educational resources to youth from every part of our nation. I repeat, that is not what this bill would do. I oppose H.R. 471.

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today in strong support of H.R. 471, the Scholarships for Opportunity and Results Act (SOAR Act).

This bipartisan bill, which I am proud to cosponsor, reauthorizes the incredibly successful District of Columbia Opportunity Scholarship Program, which provides low-income D.C. children an opportunity to compete for a scholarship to attend the private school of their choice. Last year, after half a decade of increased graduation rates and opportunities for a better life, the current Administration unilaterally rescinded the Opportunity Scholarships that had been promised to 216 children. This is unacceptable. The SOAR Act renews the Opportunity Scholarship Program to again provide low-income children and their parents the opportunity to choose what educational environment suits them best.

Additionally, in recognition that not every child will be able to earn an Opportunity Scholarship, the SOAR Act also invests equally into the D.C. public and charter school systems. For far too long, the D.C. public school system has under-promised and under-performed, leaving children's educational future dependent on their zip code. Giving students and their parents the opportunity to choose what learning environment is best—whether it is a private, charter, or public school—should be the standard, not the exception.

I urge all of my colleagues to support the SOAR Act because it takes an all of the above approach to improving educational opportunities for low-income children in our Nation's capital.

Mr. MORAN. Mr. Speaker, I rise in opposition to H.R. 471. This bill provides $300 million in unfunded appropriations at a time when the same leadership that is advancing this bill has told us that cuts to education programs, like Head Start and Pell grants, that affect students around the country, are a fiscal necessity.

The Majority is pushing an ideological agenda designed to satisfy their base framed as an effort to improve the lives of children in the District.

While Congress retains an oversight role over the District of Columbia, D.C. should not be treated as a petri dish for conservative ideas that are opposed by the voters in the District.

There have been two major studies of the D.C. Opportunity Scholarship program.

The first found "no conclusive evidence" that the vouchers program affected student achievement.

The second found that while math scores did not improve, there was a modest improvement in reading. Unfortunately, those gains occurred strictly for those students who came from the least troubled D.C. schools and scored the highest on the baseline test.

Unfortunately, this program has failed to help those who need it the most.

Critically, the gains in student achievement witnessed in the vouchers program do not match those achieved by the District's charter schools. If this body is truly interested in supporting effective school choice and education reform in D.C., we should focus on funding to reduce long waiting lists for the best charter schools.

Congresswoman NORTON, the only Member of this House democratically accountable to the parents and students of the District, has offered a substitute amendment which would divide the funding equally between DCPS and the city's charter schools. I will support the substitute.

Mr. STARK. Mr. Speaker, I rise in strong opposition to H.R. 471, a bill that would resurrect the failed District of Columbia school voucher program. This legislation is nothing more than a pet project of the Republican majority that has not proven successful for students or popular with the American people. This is the same majority that just last month voted to cut $5 billion in education funding, potentially hurting students all across this country. Now they want to spend $300 million on a program that serves only a handful of students, and doesn't even serve those few students well.

Evaluations of the former D.C. voucher program by the Government Accountability Office (GAO) and the Department of Education found no statistically significant effects on student achievement. GAO also found that the program was poorly managed, concluding that, "accountability and internal control were inadequate." Subsidizing private schools undermines public education in the District of Columbia by shifting resources to private and religious schools, rather than working on ideas for real reform in our public schools.

This bill also violates the District's right to home rule by using its school systems for a federally funded social experiment. As a former chairman of the Committee on the District of Columbia, I am well aware of the long struggle the District has waged for self-determination and a voting member of Congress. Unfortunately, instead of moving legislation to enfranchise the people of the District, we are voting today to impose more ideological mandates on the city.

Public opinion is not in favor of taxpayer-funded school voucher programs. They consistently fail when they are brought up in state referendums. A majority of Americans do not approve of the idea under any circumstances, and as many as 70 percent are against vouchers if they take money away from public schools.

Vouchers don't work, they hurt public schools, and Americans do not support them. I urge all of my colleagues to stand with the District of Columbia and oppose this legislation.

Mr. BOEHNER. Mr. Speaker, let me start out by thanking the members of the Oversight & Government Reform Committee for their work on this bill. Thank you also to our 50 cosponsors and all the members on both sides who are standing with us today. I appreciate the efforts of our colleagues in the Senate—particularly JOE LIEBERMAN—who are working on similar legislation.

Today, the House will have the opportunity to do something special for the future of our country. I think just about every member would agree we have work to do when it comes to our education system.

Americans are concerned that their children won't come to know the same blessings they have. And if we want to protect the American Dream, there's no substitute for a quality education.

My view's always been, education reform starts with giving children in need a way out of our most underachieving public schools. Of course, that doesn't mean we abandon those schools. It means we take some of the pressure off of them while they work to turn themselves around.

So we came together here about seven years ago and said, let's try something different. Instead of just throwing more money at the problem, let's empower parents from lower-income families to choose the schools that are best for their children. We wouldn't deny any school money they would already be receiving—we would just be injecting freedom and competition into a system caught up in the status quo.

We had a strong bipartisan coalition, including: Anthony Williams, our mayor here at the time; and Dick Armey, who for years led this fight in the House, paving the way for this program. We started working together on school choice in the early 1990s when we served on the Ed & Labor Committee.

We said, let's give these kids in our capital city a real chance at success and a real shot at the American Dream that they do not have. What do we have to be afraid of? Nothing, as it turned out. Thousands of families have taken advantage of the D.C. Opportunity Scholarship Program. There's strong evidence that it has been both effective and cost-effective.

Unfortunately, the education establishment in our country sees the Opportunity Scholarship Program as a threat. In reality, this is an opportunity to raise the bar. Competition makes everyone better.

I think if you look beyond the talking points and focus on the facts, you'll find that the D.C. program provides a model that can work well in other communities around the nation.

Now, this issue is important to me—but it's not about me. I'm proud to say I've supported the Opportunity Scholarship Program from the get-go, but I'm even more proud of the fact I had nothing to do with its success. For that, we can thank the students and the parents who have become more than just the program's beneficiaries—they are its greatest ambassadors.

In recent days, I've received letters from many of them asking their Congress to do the right thing, I'll be submitting some of those for the record.

You see, they know what it was like before. They remember living just blocks from these great schools, but feeling miles away from them. All they ask us to do is help ensure others get the same chance they've had. That's

no controversial idea—it's just the American way.

So if we're serious about bipartisan education reform, we should start by saving this successful, bipartisan program that has helped so many underprivileged children get a quality education.

I urge the House to support this measure to save and renew the D.C. Opportunity Scholarship Program.

TUESDAY, MARCH 29, 2011.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER, I am writing to thank you for never giving up in your fight to restore the D.C. Opportunity Scholarship Program.

As a mother who has seen the benefits of the program first-hand, I can attest to the value of this program. Nico, my nine year old son attends Naylor Road Private School on an opportunity scholarship and is excelling in his small classes. If Nico were unable to attend Naylor Road, he would have been forced to attend a failing, underperforming school.

I can also attest to the heartbreak of having my daughter's scholarship revoked by President Obama's Secretary of Education. My daughter Nia received an opportunity scholarship in 2009 to attend the same school as her brother and receive the same educational opportunities. But that is no longer the case.

My daughter was one of 216 students who received a letter from Secretary of Education Arne Duncan retracting her scholarship. Suddenly, I did not know where I was going to send my daughter to school. I know that I will not send my daughter to any of the schools in my area. While I have been blessed by emergency, private scholarships to send Nia to Naylor Road with her brother, I do not know if this support will continue.

As a single mother on disability, I am unable to work enough to afford tuition. Education is the first priority in my household, and this program allows my children to attend safe schools and thrive.

I can tell you that your work, and that of so many other Members of Congress, has not gone unnoticed in the parts of our city that many people too often ignore.

For me, it will mean a quality education for my children. It will also mean peace of mind, because I will know that my children will not, one day, be separated—my son to attend a safe and nurturing school, and my daughter, forced elsewhere.

Please keep fighting for this program. Please. And I encourage all Members of Congress to follow your lead in voting YES for the SOAR Act. I know that with the chance to thrive in better schools, my children will truly SOAR!

Sincerely,

LATASHA BENNETT.

MARCH 29, 2011.

DEAR SPEAKER BOEHNER, I want to thank you for spending so much time and energy on a cause that does not benefit you but helps me and a lot other DC children.

I was a lucky one. I had the opportunity to be a scholar and it worked! I was accepted into Archbishop Carroll and Bishop McNamara High School. Pm proud of my success. One day I would like to attend Spellman College. When I get to college I know it will be because of the solid foundation I received in my elementary school. The foundation for my future was possible because of my scholarship.

Again, thank you for fighting to save the Opportunity Scholarship. I know you care about us and I wish you a lot of good luck!

Sincerely,

SAMAYA MACK,
8th grade, St. Anthony Catholic School.

MARCH 29, 2011.

DEAR MR. SPEAKER, My name is Katherine Campos and I am a recipient of the Opportunity Scholarship. I am an eighth grader at Sacred Heart School and have received the scholarship for the past six years.

I want to thank you from the bottom of my heart for introducing the SOAR Act to Congress. I know that you really believe in the Opportunity Scholarship and that means the world to me. I believe in the scholarship, too.

The scholarship has offered me an escape from some of the harsher realities of the city. It has offered me a chance to grow in my spirituality and academics because it allowed my mom to choose Sacred Heart for me. My family is happy now that I have a better chance of getting into a good high school. Without the scholarship, I wouldn't be where I am today and I wouldn't have as much hope for tomorrow. I know that I am better prepared for a successful future because I am a recipient of the Opportunity Scholarship.

Thank you, Mr. Speaker, for all that you are doing to help me and all the other scholarship recipients. You really do make a difference in my world.

Sincerely,

KATHERINE CAMPOS,
8th grade, Sacred Heart School.

MARCH 29, 2011.

DEAR MR. SPEAKER, we met for the first time at the State of the Union. Remember you gave me advice on giving interviews? Since then a lot of people have asked me about OSP and I just wanted to say thank you, Mr. Speaker, for all of the hard work you're putting into bringing back this Program. This program has helped me and a lot of other DC children.

Without this program I would not have attended St. Anthony Catholic School and probably would not have achieved the success I have. I love my school and am glad my parents had the option to send me here.

Since we met I am proud to share that I earned a full four year academic scholarship to Gonzaga and will be going there in the fall. This high school scholarship was possible because the elementary school that my parents chose for me provided me with a strong academic foundation. I know I will do well in high school. And then, I plan to do well at Ohio State University for college.

I hope the SOAR Act passes so other kids will get the chance I did. Thank you again!

Sincerely,

OBI MBANEFO,
8th grade, St. Anthony Catholic School.

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 471. Today's vote comes just weeks after House Republicans brought a Continuing Resolution to the floor to slash billions from public education programs—legislation that would cut Head Start slots, reduce critical support to thousands of schools, and decrease afterschool services at high-poverty and low-performing schools. My colleagues across the aisle argued that we simply cannot afford these investments in our nation's children.

But today, the Majority brings to the floor a bill to provide private school vouchers in the District of Columbia. This bill adds $300 million to the deficit, a violation of their own new "Cut-Go" rule that requires offsets for all new spending.

Mr. Speaker, I support investments in education. We all want our children to have the opportunity to succeed. But we should be using public funds to improve our public schools first. And it is totally hypocritical to have a vote one month to cut public school funding under the guise of deficit reduction and vote the next month to increase the deficit to support some schools over all others. I urge my colleagues oppose this bill.

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

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MS. NORTON

Ms. NORTON. Mr. Speaker, I have a substitute amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Funds for Public Education Act".

SEC. 2. FUNDING FOR DC PUBLIC SCHOOLS AND DC PUBLIC CHARTER SCHOOLS.

(a) GENERAL AUTHORITY.—From the funds appropriated under section 4, the Secretary of Education (in this Act referred to as the "Secretary") shall provide funds to the Mayor of the District of Columbia (in this Act referred to as the "Mayor"), if the Mayor agrees to the requirements described in subsection (b), for—

(1) the District of Columbia public schools to improve public education in the District of Columbia; and

(2) the District of Columbia public charter schools to improve and expand quality public charter schools in the District of Columbia.

(b) CONDITION OF RECEIPT OF FUNDS.—As a condition of receiving funds under this Act on behalf of the District of Columbia public schools and the District of Columbia public charter schools, the Mayor shall agree to carry out the following:

(1) AGREEMENT WITH THE SECRETARY.—Enter into an agreement with the Secretary to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this Act.

(2) INFORMATION REQUESTS.—Ensure that all District of Columbia public schools and the District of Columbia public charter schools comply with all reasonable requests for information for purposes of the evaluation described in paragraph (1).

(3) SUBMISSION OF REPORT.—Not later than 6 months after the first appropriation of funds under section 4, and each succeeding year thereafter, submit to the Committee on Appropriations, the Committee on Education and the Workforce, and the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Appropriations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate, information on—

(A) how the funds authorized and appropriated under this Act for the District of Columbia public schools and the District of Columbia public charter schools were used in the preceding school year; and

(B) how such funds are contributing to student achievement.

(4) PUBLIC AVAILABILITY.—Ensure that all reports and underlying data gathered pursuant to this subsection shall be made available to the public upon request, in a timely

manner following submission of the applicable report under paragraph (3), except that personally identifiable information shall not be disclosed or made available to the public.

(c) ENFORCEMENT.—If, after reasonable notice and an opportunity for a hearing for the Mayor, the Secretary determines that the Mayor has not been in compliance with 1 or more of the requirements described in subsection (b), the Secretary may withhold from the Mayor, in whole or in part, further funds under this Act for the District of Columbia public schools and the District of Columbia public charter schools.

SEC. 3. PRIORITY CONSIDERATION FOR CERTAIN STUDENTS.

Each District of Columbia public charter school, in selecting new students for admission to the school, shall give priority to students who were provided notification of selection for an opportunity scholarship under the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code) for the 2009–2010 school year, but whose scholarship was later rescinded in accordance with direction from the Secretary of Education.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $60,000,000 for fiscal year 2012 and each of the 4 succeeding fiscal years, of which—

(1) 50 percent shall be made available to carry out paragraph (1) of section 2(a) for each fiscal year; and

(2) 50 percent shall be made available to carry out paragraph (2) of section 2(a) for each fiscal year.

The SPEAKER pro tempore. Pursuant to House Resolution 186, the gentlewoman from the District of Columbia (Ms. NORTON) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

□ 1520

Ms. NORTON. Mr. Speaker, first of all, I have to correct the gentleman from California. The District charter school bill was created by Speaker Gingrich in partnership with me. He came to me and proposed a voucher bill. I asked him, since the District had a local charter school bill, if he would introduce, instead, a charter school law. We consulted with the local public officials, with the school board, with citizens. It was the home rule alternative to vouchers, and you can check with Speaker Gingrich.

Now, my home rule substitute would redirect the $300 million in H.R. 471, 50 percent to the District public charter schools, 50 percent to the District of Columbia Public Schools. If the majority wants to add $300 million to the deficit without an offset, then let it at least be on the basis of educational merit; then it should be added to the public schools which have shown major growth, the only public school system of the 18 largest urban school systems that showed significant improvements in math and reading over the last 2 years.

If you want to add to the deficit, then at least add to it by giving money to our public charter schools which outdo the D.C. public schools and way outdo, of course, the voucher schools, which show no improvement. The public charter middle and high schools scored twice as high as the traditional public charter schools in the District in math and reading, and they have a graduation rate 24 percent above the D.C. public schools and 8 percent above the national average. This is where you would give the money if you had any interest in education in the District of Columbia instead of your own parochial interests in making the District a petri dish of the pet project of a few Members of Congress. You would look at our public charter schools as the alternative to the District's public schools.

There are 53 campuses, amounting to almost 100 different charter schools, almost half of the children of the District of Columbia. How did they get there? They voted with their feet. I mean, listen to some of the names of these schools: Washington Latin School; Washington Math, Science, and Technology High School. I have, myself, appointed two students from Washington Math, Science, and Technology to Service Academies. Early Childhood Academy; Hospitality Academy; Howard University Middle School—that's a charter school; the KIPP Schools. We've got eight of them. Those are the top charter schools and some of the best public charter schools in the United States. SEED Residential charter school. You have some money? You want to spend some money? Here is the place to spend it.

To show you just what kind of a home rule alternative this is, with almost 100 different schools, they have got 19 new charter school applications coming for 2012. People keep coming despite the improvements in the District public schools. They are going to have a preschool charter. They are going to have three new high schools: one an all male college prep, one that focuses on public service, another that focuses on math and science.

You want to talk choices, you want to talk creative choices, look at the District of Columbia. We know how to create choices for ourselves, choices that our parents want, choices that our parents create and pay for because they want their own choices, not the choices of the Republicans of the House of Representatives. In a democracy, the choices of a self-governing local jurisdiction trump all other choices, and especially the choices of Members who are not responsible to the people of the District of Columbia, who do not have to stand for election in the District of Columbia but get a free ride, as I do not.

If you insist on adding to the deficit, then, for goodness sake, reinforce the home rule, hard work of our own parents and our own local organizations. Commend them for the dazzling array of almost 100 public, accountable charter schools they have created. Relieve their long waiting lists, which now contain thousands of students waiting to get into our charter schools.

The District of Columbia did not appreciate being an unwilling object of a Republican experiment once. With your cavalier defiance of our choices, we like it much less the second time around.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from California is recognized for 20 minutes.

Mr. ISSA. I yield such time as he may consume to the gentleman from South Carolina (Mr. GOWDY), the subcommittee chairman who has worked so hard on this issue and who truly does understand the gentlelady's passion, if not her accuracy.

Mr. GOWDY. Mr. Speaker, again I would like to thank the chairman of the full committee, the gentleman from California, for his leadership.

It is instructive, it is informative, not to mention ironic, that there were opponents to the D.C. charter school system, just like there is resistance to the Opportunity Scholarship Program. Indeed, Mr. Speaker, some of the very same people who rise today in opposition to the Opportunity Scholarship Program, lauding the virtues of the D.C. charter school system, once opposed that very charter school system.

The charter school system is a success—I will acknowledge that—just like the Opportunity Scholarship Program is a success. They are both successful because the parents in the District of Columbia want choice.

I hate to be redundant. I don't want to beat a dead horse, although it does not hurt the horse to return to the evidence. And the evidence proves beyond a reasonable doubt by any reasonable, statistical measurement: the parents want this program; the students want this program; the community wants this program; even some elected officials want this program. They just happen to not be ones we have heard from on the other side of the aisle today.

Reading scores are up. Educational attainment is up. Graduation rates are up. And it bears repeating again. There is a myriad of maladies that are connected to the dropout rate in this country. And if all we do is to get kids to graduate, it is worth it for this program alone if they just get kids to graduate.

Opposition to this bill, Mr. Speaker—and make no mistake about this. Opposition to this bill is political and not factual. I will say that because 18-year-olds in the District of Columbia can take Federal dollars and they can go to Notre Dame and BYU, and they can go to Stanford and they can go to Baylor and they can go to Rice. So why do we oppose Federal dollars helping 17-year-olds? Let that point sink in. So 18-year-olds can take Federal dollars and go to whatever private school they want to, but 17-year-olds cannot take private dollars to go to whatever high school they want to. And I defy anyone to explain to me that distinction.

My colleague from the District of Columbia is a passionate, zealous advocate for her constituents, and I commend her for that. I genuinely commend her for her passion and her zeal

in representing her constituents. But even her passion is no match for the passion of parents who hope for a better future for their children. Even her passion cannot match the passion of the parents who came to testify before our subcommittee that this is a lifeline. This is a once-in-a-generation opportunity. And for us to say ''no'' to the Opportunity Scholarship Program because of pure, raw, gutter politics is wrong.

□ 1530

I would oppose this amendment, and I would ask my colleagues to support the Opportunity Scholarship Program.

Ms. NORTON. I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the committee.

Mr. CUMMINGS. Mr. Speaker, let me say this: The last speaker said something that I found very offensive when he said it's about raw, gutter politics. I personally resent that, and the reason why I resent it is because it sends the wrong message on this floor.

We can have disagreements, but this is not about raw, gutter politics. This is about standing up for every child. I've said it over and over and over again. And I, as a product of public schools, and my children who have gone to charter schools and public schools, and I've sat on a charter school board, and living in an area in Baltimore where ''The Wire'' is filmed, I can tell you that this is not about raw, gutter politics. This is about the politics of lifting children up so that they can be the best that they can be. That's what this is all about.

And I've said it in committee and I'll say it over and over again: There is not one Member on this side who does not care about every single child. And when we talk about this program, this voucher program, one of the things that we need to consider is we're talking about right now about 1,012 kids. We're also talking about a charter school program with over 27,000 and counting. And it affects a lot more people. What we're trying to do is help as many kids as possible.

You talk about the graduation rates. The graduation rates for the charter schools are better than this voucher program graduation rates. And so what do we try to do?

We need to be trying to address things in the most effective and efficient manner. And so it's easy to talk about gutter politics. But what we're talking about is trying to help every child.

Now, you talked also about how we can take this money, children can take this money, when they get to college and go to various places, colleges; and you're right. But the fact is that you just voted in H.R. 1 to slash $845 per year. And I see students every year, the board I sit on, the college board in Baltimore where kids, for $845, that $845 would cause kids not to be able to attend college, period. So it's nice to lift them up.

First of all, we don't give them, we cut off money from the Head Start so they can't get the Head Start. We want children to even get to the point of being able to be in a position to go to high school. But then after they get out of high school—and it is not about gutter politics—after they get out of high school, we want to make sure that they're able to have the necessary funding to go forward. And so I don't consider what the other side is saying one bit.

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

Ms. NORTON. I am pleased to yield the gentleman another minute.

Mr. CUMMINGS. Let me be clear. I do not consider it gutter politics for the other side to argue what it's arguing. I believe there are philosophical differences, and that's okay. And we will differ. And I have never, not once, and I don't think anybody on this side has not once, said that we don't all want to lift our children up. That's what America's all about. That's how we became the great country that we are. For every child.

And again I say it: The worst thing, the greatest threat to our national security is our failure to properly educate every single one of our children. Leave no child behind.

Mr. ISSA. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WALSH).

Mr. WALSH of Illinois. Mr. Speaker, what are they afraid of? What are my colleagues on the other side of the aisle, Mr. Speaker, afraid of?

Let me second my colleague from South Carolina, respectfully. It is about raw, gutter politics. Respectfully, my colleague from Maryland talks about standing up for every child, helping every child.

What are they afraid of? Why won't they help every single child?

And it is politics. My colleagues on the other side can dance around any rationale they want to dance around. The evidence on this issue, we're beyond it. We are beyond having to debate empowering parents. We're past that.

So what, respectfully, on the other side of the aisle, is causing my colleagues to be against empowering—and I'll emphasize the word ''every''—every parent?

Ms. NORTON. Will the gentleman yield?

Mr. WALSH of Illinois. Respectfully, no.

My colleague from South Carolina respectfully said raw, gutter politics because my colleagues on the other side are scared to death of offending the teachers' unions.

And ladies and gentlemen and Mr. Speaker, the teachers' unions are scared to death of this scholarship program because, look out, if this scholarship program demonstrates success, and it has, it will be modeled all over the country, and that, respectfully, is what scares the teachers' unions, because they don't want kids to be able to escape.

And my colleagues on the other side will answer to what they want. That's the politics that we're talking about.

We're talking about power. The power should go to the parent, plain and simple, every parent. Charter school, public school, home school, private school, you name it. That's where the power should lie.

Ms. NORTON. How much time remains?

The SPEAKER pro tempore. The gentlewoman from the District of Columbia has 10½ minutes remaining, and the gentleman from California has 14½ minutes remaining.

Ms. NORTON. To the gentleman who didn't have the nerve to yield to me, this bill, of course——

POINT OF ORDER

Mr. ISSA. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentlewoman will suspend.

The gentleman will kindly state his point of order.

Mr. ISSA. Mr. Speaker, isn't it true that the House rules prohibit direct accusations about the intent or the personal features of somebody or, in fact, whether or not they have nerve?

The SPEAKER pro tempore. The Chair is not going to respond to a hypothetical question.

Mr. ISSA. And I am not going to take down the gentlelady's words because it is too short a period of time.

The SPEAKER pro tempore. The gentlewoman is recognized.

Ms. NORTON. The speaker before the last speaker wanted to know what the offense was. The offense is to the home-rule prerogative to the people of the District of Columbia to decide on educational choices for their own children. That's what the offense is.

Now I am pleased to yield 2 minutes to the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. One of the previous speakers said that he wanted to empower the parents of the District of Columbia. I agree. I think we should empower the parents of the District of Columbia to elect a representative who has a vote in this Chamber. Why don't we start with that?

The irony of the proposition that this bill is allegedly about empowerment of adults in the District of Columbia and their children comes from people who, I assume, would resist the notion that the representative of the District of Columbia should have a vote in this Chamber.

And let me bring up some very recent history. Under our majority, votes in the Committee of the Whole were, in fact, accorded to the gentlewoman from the District of Columbia. On the first day of the new majority, it repealed her right and the rights of others from the territories to vote on matters in the Committee of the Whole.

□ 1540

There is one issue in this bill: Taxation without representation is tyranny. Decisionmaking without representation is wrong. The duly-elected representative of the people of the District of Columbia supports this amendment and opposes this bill. So do I for that reason.

I would suggest, Mr. Speaker, that tomorrow we should consider a bill reorganizing the public schools of Cincinnati, Ohio, because we have just about as much prerogative to do that as we do this.

Support the amendment. Defeat the underlying bill.

Mr. ISSA. Mr. Speaker, we should bear in mind that home rule is not the right of the District of Columbia to rule people's private homes and how they make their choices for their children.

I yield 3 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I thank the chairman.

Mr. Speaker, I rise today in support of H.R. 471, the Scholarship Opportunity and Results Act, and against the Norton amendment.

Coming from South Carolina, for 8 years in the general assembly, we debated the positive benefits of school choice. I have heard every argument. But what I have seen prior to 2009 is that here, in D.C., school choice was a model for the Nation as a very successful program. We have seen the positive impact of injecting free market principles into the education system here in Washington, D.C. We have seen thousands of students' lives changed. We have seen them line up for a chance at a better life because they could escape a failing school and have the opportunity to reach their full potential.

Because all students learn differently, it is imperative that we empower parents. And that is what it is about, empowering parents to make choices for the education of their children; give them the ability to choose the best educational experience for their child, whether it is public, charter, private, or home school.

Neither the State nor the Federal Government knows what is best for our children. We do as parents. Parents know what is best for their children, and parents and teachers should have the freedom to work together to find and create motivating learning environments that are necessary for every child to succeed.

This bill restores to the parents the ability to make the right choices that this administration and the previous Congress stripped away, and it provides an escape from the failed bureaucratic system of the District of Columbia.

Without question, when students are placed in a learning environment that best fits their individual needs, our educational system will become exceptional. This bill brings more transparency and accountability to the program, raises the scholarship amounts for both elementary school and high school students, as my colleague from South Carolina said, and caps the administrative costs. This bill takes a successful program and makes it even better, and does so without spending new taxpayer dollars or growing the size of government. In fact, school choice saves the government money while providing a better education for the children.

It is my hope, Mr. Speaker, that other States will follow suit. Even as parental school choice is working for American students and families in Washington, D.C., we have also seen its effectiveness in States like Pennsylvania, Arizona, Georgia, Milwaukee, Wisconsin, and Florida, where the achievement gap between white students and minorities is disappearing. My home State of South Carolina is debating school choice right now in their legislative session, creating a bill that would expand educational choice opportunities for all children across my home State. And I urge my fellow colleagues in South Carolina to get the job done and pass that legislation.

Let me thank the Speaker of the House for introducing this bill. I thank him for his leadership of parental choice on behalf of Washington, D.C.'s families and students who demand effective schools.

I urge my colleagues to vote ''no'' on the Norton amendment and ''yes'' on the SOAR Act.

Ms. NORTON. The gentleman cited a number of schools that he said vouchers had helped. There is no data showing that voucher schools—and there have been a few in the United States—have ever scored better than children in public schools. And since Milwaukee was mentioned, let me indicate some news that just came out Tuesday.

Results from the first administration of Statewide exams for students participating in the Milwaukee voucher program showed lower academic achievement than students attending Milwaukee public schools. The results also show that the Milwaukee public schools and voucher schools have significant lower achievement than the Statewide average.

But here, you have a big city public school system that is doing better than the voucher schools. And that is what the data shows all over the United States, including the District of Columbia, where the Bush Department of Education specifically found that the children in voucher schools did not show significant improvement in math and reading scores. While I have shown details here this afternoon of significant improvement of the D.C. public schools, the only urban school system that has in fact shown significant improvement in math and science, and particularly dazzling results in the D.C. charter schools.

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

Mr. ISSA. Mr. Speaker, it is my honor to yield 5 minutes to my distinguished colleague from Indiana (Mr. PENCE).

Mr. PENCE. I thank the distinguished chairman for yielding and for his leadership on this issue, which is near and dear to my heart, as it is to the hearts of thousands upon thousands of families in the District of Columbia.

Mr. Speaker, I also rise in opposition to the Norton funding amendment. The gentlewoman and I have worked together on occasion on issues, and I know her devotion to the District of Columbia. But we will just have to respectfully disagree on this issue, because I simply believe that the Scholarships for Opportunities and Results Act represents the continuation of one of the most important programs that I have had the privilege of being a part of here in Washington, D.C.

Now, there is a suggestion that this legislation takes money away from the public schools. But I think, as we have heard in this debate, because of the three-sector approach created by the original authorizing legislation, District public schools and public charter schools have received over one-quarter of $1 billion in additional direct Federal payments since 2004. Both DCPS and the charter schools will continue to receive increased Federal dollars under this legislation.

So the old arguments against giving students and parents more choices because it denies funding to public schools don't even attach here on the facts.

But beyond that, let me say the reason why I felt the need to come to the floor today. The reason why I so respect Speaker JOHN BOEHNER's leadership on this issue is because of meetings that I have had in my office with oftentimes the teary-eyed parents of children in the District of Columbia.

I will just never forget last year meeting with moms and dads from the District of Columbia, most of them from the minority community, who came to me with tears in their eyes and said, ''I have one child that is in a private school. I was able to take advantage of the D.C. scholarship. But because this administration and the last Congress terminated it, I cannot give that other opportunity to their younger brother or sister.'' And they literally came to me—at that time I was in a leadership position in the Republican majority—and they said, ''Please do something about this.'' And my heart went out to those families.

We had an election, and now we find ourselves in a renewed Republican majority. And the Speaker of the House of Representatives today is a man who probably has a larger heart for kids as a former chairman of the Education Committee than maybe any other former Speaker in the history of this institution.

□ 1550

So we find ourselves at this moment when I can say with no small amount of emotion, I can say to those families,

yes, we are going to put the scholarship back. We are going to say to the rest of your children that they deserve the best choice for their education future as well.

It is a noble moment for this Congress. The Old Book tells us that whatever you do for the least of these, that you do for Him. I think this is one of those moments where we look at families that are struggling under the weight of some of the most beleaguered public schools in America and we are putting our arms around those families and saying, we are going to give you more choices. We are going to let you as parents, regardless of your race or income or status in society, we are going to give you the opportunity to make the same choice for a private school and a public school and a charter school as Americans that have the means to do so can make.

Let me also say I see this debate over educational choice, whether it is in the District of Columbia or in my own beloved Indiana, as all tied up in the debate over education reform that has been manifest throughout this country over the last half century and more. I mean, there was a day almost in my lifetime, just on the periphery of my lifetime, when some stood in the schoolhouse door and said, You may not come in.

But we fixed that as a nation. And now there are some in the massive education establishment in this country who stand in the schoolhouse door and say, You may not come out. You may not have the same choices that other Americans have, simply because of your means and your condition in life.

The Scholarships for Opportunity and Results Act levels the playing field.

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

Mr. ISSA. I yield the gentleman 30 additional seconds.

Mr. PENCE. The SOAR Act opens the schoolhouse door. It reopens the door for opportunities for these families and for their children in the District of Columbia. And I believe it was before a model for the Nation, and it can be so again.

So I encourage my colleagues to join me in respectfully opposing the Norton funding amendment but vigorously supporting H.R. 471. Let's stand with those families. Let's put joy in their hearts. Let's create a boundless future for their children. Let's pass the Scholarships for Opportunity and Results Act.

Ms. NORTON. I respect my good friend, but I have got to stand for and with the people I represent. And if the gentleman wants to put the joy in the hearts of my parents, I challenge him to put joy in the hearts of the parents of his beloved Indiana, as he says, by bringing a national vouchers bill to the floor so that some of them may have the choice that we have not asked for.

I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of our committee.

Mr. CUMMINGS. Mr. Speaker, as I listened to our last speaker talk about teary-eyed parents, well, guess what: I see teary-eyed parents who want to put their kids in Head Start. I just saw them last week at a town hall meeting. H.R. 1 slashes over $1 billion from Head Start. They are in tears, too.

In my district, by the way, a total of 20,000 kids will not get Pell Grants or get $1,000 slashed per year from Pell Grants. They are in tears, too. Do you know why? Because they will drop out of school and many of them will never return to school because they don't have the money. They are in tears, too.

I believe with all my heart that the Speaker's intentions are good. You won't hear me say anything opposite of that. But, again, I am trying to figure out how do we take the dollars that we have and spend them in the most effective and efficient manner.

When we talk about the least of these, I really want to see kids get that head start that I am talking about; and, for the life of me, maybe I am missing something, I don't see how on the one hand we talk about these children that we love, how we want to embrace them and how we want to embrace their parents and bring joy to their hearts, but then take away the very money that would allow them to be able to get to where they have got to go.

So you are right that there was a time when people could not get in that schoolhouse door all over this country. My parents, they would be walking to school for 4 miles and other kids would come riding the bus spitting on them.

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

Ms. NORTON. I am pleased to yield the gentleman an additional 30 seconds.

Mr. CUMMINGS. And they were unable to get an education.

Mr. Speaker, what I am saying is let's embrace all of our kids. I want for my colleagues' kids, Mr. Speaker, the same thing I would want for mine. This program affects about 1,000 kids. Well, just in charter schools, there are over 27,000 in the District.

So I would just support the gentlewoman's amendment.

Mr. ISSA. I yield myself 1 minute.

Mr. Speaker, maybe we should lighten up just a little here. Yogi Berra apparently said, ''Nobody goes there anymore; it's too crowded,'' when referring to a restaurant that had long lines to get in. Mr. Speaker, we are finding a way to say a program isn't good because it has long lines waiting to get in. And, oddly enough, when it comes to the charter public schools that have been lauded on a wide basis here, they too have no free rights to automatically go and they have lines. Perhaps what we should be asking is, on a bipartisan basis: What could we do to reduce the lines to both to provide that opportunity to all the children in the District of Columbia?

I will say one thing in maybe a Yogi Berra-type way. If the Democrats will come halfway to the center of the aisle to talk about how we can hit a reasonable number for spending, I will put everything on the table, at least as to my vote, to meet them the other half. But we can't simply say all cuts are bad and have no alternatives, all programs are so needy they can't be cut, and then complain even when we preserve a program.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, the residents of the District of Columbia see a pattern here. The majority begins by taking away my vote in the Committee of the Whole so I can't vote on any part of this bill this afternoon, then they take away or try to take away the needle exchange program that keeps HIV-AIDS from being spread throughout the District of Columbia. Then they are also trying to take away the choice of low-income women in the District in two bills, the reproductive choice of low-income women in two bills: H.R. 1 and H.R. 3.

They have introduced a bill to put their version of gun laws on the District of Columbia, although the courts have found our new gun laws to be constitutional. This morning we hear that they are coming forward yet again with more to do to the District of Columbia by trying to erase our marriage equality law.

Now they say, after taking all of that from you, we have got something for you, something you never asked for, vouchers, instead of funding your own home rule choice, your public charter schools.

Yes, we know you fund the charter schools as well; but you then fund your choice, not ours. My amendment says if you want to fund something, ask us. Fund what we want, not what you want. And if you want vouchers, bring a national voucher bill right to the floor.

□ 1600

I can understand Republicans voting against my substitute. They will argue perhaps that it adds to the deficit. But if you vote against my substitute, then I don't see how you can vote for H.R. 471, because it certainly adds to the deficit, too; and you will be voting for your choice, not ours.

Many of you have come to the House under the banner of liberty, to get the Federal Government out of even Federal matters. Now you're trying to get into a purely local matter involving our children and our local schools. If this were your district, you would ask us to defer to you. I'm asking you to defer to our preferences. The District of Columbia asks to be treated exactly as you would want to be treated—as free and equal citizens of the United States of America and not as second-class citizens, not as children, and certainly not as the colonial subjects of the Congress of the United States.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to direct their comments to the Chair.

Mr. ISSA. Mr. Speaker, in closing, we won't fund failure from this side of the dais. Yes, we're giving additional money to the failed public schools. Yes, we're giving additional money to a chartered public school system that tries valiantly to help those children trapped in those failed public schools. And, yes, we are going to make a continued small investment in children having an opportunity to find other alternatives, just as we do when children a little older get to go to Georgetown or Catholic University with Pell Grants that in fact go to these parochial colleges.

Elections have consequences. The majority a year ago had planned on simply giving it all to union schools, to government schools, because the party of government was in charge. Mr. Speaker, the election made a difference. We consider ourselves—and we try valiantly on this side of the aisle—to be the party of the people. And we believe that the small amount of money to empower people and parents to do something they choose, and they stand in lines—in lotteries, as the other side has said—to escape those schools and to have an opportunity for these scholarships, we believe they have spoken loud and clear.

And although the Delegate will talk about elections and home rule, she ignores those long lines to get out of failed public schools. She ignores the hearings we had in which people came and said, Please don't take our scholarships. And, Mr. Speaker, she even ignores her own party, and she ignores what is in her own amendment.

Mr. Speaker, her amendment would leave 216 special cases that were denied still in for this year. Her amendment would leave in, the same as the Democrats did when they closed out the previous bill, it would leave those already in school in private schools getting additional funding every year. And there's a reason. President Obama's children were not going to watch their schoolmates be thrown out because a successful program that allowed them to be side by side as peers rather than relegated to a failed school was going to be stopped.

So all we're doing is keeping a program of hope alive for the District of Columbia. And I have never been so insulted to be told that if we give money, we're bad; and if we don't give money every place the other side wants it, we're bad. We're trying to give the best we can to parental choice to failed school districts.

With that, I urge the defeat of this amendment, that does nothing but retain the public school status quo that has failed, and the passage of the underlying bill.

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

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 185, nays 237, not voting 10, as follows:

[Roll No. 202]

YEAS—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peterson
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—237

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chu
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peters
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—10

Barton (TX)
Campbell
Frelinghuysen
Giffords
Granger
Graves (GA)
Graves (MO)
Pascrell
Pingree (ME)
Shuler

□ 1629

Messrs. SCHWEIKERT, RENACCI, COFFMAN of Colorado, YOUNG of Florida, and FORBES changed their vote from ''yea'' to ''nay.''

Mrs. NAPOLITANO, Messrs. CARSON of Indiana, RANGEL, GRIJALVA, ALTMIRE, DOLD, and CLEAVER changed their vote from ''nay'' to ''yea.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

POINT OF ORDER

Mr. WEINER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. WEINER. Mr. Speaker, I make a point of order against consideration of this bill because the legislation violates clause 10 of rule XXI which states

that it is not in order to consider a bill if it has the effect of increasing spending for the current year and a 5-year window. CBO estimates this bill will cost $500 million over 5 years without an offset in the bill.

□ 1630

As you can see, Mr. Speaker, ''We are setting PAYGO aside and instituting Cut-As-You-Go, which means if there is any spending called for in any new way or authorization, that there has to be some cutting somewhere.'' ERIC CANTOR.

Further, the Speaker said:

''Very simply under the Cut-Go rule, if it is your intention to create a new government program, you must also terminate or reduce spending on an existing government program of equal or greater size—in the same bill.''

I would point out, Mr. Speaker, as we already know, on January 5, there was a violation of the rules where Members failed to take the oath when they were not in the room.

On February 9: Failed to offer a proper constitutionality statement with legislation that was offered.

On March 3: Failed to require a three-fifths majority for the passage of a bill that raised tax rates.

On March 17, we failed to make legislation available for 72 hours.

And now we are failing to include an offset for a new government program required under these rules under Cut-Go.

In order for these rules to be taken seriously, we can't simply say, Because it's a favorite program of the Speaker, we're going to waive the rules. The rules are there for a reason. We voted on those rules, and they were made an important part of the change of hands in this House. When you have statements like this by the Speaker, they should be taken seriously. There is no argument that the funds in this bill are simply not paid for, and I insist on my point of order.

The SPEAKER pro tempore. The Chair is not aware of any point of order against the pending measure that would be timely or cognizable at this time.

PARLIAMENTARY INQUIRIES

Mr. WEINER. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WEINER. Is it not the rules of the House that, under clause 10(a) of rule XXI, what the Speaker articulated in this sentence is in fact the rule, that if you have money that needs to be offset, it has to be offset in the same bill? And it is further not the case that in this bill, it has been stipulated on both sides that this expense of $300 million over 5 years is not paid for.

Is that or is that not the rule of the House?

The SPEAKER pro tempore. The House does have a clause 10 of rule XXI. That rule does not support a point of order at this stage of the proceedings.

Mr. WEINER. The rule exists, but we don't need to follow it.

I withdraw my parliamentary inquiry.

The SPEAKER pro tempore. The point is that the gentleman is untimely.

Mr. WEINER. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WEINER. It's a simple question: Doesn't the rule stipulated here exist? And is the only reason we're not following it is that I didn't get to the floor in time?

The SPEAKER pro tempore. The Chair will not respond to political commentary.

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.

MOTION TO RECOMMIT

Mr. CUMMINGS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CUMMINGS. Yes, I am, in its current form.

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

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. ISSA. Mr. Speaker, I object to the dispensing of the reading, and I reserve a point of order against the motion.

The SPEAKER pro tempore. The point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Cummings moves to recommit the bill, H.R. 471, to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith, with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. FUNDING FOR DC PUBLIC SCHOOLS AND DC PUBLIC CHARTER SCHOOLS.

(a) GENERAL AUTHORITY.—From the funds appropriated under section 2, the Secretary of Education (in this Act referred to as the ''Secretary'') shall provide funds to the Mayor of the District of Columbia (in this Act referred to as the ''Mayor''), if the Mayor agrees to the requirements described in subsection (b), for—

(1) the District of Columbia public schools for continued improvements in the academic achievement of all students in the District of Columbia public schools;

(2) the District of Columbia public charter schools for continued improvements in the academic achievement of all students in the District of Columbia public charter schools; and

(3) special education services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) for students eligible for such services in the District of Columbia public schools and the District of Columbia public charter schools.

(b) CONDITION OF RECEIPT OF FUNDS.—As a condition of receiving funds under this Act, the Mayor shall—

(1) enter into an agreement with the Secretary to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this Act; and

(2) ensure that the funds are used by the District of Columbia public schools and the District of Columbia public charter schools for continued improvements in the academic achievement of all students in the District of Columbia public schools and the District of Columbia public charter schools, respectively, by using effective methods and instructional strategies, which are based on scientifically based research, that strengthen the core academic program of schools identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $30,000,000 for fiscal year 2012 and each of the 4 succeeding fiscal years, of which—

(1) $10,000,000 shall be made available to carry out paragraph (1) of section 1(a) for each fiscal year;

(2) $10,000,000 shall be made available to carry out paragraph (2) of section 1(a) for each fiscal year; and

(3) $10,000,000 shall be made available to carry out paragraph (3) of section 1(a) for each fiscal year.

The SPEAKER pro tempore. Does the gentleman from California continue to reserve his point of order?

Mr. ISSA. No, I do not.

The SPEAKER pro tempore. The gentleman withdraws his point of order.

The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, the final amendment before us would accomplish two important goals: First, the amendment would cut the funding authorized by H.R. 471 in half, thereby reducing the Federal deficit over the next 5 years by $150 million below what was authorized for expenditure in the base text of H.R. 471.

We have heard a lot of rhetoric from the other side today, Mr. Speaker. But one thing is clear: Voting for this motion will save $150 million over 5 years.

So the question for my Republican colleagues is will you be true to your promises to address the deficit, or will you put these promises aside to support a pet project that advances a narrow ideological agenda?

Second, instead of spending money on a miniscule fraction of students who would receive a voucher, this amendment would target scarce Federal resources to areas where they would do the most good: D.C. public schools, charter schools, and special education/IDEA activities.

As we have discussed, students participating in the existing D.C. voucher program have shown no statistically significant improvement in reading or math skills. By contrast, students in the D.C. public schools and charter schools have shown significant gains

over the last few years. This amendment would direct funds to support schools that have been proven to improve student achievement. This amendment would also provide funds to support special education and IDEA-related programs in the District.

□ 1640

IDEA funding goes toward critical services for children with disabilities, such as early intervention, support for special education teachers, and assistance to help students gain access to a suitable curriculum.

Since the enactment of IDEA, achievement among students served by this program has improved dramatically, but more progress must be made.

As Mayor Gray discussed Monday in his State of the District address, D.C. has been unable to serve all of its special needs kids in public facilities and is paying nearly $250 million to send students to nonpublic schools that can serve disabled students' unique educational needs. This amendment would help D.C. better serve students who need special education services in the public system.

Importantly, let it be clear that if you vote ''yes'' on this motion, the amendment it proposes will be voted on immediately following this debate. That vote will be followed by a vote on final passage of the bill. Adoption of this amendment will not delay consideration of this legislation; and, therefore, I urge my colleagues to vote for deficit reduction. I urge my colleagues to direct scarce Federal dollars where they will do the most good.

I urge a ''yes'' vote on this final amendment to the bill.

With that, I yield to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. The point of this amendment is, if you're going to spend this money in violation of the rule and you're going to create additional deficit, you at least ought to spend it on something that's effective and that works for the children and improves their educational opportunity.

Investing in the D.C. voucher program that has now run over a period of years by every study that has been done on it says that these students are doing no better than when they left the school, but we're spending $100 million to educate them. They statistically are not improved over the performance of the school that they left, but we continue to spend the money on the myth that somehow this is a model program that you would replicate all over the country.

Why would you replicate a program that is so inefficient and does not provide an educational advantage for the students participating in it?

I understand their parents who chose them to participate in the voucher program feel they made a good decision, but that's not a mark of whether or not they're getting the educational opportunity that they're entitled to.

With Mr. CUMMINGS' amendment, you can invest in what is working. You can invest in the public schools where African American high school students have seen double-digit gains in reading and math, and the percentage of high school students that have achieved advance status in reading and math has more than doubled. The percentage of special education students achieving proficient status has more than doubled. These schools, public and public charter schools, are working for the children of D.C.

But the Republicans would have you insist that what you really ought to do is take $100 billion in new deficit spending and park it in this voucher program because of their commitment on an ideological basis, but not on programs that work. We ought to choose the programs that work for the children of the District of Columbia.

Mr. ISSA. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. ISSA. Mr. Speaker, I will be brief. We spent an hour and 40 minutes discussing the bill and the amendment, and at least the delegate from the District of Columbia attempted to move these dollars all to the public school system.

This bill, in fact, not only denies the children who are in these programs today, some of them side by side with the President's children; but, in fact, it cuts funding for public education.

Under this motion to recommit, the funding for public education on a yearly basis would go from $40 million to $20 million. There would be less money in the public school system, in addition to being no money for Opportunity Scholarships.

I oppose the motion to recommit and urge the support of the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. CUMMINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 185, noes 238, not voting 9, as follows:

[Roll No. 203]

AYES—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—238

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chu
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones

Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Barton (TX)
Campbell
Frelinghuysen
Giffords
Pascrell
Pingree (ME)
Platts
Shuler
Stutzman

□ 1701

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. ISSA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 225, noes 195, not voting 12, as follows:

[Roll No. 204]

AYES—225

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—195

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Graves (MO)
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—12

Barton (TX)
Campbell
Frelinghuysen
Giffords
Herger
Hunter
Mica
Pascrell
Pingree (ME)
Platts
Shuler
Velázquez

□ 1708

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PLATTS. Mr. Speaker, on rollcall No. 204, I was not present for the vote due to my participation, as Co-Chair of the House Traumatic Brain Injury (TBI) Task Force, in a meeting with Department of Defense officials regarding the treatment of wounded warriors suffering from TBIs.

Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, on March 30th, I was unavoidably detained and missed three rollcall votes. Had I been present, I would have voted "yea" on rollcall vote #202 on agreeing to the Norton Amendment in the Nature of a Substitute. Had I been present I would have voted "yea" on rollcall vote #203, on the Motion to Recommit H.R. 471 With Instructions. And finally, had I been present, I would have voted an emphatic "nay" on rollcall vote #204, on passage of H.R. 471, the "Scholarships for Opportunity and Results Act."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 30, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, H–232 U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 30, 2011 at 9:32 a.m.:

That the Senate passed without amendment H.R. 1079.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

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 the motion 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.

Any record vote on the postponed question will be taken later.

REDUCING REGULATORY BURDENS ACT OF 2011

Mr. GIBBS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 872) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 872

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 ''Reducing Regulatory Burdens Act of 2011''.

SEC. 2. USE OF AUTHORIZED PESTICIDES.

Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.''.

SEC. 3. DISCHARGES OF PESTICIDES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GIBBS) and the gentleman from New York (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. GIBBS. 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 materials on H.R. 872.

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

There was no objection.

Mr. GIBBS. Mr. Speaker, I yield 10 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT) and ask unanimous consent that she be allowed to control that time.

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

There was no objection.

Mrs. SCHMIDT. I rise in support of the bill, and I yield myself such time as I may consume.

(Mrs. SCHMIDT asked and was given permission to revise and extend her remarks.)

Mrs. SCHMIDT. Mr. Speaker, it is imperative that we act in a timely manner on H.R. 872 to ensure that our small businesses, farmers, communities, counties, and State and Federal agencies will not be burdened with a costly, duplicative permit requirement that offers no environmental or health benefits. It is important to note that pesticides play an important role in protecting our Nation's food supply, public health, natural resources, infrastructure, and green spaces. They are used not only to protect crops from destructive pests, but also to manage mosquitoes and other disease-carrying pests, invasive weeds, and animals that can choke our waterways, impede our power generation, and damage our forests and recreational areas.

The Reducing Regulatory Burdens Act of 2011 amends FIFRA and the Clean Water Act to eliminate the requirement of a permit for applications of pesticides approved for use under FIFRA. This Act is being passed in response to National Cotton Council v. EPA, which found NPDES permits are required for point source discharges of biological pesticides and chemical pesticides that leave a residue.

This legislation, Mr. Speaker, is not intended to exempt waste-streams or discharges from regulation simply because they may contain pesticides or pesticide residues. This legislation, Mr. Speaker, makes clear that the NPDES exemption only addresses discharges of pesticide or pesticide residue resulting from applications consistent with FIFRA. The legislation does not exempt applications of pesticides that violate the relevant requirements of FIFRA.

There have been accusations that this bill would cause contamination of our waterways. But, Mr. Speaker, I challenge those accusations. Today, some will argue in defending the Sixth Circuit Court decision that pesticide applications were a violation of FIFRA. The case in question is the Talent Water District in Jackson County, Oregon, where it is claimed that the application of pesticides in violation of the FIFRA label resulted in a fish kill of more than 92,000 juvenile steelhead. I point out that these pesticide applications were in violation of FIFRA and the requirements of FIFRA, and therefore would be addressed under that law. Requiring a duplicative permit under the Clean Water Act would not offer any additional environmental safety standard.

Mr. Speaker, H.R. 872 is a simple fix. The legislation before us passed unanimously through the House Agriculture Committee and with an overwhelming 46–8 vote in the House Transportation and Infrastructure Committee. This proves that this is not a partisan issue but an issue of such importance that Republicans and Democrats and even the EPA have worked together to provide a solution.

H.R. 872 makes clear that it was never the intent of Congress to require this redundant layer of bureaucracy, especially since the EPA already comprehensively regulates the distribution, sale, and use of pesticides. Although the court did extend the effective date of its order to October 31, it did not fix the underlying problem. The impact on all pesticide users required to obtain this extra permit will be the same in October as it is today. There is no difference in the burdensome cost or real impact on their livelihoods. The only things this extension provides is more months of regulatory uncertainty.

I ask my colleagues to support this necessary piece of legislation and to ensure that FIFRA remains the standard for pesticide regulation. Let us help protect our mutual constituency from duplicative obligations that provide no qualified benefit to human health or environmental concerns.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I ask unanimous consent that the

gentleman from California (Mr. BACA) be permitted to control 10 minutes of my time.

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

There was no objection.

Mr. BISHOP of New York. I yield to the gentleman from California.

Mr. BACA. Thank you very much.

I want to thank the gentleman from New York, TIM BISHOP, our third baseman—an excellent third baseman—for yielding the time.

Mr. Speaker, I rise today in strong support of H.R. 872, the Reducing Regulatory Burdens Act of 2011. I want to thank Nutrition and Horticulture Subcommittee Chair JEAN SCHMIDT and I also want to thank Water Resources Subcommittee Chair BOB GIBBS for their leadership on this issue. I appreciate the opportunity to work with my colleagues on the Transportation and Infrastructure Committee to jointly resolve an important issue and to build a relationship across jurisdictions and across the aisle.

H.R. 872 is a straightforward bipartisan bill that creates a necessary fix to the flawed National Cotton Council v. EPA Sixth Circuit Court decision. If the decision is implemented, pesticide applicators will be forced into a duplicative regulatory process that would require permitting under both FIFRA and the Clean Water Act. We don't need to duplicate. We don't need additional costs and burdens on many of the individuals. We need one agency that can handle it, not two agencies.

While the new regulation will provide no environmental benefit, it will add millions in new costs to State regulating agencies, agricultural producers, mosquito control districts, and small businesses. The EPA understands this. That's why they have helped us write this bill. The EPA estimates that the permit process would add $1.7 million in annual costs to our cash-strapped States. But during a hearing on this issue last month, former Congressman John Salazar testified that the cost of implementation for the State of Colorado would be even greater—upwards of $20 million.

□ 1720

In addition, the permitting process is estimated to add another $50 million to the cost of pesticide applicators, and most of them are small businesses.

In my home State of California, we face a 12.2 percent unemployment rate and a $25 billion to $31 billion deficit. We simply can't afford this regulatory burden on them or on anyone else throughout the State. Likewise, the negative impact on agricultural, irrigation—and I state on agricultural, irrigation—and pest control professionals is a cause for serious public concern.

My congressional district, located in California's Inland Empire, has long had problems with the West Nile virus. The ability of mosquito and pest control to respond quickly to any situation must not be jeopardized. If we have one agency, it can act quickly. If we have two, it's not only costly, but can you imagine what would happen if we didn't act quickly?

For over 30 years, FIFRA has ensured that when a pesticide is used in accordance with label requirements, it will not bring unnecessary risk to our communities or to the environment. Let's work together to pass this simple fix to protect the public health—and I state to protect the public health—of our communities and to prevent costly duplicative regulatory burdens on us.

With that, Mr. Speaker, I have a letter that I would like to submit. It is from the National Association of Conservation Districts, which is a nonprofit organization that represents the Nation's 3,000 conservation districts. For more than 70 years, the NACD has worked with the landowners and managers of private working lands to help them apply effective conservation practices. They understand that the EPA already conducts a rigorous analysis of the health and environmental effects of any proposed usage of a pesticide under FIFRA.

I also have another letter to submit for the RECORD, Mr. Speaker, that has been signed by 138 different agricultural, irrigation, and pest control organizations from across the Nation.

I ask my colleagues on both sides of the aisle to support this legislation. It's good bipartisan legislation. It deals with duplicative efforts, and consolidates some of them. It is also cost-effective. We don't need to put the burden on anyone else.

NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS,
Washington, DC, March 30, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: On behalf of the National Association of Conservation Districts (NACD) and America's 3,000 conservation districts, I write to voice our support for H.R. 872 to allow farmers, ranchers, and foresters to continue pesticide use in compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). We appreciate your recognition of this important issue and encourage bipartisan congressional action to address the significant regulatory concerns arising from a 2009 court ruling.

In 2009, the U.S. Sixth Circuit Court of Appeals ruled that Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permits are required for pesticide applications made ''in, over, or near'' water. Prior to this ruling, the Environmental Protection Agency (EPA) has not required CWA permits for pesticides applied according to the FIFRA label. This ruling creates confusion, uncertainty and increased regulatory burdens.

EPA conducts a rigorous analysis of the health and environmental effects of a proposed use of a pesticide; when used in compliance with the EPA-approved label, FIFRA-registered pesticides have already been proven safe. Rather than spending precious time and resources on duplicative permitting efforts, EPA should instead be focused on working with landowners to support on-the-ground conservation solutions with true environmental value. Forcing producers to go through an additional burdensome permitting process will only increase production costs and add stress on already overburdened state resources, without providing any additional environmental benefits.

H.R. 872 would continue to ensure the protection of water during routine, FIFRA-label pesticide use, while clarifying that applicators abiding by these strict standards do not need to go through the unnecessary and burdensome process of obtaining CWA permits.

Thank you for your leadership on this important issue. We look forward to working with you as we continue to provide the benefits of locally-led natural resource conservation across the country.

Sincerely,

GENE SCHMIDT,
President.

MARCH 29, 2011.

Hon. JOE BACA,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BACA: The undersigned organizations urge you to support H.R. 872, the Reducing Regulatory Burdens Act, which will be considered on the House floor on the suspension calendar later this week. Based on a court ruling in the National Cotton Council v. EPA (6th Cir. 2009) case, the Environmental Protection Agency (EPA) and delegated states are required to establish permit programs under the Federal Clean Water Act for aquatic pesticide applications. H.R. 872 is a bipartisan bill aimed at reducing the regulatory burden and duplication posed by this court mandate.

Pesticides play an important role in protecting the nation's food supply, public health, natural resources, infrastructure and green spaces. They are used not only to protect crops from destructive pests, but also to manage mosquitoes and other disease carrying pests, invasive weeds and animals that can choke our waterways, impede power generation and damage our forests and recreation areas.

Since the inception of the Clean Water Act in 1972, water quality concerns from pesticide applications have been addressed during the registration and labeling process under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Imposing a national pollutant discharge elimination system (NPDES) permit in addition to FIFRA regulation will not provide any identifiable additional environmental benefits.

The proposed permit means further unfunded mandates on already struggling governments, and it creates additional red tape, squeezing existing resources and threatening added legal liabilities. The permit's complex compliance requirements will impose tremendous new burdens on thousands of small businesses, farms, communities, counties and state and federal agencies legally responsible for pest control, and expose them to legal jeopardy through citizen suits over paperwork violations. It could jeopardize jobs, the economy and human health protections across America as regulators and permittees struggle to implement and comply with these permits.

This week's court decision to grant a 6-month extension to comply with permit requirements from April 9 to October 31, 2011 is welcome news. However, it does not change the urgency, to pass H.R. 872 and fix the underlying problem of regulatory redundancy and bureaucratic burden. We urge Congress to pass H.R. 872 into law before the permit becomes final this year.

We respectfully ask that you join Transportation & Infrastructure Chairman John Mica (R–FL) and Subcommittee Chair Bob

Gibbs (R–OH), as well as Agriculture Committee Chairman Frank Lucas (R–OK), Ranking Member Collin Peterson (D–MN), Subcommittee Chair Jean Schmidt (R–OH), and Ranking Member Joe Baca (D–CA) in supporting this bipartisan bill.

Sincerely,

Agricultural Alliance of North Carolina, Agribusiness Association of Iowa, Agribusiness Association of Kentucky, Agribusiness Council of Indiana, Agricultural Retailers Association, American Chemistry Council—Biocides Panel, American Farm Bureau Federation, American Mosquito Control Association, American Nursery and Landscape Association, American Soybean Association, Alabama Agribusiness Council, Alabama Vegetation Management Society Inc., Aquatic Ecosystem Restoration Foundation, Aquatic Plant Management Society, Arizona Crop Protection Association, California Dried Plum Board, California Grape & Tree Fruit League, Chemical Producers & Distributors Association, Colorado Corn Growers Association, Commercial Flowers Growers of Wisconsin, Consumer Specialty Products Association, Cranberry Institute, CropLife America, Crop Protection Association of North Carolina, Delta Council (MS), DuPont Crop Protection, DuPont Professional Products, Far West Agribusiness Association, Florida Aquatic Plant Management Society, Florida Fruit & Vegetable Association, Florida Vegetation Management Association, Gardens Beautiful Centers (WI), Georgia Agribusiness Council, Georgia Urban Agriculture Council, Golf Course Superintendents Assoc of America, Gowan Group, Growmark, Hop Growers of America, Hop Growers of Washington, Illinois Fertilizer & Chemical Association, Iowa Corn Growers Association, Kansas Agribusiness Retailers Association, Kentucky Corn Growers Association, Land O'Lakes, Lawns of Wisconsin Network, Maryland Grain Producers Association, Michigan Agri-Buisness Association, Michigan Aquatic Managers Association, Midwest Aquatic Plant Management Society.

Midsouth Aquatic Plant Management Society, Minnnesota Agricultural Aircraft Association, Minnesota Agri-Growth Council, Minnesota Corn Growers Association, Minnesota Crop Production Retailers, Minnesota Pest Information & Education, Mississippi Vegetation Management Association, Missouri Agribusiness Association, Montana Agricultural Business Association, Mosquito & Vector Control Assoc of California, National Agricultural Aviation Association, National Alliance of Forest Owners, National Alliance of Independent Crop Consultants, National Assoc of State Departments of Agriculture, National Association of Wheat Growers, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Farmers Union, National Grange, National Pest Management Association, National Potato Council, National Roadside Vegetation Management Assoc Inc, New Jersey Green Industry Council, New Jersey Mosquito Control Association, North Carolina Agribusiness Council Inc., North Carolina Growers Association, North Carolina State Grange, North Central Weed Science Society, Northeast Aquatic Plant Management Society, Northeastern Weed Science Society, Ohio Professional Applicators for Responsible Regulations, Oklahoma Agribusiness Retailers Association, Oregon Association of Nurseries, Oregonians for Food & Shelter, Professional Landcare Network, RISE (Responsible Industry for a Sound Environment), Rocky Mountain Agribusiness Association, Schertz Aerial Services, Society of American Florists, South Carolina Aquatic Plant Management Society, South Carolina Fertilizer & Agrichemical Assoc, South Dakota Agri-Business Association.

Southern Crop Production Association, Southern Weed Science Society, Syngenta, Texas Agricultural Industries Association, Texas Aquatic Plant Management Society, Texas Mosquito Control Association, Texas Vegetation Management Association, USA Rice Federation, US Apple Association, US Hop Industry Plant Protection Committee, Valent U.S.A., Vegetation Management Association of Kentucky, Virginia Agribusiness Council, Washington Friends of Farms & Forests, Washington Hop Commission, Washington State Potato Commission, Weed Science Society of America, Western Aquatic Plant Management Society, Western Growers Association, Western Plant Health Association, Western Society of Weed Science, Wild Blueberry Commission, Wisconsin Agribusiness Council, Wisconsin Christmas Tree Producers Association, Wisconsin Crop Protection Association, Wisconsin Landscape Contractors Association, Wisconsin Nursery Association, Wisconsin Potato & Vegetable Growers Assoc, Wisconsin Sod Producers Association, Wyoming Ag-Business Association, Wyoming Crop Improvement Association, Wyoming Wheat Marketing Commission, Wyoming Wheat Growers Association.

I yield the balance of my time to the gentleman from New York (Mr. BISHOP).

The SPEAKER pro tempore. Without objection, the gentleman from New York will control the time.

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 872, the Reducing Regulatory Burdens Act of 2011.

I recently introduced H.R. 872 to clarify congressional intent regarding how the use of pesticides in or near navigable waters should be regulated. The Federal Insecticide, Fungicide, and Rodenticide Act, also known as FIFRA, has long been the Federal regulatory statute that governs the sale and use of pesticides in the United States. However, more recently, as a result of a number of lawsuits, the Clean Water Act has been added as a new and redundant layer of Federal regulation over the use of pesticides. As a result, an additional set of permits will be required for the use of pesticides.

H.R. 872 is aimed at reversing a decision of the Sixth Circuit Court of Appeals in National Cotton Council vs. EPA. In this ruling, the Sixth Circuit substituted judge-made policy choices for reasonable agency interpretations of the law. In the process, the court undermined the traditional understanding of how the Clean Water Act interacts with other environmental statutes, and it judicially expanded the scope of Clean Water Act regulation further into areas and activities not originally envisioned or intended by Congress.

EPA has estimated that approximately 365,000 pesticide users, including State agencies, cities, counties, mosquito control districts, water districts, pesticide applicators, farmers, ranchers, forest managers, scientists, and even everyday citizens who perform some 5.6 million pesticide applications annually, will be affected by the court's ruling. This will virtually double the number of entities currently subject to NPDES permitting under the Clean Water Act.

With this ill-advised court decision, the States and a wide range of public and private pesticide users will face increased financial and administrative burdens in order to comply with the new permitting process, and all of this expense comes with no additional environmental protection.

This new permitting process was meant to take effect on April 9 of this year. However, just 2 days ago, the Sixth Circuit granted an extension through October 31, 2011. The court's extension only temporarily postpones the need for an NPDES permit for pesticide use, and does not completely eliminate the need for this legislation.

H.R. 872 fixes the problem. It exempts from the NPDES permitting process a discharge to waters involving the application of a pesticide authorized for sale, distribution, or use under FIFRA, where the pesticide is used for its intended purpose and where the use is in compliance with FIFRA pesticide label requirements.

H.R. 872 was drafted very narrowly to address the Sixth Circuit's holding the National Cotton Council case and return the state of pesticide regulation to the status quo before the court got involved. This bill passed unanimously out of the Agriculture Committee and passed the Transportation and Infrastructure Committee on a strong bipartisan vote of 46–8.

Many organizations, representing a wide variety of public and private entities, support a legislative resolution of this issue. Just to name a few, these organizations include:

The National Association of Counties; the National Association of State Departments of Agriculture; the National Water Resources Association; the American Mosquito Control Association; the American Farm Bureau Federation; the National Farmers Union; CropLife America; and Responsible Industry for a Sound Environment.

Mr. Speaker, I want to thank my colleague Chairman SCHMIDT for her leadership on this bill in both the Agriculture and the Transportation and Infrastructure Committees.

I also want to thank the ranking members of the Subcommittee on Water Resources and Environment and

of Transportation and Infrastructure for their support of the bill.

In addition, I want to thank Chairman MICA and Ranking Member RAHALL for their leadership of the Transportation and Infrastructure Committee, as well as Chairman LUCAS and Ranking Member PETERSON of the Agriculture Committee for their leadership.

I urge all Members to support H.R. 872.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, in light of the fact that Mr. BACA yielded the balance of his time to me, may I inquire as to how much time we have left on this side?

The SPEAKER pro tempore. The gentleman has 15 minutes remaining.

Mr. BISHOP of New York. Thank you very much.

Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding.

We're here, and we're pretending we're doing something about a real problem. We are amending the wrong statute at the wrong time under the guise that this is a crisis, and we're bringing up a bill that will never see the light of day in the Senate.

So what could we really do?

Well, we could work with the Environmental Protection Agency. I've already written to the Environmental Protection Agency, and I would encourage others to as well who recently got an extension until October 31 from the court. So there is no immediate threat of these new regulations going into place. Particularly, the biggest problem with what they're proposing is the small size of general permitting. It's 640 acres. My State has 6,400 acres. That's a pretty big piece of property. I don't know many small farms or other folks who operate on more than 6,400 acres. Even at 6,400 acres, it's a three-page form that you fill out in my State.

Oregon is the State where this problem started because 90,000 juvenile salmon were killed by the improper application of a pesticide, so we would be particularly sensitive to that. We're pretty sensitive about our water. I think all of your constituents are sensitive about their water. So, to amend the Clean Water Act here, you're going at the wrong place. People don't want pesticides or herbicides in what they drink or in what their kids drink—plain and simple.

FIFRA is meaningless in terms of really regulating what goes into the water. The EPA doesn't test pesticides for their water quality standards, and FIFRA does not regulate how much of a pesticide is safe to apply to water. So we should be amending FIFRA, but that would have been a little more work, and that would have been real legislation, and that might have been something that the Senate would have taken up, and that might really have gotten something done.

But we don't want to do that. We want to play to the crowd here. Let's rage here and say it's going to cost $50,000 for every small business. That's a bunch of hooey.

In my State, like I say, we have a three-page application. So the point is that we can do something real. We can influence the EPA, get reasonable regulations, and protect the drinking water of this country—or you can do what you're doing here today, which is meaningless.

Mrs. SCHMIDT. Mr. Speaker, I yield 3 minutes to the chairman of the Agriculture Committee, the good gentleman from Oklahoma (Mr. LUCAS).

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

Mr. LUCAS. I rise in support of this bill.

Mr. Speaker, the piece of legislation before us today must be passed and placed on the President's desk as soon as possible if we want to prevent a possible blitz of regulatory burdens on our farmers and ranchers.

□ 1730

The 6-month delay that the EPA was granted by the court this past Monday evening may have bought us more time, but the delay does not fix the underlying problem.

The impact on those pesticide users who will be required to obtain a duplicative permit will be the same in October as it is today. There is no difference in the burden, the cost, or the real impact on their livelihoods. The only thing this extension provides farmers is 6 more months of regulatory uncertainty. We must act now to give our farmers the certainty they need to continue to produce the safest, most affordable, and abundant food supply in the history of the world.

If Congress does not act, more than 40 States will face increased financial and administrative burdens in order to comply with the new permitting requirement process during a time when many States are already being forced to make difficult budget decisions. This would be a crushing blow to an already fragile economy. Giving EPA and the States more time to develop a permit system does nothing to minimize the unnecessary expense this uninformed court decision has imposed.

Governments at all levels are facing a fiscal emergency. This exercise represents a tremendous waste of valuable time and resources. There is no need to send our States down a path of fiscal disaster when we have the opportunity to put a stop to it all today.

It was always the intent of Congress to exempt pesticide use from the Clean Water Act. The decision of the court represents a fundamental ignorance of congressional intent that will not be rectified by a delay. Congress has no choice but to act now.

I would like to serve note that on the Ag Committee as chairman, I'm very pleased with our point person's efforts on this behalf, Subcommittee Chairwoman JEAN SCHMIDT. I'd like to thank our ranking member, Mr. PETERSON, of the full committee, and subcommittee ranking member, Mr. BACA, for working with us in a very bipartisan way to address this issue. We all agree something has to be done, something needs to be done, and we have an opportunity to do it.

With that, I encourage my colleagues to vote in support of this legislation.

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume, and I rise in reluctant opposition to H.R. 872.

Mr. Speaker, I find myself in an awkward position here today being asked to urgently vote on a bill where there is no real sense of urgency and where questions of its potential impact on human health and the environment far outweigh the answers.

I am also concerned that, in our effort to address concerns on implementation of two Federal statutes, we are neglecting a rational analysis of the best way to protect human health and the environment from the potential adverse effects of pesticides.

Finally, I stand in opposition to this legislation because it appears that the push to vote today on this bill is so great that it has stretched the bounds of traditional Member-to-Member commitments to resolve legitimate differences on issues of critical importance to all of us.

Mr. Speaker, let me state from the outset that I agree pesticides provide a valuable tool in controlling unwanted pests, whether they be mosquitoes in my home county of Suffolk County, New York, or corn borers in the Midwest. This bill is not about whether pesticides should or should not be used. However, what this bill does call into question is the best way to balance the use of pesticides with the protection of water quality, human health, and the environment, and the economic benefits associated with them.

On this point, I am not convinced that the current efforts to protect human health and the environment, which this bill seeks to maintain, are sufficient. If they were, pesticides would not continually show up in the urban and rural water bodies throughout the Nation. As States and the U.S. Geological Survey have told us, pesticides are frequently detected in streams and groundwater throughout the Nation, and literally thousands of streams and bays and lakes are currently impaired or threatened by pesticides. In the State of California alone, pesticides are listed as the number one source of water quality impairment in the State.

It is also telling that many States continue to find waters impaired by pesticides that have been banned in the United States for decades. In my view, this shows how the decisions we make today will have long-term impacts on human health, on our environment, and create long-lasting implications

and potential increased costs for generations to come.

According to the EPA, the potential human health implications of pesticide exposure depend on the type of pesticide and the pathway, concentration, and duration of exposure, and can range from minor skin irritations to developmental concerns to being linked to cancer. One potentially significant source of exposure comes from consuming pesticide-contaminated drinking water. Both the USGS and the U.S. Department of Agriculture have verified the presence of pesticides and pesticide byproducts in drinking water sources throughout the Nation.

While in the majority of these cases pesticide protection levels were below existing human health benchmarks for those pesticides that have standards, USGS found a number of instances where pesticide detection levels were above acceptable levels. Similarly, even in those instances where detection levels are below acceptable levels, there is still legitimate concern on long-term, low-level exposure to pesticides, especially to the health of children, pregnant women, and the elderly.

In my view, the combination of these factors, plus the uncertainty created by increased detection of pesticide-chemical mixtures and the fact that modern drinking water treatment technologies are not designed to detect or remove pesticides, compels me to move cautiously on any proposal that would permanently eliminate options for controlling the amount of pesticides being released into the Nation's waters.

In light of these concerns, and in light of the fact that the legislation before us provides for a permanent Clean Water Act exemption for pesticide use, during the markup of this bill in the Committee on Transportation and Infrastructure, I offered a simple, commonsense amendment to require Congress to revisit this issue in 5 years when we have a clearer picture on whether FIFRA is sufficiently protective of human health and water quality from pesticide contamination. If, in 5 years' time, we were to see progress in reducing pesticide contamination in surface and groundwaters, then we would have more information to justify a permanent Clean Water Act exemption for pesticide use. In my view, we simply do not have this critical information before us today.

This simple concept was echoed by a former Bush administration official who was recently quoted as saying that, when it comes to enacting statutory exemptions from environmental regulatory requirements, it is appropriate to periodically review whether the exemption continues to be supported by data and science.

Based on a commitment from the chairman of the full committee to work with me on this issue before this bill was to come to the floor, I withdrew my amendment and voted ''yes'' in the markup. Unfortunately, to date, my concerns remain unaddressed, and yet here we are today considering this bill under the suspension of the rules, where there is no opportunity to debate the issues I and several of my colleagues raised at the committee markup.

It seems that the push to vote today on this bill is so great that it has stretched the bounds of traditional Member-to-Member commitments to resolve legitimate differences on issues of critical importance to us all, especially related to the protection of human health and the environment.

I am aware that many of my colleagues and several constituencies have pushed for immediate consideration of this bill to respond to the looming court-ordered deadline for Clean Water Act permitting on April 9. I agree that concerns expressed by States and pesticide applicators on how they could be expected to comply with a yet-unreleased pesticide general permit by the April deadline were legitimate. However, that deadline has now been extended by the Sixth Circuit Court of Appeals until October 31, 2011. It appears, therefore, that we have additional time to work on this issue and to resolve some of the concerns expressed by several members of the committee.

Mr. Speaker, I believe a more prudent course would be to take the time necessary and work together to address the concerns of both sides in a manner that minimizes regulatory duplication, makes sense for pesticide applicators and the States, and addresses the concerns related to public health and water quality.

I reluctantly urge a ''no'' vote on H.R. 872 under suspension of the rules so that I may continue to work with my colleagues on improving this bill.

I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Mr. Speaker, I rise today in support of H.R. 872 because the last thing the agriculture industry needs is another regulation.

Pesticides are an integral part to ensuring that our Nation continues to produce the world's most abundant, safe, and affordable food supply. As it stands today, pesticides must already go through a minimum of 125 safety tests before being registered for use. On top of that, they are subject to strict labeling and usage requirements.

If we do not pass this bill, our farmers will be required to obtain permits that require them to state the amount of pesticides they will use for a 5-year period. That's not only next to impossible, it will be an expensive and time-consuming process that will harm American agricultural, as well as cost jobs.

Thank you very much.

□ 1740

Mr. BISHOP of New York. Mr. Speaker, I yield 4 minutes to the gentlelady from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I rise in strong opposition to H.R. 872, the Reducing Regulatory Burdens Act, in its current form. At issue, the exemption in the bill means that no Clean Water Act permit would be required for pesticide application to water bodies that are already impaired by pesticides.

Now, most pesticide applications in the United States are done in accordance with FIFRA, according to a 2006 USGS report on pesticides, and frequently are present in streams and groundwater, as you have just heard, at levels that exceed the human health benchmark and occur in many streams at levels that may affect aquatic life or fish-eating wildlife.

In the data that the States provide the EPA, more than 16,000 miles of rivers and streams, 1,380 of bays and estuaries, and 370,000 acres of lakes in the United States are currently impaired or threatened by pesticides. EPA suggests that these estimates may be low because many of these States do not test for or monitor all the different pesticides that are currently being used. I am very concerned of the effect these pesticides have on the health of our rivers, on our streams, and especially the drinking water supplies of all our citizens, especially the most vulnerable, the young, the elderly, and the poor and disenfranchised people who have no other representation.

Mr. Speaker, I would like to place into the RECORD two EPA reports on how pesticides in California are the number one cause of impairments to water quality, which means there are 1,787 causes in 162 water entities in California alone. This means that in all the waters in the States that are found through testing and monitoring to be impaired or polluted under the Clean Water Act, pesticides are the most significant cause of those problems.

We hear that pesticide application is already regulated under FIFRA and that the Clean Water Act review is not needed. I understand the concerns about duplication of effort and the need to minimize the impacts that regulations have on small business or business at large.

However, I am still very concerned that these pesticides are having a very significant impact on water quality and that we are creating this exemption from water quality protection requirements without considering the impacts to the waters that are already impaired with pesticides, as they are in California.

This, in turn, costs our ratepayers, our water users, hundreds of millions of dollars to filter these pollutants out of the water before it is potable. This is something I deal with on an ongoing basis, as the ranking member of the Subcommittee on Water and Power.

We currently have aquifers that are contaminated by the continued use of pesticides and fertilizers. Millions of dollars have been spent on the 15-year-long cleanup effort of a Superfund site

in my area that has pesticides as one of its contaminants.

I do oppose this bill. I do need further study on this issue before taking this very drastic step to reregulate pesticides that affect our Nation's water.

Again, I urge my colleagues on both sides to vote ''no'' on this bill.

CALIFORNIA 2006 CAUSES OF IMPAIRMENT FOR CALIFORNIA WATERS

Cause of impairment group name	Number of causes of impairment reported
Pesticides	312
Pathogens	245

CALIFORNIA 2006 CAUSES OF IMPAIRMENT FOR CALIFORNIA WATERS—Continued

Cause of impairment group name	Number of causes of impairment reported
Metals (other than Mercury)	228
Nutrients	140
Polychlorinated Biphenyls (PCBs)	103
Salinity/Total Dissolved Solids/Chlorides/Sulfates	103
Mercury	101
Sediment	87
Total Toxics	77
Organic Enrichment/Oxygen Depletion	47
Toxic Organics	45
Temperature	37
Trash	37
Ammonia	33
Dioxins	27
pH/Acidity/Caustic Conditions	27
Toxic Inorganics	24

CALIFORNIA 2006 CAUSES OF IMPAIRMENT FOR CALIFORNIA WATERS—Continued

Cause of impairment group name	Number of causes of impairment reported
Nuisance Exotic Species	24
Other Cause	20
Algal Growth	17
Taste, Color and Odor	15
Cause Unknown—Impaired Biota	12
Turbidity	8
Flow Alteration(s)	6
Habitat Alterations	5
Fish Consumption Advisory	3
Oil and Grease	2
Noxious Aquatic Plants	1
Cause Unknown—Fish Kills	1
Total	1,787

CALIFORNIA IMPAIRED WATERS, CAUSE OF IMPAIRMENT GROUP: PESTICIDES, REPORTING YEAR 2006

State	Waterbody name	State basin name	Location
CA	Abalone Cove Beach	Los Angeles	
CA	Alamo River	Colorado River Basin	
CA	Amarillo Beach	Los Angeles	
CA	Anaheim Bay	Santa Ana	
CA	Balboa Beach	Santa Ana	
CA	Bear River, Lower (Below Camp Far West Reservoir)	Central Valley	
CA	Big Rock Beach	Los Angeles	
CA	Blanco Drain	Central Coast	
CA	Bluff Cove Beach	Los Angeles	
CA	Buena Creek	San Diego	
CA	Butte Slough	Central Valley	
CA	Cabrillo Beach (Outer)	Los Angeles	
CA	Calaveras River, Lower	Central Valley	
CA	Calleguas Creek Reach 1 (Was Mugu Lagoon On 1998 303(D) List)	Los Angeles	
CA	Calleguas Creek Reach 2 (Estuary To Potrero Rd-Was Calleguas Creek Reaches 1 And 2 On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 4 (Was Revolon Slough Main Branch: Mugu Lagoon To Central Avenue On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 5 (Was Beardsley Channel On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 9a (Was Lower Part Of Conejo Creek Reach 1 On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 9b (Was Part Of Conejo Creek Reaches 1 And 2 On 1998 303d List).	Los Angeles	
CA	Calleguas Creek Reach 10 (Conejo Creek (Hill Canyon)-Was Part of Conejo Crk Reaches 2 & 3, and Lower Conejo Crk/Arroyo Conejo N Fk On 1998 303d List).	Los Angeles	
CA	Calleguas Creek Reach 11 (Arroyo Santa Rosa, Was Part Of Conejo Creek Reach 3 On 1998 303d List)	Los Angeles	
CA	Calleguas Creek Reach 13 (Conejo Creek South Fork, Was Conejo Cr Reach 4 And Part Of Reach 3 On 1998 303d List)	Los Angeles	
CA	Carbon Beach	Los Angeles	
CA	Carquinez Strait	San Francisco Bay	
CA	Castlerock Beach	Los Angeles	
CA	Castro Cove, Richmond (San Pablo Basin)	San Francisco Bay	
CA	Central Basin, San Francisco (Part of Sf Bay, Central)	San Francisco Bay	
CA	Coachella Valley Storm Water Channel	Colorado River Basin	
CA	Colorado Lagoon	Los Angeles	
CA	Colusa Basin Drain	Central Valley	
CA	Cottonwood Creek (San Marcos Creek Watershed)	San Diego	
CA	Coyote Creek	Los Angeles	
CA	Del Puerto Creek	Central Valley	
CA	Delta Waterways (Central Portion)	Central Valley	
CA	Delta Waterways (Eastern Portion)	Central Valley	
CA	Delta Waterways (Export Area)	Central Valley	
CA	Delta Waterways (Northern Portion)	Central Valley	
CA	Delta Waterways (Northwestern Portion)	Central Valley	
CA	Delta Waterways (Southern Portion)	Central Valley	
CA	Delta Waterways (Stockton Ship Channel)	Central Valley	
CA	Delta Waterways (Western Portion)	Central Valley	
CA	Dominquez Channel (Lined Portion Above Vermont Ave)	Los Angeles	
CA	Dominquez Channel Estuary (Unlined Portion Below Vermont Ave)	Los Angeles	
CA	Elkhorn Slough	Central Coast	
CA	English Canyon	San Diego	
CA	Escondido Beach	Los Angeles	
CA	Escondido Creek	San Diego	
CA	Espinosa Slough	Central Coast	
CA	Feather River, Lower (Lake Oroville Dam To Confluence With Sacramento River)	Central Valley	
CA	Five Mile Slough (Alexandria Place To Fourteen Mile Slough).	Central Valley	
CA	Flat Rock Point Beach Area	Los Angeles	
CA	Harding Drain (Turlock Irrigation District Lateral #5)	Central Valley	
CA	Huntington Harbour	Santa Ana	
CA	Imperial Valley Drains	Colorado River Basin	
CA	Ingram Creek (From Confluence With Hospital Creek To Hwy 33 Crossing)	Central Valley	
CA	Ingram Creek (From Confluence With San Joaquin River To Confluence With Hospital Creek)	Central Valley	
CA	Inspiration Point Beach	Los Angeles	
CA	Islais Creek	San Francisco Bay	
CA	Jack Slough	Central Valley	
CA	Kings River, Lower (Island Weir To Stinson And Empire Weirs).	Central Valley	
CA	La Costa Beach	Los Angeles	
CA	Lake Calabasas	Los Angeles	
CA	Lake Chabot (Alameda Co)	San Francisco Bay	
CA	Las Flores Beach	Los Angeles	
CA	Las Tunas Beach	Los Angeles	
CA	Long Point Beach	Los Angeles	
CA	Los Angeles Harbor-Cabrillo Marina	Los Angeles	
CA	Los Angeles Harbor-Consolidated Slip	Los Angeles	
CA	Los Angeles Harbor-Fish Harbor	Los Angeles	
CA	Los Angeles Harbor-Inner Cabrillo Beach Area	Los Angeles	
CA	Los Angeles River Estuary (Queensway Bay)	Los Angeles	
CA	Los Angeles River Reach 1 (Estuary To Carson Street)	Los Angeles	
CA	Los Angeles/Long Beach Inner Harbor	Los Angeles	
CA	Los Angeles/Long Beach Outer Harbor (Inside Breakwater)	Los Angeles	
CA	Los Cerritos Channel	Los Angeles	
CA	Machado Lake (Harbor Park Lake)	Los Angeles	
CA	Main Drainage Canal	Central Valley	
CA	Malaga Cove Beach	Los Angeles	
CA	Malibu Beach	Los Angeles	
CA	Malibu Lagoon Beach (Surfrider)	Los Angeles	
CA	Marina Del Rey Harbor-Back Basins	Los Angeles	
CA	Mcgrath Lake	Los Angeles	
CA	Merced River, Lower (Mcswain Reservoir To San Joaquin River)	Central Valley	
CA	Mission Creek	San Francisco Bay	
CA	Moro Cojo Slough	Central Coast	
CA	Mosher Slough (Downstream Of I-5)	Central Valley	

CALIFORNIA IMPAIRED WATERS, CAUSE OF IMPAIRMENT GROUP: PESTICIDES, REPORTING YEAR 2006—Continued

State	Waterbody name	State basin name	Location
CA	Moss Landing Harbor	Central Coast	
CA	Mud Slough	Central Valley	
CA	Natomas East Main Drainage Canal (Aka Steelhead Creek, Downstream Of Confluence With Arcade Creek).	Central Valley	
CA	New River (Imperial County)	Colorado River Basin	
CA	Newman Wasteway	Central Valley	
CA	Newport Bay, Lower	Santa Ana	
CA	Newport Bay, Upper (Ecological Reserve)	Santa Ana	
CA	Nicholas Canyon Beach	Los Angeles	
CA	Oakland Inner Harbor (Fruitvale Site, Part Of Sf Bay, Central)	San Francisco Bay	
CA	Oakland Inner Harbor (Pacific Dry-Dock Yard 1 Site, Part of Sf Bay, Central)	San Francisco Bay	
CA	Old Salinas River Estuary	Central Coast	
CA	Orcutt Creek	Central Coast	
CA	Orestimba Creek (Above Kilburn Road)	Central Valley	
CA	Orestimba Creek (Below Kilburn Road)	Central Valley	
CA	Oso Flaco Lake	Central Coast	
CA	Palo Verde Outfall Drain And Lagoon	Colorado River Basin	
CA	Palo Verde Shoreline Park Beach	Los Angeles	
CA	Paradise Cove Beach	Los Angeles	
CA	Peck Road Park Lake	Los Angeles	
CA	Petaluma River	San Francisco Bay	
CA	Petaluma River (Tidal Portion)	San Francisco Bay	
CA	Peters Canyon Channel	Santa Ana	
CA	Pogi Canyon Creek	San Diego	
CA	Point Dume Beach	Los Angeles	
CA	Point Fermin Park Beach	Los Angeles	
CA	Port Hueneme Harbor (Back Basins)	Los Angeles	
CA	Portuguese Bend Beach	Los Angeles	
CA	Puddingstone Reservoir	Los Angeles	
CA	Puerco Beach	Los Angeles	
CA	Redondo Beach	Los Angeles	
CA	Richardson Bay	San Francisco Bay	
CA	Rio De Santa Clara/Oxnard Drain No. 3	Los Angeles	
CA	Robert H. Meyer Memorial Beach	Los Angeles	
CA	Royal Palms Beach	Los Angeles	
CA	Sacramento San Joaquin Delta	San Francisco Bay	
CA	Salinas Reclamation Canal	Central Coast	
CA	Salinas River (Lower, Estuary To Near Gonzales Rd Crossing, Watersheds 30910 And 30920)	Central Coast	
CA	Salinas River (Middle, Near Gonzales Rd Crossing To Confluence With Nacimiento River)	Central Coast	
CA	Salinas River Lagoon (North)	Central Coast	
CA	Salt Slough (Upstream From Confluence With San Joaquin River).	Central Valley	
CA	San Diego Bay Shoreline, Near Switzer Creek	San Diego	
CA	San Diego Creek	Central Coast	
CA	San Diego Creek Reach 1	Santa Ana	
CA	San Francisco Bay, Central	San Francisco Bay	
CA	San Francisco Bay, Lower	San Francisco Bay	
CA	San Francisco Bay, South	San Francisco Bay	
CA	San Joaquin River (Mendota Pool To Bear Creek	Central Valley	
CA	San Joaquin River (Bear Creek To Mud Slough)	Central Valley	
CA	San Joaquin River (Mud Slough To Merced River)	Central Valley	
CA	San Joaquin River (Merced River To Tuolumne River)	Central Valley	
CA	San Joaquin River (Tuolumne River To Stanislaus River)	Central Valley	
CA	San Joaquin River (Stanislaus River To Delta Boundary)	Central Valley	
CA	San Juan Creek	San Diego	
CA	San Leandro Bay (Part Of Sf Bay, Central)	San Francisco Bay	
CA	San Marcos Creek	San Diego	
CA	San Pablo Bay	San Francisco Bay	
CA	San Pablo Reservoir	San Francisco Bay	
CA	San Pedro Bay Near/Off Shore Zones	Los Angeles	
CA	Santa Clara River Estuary	Los Angeles	
CA	Santa Clara River Reach 6 (W Pier Hwy 99 To Bouquet Cyn Rd) (Was Named Santa Clara River Reach 8 On 2002 303(D) List).	Los Angeles	
CA	Santa Maria River	Central Coast	
CA	Santa Monica Bay Offshore/Nearshore	Los Angeles	
CA	Sea Level Beach	Los Angeles	
CA	Smith Canal	Central Valley	
CA	Stanislaus River, Lower	Central Valley	
CA	Stevens Creek Reservoir	San Francisco Bay	
CA	Suisun Bay	San Francisco Bay	
CA	Tembladero Slough	Central Coast	
CA	Tijuana River	San Diego	
CA	Tijuana River Estuary	San Diego	
CA	Topanga Beach	Los Angeles	
CA	Trancas Beach (Broad Beach)	Los Angeles	
CA	Tuolumne River, Lower (Don Pedro Reservoir To San Joaquin River)	Central Valley	
CA	Ventura Marina Jetties	Los Angeles	
CA	Wadsworth Canal	Central Valley	
CA	Watsonville Slough	Central Coast	
CA	Whites Point Beach	Los Angeles	
CA	Zuma Beach (Westward Beach)	Los Angeles	

Mrs. SCHMIDT. Mr. Speaker, I would like to yield 2 minutes to my good friend from Idaho (Mr. SIMPSON), the chairman of the Interior, Environment, and Related Agencies Subcommittee on Appropriations.

Mr. SIMPSON. I thank the gentlelady for yielding.

I rise today in support of H.R. 872, the Reducing Regulatory Burdens Act of 2011. This bill is a much-needed legislative fix that clarifies how pesticide application should be regulated. Congress never intended for pesticide applications that are already regulated under FIFRA to also require permits under the Clean Water Act. Yet because a Federal court did not interpret congressional intent correctly in a 2009 ruling, Congress must act to ensure that farmers, ranchers, forest managers, and other water users, as well as mosquito abatement districts and local governments, won't face unnecessary and duplicative regulations that would make it more difficult to do their jobs.

Everyone here supports protecting our water supplies from polluters acting in violation of our Nation's environmental laws and regulations; but it is also clear that pesticides used around streams to spray for mosquitoes and other pests are already adequately regulated under statute. Adding another layer of regulation by requiring NPDES permits for application of these pesticides doesn't make them safer. It only piles unnecessary paperwork on top of day-to-day operations for small businesses, farmers, and local governments.

My good friend from Oregon mentioned that in Oregon the application is only three pages long. So why should it be a problem? It misses the point. It doesn't matter if it's one page long or 100 pages long. The question is unnecessary dual regulation.

The legislation before us today would clarify Congress' intent that existing FIFRA regulations are adequate for aquatic pesticide use and provide needed certainty for farmers and ranchers who provide our Nation's food supply. I urge our colleagues to support this important legislative fix.

Mr. BISHOP of New York. I reserve the balance of my time.

Mrs. SCHMIDT. Mr. Speaker, may I inquire as to the balance of the time for both myself and Mr. GIBBS.

The SPEAKER pro tempore. The gentlewoman from Ohio has 1½ minutes, and the gentleman from Ohio has 5¼ minutes.

Mrs. SCHMIDT. I yield the balance of my time to the gentleman from North Dakota (Mr. BERG).

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

Mr. BERG. I rise today to strongly urge my colleagues to pass this legislation to protect American farmers from overreaching EPA rules and unnecessary regulations. If this ruling were to stand, the EPA would have full discretion over controlling a buffer zone for chemicals on crops near water sources.

Now, I have talked with farmers in North Dakota who rely on herbicides like Roundup to produce a good crop and to prevent weeds from growing. Most of central North Dakota sits in a water-rich region called the Prairie Pot Hole, and many of these farmers plant on land that is well within the EPA's buffer zone. This ruling could prevent these farmers from raising a good crop in this land.

If this ruling goes into effect, it will require over 6 million pesticide applications will have to be issued each year to tens or even hundreds of thousands of farmers. If they don't comply, they will be forced with a fine of up to $37,000 per day per incident. We know overregulation hurts American business. Overregulation hurts family farms. I strongly urge my colleagues to join me in supporting this legislation.

Mr. BISHOP of New York. I yield myself the balance of my time.

Mr. Speaker, I just want to make a couple of points. There does appear to be strong bipartisan agreement. I know it passed out of the Ag Committee on unanimous vote. There was a very heavy vote in the T&I Committee. My reservations are rooted in the fact that I believe that we are rushing to a judgment in terms of making this statute permanent. I believe we have ample evidence to suggest that we don't know enough about pesticide impairment of water bodies, both surface and groundwater, to determine whether or not it is prudent for us to make a permanent exemption to the Clean Water Act.

So when I offered the amendment, which I then withdrew, for a 5-year sunset so we could assess whether or not this action is the correct one, I believe that I was acting in a very prudent and defensible way. And I am very disappointed, again, that this was an issue that we rushed to the floor in a form that we were unable to amend so that we could get this bill passed.

Now, the urgency of time has become much less pronounced because of the court ruling that was just announced this past Monday with respect to delaying the implementation of the court ruling until the end of October.

□ 1750

Second point. I know it's very popular to talk about the Environmental Protection Agency as if they are in some ways the source of all evil in this world. This is an issue—it's important to clarify—this is not an issue that the EPA saw. We are here today because of a court ruling. And, in fact, for years, decades, FIFRA has been the controlling legislation with respect to pesticide application, and the Clean Water Act has not been invoked.

And, in fact, the EPA, in 2006, took a position that they would not engage in a process that would supersede FIFRA. It was that decision that was overturned by the Sixth Circuit Court.

We all want to come up with a way to handle this. We all recognize that pesticide application is something that is very important. I represent the largest agricultural county in the State of New York, and this is an issue that's very important to my farmers. But my farmers also recognize that they want to see to it that Federal policy is, in fact, consistent with their best interest.

There are no better environmentalists in this country than our farmers. They need clean air. They need clean water in order for them to do their jobs.

So as I say, I am opposed, reluctantly so, and I very much hope that as this goes forward and is considered by the Senate, if it, in fact, is considered by the Senate, that we will take our time, we will craft legislation that we can all support, and that we will particularly have legislation that has a sunset period so that we can evaluate whether or not we are right in taking this action today.

I yield back the balance of my time.

Mr. GIBBS. I yield myself the balance of my time.

Mr. Speaker, I would like to address a few of the concerns raised by my colleague, the ranking member of my committee. Sunset provision, it's not really necessary because this Congress can take it up anytime they want. They don't have to wait 5 years. They can take it up next week, next year. So I think that's just making a kind of a statement.

A couple of things I want to address. There was a reference to the geological survey. That reference was a report done over 10 years ago; and, really, with the detections we're finding in pesticides in our water bodies there are a lot of those pollutants from what we call legacy pollutants from years ago. Some of those detections are pesticides that haven't been used in the United States for many years. And, also, a majority of these detections are very, very low concentrations. We do have the technology to detect parts per trillion where not too many years it was parts per million, which are well below human health benchmarks.

As I said, the data is old. EPA, in the last 10 years or so, does regulate the pesticides. They certify pesticides coming on the market and the amounts that can be used under FIFRA. So that is working. The EPA can pull a product off the market if they deem necessary, if there's a problem.

The pesticides we're using today, and I'm speaking now as a farmer, are more biodegradable. They don't have the residue impact legacy. They don't stay around. They don't stick around in the soil. They break down in the soil. As a matter of fact, so many of our pesticides now break down so fast that farmers have to time the application to make sure they kill the weeds and there's enough—it's not too soon that the crop, what we call cover crop, shades out the sun for the weeds to come up underneath the canopy. And so that's important.

We're using less pesticides. The numbers will show that American agriculture is using less pesticides in lesser amounts and safer pesticides with the biodegradable aspect that we're seeing.

I think it's also important to keep in mind that this bill, it will help bring certainty. Agriculture producers, municipalities have to spray for mosquitos this summer; they know what the rules are. They have certainty to move forward by passing this legislation.

This legislation does not stop the EPA's having control over the regulation of pesticides and the certification of pesticides. And, again, many States also have pesticide applicator certification, depending on the pesticide, make a lot of applicators go through the same process. So there's some stringent rules and regulations in place.

And I would contend that FIFRA is working. If it's not, if my colleagues on the other side of the aisle feel that's not working, then we need to address FIFRA and have a bill to work on that, debate that issue.

But I think you'll find out that agriculture's moving in a safer manner to protect the environment; and this bill will keep the FIFRA in place and the EPA under their authority and their control to protect the environment and public safety when it comes especially to mosquito control districts.

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise in strong support of H.R. 872, the Reducing Regulatory Burdens Act of 2011.

This bi-partisan bill, which I am proud to cosponsor, will prevent farmers all across Eastern Washington and our nation from being subject to a burdensome duplicative permitting requirement for already regulated pesticides. If we do not pass this bill today, on April 9, 2011, farmers and ranchers will be susceptible to fines and may be forced to stop producing.

American ingenuity has enabled farmers to produce healthier higher crop yields—that capability is regulated and monitored by the Federal Insecticide, Fungicide, Rodenticide Act (FIFRA) to ensure public and environmental safety. The delicate balance of responsible regulation of pesticides and innovation was subverted by the Sixth Circuit Court's decision in National Cotton Council v. EPA. That Court's decision mandates an unprecedented

expansion of the Clean Water Act's (CWA) clearly limited regulatory prerogative by ordering pesticides that are already regulated and permitted under FIFRA to apply for additional permits not authorized under the Clean Water Act.

Time after time, we have seen special interests abuse the court system to try to side-step Congress in order to get a "pro-environmental" agenda implemented. If left unchecked, this judicially created rule would impose a substantial regulatory burden on our farmers and ranchers—starting with requiring an extra permit for pesticide applications, thousands of dollars in fines for non-compliance, and an increased risk of lawsuits down the road. This is not what the authors of the CWA or FIFRA intended. The CWA is intended to protect our navigable waters—not prevent economic development.

I urge my colleagues to vote in favor of this commonsense bill and urge the Senate to immediately take up H.R. 872 and send it to the President for his signature so that farmers and ranchers in Eastern Washington can focus on feeding and powering America—not filing out duplicative permit applications.

Mr. GIBBS. I urge passage of 872, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, H.R. 872, 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. BISHOP of New York. 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.

U.S. HELPING BRAZIL DRILL FOR OIL

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

Mr. POE of Texas. Mr. Speaker, gasoline has reached nearly $4 a gallon, and 60 percent of the American people want the administration to open up offshore drilling. Yet the administration ignores the will of the people, remaining defiant in their war on domestic energy. They continue to block access to American natural resources, refusing to issue timely drilling permits, despite a Federal court order to do so.

However, the President has announced that the U.S. is going to help somebody drill for oil. We're going to send money, billions of dollars, to Brazil and their state-owned oil company. They will use American money to drill off their coast, and then we will buy the oil back from Brazil. Isn't that lovely?

It's mind-boggling and infuriating that instead of developing our own domestic energy supply and creating jobs in America for Americans, the administration wants to become more dependent on foreign oil. Instead of propping up foreign energy companies, we need to allow American workers to drill in American water. It is wrong for the administration to prevent the development of our own natural resources while promoting the drilling off the shores of other countries.

And that's just the way it is.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2011

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

Ms. HANABUSA. Mr. Speaker, today, H.R. 1250 was introduced. Congresswoman HIRONO, along with Mr. YOUNG from Alaska, were among those, with myself, who signed onto this bill. It is the Native Hawaiian Government Reorganization Act of 2011.

This is a very misunderstood act. Well, what does it do? It really establishes us as meeting the fiduciary obligations that we have to the Native Hawaiians. This is a trust obligation that's been created long ago with the creation of the Hawaiian Homes Commission Act of 1920—1920, Mr. Speaker.

In addition to that, when Hawaii became a State in 1959, in it was contained really a public trust obligation for the betterment of Native Hawaiians as defined by the Hawaiian Homes Commission Act.

And then, of course, in Public Law 103–150 we created the concept of the Apology Resolution and, in that, recognized that we owe a special apology to the Native Hawaiians and a process of reconciliation.

This is what this act will do. It will give us the right to make things correct, and that is why I ask that you, along with the rest of the colleagues, support this.

□ 1800

THE AMERICAN DEFICIT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, there is a lot of discussion here on the floor, around Washington, and across this Nation about the American financial situation.

Some people say America is broke. There couldn't be anything further from the truth than that statement. America is a strong, vibrant economy that far and away is the largest economy in the world. We are nowhere near broke. We do have a problem. We are running at a current deficit, and that deficit is expected to grow. But to understand the deficit and to begin the process of addressing it, we need to understand from whence it came. And so I am going to start this discussion out with, hopefully, an opportunity to get a sense of how it is that the American deficit has risen to the point where it is today.

Really, we need to look back to the Ronald Reagan period. During the Ronald Reagan period, he ended his Presidency with a projected $1.4 trillion deficit for the 10 years beyond his Presidency. So we look at these things saying, okay, Ronald Reagan had 8 years. And then what was projected as a result of the policies during his Presidency? Well, what was projected was that the American deficit would grow by $1.4 trillion.

The first George Bush came into office, and at the end of his Presidency, 4 years, the projection for the 10 years after he left office, continuing the policies that were in place at the end of his Presidency, the deficit would grow to $3.3 trillion.

Similarly, the Clinton administration was in office for 8 years, and the policies that were put in place during those 8 years were projected to literally wipe out the American deficit—literally gone. A $5.6 trillion surplus as a result of the policies that were put in during the Clinton period. Those policies were tax policies. Those were the expenditure policies, a policy that we call today the PAYGO policy. That is, if you are going to start a new program, how are you going to pay for it? If you are going to cut taxes, what are you going to reduce in the expenditure pattern?

So, Reagan, a $1.4 trillion deficit projected beyond his Presidency. Bush, add another $3.3 trillion. Clinton comes along, 8 years, deficits turn into a whopping surplus and literally paying off the American debt.

George W. Bush comes in in 2001, and right off the bat, major tax cuts not associated with spending cuts but just major tax cuts. That was in 2001, followed up with a second round of major tax cuts in 2003, and in between a whole new Medicare entitlement adding a new expenditure at the same time that taxes were being reduced.

And for those of you that remember that period in 2001, we did have 9/11, and immediately we started the Afghanistan war. I think most of us would agree that that was the right thing to do, but it was not paid for. It was actually borrowed money that paid for the early Afghanistan war, followed a couple of years later, 18 months later, with the Iraq war, which once again was not paid for but, rather, borrowed money.

The result of all of that and the total pullback of the American Government from regulating the financial industry, the housing markets, was the Great Recession. At the end of the George W. Bush period, it was projected by the CBO, nonpartisan Budget Office, that the deficit would grow by $11.5 trillion if the same policies were left in place.

So where is today's deficit coming from? It is coming from the Reagan period, the first Bush period, the Clinton policies terminated, and the George W.

Bush policies put in place, leaving us with a projected $11.5 trillion deficit for the next 10 years.

Now, the rest of the story is that, as a result of the Great Recession, the Obama administration came into office looking at this situation: An economy that was headed into not a recession but a depression and a huge deficit. That was put on Mr. Obama's plate the day he took office.

To deal with the Great Recession that could have become a great depression, a stimulus program was put in place, and it was expensive. And a bailout of Wall Street was actually put in place during the last 2 months of the Bush administration. A combination of those was somewhere about $1.5 trillion to $1.6 trillion, a huge whopping sum of money, but done for a good purpose.

And I don't know many economists, in fact I know of none, who would say it was not necessary. It was necessary that we deal with the Wall Street collapse and successfully stabilized Wall Street, the financial industry. It could have been done differently. Most of that money has now been repaid.

The money that was spent, about $750 billion, on stimulating the economy was similarly successful in stabilizing the economy and causing it to rebound slowly, but nonetheless rebound.

Here we are today debating the best way to deal with the deficit. We have a proposal from the President that over the next 5 years to 6 years would significantly reduce the annual deficit; not creating a situation such as ended the Clinton administration, but bringing the deficit back into a situation that is sustainable. That is the President's proposal, based upon holding steady, no growth in the Federal budget over the next 5 years, having the economy bounce back; ending one of the tax breaks that was put in place by George W. Bush back in 2003, that is, the high income, that is, the millionaire-billionaire tax break which is still in place but would end under the President's proposal.

□ 1810

It is following along closely the recommendations of the Deficit Reduction Commission that was appointed.

Now, that is the President's proposal. What we are debating on the floor beginning early this year with H.R. 1, H.R. 1, a continuing resolution to fund the government for the remainder of the year, was a $60 billion reduction in the discretionary expenditures of this government. No one believed that that would have a significant impact on the long-term deficit problem, but it would have a very significant impact on vital, vital programs that are necessary to continue the operations of this government.

So what are we to do? H.R. 1 passed this House and was rejected by the Senate. For me, that was the right thing to do, because H.R. 1 was estimated by two different economists, not Democratic economists, but independent economists, that it would kill 700,000 jobs across this Nation; immediately increase unemployment in America, reducing tax revenues—unemployed people don't pay taxes—but simultaneously increasing the expenditures for unemployment insurance, welfare and the like.

That is not a very wise thing to do, but that is what our colleagues on the Republican side suggested we should do. And it passed, with unanimous Republican support. I think there were three or four Democrats that voted for it. I think they were wrong. I think the Republicans were wrong.

That doesn't solve the deficit. You cannot take 14 percent of the Federal budget, which happens to be the discretionary expenditures that were targeted by our Republican colleagues in H.R. 1, and expect to do anything meaningful about the deficit. The deficit has to be dealt with over a long period of time, and it has to be dealt with in such a way that we actually put in place the foundations for strong economic growth.

What are those foundations? Well, in my view, there are six of them. If this economy is going to grow soon, midterm and late, that is, in the years ahead, we have to have the best educated workforce in the world. So in the Republican proposal was an elimination of funding for higher education, funding for the Pell Grants that allow young men and women, and older men and women, to go into the university system. Not a wise thing to do.

The second thing, if we are going to have a foundation of good, solid economic growth into the future, we need to have the best research in the world. Once again, the proposal, H.R. 1, and the two subsequent continuing resolutions that have funded the government cut, cut research, critical research at our national laboratories. Nearly $800 million of funding for the Department of Energy research programs would be eliminated, laying off some 6,000 researchers, Ph.D.'s, scientists at the national laboratories that are working on research for energy production.

No one in this Nation would argue that we do not have an energy crisis. Check out the price of gasoline. We have a serious energy crisis. Yet the proposal would go right at the heart of the research that we need in order to solve the energy problem. Conservation, nuclear, cleanup of nuclear, research into photovoltaic, geothermal, all of the renewable energy research largely reduced and in some cases totally eliminated.

Health care. The fastest growing segment of our economy is health care. Research at the National Institutes of Health is wiped out, largely reduced. What kind of policy is that? If we are going to have a strong economy, we need to have a well-educated workforce. We need the research.

Thirdly, we need to take up the issue of manufacturing. We need to make the things that come out of research. Manufacturing really does matter. If we were to take the American manufacturing sector, as weak as it is today, it would still rank as the ninth biggest economy in the world. Manufacturing in the United States took an enormous hit during the Great Recession. About 25 percent of the jobs that were lost were in manufacturing. We hollowed out our manufacturing sector. If we are to grow this economy, if we are to have a serious reduction in the deficit, then we are going to have to make sure that manufacturing returns as a principal part of the American economy.

I am going to move on with the other three elements and then come back to manufacturing.

We need to have a very strong infrastructure. This is everything from water to sanitation to transportation, rail systems and air systems. One of the things that will be brought up on the floor has to do with the air transportation system in the United States. That infrastructure is critical. Yet in the proposal that we have had from our Republican colleagues, we are actually weakening the infrastructure system of this Nation. That is not a wise thing to do. But, nonetheless, our economy depends upon that infrastructure.

International investments are necessary. We need to export. We cannot find our economy growing if we continue to rely on imports. They may be cheap, but in their cheapness, they destroy the American manufacturing sector. So we need to keep that in mind as a principal investment that we need to make. It doesn't come cheaply. It requires us to spend money on the Department of Commerce that is out there helping to open markets for America. It requires us to finance the Export-Import Bank and other Federal Government agencies that actually support the export of goods and services from America.

And, of course, we have got to pay attention to the defense of this Nation. In the Defense Department, we need to always strive for efficiency. Now, I happen to oppose the war in Afghanistan. It is costing us about $120 billion a year. My view is we ought to end that quickly and spend some money focusing directly on the real threat, and that is the threat from al Qaeda and other terrorist organizations. We will come to that in a different discussion.

But those are the six critical investments: education, research, manufacturing, infrastructure, international trade, and defense. Are we doing well at those? Not if my Republican colleagues get their way with regard to the discretionary budget cuts.

There are some things that we can do that are not expensive. In fact, they actually will create jobs with no additional Federal expenditure. Let me turn to that at this moment.

□ 1820

My Democratic colleagues and I have developed a program that we call Make It in America. Make It in America. If

America is going to make it, then we have to make it in America. What are we making? We need to make all of the things that this economy and this world needs for energy security—photovoltaic, geothermal, the new biofuels, the advanced biofuels—all of those things in the energy sector that allow us to prosper and to address the energy crisis, including—and I know the problem of Japan and the nuclear systems there. But 20 percent of our energy presently comes from nuclear. And that's going to be part of the future. So we need to make sure that we make it well, safely, and that those systems are made in America.

Manufacturing matters, and we need to make sure that our manufacturing sector is up to speed and actually making things in America. We cannot count on the Chinese or the Indians or any other nation to provide us with our manufactured goods. And the reason is that's where the well-paying middle class jobs are. It's been hollowed out over the last decade by, I think, unwise policies; but nonetheless we can restore it.

Let me tell you a couple of ways that we're proposing to do this in the Democratic Caucus. I love these charts. They seem to actually make a lot of sense and help display what we're talking about.

If we're going to make it in America, we need to make sure that we are educating and researching; and so these are crucial investments that I've talked about before—research, the health sector, science, a well-educated workforce with teachers that are capable of doing what we call the STEM—the science, technology, engineering, and manufacturing kinds of education. And we need to make sure that our workers are prepared to take on these jobs. So that's the first step. That's the education and the research step of it. And these are investments, and we need to make those investments.

Let me give you a couple of other examples of where public policy really becomes important. Photovoltaic, invented in America. Wind turbines, they have been around a long, long time, windmills and the like; but many of the modern technologies that are in the wind turbine system are American research. And, of course, transportation. It turns out that we don't really do much of this—or at least a year ago we didn't do much of this. We were importing the solar systems, the photovoltaic systems, importing many of the wind turbines that are out there in the wind farms providing us with energy and importing from other countries buses and trains and light rail systems.

What we say in the Democratic Caucus is each of these are programs that are subsidized or paid for with your tax money. There are subsidies for solar, photovoltaic systems. Good. We've need to do these kind of things for energy security, and it's a good place to spend tax money to encourage the development of those kinds of systems. All well and good.

But where are those solar panels made? Are they made in America, or are they made overseas? Our view and my own personal legislation is if you want to use American taxpayer moneys to help you buy a solar system either on your business or on your home, then you buy American-made solar systems. If your transit district wants to buy a bus using our tax dollars—this is the excise tax on gasoline—18½ cents for gasoline and 25-plus cents for diesel fuel—if you want to go buy a bus from your local transit district—good. We need public transportation. But if you're going to use the public's tax money to buy that bus, then you buy a bus that's made in America. Make it in America. If you're using our tax dollars as a transit district or as a business or as a homeowner with a solar panel or a bus, then you use that tax money to buy an American-made bus.

Similarly, with wind turbines. This is a personal thing for me. In 1978, I authored the first State legislation for wind solar tax credits to get that industry started. And it did start. Altamont Hills, California, which I currently represent, has the oldest wind farm in America. Good. We're rebuilding those turbines, putting in new modern turbines, and we're expanding the wind industry in this Nation. Good. We need to do that. And we're using our tax money to subsidize it. That's good, too. But where is that wind turbine built? Is it built in Europe—Spain, Germany, Belgium? Or is it built in America?

Too many of these have been built in other countries using our tax money. And I'm saying with my legislation and the support of others that if you're going to use American taxpayer money to invest in wind turbines, then you buy American-made equipment, period. We don't need to buy Chinese wind turbines when we can make those in America.

These are ways in which we can rebuild our manufacturing base. It turns out that in the San Francisco Bay Area there is the Alameda-Contra Costa Transit District that has within that district one of the last remaining bus manufacturers in America. But until very recently that transit district refused to buy buses from a bus manufacturer in that district that was making buses that were every bit as good as buses made anywhere in the world. They have recently changed that policy.

Similarly, in the San Francisco Bay Area, the Bay Area Rapid Transit District, BART, was buying trains and wanted to continue to buy over $300 million of trains from foreign manufacturers. Many of us said whoa, whoa, whoa. Stop. Time out. Don't do that. Let's buy trains that are made in America.

So Siemens, a German company, has established a manufacturing plant and is upgrading a long-existing manufacturing plant in Sacramento to prepare itself to successfully bid for the manufacture of high-speed trains in California and around the Nation, as well as light rail systems, which they are now and have been for some time producing in the Sacramento manufacturing plant. Good. That's how we can use our tax dollars to rebuild the American manufacturing base.

As we do that, we rebuild a vital part of America's economy, that part of America's economy that was traditionally the heart and soul of middle America, the great American manufacturing sector. This is possible. Does it take new money? It takes a redirection of money that we have been spending for some time.

Let me add one more thing to it. As we look at the renewable industry, let us think about where we can find additional money to enhance the renewable energy industry. For one century, America has subsidized through various tax breaks the oil industry. We did that for the purpose of creating a very strong, viable oil industry that provided us with energy. It was eminently successful. The oil industry is the most profitable industry in America, and probably around the world. Very, very successful.

Do they need a continuation of tax breaks? Well, if you ask them, of course. Everybody wants a tax break. But do they need it? Not when they're running over the last 10 years just short of a trillion dollars of profit. The American oil industry in the last decade has earned $950 billion of profit. Do they need a tax break anymore? I think not.

I think we take that tax break, which, depending upon how much and whose estimate, is somewhere north of $10 billion, maybe as much as $20 billion a year, and use that money to build our renewable energy sector, subsidizing these kinds of things—photovoltaic, advanced biofuels, algae fuels, wind turbines—and to enhance our transportation sector.

□ 1830

These are strategies that we ought to employ. However, as to what is happening today, instead of taking the long-term view and making critical investments that actually will give us the foundation and the start to rebuild the American economy, we are going the other direction. I should say, my Republican colleagues are going the other direction. Many of us think it is the wrong direction. We should not shortchange those investments that actually will create short-term and long-term economic growth. It's critical that we continue to invest in those six things: education, research, transportation, manufacturing—obviously, we have to continue to invest in national defense, but we'd better be very, very wise.

As we do these investments—and, in fact, in everything the government does—we must always strive for two

goals: that every program be effective, which is that it actually achieves its stated purpose, and that it be done efficiently. I call these the two E's: efficient and effective. If it's not efficient, then change the program so that it would be efficient. If it's ineffective and inefficient, it should be terminated. It's very simple. But if it is effective and efficient, then maybe we ought to continue it.

Now, in this recent week, we've had our Republican colleagues put forth four bills that literally terminate all of the Federal Government programs, save two, to rebuild the housing industry in America and, more importantly, to help those families that are in desperate trouble with their mortgages. Of those programs, some of them were ineffective, necessary but not yet effective and not up to the kind of efficiency that we would want. That doesn't mean they should be terminated; that means they should be modified because the problem continues to exist.

There is a homeowner mortgage problem in America of enormous, enormous importance. Some 10 million American homes are underwater. It's a problem. We've got to find a way of dealing with that, not just ignore it and not just wipe out programs that we would need. We need to have efficiency, so we look for not a bill that would eliminate it but, rather, a bill that would modify, create more efficiency, and continue to address the problem.

To this date, our Republican colleagues have only moved to terminate, not to replace, not to rebuild. Similarly, with health care, there has only been a bill to terminate, not a bill to improve when we know that we've got an ongoing problem.

I'm going to just wrap this up and let it go where we are, but let me go back and review very, very quickly.

There has been a raging debate here in Congress about the deficit. Where did it come from? How did we get to where we are? How do we solve this problem in the future?

The deficit didn't start with the Obama administration. It started way back, actually, a little bit before the Reagan administration, the Reagan and the George Bush I administrations. It was dramatically altered by Clinton, which actually would have, if those policies had continued, created a surplus, almost wiping out the total debt of America. Then it was run up bigtime during the George W. Bush administration.

These are projections 10 years following, if we'd continued the same policies, as to what would happen. That's where it started. Then there was the great recession and the effort now to deal with that.

The Obama administration has put forth a proposal that follows closely, along with the recommendations of the deficit reduction commission, that says: Don't—don't—do anything that would harm the current recovery, like make an austerity program, like make massive cuts. Yet our Republican colleagues have done and proposed exactly that. Fortunately, the Senate has not gone along with that, but we are nickel and diming our way towards $30 billion of cuts that may, in fact, cause us to see a decline rather than a continued growth in the economy. We must watch that very carefully. So that's the deficit piece of it.

Manufacturing matters. We need to be sure that we rebuild our manufacturing sector. There are many different pieces of legislation, of tax policy. I didn't mention this earlier, but one of the tax policies put forth by the Democrats last December—it actually went into law—was to encourage investment by private companies in capital equipment, allowing those companies in the first year to write off immediately 100 percent of the cost of capital equipment. A good idea. Unfortunately, very few of our Republican colleagues voted for that. In the manufacturing sector, let's make it in America. Let's use our tax dollars to make it in America. With all of the energy programs, transportation programs, let's use our tax dollars to buy American-made equipment.

Finally, research and education. This is not where the cuts should occur. Yet our Republican colleagues are suggesting that that's exactly where it should happen: major cuts in research, energy, education, health care. You cannot make those cuts and expect this economy to be competitive.

One little fact that I just heard about today is that it is expected in the coming year that the Chinese economy will produce more scientific advancements than will the American economy. This will be the first time in, perhaps, three-quarters of a century that the United States Government will give up its lead in scientific advancements. This is not the time for this Nation to make cuts in our science agenda, whether it's in the medical/health care area, the energy area, or in any of the other kinds of research in which we have always been the leader.

Food for thought. Things for us to consider.

I would like the American people to be aware of the real deficit story. You cannot solve it by making massive cuts in just 14 percent of the budget. Yet that's what our Republican colleagues are doing. We need a long-term plan, one that is 5 years, 10 years, to bring our budget back into balance. We can do it. It was done during the Clinton period.

This little chart here gives you some idea of one half of how the Clinton period brought about a budget surplus. This is the spending side, and these are the expenditures of the American Government as a percentage of the economy.

During the Reagan/Bush period, 22–23 percent of the American economy was for government expenditures. It dropped down to 21, but it basically bounced between 21 and 23 percent. During the Clinton period, as a result of policies that were put in place during his period—PAYGO, reinventing government, and other governmental policies—we saw a steady decline in the percentage of the economy that was going to the Federal Government. At the same time, we had very strong economic growth. Those are two of the three things that operate together. There was also a Clinton tax increase that took place that basically added an additional tax burden at the very, very top of the income categories. So the combination of those reductions in the percentage of the economy that was used, good economic growth, and a tax increase that occurred in the very early period, particularly a tax increase on the very wealthy, led to a surplus. George W. Bush came in in 2001–2002, and things reversed.

□ 1840

First of all, there's an increase in the percentage of the economy that went to government, principally the Medicare drug program and the wars, and then this very, very steep rise that occurred right at the end of the Bush administration as a result of two things: one, a plummeting of the American economy as the Great Recession took hold in 2008 and the effort to deal with the Great Recession with the stimulus; and right here at the end of the Bush 2, the financial bailout. And so that's why we saw this extremely high line.

Now, you notice that in the last period, which is the 2010–11 period, we've begun to see a decline once again in the percentage of the government, of the economy that is government spending; and, if we follow carefully the budget that's been put together by the Obama administration, this line will continue to fall back into the 20 percent, 21 percent range, bringing back into balance the Federal expenditure. It cannot and will not happen overnight. It's going to take us 5 years, maybe even longer, to bring this thing back into balance.

Keep in mind the words that were used by the recommendation of the budget deficit commission: Don't do anything immediately to harm the American economy by making rapid, unnecessary, unwise cuts in the Federal expenditure. That will put people out of work. 700,000 people would lose their jobs immediately with the proposal that was put forth by the Republicans but fortunately stopped by the Senate. If that had become law, 700,000 jobs immediately lost and a spike once again in this ratio of government spending.

So we've got work to do. We can do this, but we need to take the long vision, and we need to be very careful that we make the critical investments.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 658, FAA REAUTHORIZATION AND REFORM ACT OF 2011

Mr. WEBSTER (during the Special Order of Mr. GARAMENDI), from the Committee on Rules, submitted a privileged report (Rept. No. 112–46) on the resolution (H. Res. 189) providing for consideration of the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WHAT'S SO SPECIAL ABOUT LIBYA?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, always an honor to come to this floor in these hallowed Halls and address the issues of the day.

My colleague from across the aisle was discussing jobs. That is so important to most Americans, and there is one way we could do a great deal toward immediately putting Americans back to work, and that would be if we started utilizing more of our own energy resources, which is what this Nation has been so blessed with. When you consider all of the natural resources that are natural energy sources—coal, natural gas, oil, we do have wind, places where solar works—but all of the carbon-based energy resources that are so valuable around the world, the ones for which we keep paying trillions of dollars to other nations that could be utilized here in the United States and could be utilized to create jobs right here at home, it does not make sense to keep sending hundreds of billions and trillions of dollars to countries that don't like us. We're doing that through the purchase of energy.

I've listened to all the explanations about why we've gone into Libya that have been made in the press. Those press conferences, all kinds of releases by this administration, and you still come back to trying to figure out why Libya was so much more important than Tunisia or so many of the others, Iran.

I mean, the people of Iran have attempted rebellions against madman Ahmadinejad, and this administration didn't seem to lend a helping hand, and that's a nation whose leader has sworn to see that the United States, Ahmadinejad said, will soon no longer be a Nation. As Ahmadinejad had said, we'll soon be able to experience a world without the United States and Zionism. So he says he's going to eliminate the United States; we're going to eliminate Israel. That ought to cause concern.

Have we lifted anything other than trying to prevent people from buying goods from Iran? Not really. Oh, yes, and those sanctions are going to work, and probably in another 15, 20 years they've got a real chance of working. The trouble is, in 15 or 20 years—and, actually, the possibility exists in a whole lot less than 5—if we continue to persist in sanctions and nothing more with Iran, they will get nuclear weapons, and then they will give us a choice: either remove the sanctions or count on a nuclear blast coming in your country. That's why we have to prevent them from getting nuclear weapons. But we use them, and they will certainly threaten to use them so that they can get what they want. In fact, they may get more by threatening the use once they have them than they would to actually use them.

But Ahmadinejad has made clear in a number of settings he expects the 12th Imam, the Mahdi, to be coming, and he believes he can hasten the return of the Mahdi, have a global caliphate where all of us fall on our knees supposedly or die. Well, we could prevent that, could have stopped it long before now, but we haven't.

So what makes Libya so special? It's really interesting, and it's hard to put our finger on it. Libya does produce oil. China, I understand, may be the biggest purchaser of Libyan oil but not the United States. So why should we go rushing to spend hundreds of millions or billions of dollars in Libya? Europe, England are big customers of Libyan oil. So why would we be running to help Europe and England with their Libyan oil? Well, the President's made clear, it's because they asked us to. You know, we've got a number—and Secretary Clinton has also said, she's made the rounds of the news programs, the Arab States asked us to, the U.N. asked us to, Europe and England's asked us to, so why would we ever need to come to Congress.

It's been made very clear, you know. The public has heard those comments. You don't have to come to Congress when the U.N. has said that's something that needs to be done.

It's interesting, though, I don't recall any of the Cabinet members or the President raising their right hand and taking an oath to defend the United Nations. I was thinking their oath had to do with our Constitution and our country.

And it's also been made clear that Libya was not a threat to our national security, not a threat to our vital interests; yet we're willing to put our treasure and our American lives on the line for something that's not in our vital interests. That does not make sense.

□ 1850

But then again, as you continue to piece together the Obama doctrine—we get it, that apparently intervening, risking American lives, and spending American treasure that this administration didn't earn but they are taking away from taxpayers and then borrowing from others, that's okay if it kind of feels like it ought to be something we do, you know?

If it feels like we ought to go to Libya and risk American lives and spend all that American treasure, then let's go because, after all, people asked us to do that. Why would we not go when people around the world ask us to do that? Could it possibly be that a reason for not doing it is because an oath was taken to this country—not to the U.N., not to the Chinese or the European constitutions or the European Union, but to this country? This is where the oath was taken. These are the people in America for whom and to whom the oath was made.

But then we look at energy again and we look at spending treasure; and as more people are finding out, in the last couple of years this administration has said, You know what, we're shutting down drilling on the gulf coast. We're not just going to stop the one company that had around 800 safety violations while others had one or two during the same period because, see, that's British Petroleum.

And British Petroleum, as we found out, was poised to come public and be the administration and the Democratic Party's one big energy company that rode in on a white horse and said, we support the cap-and-trade bill. We're going to make money like crazy for BP on the side trading in carbon. These stupid Americans. They don't get it. It's a transfer of wealth like nothing anybody has ever seen before. The American people lose. Companies like BP and General Electric, they'll all win big. But the American people lose.

They wouldn't go after BP. It took so long to go after them. And when you know that BP was going to be their big energy company to embrace and endorse the cap-and-trade bill, then it makes a lot more sense as to why it took the administration so long to respond. Then of course we will recall the President sat down with the BP exec and said, Okay, let's tell the American public that you are going to put up $20 billion. They did. Well, that saved some feelings, but there was never $20 billion put up.

So isn't it amazing. We don't know what all was discussed. We don't know what all quid pro quo was promised for BP coming in and offering large sums of money. Obviously, there were a lot of people on the coast that were devastated and continue to be devastated who were not compensated by any money from BP. But nonetheless, it took the heat off of BP for a while.

So perhaps the administration thought that after having the moratorium and putting tens of thousands of

families out of work, putting tens of thousands of families onto unemployment insurance, devastating tens of thousands of families, perhaps the administration thought that nobody would notice that the first permit that was extended after this moratorium, to hurt the Southern States—it actually hurt the whole country—but the first permit, I believe, went to Noble Energy Company.

But the major investor was a company called British Petroleum. Now, was that a quid pro quo? Okay, BP, we are not going to be able to take you out into the Rose Garden, have you announce that you support the cap-and-trade bill because, you know, you are just not well thought of right now. It wouldn't work right now. But there will be pie in the sky by and by if you will just play along with us for a while. Who knows what conversation occurred there.

But isn't it interesting that BP was the largest investor in the company that got the first permit after the drilling moratorium.

Now, understand, there haven't just been a glut of permits come rushing forward. There are still tens of thousands of families that were made destitute by this administration because they chose to punish the entire South and even the country, rather than allowing energy jobs to go forward in the gulf coast area.

So imagine the surprise of some of those destitute folks that have just been traumatized by this administration when they find out that our President has just been down in South America, telling the Brazilians that we think so much of their drilling that we're going to loan them $2 billion to drill off their coast and that, when they strike this oil off their coast, the President tells them, We're going to be your best customer.

Why couldn't we be our own best customer? Why couldn't we be drilling off our own coast? Why couldn't we be drilling in ANWR? Why couldn't we be drilling in the North Slope area where there's no drilling allowed yet? We would be our own best customer. We would create millions of jobs not just in the oil industry but all kinds of jobs if the President were not wanting to punish this area.

I mean, it's as if we're wanting to punish free enterprise. Actually, we've had a very cold winter where I live. Yet the EPA, under this administration, doesn't care, and they don't care that the new regulations they are coming out with would not have maybe one-billionth of 1 percent effect on the CO_2 level in the atmosphere.

Yet as a result of this administration and their war against jobs—the war on jobs—you've got the EPA out there trying to put people out of business, keeping people from hiring, when the truth is, when those jobs leave here, they go to South America. They go to China, India, different places. Then they pollute a minimum of four times more than the pollution in this country from the same industry because we do a good job of policing industries.

When the economy is going well, that is when you have the best chance of really cleaning the environment because when an economy is struggling—and China knows about a struggling economy, trying to employ people, keep them from getting upset and revolting. When an economy is struggling, people don't care so much about the environment. They are more interested in just feeding themselves, having a roof over their heads, and surviving. So if you want to help the environment, if that is the true purpose, then what you do is allow the economy to thrive.

This President has had a war on jobs, and that continues—oh, I'm sorry. I should qualify that—a war on jobs in America. Because obviously we're helping create jobs in Brazil. We're helping the Democratic largest contributor, Mr. Soros, with his single largest investment for drilling down in South America or Brazil. So the Democrats' largest investor is going to make a tremendous amount of money because we're loaning $2 billion to pay him for his investment down there to do the drilling that we won't allow in this country.

Why is it that our global President is more interested in creating jobs in Brazil than in the United States? I guess, whenever we find out that reason, it may help us understand why we expend American treasure and risk American lives in a country that is of no vital interest to this country.

It is interesting. When you look at the history of Muammar Qadhafi, this is not a nice man. This is not a man that should have avoided prison and perhaps even capital punishment, depending on the charges, the evidence, and proving the charges.

□ 1900

Yet you have to look at what will replace Qadhafi when he's gone.

Now, first we hear from the administration, no, there's no al Qaeda there rebelling, and then we find out, yes, there is. They're involved. The Muslim Brotherhood is involved in the rebellion in Egypt.

Now, Mubarak was a dictator. We're not big fans of dictatorship in this country. But when you have to look at the national vital interest here and you have a man who is in charge in Egypt who is not a threat to the United States and was living as best one could with the status quo next to Israel and yet there is an effort to throw Mubarak out of office and any kind of decent intel would indicate you've got the Muslim Brotherhood that in all likelihood will replace Mubarak, then why did we call for Mubarak to leave and allow himself to be replaced by a group that wants us all to bow the knee in one giant global caliphate to religion when some of us believe in our own, my case, Christian beliefs, heart and soul, which I had hoped to get through this life without having to die for?

But there are people who are trying to take over Egypt who we've given great encouragement to. There are people in Libya that are wanting to take over that country and its powerful military who would like us to either convert from Christianity or to lose our heads. Why would we be helping them? That's a difficult question. So if it weren't so serious, it would be an amusing game to try to figure out what this administration is attempting to do.

What is the Obama doctrine? When it comes to the budget, the President gave a wonderful speech. He read it impeccably well, about how we have got to cut spending. He gave that speech right before he released his budget. And that budget was projecting around a $3.75 trillion expenditure when we were only going to take in around $2.1 trillion. So he gave a speech about cutting spending, and he's been doing that the last 2 years, and it turns out the first year we had a $1 trillion deficit. The next year we had more than that. And this year the President's proposed a budget and spending that will be a $1.65 trillion deficit. That makes no sense. Why would you give speeches saying you're going to cut spending, and yet every year it goes up and up dramatically? That doesn't make sense.

Yet we know the results of the election in November indicated very clearly the American people want the spending cut. We can't continue to live in a country that is running up trillion dollar deficits. People will quit buying our bonds. We're dangerously close to having our bonds downgraded, our rating lowered, and if that happens, interest rates go up. And if the interest rates go up like that, that will give fodder to those who are demanding that something besides the dollar be used to buy oil. I mean, it could put this country in a terrible financial spiral downward from which it might be impossible to pull out.

I was in a plane once when I was told the baffles were taken out. It was aerobatically qualified, and I was being allowed to sit in the copilot's seat. It was a crop dusting plane, and it was kind of fun flying the plane with the joystick.

I said through the radio system in the plane to the pilot, This thing is aerobatic qualified, isn't it? You know, we could do loops and go in and out of spins. And he said, It would be, but we removed the baffles from inside the wings where the gasoline for the fuel is stored; so if we go into a spin, then the fuel all runs to one end of one wing and we go into a spin we can't get out of, and we'll crash and both of us die.

Well, that's kind of where we're heading with this thing. If we don't get the spending under control, one thing leads to another and we're in big trouble. And it's got to stop.

At the same time, we're supposed to be helping Americans with better

health care. If you liked your insurance, you were going to keep it. Yet we found out that absolutely was not true. If you liked your doctor, you can keep him. We found out that absolutely was not true. It's a bad bill.

Then when you find out that the prior Congress not only passed that 2,800-page bill with all kinds of things in it, including a new President's commissioned officer corps and noncommissioned officer corps, do we really need that, I wondered, when I had read that in the bill.

But then when you find out we're being sent to Libya and going to use our treasure and our American lives there, maybe there's intention to so deplete the military that we're going to need that Presidential reserve officers commissioned corps and noncommissioned corps that the President can call up on a moment's notice involuntarily, according to the ObamaCare bill.

But the trouble is there's already been $105 billion appropriated. It's like writing postdated checks that are due to be cashed each year into the future. Well, you're really not supposed to do that. That's not appropriate.

This isn't like Social Security where it is controlled by formulas and it's in automatic motion. This was just an appropriation. It's not mandatory. It could be repealed; but, to do so, it actually has to be rescinded.

My friend STEVE KING has got a bill that would prohibit any money that's currently been appropriated through the present from being utilized for the purposes; in other words, it ties the hands of the administration from using any of the money already appropriated for the purposes of implementing this ObamaCare program.

DENNY REHBERG has an amendment that was voted in that also has some effect in that regard.

JACK KINGSTON is an appropriator and has come up with an idea that a couple of us have joined forces with him, and I think we've got around 22 cosponsors, and that's growing constantly. But it is an approach that I would hope would attract Democrats in both the Senate and the House because it is an important principle. And I would certainly hope that it would attract Democrats in the House because it, in effect, says we're not going to do postdated checks for something besides Social Security, those type of things that were controlled by formulas. We're going to cancel the postdated checks.

Now, it should be attractive to my friends in the minority now because, someday, they may be back in the majority. If and when that happens, they surely would not want the Republican majority to have passed a decade worth of spending bills, not for Social Security, not for mandatory spending, but a decade worth of spending with postdated checks, say you can't ever stop this.

So the principle that the Kingston bill would stand on is that these type of things must be taken up annually. So we're going to cancel all the postdated checks that were going to be cashed in the future. And if the Democratic Representatives get back in the majority, some will say it's not a good idea, because if they get back in the majority, they can just appropriate that money. Well, of course they can.

□ 1910

They can pass a whole different health care bill if they get back in the majority. That's the way it works. When you are in the majority, you can pass things.

So it would not be unfair to just say we are canceling all those postdated checks, we are canceling $105 billion worth of spending; and, if you get back in the majority, it is up to you what you appropriate. But as long as we are in the majority, we are not spending that money.

That allows us to keep our promise. It allows people on both sides of the aisle to say we are standing on principle and on procedure that the majority should rule in the legislature, and not a minority that years ago was a majority. That's a better way to do it.

So there have been those questions. Some have said, why make it so complicated? In the new bill that we have proposed today and filed today, it would effectively end the $105.5 billion in the funding that was in Obamacare by turning them into an authorization without the appropriation. That means not this or any future administration would be able to spend the money without first coming to Congress and getting a majority here in both the House and the Senate to approve it.

Now, there are those that say, well, you know, there are a few good things in that Obamacare bill. Well, my gosh, when you have a 2,800-page bill, there surely ought to be something in there that is decent. And there were a few good things. But why not make those a 25-page bill instead of a 2,800 page bill? Why create all these hundreds of new agencies, the hundreds of thousands of pages of regulations, all those things that come from this massive government overload? Why not just do away with all of those things?

That is what we should do, and then start, as Senator Obama had said we should do when he said repeatedly we ought to have negotiations on a health care bill. We ought to have hearings, we ought to have negotiations that are public. Have them on C–SPAN if C–SPAN will carry it. Let everyone see who is in it for themselves and who is in it for the American people. I think the American people, even without seeing the negotiations on Obamacare, got the message who was for the American people, and that is why the House changed hands.

So we hope that in the next few days there will be more and more people get on board, because this is an important principle: A minority, even though they once were a majority, should not be able to bind future Congresses on things that are not mandatory through formulas like Social Security.

Now, with regard to Libya, there were some interesting quotes from the President's speech. He had pointed out that Qadhafi had denied his people freedom, exploited their wealth, murdered opponents at home and abroad, and terrorized innocent people. This had been going on for years. It certainly had been going on all the time that President Obama has been in office. It was going on when he was a Senator, and he had never called on these kind of things before.

But he goes on. Just two paragraphs down, he says, ''Joining with other Nations at the United Nations Security Council, we broadened our sanctions, imposed an arms embargo, and enabled Qadhafi and those around him to be held accountable for their crimes.''

Now, I'm familiar with holding people accountable for their crimes. As a former judge and as a former prosecutor, I have done that, held people accountable for their crimes. I don't see what this administration has done to make Qadhafi accountable for his crimes. In fact, there was discussion in the news today that this administration is floating the idea of some type of amnesty if Qadhafi will just leave. So that statement in his speech may be like the one, if you like your health insurance, you will be able to keep it. It sounds good, but it has no basis in fact.

The President said, ''Military jets and helicopter gunships were unleashed upon people who had no means to defend themselves against assault from the air.'' My understanding is that has happened in Burma, Pakistan, possibly in Syria. There are a lot of other countries it has happened in where we haven't gone against the administration in that country. So that was a little puzzling.

The President said, ''So 9 days ago, after consulting the bipartisan leadership in Congress, I authorized military action to stop the killing and enforce U.N. Security Council Resolution 1973.'' But the fact is, we have been told repeatedly that this administration had the support of the U.N., to whom the President did not take an oath to defend and did not have the consent of the governed in this country—not the governed and not the governed's legally elected representatives.

Now, the President said in his speech, ''We hit Qadhafi's troops.'' Well, I would think, with the President's broad education, he would understand if an infidel, or an infidel country like we are considered, kills Muslims, then we are worthy of death under what they consider the law. So if the President is right and we haven't just shot rockets and taken out certain type of military hardware, we have actually killed Muslims in Libya, then we have not made ourselves a bunch of friends. In fact, that may be one of the reasons we see the President's image being

stomped on and burned and destroyed in effigy in Libya and foreign countries.

The President said, ''I said that America's role would be limited. We would not put ground troops into Libya; that we would focus our unique capabilities on the front end of the operation, and we would transfer responsibility to our allies and partners.'' In other words, we are turning over command, but our U.S. military is doing the lion's share of the fighting. And so we keep hearing that in the news. This administration is turning over the lion's share of the effort when actually they are turning over the leadership.

My office made an official request yesterday of the administration to know what percentage of the military of NATO is U.S. military, and we were given the figure 65 percent. So it doesn't come as a great comfort to many of us that we are turning over this great responsibility that we have led as helpers in Libya to NATO when we are 65 percent of NATO. That is one of those things that sounds good. Kind of like, if you like your insurance, you can keep it. But it really doesn't have much basis in fact for comfort.

The President said in his speech, ''NATO has taken command of the enforcement of the arms embargo and no-fly zone.'' Yet, it is confusing, because those speaking for the administration here in Washington seem to indicate that we have not yet turned over command.

He says, ''Going forward, the lead in enforcing the no-fly zone and protecting civilians on the ground will transition to our allies and our partners.'' I guess that means NATO, which we are 65 percent of.

I know I look stupid sometimes, but, I mean, I can get that. If we are turning it over to a group that is 65 percent us, we really haven't turned it over. Unless we want to say, ''Yeah, but we are not leading anymore. We are putting our military under the command of foreigners who have never taken an oath to support and defend the Constitution of this country.''

□ 1920

How do you feel good about that? Well, it is hard for some of us to feel good about it.

The President says Libya will remain dangerous. The question is, dangerous to whom? We saw that after the invasion of Iraq, that Qadhafi threw up his hands and said, Hey, we will give up nukes, we will give up pursuing anything. We don't want you to invade our country, so we want to work with you. We saw a similar attitude after President Reagan dropped a bomb down his chimney.

So we know that, as long as Qadhafi knows we have a strong President who will go after him if he does anything to us, then we have nothing to fear. But we also know from his history that if he is not controlled, if we do not have a strong President who is willing to go after and punish those who are attempting to destroy us, then maybe he is dangerous. Maybe that is what the President was talking about in his speech.

Anyway, the President said we also have the ability to stop Qadhafi's forces in their tracks without putting American troops on the ground. But, here again, it didn't have the support of the American people; it didn't have the support of Congress.

It brings back to mind, when George W. Bush was President, he enjoyed playing golf. He still does apparently. I never played with him, but I understand he is a good athlete. But once troops were committed to harm's way, President George W. Bush said it didn't feel right for him to be out on a golf course while troops he committed to harm's way were in danger, so he gave up playing golf for the rest of his administration.

Yet the current administration has a President at the top who not only doesn't feel any qualms about playing golf while we have troops committed that he committed to harm's way, he will also play golf and pause long enough to commit more troops to harm's way.

The President said the democratic impulses that are dawning across the region would be eclipsed by the darkest form of dictatorship. That is, unfortunately, what the majority of Americans are concerned about happening here in America if we get away from the legislative process and forcing bills through that are not supported by the American public and forcing American commitments in places that America does not support and spending beyond anything a drunken sailor would have ever spent. We are afraid of what is happening in this country. We are afraid of what is happening to our economy.

The President said it is also what the Libyan opposition asked us to do. Well, then we find out the Libyan opposition is composed of, at least numerous members are part of al Qaeda and the Muslim Brotherhood; and apparently al Qaeda and Muslim Brotherhood representatives had not asked us to intervene militarily in Egypt or Tunisia or Syria. Maybe that is the difference, I don't know. But it is disconcerting.

The fact is, when you look at the oath we took, our allegiance is to this country. It is not to the United Nations; it is not to other countries. It is to this Nation. So a serious look at Libya and the problems there might deserve some intervention. But first we have to ask the question, is whoever will replace Qadhafi more of a danger to this country than Qadhafi? If the answer is possibly yes, then we should not be sending American treasure and American lives to help intervene on behalf of people who would like to see this Nation destroyed. That ought to be pretty commonsense.

One other factor is Israel. We have a true friend in Israel in the Middle East. But, unfortunately, our friends have seen the way we have treated our best friend in the Middle East, Israel. We vote against them at times, like we did last May. We snub them in public ways people hear about. Israel's enemies hear about how we snubbed Israel. And Israel's enemies know when there is a crack and especially, whether it is there or not, a perceived distance between Israel and their greatest ally that used to be us. Then it is time to move. That is when the flotilla came last May, is after we voted against Israel. That is when a lot of these actions began taking place. People who want to see Israel gone seem to be in the middle of revolting in a number of countries around the Middle East and Africa.

We have got to come back to what is best for the United States, and it should be very clear. With the common interests and beliefs that the people of Israel have in the value of life and the value of equality of people and the equality of women, those ought to be our friends. Those ought to be people who, when under attack, tell us we are next.

In this case, it is not a hard deduction to get to, because the people have said we want to eliminate Israel, the little Satan, and then the United States, the big Satan. So Israel is a great investment as a defense partner, because if they go, if they go down, we are certainly next, and also I happen to believe that, in blessing Israel, we can be blessed.

Before I conclude my time here tonight, it is so important to take a look historically at things that have been said in the past history of this Nation, that have been said in this building in official settings, that have been said by those who have led the way, carried a torch to light our way down the years. One such man was the Chaplain of the Senate, Peter Marshall.

I was given this book in the last couple of weeks, two or three weeks, ''Sermons and Prayers of Peter Marshall,'' while he was Chaplain of the United States Senate. I would just like to read a prayer that Peter Marshall gave in the Senate for the historical value and insight of this brilliant man, a dedicated Christian.

He said: Our father, we are beginning to understand at last that the things that are wrong with our world are the sum total of all the things that are wrong with us as individuals. Thou has made us after Thine image, and our hearts can find no rest until they rest in Thee.

We are too Christian, really, to enjoy sinning and too fond of sinning to really enjoy Christianity. Most of us know perfectly well what we ought to do. Our trouble is that we do not want to do it. Thy help is our only help. Make us want to do what is right, and give us the ability to do it.

In the name of Christ, our Lord. Amen.

A prayer by Peter Marshall.

PROPOSED AMENDMENTS TO THE CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. JACKSON) is recognized for 30 minutes.

Mr. JACKSON of Illinois. Mr. Speaker, I recently have given several Special Order speeches about my view of the Constitution and making my argument for why I think it should be amended to include certain basic rights that the American people currently lack, such as the right to a high-quality education, the right to health care, and equal rights for women.

□ 1930

I believe these rights should be given to the American people as a matter of moral and social justice. However, even more than that, I believe that there's a strong economic case for why these rights should be granted by this Congress. If we guarantee the right to an education of equal high quality to every American, and give the Congress the power to implement that right by appropriate legislation, then, Mr. Speaker, we will set off a true race to the top as States, cities, and the Federal Government are compelled to meet under the standard.

The nature of the problem: in 50 States there are 95,000 schools. There are 15,000 school districts; 3,141 counties; 19,000 municipal governments, and 30,000 incorporated cities. In all of that government there are 60 million children who are being asked to be the very best that they can be.

With my amendment, that means more teachers and teachers' aides and tutors for our kids. It means the construction companies and roofers and architects will be engaged to build new schools and improve old ones. It means technology companies benefit as computers and laptops are purchased; and, yes, iPads, Kindles, and Nooks replace textbooks.

I realize that there will be a cost to all of this, but I believe that if we can find the resources for wars in Iraq and Afghanistan and military action in Libya, then we can find the resources to educate our children and the American people. Most importantly, for 308 million Americans, we can't afford not to.

But, Mr. Speaker, I want to put my proposal tonight in some historical context, if I can. I want to suggest that through the course of human history, law is actually going somewhere. I want to suggest that at points in time from the earliest civilizations, progress has been made incrementally towards freedom, towards justice, and towards human rights.

I want to put our own Constitution and the Bill of Rights into the context at vital points in time. These documents are not the end all and the be all of democracy and freedom. No, Mr. Speaker. The very ability to amend our Constitution suggests that the Founders of our country see things the way I do—that the document they crafted was a landmark in human history, but not a perfect, final draft.

So, tonight, Mr. Speaker, I would like to take a walk through history to talk a little bit about where law and human rights have been, where they are, and where they're going. A couple of themes are going to emerge that as history shows that law is heading in a certain direction, we're going to see an action by a majority in this Congress heading in the opposite direction of human law through human history.

Like all civilizations, the roots of democracy and human rights lie in what is known as the Middle East—the Mesopotamian Empire. Although those early civilizations were decidedly not democratic and not inclusive of human rights, the evolution of law as we know it started there. Around 2350 B.C., Before Christ, Mesopotamia was ruled by Urukagina's Code, the oldest known set of laws. They are referenced in documents from the period as the consolidation of ''ordinances'' that claimed that kings were appointed by the gods, and affirmed the rights of citizens to know why certain actions were being punished.

Some 300 years later, around 2050 B.C., Ur-Nammu's Code was the earliest known written law. Only a handful of articles can be deciphered, but evidence suggests an advanced legal system with specialized judges, testimony under oath, and the ability for judges to assess damages to be paid to victims by the guilty party.

In 1850 B.C., we saw the first known legal decision involving murder of a temple employee by three other men. Nine witnesses testified against them, and three were sentenced to death. In 1700 B.C., Hammurabi's Code was carved into rock columns in Babylon. The underlying principle was ''an eye for an eye.'' Some 282 clauses regulated an array of obligations, professions, and rights, including commerce, slavery, marriage, theft, and debts. Punishment by modern standards was barbaric, including cutting off hands or fingers as a punishment for theft.

In 1300 B.C., the Jewish Torah and the Christian Old Testament say that the Ten Commandments were received by Moses directly from God. Contained in the book of Exodus, those Commandments became the basis of modern laws against murder, adultery, and stealing. Around 1280 B.C., in India, rules passed down orally through generations were formally written down as the Laws of Manu. They were the basis of India's caste system, and punishment was used sparingly and only as a last resort. Interestingly, members of the higher castes were punished more severely than those in the lower castes.

In 621 B.C., Draco's Law was written for the Athenians. The punishment was so severe—often death—that we derived the word ''Draconian'' from it. However, Draco's Law introduced the concept that the state, not private parties or vigilantes, had the exclusive role in trying and punishing a person for a crime. Shortly after Draco's Law, the Spartan King Lycurgus give his oral law to the world. Lycurgus' Law held that women had a duty to have children. But if the children were deformed, they would be killed. Those who lived became wards of Sparta at age 7 when they began preparation for military duty.

In 550 B.C., Solon, an Athenian statesman and lawmaker, redefined and refined Draco's Law by ''democratizing'' it, making it more accessible to the citizens of Athens. Around the same time, in 536 B.C., China created the Book of Punishments, which limited the ways in which somebody could be punished after being convicted of a very serious crime, but still allowed for tattooing, manipulation, the amputation of feet, and death as legal punishments.

In 450 B.C., the Twelve Tables in Rome were created. These formed the basis of all modern law. Under these laws, a system of public justice was developed whereby injured parties could seek compensation from guilty defendants. The lower classes—the plebes—were given greater protection from abuses by the ruling classes—the patricians—especially with regard to debts. The Twelve Tables also prohibited marriages between classes, severely punished death, and gave fathers the right of life or death over their sons. The Tables survived for nearly a thousand years until they were destroyed by the invading Gauls in 390 A.D.

One hundred years later, in 350 B.C., the first Chinese Imperial Code of Law, the Code of Li k'vei, dealt with the issues of theft, robbery, arrest, and other general subjects. It served as a model for the Chinese T'ang Code, which came about a thousand years later. In 339 B.C., the trial of Socrates played a role in the development of law. Accused of corrupting the minds of youth with his logic and of not believing in the gods, Socrates was a scapegoat for the loss of the Peloponnesian Wars. He was sentenced to death by a vote of 361–140, but his trial advanced the idea of the role of ''conscience'' in legal proceedings. Socrates was afforded the opportunity to speak to the jury and engage them in a dialogue. And, instead, he chose to give the jury a speech, criticizing them for their lack of sensitivity.

While it may not be contemplated as part of the traditional legal history, the life of Jesus Christ informs my personal understanding of the law. Under Jesus' law, pure motives, a mature love and grace unmerited, as well as nominal justice, good behavior, and honorable ends became important. Jesus was not replacing Moses' Law, but was seen as fulfilling and perfecting it. In the Book of Matthew, Jesus says, ''Think not that I have come to abolish the law and the prophets; I have come not to abolish them but to fulfill them. For truly I say to you, until heaven and

Earth pass away, not an iota, not a dot will pass from the law until all is accomplished.''

In Galatians, Paul writes, ''For the whole law of Moses is fulfilled in one word: You shall love your neighbor as yourself.'' In Romans he writes, ''Love is fulfilling the law.'' Thus, this Judeo-Christian understanding of the law is both a commitment to justice and the application of a knowledgeable understanding of love is important to the spiritual framework that underlies and undergirds much of my understanding and this Nation's philosophy towards the law as well as the purpose and the function of the law in society.

All law after the birth and resurrection of Jesus Christ is profoundly impacted. We make a transition from Before Christ to Anno Domini. Jumping ahead to 529 Anno Domini, Justinian's Code organized Roman Law into a series of books called ''Corpus Juris Civilis.'' This legal collection was guided by Greek and English common law, the two main influences on contemporary Western jurisprudence. Many legal principles in use today, including the very spelling of the modern word ''justice,'' emanate from Justinian, the Emperor of the Byzantium.

□ 1940

The 17-article Constitution of Japan, written in 604 A.D., shaped that country's morality and law. Paternalistic in orientation, it espoused such legalisms as ''peace and harmony,'' that they ''should be respected because they are very important for intergroup relations'' and ''equality, speediness, and integrity should be maintained in court procedures.''

One distinction that characterizes two different legal traditions is that much of traditional Asian law seeks to prevent disputes; whereas Western law seeks to resolve disputes. It is very important, Mr. Speaker. A distinction between Asian law is that it seeks to prevent disputes; whereas Western law seeks to resolve disputes.

In 653 A.D., the kingdoms that make up modern-day China were consolidated, and the T'ang Code, revising earlier existing Chinese laws and standardized procedures, was created. It listed crimes and their punishments in 501 articles. One of those allowed just two forms of capital punishment for a convicted criminal: beheading or hanging.

Shortly thereafter, in 700 A.D., China invented the use of fingerprinting as a means of identifying people.

In 1100 A.D., the first law school came into existence.

The basis of English common law in 1215 A.D., the Magna Carta, was signed by King John. It forced the King, for the first time, to concede a number of rights to the barons and to the people. Its 61 clauses included freedom of the church; fair taxation; controls over imprisonment, habeas corpus; and the right of all merchants to come and go freely except in time of war. Its most important clause was No. 39, stating that no freeman shall be captured or imprisoned except by the judgment of his peers or by the law of the land. Now even the King was restrained from merely exercising his will against another person.

In 1689, the English Bill of Rights was enacted, the precursor of our American Bill of Rights. It prohibited the arbitrary suspension of Parliament's laws, and more importantly, limited Parliament to the right to raise money through taxation.

In 1692, the Salem witch trials captivated Salem, Massachusetts. The fervor resulted in more than 300 accusations of witchcraft, with 23 executions as a result. It thrust the justice system into the popular mind in a way never seen before.

In 1740, the infamous South Carolina Slave Code, which regulated the use of slaves, became the model for slavery in other States. It said: ''All Negroes, Indians . . . and their offspring . . . shall be and are hereby declared to be and remain forever hereafter slaves; and shall be deemed . . . to be chattels personal in the hands of their owners.''

Then in 1765, law became more accessible to the common man when a British barrister named Blackstone wrote down the entire English law system in an easy-to-read, four-volume ''Blackstone's Commentaries on the Laws of England.'' Blackstone's work was easily exported to the new British colonies and was the basis for the governments there according to many legal scholars.

In 1772, the Somersett case captured the world's attention. James Somersett, a slave in Massachusetts, escaped from his master while on a trip abroad in England. He was recaptured and imprisoned, to be sent to Jamaica, then a British colony; but three English citizens claimed to be his godparents. Three white citizens claimed to be the godparents of an African American slave, and they filed a suit, alleging that slavery was not legal under British law. They won their case. Somersett was freed, and slavery was finished in Great Britain.

The reaction in the colonies was profound. Partly in response to the Somersett case, the colonies in America revolted. In 1776, the Declaration of Independence by the American colonists from Great Britain created a new day for human rights. It asserted ''all men are created equal'' and have ''certain inalienable rights and that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their powers from the consent of the governed.'' But we know that the writers of the Declaration did not intend those words to apply to all men and certainly not to women or to the American slave.

The Constitution of the United States of America was signed in Philadelphia on September 17, 1787, and was ratified by nine States on June 21, 1788. It formed the legal basis for the first republican form of government in the history of the world. It defined the institutions of government and the powers of the executive, the judicial, and legislative branches. Its shortcomings with respect to slavery, along with the power struggles between the Federal Government and the States, are well documented. Nevertheless, the Constitution and its inherent ability to be amended have been the model for many other nations in attaining their independence, and represent one of the most important steps in the development of law and human rights.

The American Bill of Rights, the first 10 amendments to the Constitution, was approved and ratified in 1791. These 10 amendments, in the tradition of Thomas Jefferson, declared rights in the areas of free speech, free press, free religion, the right to trial by jury, protection against cruel and unusual punishment, and unreasonable searches and seizures. The Bill of Rights has influenced many modern charters and bills of rights around the world, and stands as one of the bedrocks of not just our democracy but of human rights history.

In 1803, in Marbury v. Madison, the Supreme Court upheld the supremacy of the Constitution and stated unequivocally that the Court had the power to strike down actions taken by American State and Federal bodies that, in its judgment, were unconstitutional. This principle of ''judicial review'' represents, in my opinion and in the opinion of many legal scholars, the biggest advance in American law since the Constitution was ratified. It serves as a model for the balance of powers that many other nations have adopted.

One year after Marbury, France adopted the Napoleonic Code, which canonized many of the victories of the French Revolution, including individual liberty, equality before the law, and the ''consent of the governed'' character of the state. It had great influence beyond France, with Quebec, Canada, Germany, Switzerland, California, and Louisiana adopting parts of it.

The Geneva Convention of 1864 set forth basic human rights standards during times of war, including protection of military medical personnel and humane treatment of the wounded. It was later supplemented by a Prisoner of War Convention. Though it has been violated and ignored on numerous occasions, the Geneva Convention remains an important legal document and a milestone on the march of law and human rights.

In 1865, following the Civil War, the U.S. Congress passed, and the States ratified, the 13th Amendment to the Constitution, officially ending legal slavery.

Prior to that, the 10th Amendment was the turning point in the Constitution of the United States. Those rights not written in the Constitution are in the purview of the States.

The addition of the 13th Amendment to the Constitution established a new

paradigm. If slavery, as conservatives and Southerners argued, is a State right, then States' rights can never be human rights.

The Constitution, with the addition of the 13th Amendment, changed the present order and the divided time.

I'm in Congress today, and Barack Obama is President of the United States because of the Constitution and its capacity to change time and space.

In 1948, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights, which puts forth a legal code of internationally recognized human rights. It serves as a basic guide to the fundamental rights of all people.

Since the adoption of the Universal Declaration of Human Rights, we've seen many, many more landmarks in human rights that have been reached. We're even watching the Middle East now seek even greater human rights against monarchies and kings and other leaders who are despots and not believing in the basic rights of people.

While we've failed to ensure full equality for all women in this country, we are making progress towards pay equality. I believe we need to amend the Constitution to ensure that women have fully equal standing with men.

We've enacted hate crimes legislation, and many States have moved towards marriage equality for gays and lesbians. We have much more work to do on that front.

And as I began my remarks tonight, I began, Mr. Speaker, by saying that we need to amend our Constitution to include certain rights that the American people should have but don't. As I just said, we need to include equal rights for women; we need to include the right to a public education of equal high quality; we need to include health care as a right for all Americans.

Mr. Speaker, it might surprise some Americans to know, which we learned in Bush v. Gore, that we don't even have a fundamental right to vote in the U.S. Constitution, only a right to not be discriminated against in the States while voting.

So, from the earliest civilizations in Mesopotamia, through the development of Europe, Asia, North America, and the rest of the modern world, we have seen greater democracy; we've seen more inclusion; we've seen more freedom; we've gone from vigilante justice, to ''an eye for an eye,'' to the modern criminal justice system. The death penalty was a common response to crime in many of the earliest civilizations, and it persists to this day in many places around the world, including here in the United States. My home State of Illinois, thanks to Governor Pat Quinn, recently banned the death penalty. I personally support that, but I know many of my colleagues would not.

There is an element in this Congress that is heading in the opposite direction of human law and human history, but the arc of history continues. The development of law and human rights did not stop with the writing of our Constitution, and it did not stop with the writing of our Bill of Rights.

□ 1950

The Constitution is not a static, set in stone, take it as it is and only as it is document. It, like the overall development of human rights and law through time, is organic. It's dynamic. It's living. It's forward-looking. It is adaptable to the challenges of a new day and a new world.

In fact, in their infinite wisdom, the Framers of the Constitution set up the very mechanism by which the march of justice and human rights could continue: an amendment process. It's not an easy one, and it's not one that should be taken lightly, but I believe we should, indeed, revisit our sacred document and amend it to include fundamental freedoms for the American people.

Thus, human law and political rights have evolved through history to ever higher forms and the granting of more rights. This has also meant that responsibilities and obligations have moved away from external sources and appointed governmental power to the voice of the majority of the democratically elected representatives of the people.

The word ''democracy'' is comprised of two Greek words: demos and kratos—people, strength or power—people power. It means we the people have the strength and the power in the end to elect people to make our laws and rules. We the people have the right to declare what rights we have and what rights we don't have, what rules we will live and play by, and under which laws we will be governed. A representative democratic government is a political structure and arrangement whereby the supreme governmental authority is accepted, and the rules are made with the consent of a majority of the common people.

Thus, the contrast between organic, evolutionary, and political nature of the law versus the static, strict constructionist, and natural view of the law should be clear in terms of the creation and preservation of political rights in human development.

The approach of conservatives to play down or advocate an antipolitical, antilegislative, and anti-Federal Government philosophy of social change is, therefore, certainly not a strategy designed to advance the public interests or real economic interests of the majority of the American people. These conservatives and tea party activists who will descend upon Washington tomorrow are acting on behalf of the special interests of the few who do not want mass democratic participation and action. This antigovernment and undemocratic conservative approach is a strategy to undermine progressive and economic change intended to benefit the public good.

In a living democracy, we must continually criticize and reform our politics, our government and policies to keep them relevant, effective, efficient, accessible, accountable, and responsive to real people's needs. This is very different, however, from criticizing politics and the government, per se, as irrelevant and ineffective as instruments of change or protecting old rights as opposed to advancing new ones.

It is quite clear that the strict constructionist constitutional approach of conservatives like Mr. Quayle and Mr. Buchanan, Mr. Robertson and Mr. Meese, Mr. Bork and George W. Bush seem to be frozen in time, backward-looking and fearful philosophical views of government, history, and the Constitution.

Strict constructionism, Mr. Speaker, runs contrary to the whole legal development of rights in human history. Strict constructionists look back to the Founders' original document only, before the 13th, 14th, and 15th Amendments and other progressive amendments to the Constitution were added, before nonlandowners could vote, before Lincoln's Gettysburg Address. Strict constructionists, as former Supreme Court Justice Thurgood Marshall said at an event celebrating the 200th anniversary of the writing of the Constitution, ''believe that the meaning of the Constitution was 'fixed' at the Philadelphia Convention.'' That would require us to know their original intent and rigidly preserve the Founding Fathers' philosophy, even though they were all men, most were slaveholders, and they allowed slavery in the Constitution. A strict constructionist interpretation of the Constitution also means a reaffirmation of States' rights as the preeminent guiding legal principle.

A broad interpretation, on the other hand, sees the Constitution as forward-looking, as living, as positive, and a hopeful document. We respect the past and the positive contribution that the Founders made. We seek to understand their intent and the full context in which the Constitution was written, and we seek to understand to the fullest its original meaning. But we also know that it has been changed and improved along the way in order to be more inclusive of all the American people. Therefore, we also know that we have an obligation today to improve it even further.

The more people are made aware of their rights to which they are entitled, the rights which have already been written in national and international law, the more politically educated and conscious people become of these rights, the more politically active and organized the common people become in the struggle to achieve these rights, and the more accessible and responsive our democratic institutions of politics and government become to the democratic will of the people, the faster and more nonviolently we as a society will be able to achieve a new and higher set of human rights.

Mr. Speaker, since this Congress has begun, I've been coming to this floor

talking about one issue, and that's high unemployment. And in order to wipe out unemployment, which we've been recording from 1890 to 2011, we need a massive jobs program in this country. I recommend a jobs program that benefits all Americans: the rebuilding of 95,000 schools in this Nation to an equal high-quality standard; putting roofers, brick masons, electricians, teachers, carpenters to work; providing unprecedented technological access to the Internet and modern forms of communication to 60 million children across our country.

Unfortunately, Mr. Speaker, tea party activists and conservatives in both the Democratic Party and the Republican Party, many of them don't see it that way. But I see something different. I see an America that can build runways for airplanes in States all across this country and build an interstate transportation system by one national Federal standard.

We simply can't build schools and provide an equal high-quality education for 60 million children in 50 different States in 15,000 locally controlled school districts in 3,100 counties in 19,000 cities across this country one school at a time. If there's enough money to fight the war in Iraq, if there's enough money which this Congress keeps writing the check for to fight the war in Afghanistan, if there's enough money to spend $550 million in 1 week bombing Libya, then, Mr. Speaker, we can find the money in this Congress to rebuild these schools, reduce unemployment, put 15 million unemployed Americans to work, and change the course of our country. If we can put 15 million Americans to work, we can wipe out the Nation's debt, its deficit, and provide a long future for the American people.

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

PRESIDENT CARTER'S RECENT VISIT TO CUBA

The SPEAKER pro tempore (Mr. NUNNELEE). Under the Speaker's announced policy of January 5, 2011, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 30 minutes.

Mr. DIAZ-BALART. I appreciate the recognition.

Mr. Speaker, on March 28, former President Jimmy Carter arrived on a trip to Cuba at the invitation of the Cuban dictatorship. He arrived there, and originally in his agenda that was made public he had no meetings with any of the internal opposition leaders, no meetings with any of the civil society leaders, no meetings with anybody other than the regime.

I know that he met with the dictator who's been oppressing and torturing and savaging that population without obviously having free elections for over 52 years, for over half a century. He called the dictator, Mr. Castro, his dear friend.

Mr. Speaker, right before former President Carter arrived at that enslaved island, the regime went about arresting and detaining a rather large number of people, people who they wanted to make sure didn't make trouble. Now, remember, that making trouble in that totalitarian regime, Mr. Speaker, is speaking out, asking for freedom, just getting together and organizing and asking for some basic human rights. So they started systematically detaining and arresting and harassing people so that former President Carter wouldn't have to see, wouldn't have to be bothered with the inconvenience of people actually speaking out and asking for freedom and asking for democracy.

□ 2000

A group of people, Mr. Speaker, actually went in front of the old capitol building. A capitol building, by the way, that doesn't look very dissimilar to this Capitol building, where at one time, debates in the democratic society used to take place, where people argued and debated in a peaceful fashion about their future, about their agreements and disagreements.

So a group of people decided to demonstrate in front of that building, which is actually very emblematic as to what they were talking about, and basically just to say, We want freedom. We want democracy. We want the ability to speak out and determine our future. But for that they were again harassed, and for that they were arrested.

Eriberto Liranza was reportedly beaten by state security rather harshly. Several were detained at the protests in Havana, including activist Eriberto Liranza Romero, the president of the Cuban Youth for Democracy movement, and Boris Rodriguez Jimenez, a member of that same organization.

Mr. Speaker, one of the heroes that I greatly admired is a man named Jorge Luis Garcia Perez. Everybody knows him as ''Antunez,'' by one name. He mentions, and he said, This action, this action of just demonstrating is a demand for the freedom of the political prisoners; and in response, a moral slap in the face for the campaign's undertaking by the regime to divide the opposition. He went on to say, Mr. Speaker, ''We are true to our motto: The streets belong to the people.''

But, you see, unfortunately in Cuba, just standing out, walking together, like the Ladies in White do, and when they just demonstrate peacefully together, they walk together as a symbol of just speaking out because their relatives, their husbands and fathers and sisters and daughters and brothers and sons, et cetera, are in prison. Just for doing that, they get savagely beaten by that regime.

While President Carter was there, did he insist on free elections for the Cuban people? No. Did he insist on meeting with and speaking about and talking about those who are suffering in the dungeons, the political prisoners? No, Mr. Speaker, he did not. And as I mentioned at the beginning, sir, he really didn't even have it on an agenda to even meet with anybody, other than the regime, until I guess he was a little bit embarrassed by some of the reports and eventually decided to allow some people to try to meet with him.

So did he speak out about the savagery of the regime? Did he speak out about the lack of elections? Did he demand free elections for the enslaved people? Did he demand for an end to the apartheid system? Did he demand that that regime turn over the multiple, the many fugitives from American law who are harbored by that terrorist regime 90 miles away from the United States? No, Mr. Speaker, he did nothing of that sort.

But let me tell you what he did do. He spoke of and he complained about the sanctions that the United States Government has to try to show solidarity with the Cuban people, to have leverage with that regime once Castro is no longer in the picture, which I think is sooner than people expect. He complained about the attitude and the policies of the United States Government but not about the policies of that thug, that dictatorship 90 miles away. He didn't complain about what they do, what that dictatorship does to its own people.

Did he complain about the mass arrests of those heroes who wanted to speak out and who decided to use that opportunity in front of the capitol building to just ask for freedom? No, he didn't do that, Mr. Speaker, but he did complain about U.S. policy.

He went a step further. He went on to demand the release in the United States of five convicted criminals, five people who were convicted in the United States, in a country where we have due process, we have all the rights and all the rights that are provided to a defendant, five people who were convicted of espionage and one who was also convicted of conspiracy to commit murder. So former President Carter did ask that those convicted in a court of law, with all the due process that we have in this country, for espionage and for conspiracy to commit murder, he did ask and demand their release. But he did not ask or demand the release of the hundreds and hundreds of political prisoners who are rotting in prison while he was there.

So it's a sad day, Mr. Speaker. It's a sad day, I think, for humanity.

I know a lot of people who are listening are probably not surprised. I recall that when the Cuban dictator was gravely ill, it was reported that former President Carter wrote him a nice little letter, a nice note, hoping that he would recover and that he would recover his health. And now, again, former President Carter called him his dear friend, hoping that he would recover.

This is a regime who had asked on multiple occasions for the then-Soviet Union to strike the United States with

nuclear weapons, to do a first strike on the United States with nuclear weapons, and yet former President Jimmy Carter was hoping that he would recover. This is a regime that is a state sponsor of terrorism 90 miles away from the United States, and yet former President Jimmy Carter sent him a note that he would hope that he would fully recover. This is a regime who our GIs died in Grenada, the island of Grenada, liberating that island and died at the hands of the troops that the Cuban regime had sent there, and yet former President Jimmy Carter was hoping and writing that that dictatorship would fully recover. This is a dictatorship that harbors U.S. fugitives, that harbors terrorists, that is on a list of states that sponsor terrorism, one of just four on that list, and yes, former President Jimmy Carter was hoping that he would fully recover.

Well, unfortunately, the dictator has somewhat recovered. And what has he been doing? Well, more of the same. He still harbors the terrorists. He still harbors the fugitives, and he still is creating all sorts of havoc around the hemisphere. But he also, in addition to that, continues to enslave his people, to oppress his people, to torture his people. And we've seen example after example of that with, again, the last arrests that I just spoke of.

Mr. Speaker, a couple of weeks ago a group of us here in Congress spoke to another one of my heroes, Dr. Oscar Elias Biscet. Oscar Elias Biscet is a brilliant young Afro-Cuban physician. He founded the Lawton Foundation for Human Rights in 1997, and that was founded just to promote the study and defense of human rights and to denounce human rights violations inside of Cuba and wherever else they may take place. Now, for denouncing the double standards and discrimination against the Cuban people, the discrimination that the Cuban health care system has for the Cuban people, he was forbidden from practicing medicine. Again, he is an M.D.

In November of 1999, Dr. Biscet was imprisoned for 3 years just for organizing a peaceful pro-democracy protest. He was released in 2002. By the way, again, he was no longer allowed to practice medicine. But he was released in 2002. So what he did was he organized seminars on just the Universal Declaration of Human Rights.

I snicker because, you know, that's something that every day people talk about. I mean, my colleague on the other side of the aisle just spent quite a large part of his time talking about the evolution of the Constitution, et cetera, and human rights. Well, Dr. Biscet, when he was released in 2002, he talked about the Declaration of Human Rights.

□ 2010

So he was arrested once again in December of 2002 for attending seminars and for organizing some of those seminars.

On April 7, 2002, Dr. Biscet was sentenced to 25 years in prison. He has been incarcerated in multiple prisons around the island in multiple gulags and has suffered greatly in his incarceration.

On November 5, 2007, President Bush recognized Dr. Biscet by presenting him, in absentia of course, he was not allowed to visit with him, the Presidential Medal of Freedom, and stating that Dr. Biscet is a champion in the fight against tyranny and oppression. Despite being persecuted and imprisoned for his beliefs, he continues to advocate for a free Cuba in which the rights of all people are respected.

I said, Mr. Speaker, that a group of us, CHRIS SMITH from the State of New Jersey, Congresswoman ILEANA ROS-LEHTINEN, chairperson of the International Relations Committee, and I, spoke to Dr. Biscet by telephone. And, obviously, the first thing was we asked him about his health. And he has suffered greatly in prison.

I can tell you, Mr. Speaker, that he has not, however, given up his efforts. He said, You know, I am recuperating so I can continue the struggle for freedom.

We asked him about, well, what was his opinion about the policy, the United States policy? By the way, the same policy that former President Jimmy Carter now has just criticized. He said, there are some that claim that if we just opened up trade and we just opened up and we got rid of the sanctions that freedom would come to the Cuban people.

He was emphatic. He was so emphatic. He said, no, no, no, no, no. He said, tyrants are always looking at ways to get more money. Tyrants are always looking at ways of getting more revenue. But he further stated, the only thing that would do—and I'm paraphrasing what he said—but he was very emphatic and very clear. The only thing that would do, he said, would be to strengthen the dictatorship. It wouldn't help the Cuban people. It would strengthen the dictatorship.

Did former President Jimmy Carter meet with Dr. Biscet, the recipient of the Medal of Freedom? No, he did not. He did not because he probably would have not liked to have heard what Dr. Biscet would have had to say. He would have not liked to have heard about the oppression and the lack of human rights and the lack of dignity that those who suffer in Castro's gulags have to suffer, while former President Jimmy Carter calls the dictator in Havana his good friend.

There are other such incredible heroes that are on the island, Mr. Speaker. I mentioned Dr. Biscet, but I also want to mention Antunez, as I mentioned before. Antunez served almost two decades in prison. He received incredible tortures, beatings, multiple beatings, while he was there; and, yet, when released, his attitude has been what? His attitude has been one of great dignity, of great courage, of standing up and he continues to demand elections, continues to demand freedom.

And he also would tell you, if he could be speaking here today, that we have to stay firm and we have to hold steadfast and show solidarity with the Cuban people, not with the regime, not with those that former President Carter calls his good friends, not with those that former President Carter says that they should continue to prosper, when they were ill, hoping that they would do well and fully recover. No, we have to hold firm and stand with the Cuban people.

Mr. Speaker, I'm so convinced, so convinced that the Cuban people will be free, despite the apologists, despite those that go out of their way to try to make the regime look good, try to make the regime look like they're this wonderful, charitable regime because every once in a while they may free a political prisoner as a token gesture.

Despite that, the Cuban people continue to stand firm. Their heroes are still there; the Mandelas and the Havels of Cuba are on the island. They're speaking out. Most of them, many of them have been in prison. Many of them have been tortured and beaten, but their spirit remains strong, Mr. Speaker. They continue to speak out.

And despite individuals like, unfortunately, former President Jimmy Carter, who looks for every excuse and every opportunity to criticize the policies of the United States and yet refused to criticize the savagery of that dictatorship, despite that, I'm absolutely convinced that the Cuban people will be free because of the heroes like Dr. Biscet and Antunez and many more.

So I am not discouraged. I am not discouraged when I see these gestures of solidarity with the dictatorship. I am not discouraged when people go down to Havana and, you know, might have a mojito and relax and go to the beaches and tour the hotels where the Cubans are not allowed to go unless they're accompanied by foreigners. I'm not discouraged because ultimately truth always reigns, because ultimately the rights of individuals always surface. Ultimately, those that sacrifice and that work hard and the heroes who, by the way, are the future leaders of a free Cuba, those heroes who are in the dungeons or who are in and out of the dungeons, they don't give up. And they're not discouraged, and they're not quieted, and they will not be intimidated.

So, Mr. Speaker, despite this, what some would call a slap in the face to the cause of human rights and democracy in Cuba, I will tell you further than that, the cause of human rights and human dignity around the planet, despite that that former President Jimmy Carter has just attempted to do, I'm not discouraged. On the contrary, I am as encouraged as ever.

I think I might end by reading a letter, if I actually have it here. No, I

don't think I have it. I do want to mention, though, that one of our colleagues in the Senate, a Democrat, Democrat from New Jersey, Senator MENENDEZ, wrote a letter to former President Jimmy Carter where he expressed, and I will be submitting that for the RECORD, Mr. Speaker, where he expressed what Jimmy Carter, what former President Jimmy Carter should be talking about. And he expressed how it was rather incredible that the former President would not demand the freedom of the Cuban people and would criticize the policies of the United States.

And as Senator MENENDEZ says in that letter, the issue is not what the policy of the United States is with the Cuban regime. The issue is the policies of the regime and the oppression of the regime with its own people. And once again, Senator MENENDEZ, Democrat from New Jersey, is right on.

With that, Mr. Speaker, I just want to again say that we do not forget the heroes in the island. We do not forget those who are struggling and working and speaking out and suffering the consequences for their actions in the island. We do not forget them. We admire them. We support them. We are humbled by their courage. We are humbled by their love for freedom and what they are willing to sacrifice for that freedom, and we know that sooner than I think some may believe and clearly sooner than some would like, they too will be free. They too will be able to discuss the issues in public. They too will be able to make the determination as to the future of their country.

I am encouraged and humbled by their leadership, despite sometimes the sadness of what we have to listen to by those who still continue to call Fidel Castro their good friend.

MARCH 29, 2011.

Hon. JIMMY CARTER,
The Carter Center, One Copenhill,
Freedom Parkway, Atlanta, GA.

DEAR PRESIDENT CARTER: I am writing to express my grave concern about your visit to Cuba this week to discuss improving U.S.-Cuba relations.

Your visit suggests that the improvement of relations between the United States and Cuba is contingent upon some action by the United States, rather than acknowledging that it is Cuba's intolerant and tyrannical actions that continue to define the future of U.S.-Cuba relations. While you are visiting with President Castro and other Cuban officials to learn about new economic policies and the upcoming party Congress, the regime's thugs are in the streets harassing and arresting scores of political dissidents who dared to hope that you would hear their pleas and argue on their behalf for the adoption of political reforms. The fate of American Alan Gross, a USAID contractor who sought to assist the island's Jewish community, also hangs in the balance while you meet with the political elite that are directing the crackdown on Cuba's peaceful civil society activists. On Sunday, the regime detained activists Adriano Castañeda Meneses, Yris Tamara Pérez Aguilera and Jorge Luis García Pérez Antúnez and on Monday, Liranza Romero, president of the Cuban Youth for Democracy Movement and Boris Rodriguez Jiménez were arrested when they attempted to stand in front of the Capitol with signs reading ''Freedom without Forced Exile for Cuba's Political Prisoners'' and ''The Streets belong to the Cuban People.''

I urge you to address with President Castro the aspirations of Cuba's civil society to live in a democratic state whose laws are derived and implemented by their democratically elected representatives and are based on the core principles of respect for human and civil rights, including the freedom of expression and freedom of assembly.

As we witness unprecedented movements for democratic change in the Middle East, I appeal to you to recognize that same heartfelt desire amongst the Cuban people and to urge the regime to fulfill the democratic aspirations of the Cuban people.

Sincerely,

SENATOR ROBERT MENENDEZ.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BARTON of Texas (at the request of Mr. CANTOR) from noon today and for the balance of the week on account of a death in the family.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1079. An act 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 the airport improvement program, and for other purposes.

ADJOURNMENT

Mr. DIAZ-BALART. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 31, 2011, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the fourth quarter of 2010 and the first quarter of 2011 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO KUWAIT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 20 AND FEB. 26, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. David Dreier	2/20	2/21	Kuwait		425.00		(3)				425.00
Hon. David Price	2/20	2/21	Kuwait		316.00		(3)				316.00
Hon. Lois Capps	2/20	2/21	Kuwait		425.00		(3)				425.00
Hon. Sam Farr	2/20	2/21	Kuwait		425.00		(3)				425.00
Hon. Jim McDermott	2/20	2/21	Kuwait		425.00		(3)				425.00
Rachael Leman	2/20	2/21	Kuwait		425.00		(3)				425.00
Brad Smith	2/20	2/21	Kuwait		425.00		(3)				425.00
Robert Lawrence	2/20	2/21	Kuwait		425.00		(3)				425.00
John Lis	2/20	2/21	Kuwait		425.00		(3)				425.00
Asher Hildebrand	2/20	2/21	Kuwait		316.00		(3)				316.00
Brian Monahan	2/20	2/21	Kuwait		425.00		(3)				425.00
Hon. David Dreier	2/21	2/25	Indonesia		777.00		(3)				777.00
Hon. David Price	2/21	2/25	Indonesia		681.00		(3)				681.00
Hon. Lois Capps	2/21	2/25	Indonesia		777.00		(3)				777.00
Hon. Sam Farr	2/21	2/25	Indonesia		777.00		(3)				777.00
Hon. Jim McDermott	2/21	2/25	Indonesia		777.00		(3)				777.00
Rachael Leman	2/21	2/25	Indonesia		777.00		(3)				777.00
Brad Smith	2/21	2/25	Indonesia		777.00		(3)				777.00
Robert Lawrence	2/21	2/25	Indonesia		777.00		(3)				777.00
John Lis	2/21	2/25	Indonesia		777.00		(3)				777.00
Asher Hildebrand	2/21	2/25	Indonesia		711.00		(3)				711.00
Brian Monahan	2/21	2/25	Indonesia		777.00		(3)				777.00
Hon. David Dreier	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Hon. David Price	2/25	2/26	Timor-Leste		165.00		(3)				165.00
Hon. Lois Capps	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Hon. Sam Farr	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Hon. Jim McDermott	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Rachael Leman	2/25	2/26	Timor-Leste		176.00		(3)				176.00
Brad Smith	2/25	2/26	Timor-Leste		176.00		(3)				176.00
Robert Lawrence	2/25	2/26	Timor-Leste		190.00		(3)				190.00
John Lis	2/25	2/26	Timor-Leste		190.00		(3)				190.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO KUWAIT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 20 AND FEB. 26, 2010—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Asher Hildebrand	2/25	2/26	Timor-Leste		165.00		(3)				165.00
Brian Monahan	2/25	2/26	Timor-Leste		190.00		(3)				190.00
Committee total					14,854.00						14,854.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. DAVID DREIER.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JO BONNER.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XIV, executive communications were taken from the Speaker's table and referred as follows:

933. A letter from the Acting Chairman, Joint Chiefs of Staff, Department of Defense, transmitting the 2011 report on vulnerability assessments, pursuant to 10 U.S.C. 2859; to the Committee on Armed Services.

934. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Safety of Facilities, Infrastructure, and Equipment for Military Operations (DFARS Case 2009-D029) (RIN: 0750-AG73) received March 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

935. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Multiyear Contract Authority for Electricity from Renewable Energy Resources (DFARS Case 2008-D006) (RIN: 0750-AG48) received March 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

936. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 10-78, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

937. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-135, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

938. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-135, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

939. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-137, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

940. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-137, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

941. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-144, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

942. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-144, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

943. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-143, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

944. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-133, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

945. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-145, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

946. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Memorandum of Justification regarding the determination under Title II of the Foreign Appropriations, Export Financing and Related Programs Appropriations Act, 2002; to the Committee on Foreign Affairs.

947. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification relating to Pakistan; to the Committee on Foreign Affairs.

948. A letter from the Inspector General, House of Representatives, transmitting the final report on the Atlas Deployment Support Project; to the Committee on House Administration.

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. WEBSTER: Committee on Rules. House Resolution 189. Resolution providing for consideration of the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes (Rept. 112–46). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Mr. GOODLATTE, and Mr. ISSA):

H.R. 1249. A bill to amend title 35, United States Code, to provide for patent reform; to the Committee on the Judiciary, 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. HIRONO (for herself, Ms. HANABUSA, Mr. YOUNG of Alaska, Mr. FALEOMAVAEGA, Ms. BORDALLO, Mr. COLE, Mrs. MALONEY, Mr. HONDA, Mr. KILDEE, Ms. DEGETTE, Mr. MCDERMOTT, Mr. FARR, Mr. STARK, Mr. COURTNEY, Mr. BOSWELL, Ms. MATSUI, Mr. HINCHEY, Mr. CARNAHAN, Mr. WALZ of Minnesota, Mr. PAYNE, Mr. SABLAN, Ms. WOOLSEY, Mr. KUCINICH, Mr. MCINTYRE, Ms. ROYBAL-ALLARD, and Mrs. NAPOLITANO):

H.R. 1250. A bill to express the policy of the United States regarding the United States

relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to the Committee on Natural Resources.

By Mr. COSTA (for himself and Mr. CARDOZA):

H.R. 1251. A bill to provide congressional direction for implementation of the Endangered Species Act as it relates to operation of the Central Valley Project and the California State Water Project and for water relief in the State of California; to the Committee on Natural Resources.

By Mr. COOPER (for himself and Mr. RYAN of Wisconsin):

H.R. 1252. A bill to amend title XI of the Social Security Act to provide for the annual mailing of statements of Medicare beneficiary part A contributions and benefits in coordination with the annual mailing of Social Security account statements; to the Committee on Ways and Means, 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 Mrs. BIGGERT (for herself, Mr. GRIJALVA, and Mr. KILDEE):

H.R. 1253. A bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes; to the Committee on Education and the Workforce, 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 Mr. DENT (for himself, Mr. MEEHAN, Mr. MARINO, Mr. PLATTS, Mr. BARLETTA, Mr. CUELLAR, Mrs. EMERSON, Mrs. BIGGERT, Mr. LATOURETTE, Mr. GIBSON, Mr. STIVERS, and Mr. REED):

H.R. 1254. A bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOMACK (for himself and Mr. WOODALL):

H.R. 1255. A bill to prevent a shutdown of the government of the United States, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on Oversight and Government Reform, House Administration, and 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. MCDERMOTT:

H.R. 1256. A bill to amend title XVIII of the Social Security Act to require the use of analytic contractors in identifying and analyzing misvalued physician services under the Medicare physician fee schedule and an annual review of potentially misvalued codes under that fee schedule; 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. BARTLETT (for himself and Mr. HARRIS):

H.R. 1257. A bill to require the President to recommend specific reductions in nonsecurity discretionary appropriations for fiscal year 2011 to offset the costs of Operation Odyssey Dawn; to the Committee on Appropriations, and in addition to the Committee on Armed 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 Mr. BISHOP of Utah:

H.R. 1258. A bill to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah; to the Committee on Natural Resources.

By Mr. BRADY of Texas (for himself, Mr. ROSS of Arkansas, Mrs. NOEM, Mr. BOREN, and Mr. NUNES):

H.R. 1259. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself, Mr. POE of Texas, Ms. PINGREE of Maine, and Ms. SLAUGHTER):

H.R. 1260. A bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. CONNOLLY of Virginia (for himself, Mr. MORAN, and Mrs. MALONEY):

H.R. 1261. A bill to establish an Office of the Federal Chief Technology Officer in the executive office of the President, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia (for himself, Ms. NORTON, Mr. DEUTCH, and Mr. DAVIS of Illinois):

H.R. 1262. A bill to reform the United States Postal Service in order to fulfill its constitutional mandate, to improve its efficiency, to help it meet its universal service obligation, and to facilitate private sector economic growth; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 1263. A bill to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures; to the Committee on Veterans' Affairs.

By Mr. FINCHER:

H.R. 1264. A bill to designate the property between the United States Federal Courthouse and the Ed Jones Building located at 109 South Highland Avenue in Jackson, Tennessee, as the ''M.D. Anderson Plaza'' and to authorize the placement of a historical/identification marker on the grounds recognizing the achievements and philanthropy of M.D. Anderson; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH (for himself and Mr. NEAL):

H.R. 1265. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; to the Committee on Ways and Means.

By Mr. GRIMM:

H.R. 1266. A bill to amend the Controlled Substances Act to improve detection of the fraudulent abuse of prescriptions to obtain controlled substances in schedule II or III, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER (for himself, Mr. BLUMENAUER, Mr. GERLACH, and Ms. HIRONO):

H.R. 1267. A bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on certain vessels; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. ENGEL, Mrs. MALONEY, and Mr. HINCHEY):

H.R. 1268. A bill to provide certain requirements for the licensing of commercial nuclear facilities; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Ms. MOORE, Mrs. DAVIS of California, Ms. LEE of California, Ms. BALDWIN, Ms. SCHAKOWSKY, Ms. MATSUI, Mr. GRIJALVA, Ms. BASS of California, Mr. STARK, Ms. HERRERA BEUTLER, Mrs. SCHMIDT, Ms. SPEIER, Mrs. LUMMIS, Mrs. ADAMS, Ms. NORTON, Mrs. BLACKBURN, Ms. BORDALLO, Mr. FRANK of Massachusetts, Mrs. BIGGERT, Mr. HASTINGS of Florida, and Mr. MORAN):

H.R. 1269. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum; to the Committee on Transportation and Infrastructure.

By Mr. MCCAUL (for himself and Mr. KING of New York):

H.R. 1270. A bill to direct the Secretary of State to designate as foreign terrorist organizations certain Mexican drug cartels, and for other purposes; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 1271. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on the sale of animals which are raised and sold as part of an educational program; to the Committee on Ways and Means.

By Mr. PETERSON (for himself and Mr. CRAVAACK):

H.R. 1272. A bill to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al, by the United States Court of Federal Claims in Docket Numbers 19 and 188, and for other purposes; to the Committee on Natural Resources.

By Mr. PIERLUISI (for himself, Mr. ANDREWS, Mr. RANGEL, Mr. SERRANO, Mr. CONYERS, Mrs. CHRISTENSEN, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Mr. FALEOMAVAEGA, and Mr. SABLAN):

H.R. 1273. A bill to amend title XVIII of the Social Security Act to apply the additional Medicare HITECH payment provisions to hospitals in Puerto Rico; to the Committee on Ways and Means.

By Mr. ROYCE (for himself, Mr. KINGSTON, Mr. WESTMORELAND, Mrs. MYRICK, and Mr. SMITH of Texas):

H.R. 1274. A bill to gain operational control of the border, enforce immigration laws, strengthen visa security, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, Homeland Security, Natural Resources, and Agriculture, 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. WELCH (for himself and Mr. OWENS):

H.R. 1275. A bill to support State and tribal government efforts to promote research and education related to maple syrup production, natural resource sustainability in the maple syrup industry, market promotion of maple products, and greater access to lands containing maple trees for maple-sugaring activities, and for other purposes; to the Committee on Agriculture.

By Mr. AKIN:

H.J. Res. 51. A joint resolution proposing an amendment to the Constitution of the United States to control Federal spending; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.J. Res. 52. A joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced; to the Committee on the Judiciary.

By Ms. ROYBAL-ALLARD:

H. Res. 187. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER:

H. Res. 188. A resolution expressing the sense of the House of Representatives regarding the regime of Mu'ammar al-Qadhaffi; to the Committee on Foreign Affairs.

By Mr. CROWLEY (for himself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS, Mr. NADLER, Mr. WEINER, Mr. TOWNS, Ms. CLARKE of New York, Ms. VELÁZQUEZ, Mr. GRIMM, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Ms. HAYWORTH, Mr. GIBSON, Mr. TONKO, Mr. HINCHEY, Mr. OWENS, Mr. HANNA, Ms. BUERKLE, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. REED):

H. Res. 190. A resolution honoring the life of Congresswoman Geraldine A. Ferraro, the first woman selected by a major political party as its candidate for Vice President; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CONYERS:

H.R. 1276. A bill for the relief of Al-Housseynou Ba; to the Committee on the Judiciary.

By Mr. FILNER:

H. Res. 191. A resolution referring the bill (H.R. 1107), entitled ''For the relief of Adrian Rodriguez'', to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

By Mr. FILNER:

H. Res. 192. A resolution referring the bill (H.R. 1108), entitled ''For the relief of Francisco Rivera and Alfonso Calderon'', to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Texas:

H.R. 1249.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of section 8 of Article I of the Constitution.

By Ms. HIRONO:

H.R. 1250.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. COSTA:

21 H.R. 1251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. COOPER:

H.R. 1252.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mrs. BIGGERT:

H.R. 1253.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DENT:

H.R. 1254.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. WOMACK:

H.R. 1255.

Congress has the power to enact this legislation pursuant to the following:

Section 2 is enacted pursuant to the rulemaking powers provided in clause 2 of section 5 of article I of the United States Constitution in furtherance of the appropriation power provided in clause 7 of section 9 of article I of the Constitution and spending power provided in clause 1 of section 8 of article I of the Constitution.

Section 3(a) is enacted pursuant to the rulemaking powers provided in clause 2 of section 5 of article I of the United States Constitution. Section 3(a) is consistent with article XXVII in that it does not vary the compensation of Members and Senators but only seeks to regulate its disbursement during certain periods.

Section 3(b) is enacted pursuant to clause 18 of section 8 of article I of the United States Constitution. Section 3(b) is consistent with clause 7 of section 1 of article II of the United States Constitution in that it does not vary the compensation of the President but only seeks to regulate its disbursement during certain periods.

By Mr. MCDERMOTT:

H.R. 1256.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution

By Mr. BARTLETT:

H.R. 1257.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1. all legislative Powers are vested in the Congress; and also Article I, Section 7: All bills for raising revenue shall originate in the House; and also Article I., Section 8: The Congress shall have the power to lay and collect funds to pay the Debts and pay for the common defense of the US; and to raise and support Armies; and provide and maintain a Navy; and Section 9 No Money shall be drawn from the Treasury, but in consequence of Appropriations made by Law AND

Article II, Section 1. The executive Power shall be vested in a POTUS; Article II, Section 2. POTUS is Commander-in-Chief; Section 3; POTUS shall recommend to Congress measures judged necessary and expedient

By Mr. BISHOP of Utah:

H.R. 1258.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BRADY of Texas:

H.R. 1259.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BRALEY of Iowa:

H.R. 1260.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. CONNOLLY of Virginia:

H.R. 1261.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CONNOLLY of Virginia:

H.R. 1262.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. FILNER:

H.R. 1263.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution

By Mr. FINCHER:

H.R. 1264.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17

Article IV, Section 3, Clausde 2.

By Mr. GERLACH:

H.R. 1265.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRIMM:

H.R. 1266.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Regulations to Effecuate Powers

Article 1, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HERGER:

H.R. 1267.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mrs. LOWEY:

H.R. 1268.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mrs. MALONEY:

H.R. 1269.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and

nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MCCAUL:

H.R. 1270.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by the United States Constitution under Article I, Section 8, ''Congress shall have the power . . . To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;''

By Mr. PAUL:

H.R. 1271.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment, which gives Congress the power to lay and collect taxes, clearly gives Congress the authority to repeal taxes on children who participate in agriculture education programs such as 4–H and Future Farmers of America.

By Mr. PETERSON:

H.R. 1272.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 9; Article 1, Clause 8, Section 18; and Article III, Section 1 of the United States Constitution.

By Mr. PIERLUISI:

H.R. 1273.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. ROYCE:

H.R. 1274.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4—The Congress shall have Power . . . To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. WELCH:

H.R. 1275.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof..

By Mr. CONYERS:

H.R. 1276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 and Amendment I, Clause 3 of the Constitution.

By Mr. AKIN:

H.J. Res. 51.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. BUCHANAN:

H.J. Res. 52.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. AUSTIN SCOTT of Georgia.

H.R. 21: Mr. CALVERT.

H.R. 27: Ms. HIRONO.

H.R. 49: Mr. HERGER, Mr. LATTA, Mrs. BLACKBURN, Mr. SESSIONS, Mr. TIPTON, Mr. CASSIDY, Mr. LATOURETTE, Mrs. HARTZLER, Mr. SMITH of Texas, and Mr. SIMPSON.

H.R. 58: Mr. ROSS of Florida, Mr. TIBERI, Mr. HELLER, Mr. CRITZ, Mr. GINGREY of Georgia, Mr. COFFMAN of Colorado, Mr. KISSELL, and Mr. TERRY.

H.R. 104: Mr. HARRIS and Mr. SCHOCK.

H.R. 110: Mr. CARNAHAN.

H.R. 115: Ms. JACKSON-LEE of Texas and Mr. GRIJALVA.

H.R. 121: Mr. CUELLAR.

H.R. 127: Mr. SAM JOHNSON of Texas.

H.R. 177: Mr. POE of Texas and Mr. PAUL.

H.R. 178: Mrs. NOEM.

H.R. 181: Mrs. MILLER of Michigan.

H.R. 198: Mr. AL GREEN of Texas and Mr. HINCHEY.

H.R. 237: Mr. COSTELLO and Mr. SARBANES.

H.R. 261: Mr. HASTINGS of Florida and Mr. MCDERMOTT.

H.R. 308: Ms. WASSERMAN SCHULTZ.

H.R. 320: Mr. GALLEGLY, Mr. DUNCAN of Tennessee, Mr. ROHRABACHER, Mr. DREIER, Mr. BARTON of Texas, Mr. WOLF, Mr. LATTA, and Mr. FILNER.

H.R. 326: Mr. KUCINICH.

H.R. 327: Mr. HUNTER and Ms. RICHARDSON.

H.R. 329: Mr. LATHAM.

H.R. 333: Mr. RUNYAN, Mr. PASCRELL, Mr. LOBIONDO, and Mr. SIMPSON.

H.R. 340: Mr. ELLISON.

H.R. 361: Mr. TERRY and Mr. OLSON.

H.R. 402: Mr. RYAN of Ohio, Mrs. MALONEY, and Ms. PINGREE of Maine.

H.R. 419: Mr. LOEBSACK.

H.R. 421: Mr. FORBES.

H.R. 452: Mr. PRICE of Georgia, Mr. BURTON of Indiana, Mr. YOUNG of Indiana, and Mr. HARRIS.

H.R. 453: Mr. LOEBSACK.

H.R. 459: Ms. JENKINS, Mr. FLAKE, and Mr. FARENTHOLD.

H.R. 470: Ms. BASS of California, Mr. BERMAN, and Mr. FLAKE.

H.R. 476: Mr. BURGESS.

H.R. 513: Mr. HALL.

H.R. 520: Mr. GEORGE MILLER of California, Mr. MORAN, Mrs. LOWEY, and Mr. MCDERMOTT.

H.R. 521: Mr. GRIJALVA and Mr. MCDERMOTT.

H.R. 529: Mr. BLUMENAUER.

H.R. 539: Ms. CASTOR of Florida, Mr. PAYNE, and Mr. JACKSON of Illinois.

H.R. 546: Mr. ADERHOLT, Ms. HERRERA BEUTLER, Mr. MCGOVERN, Mr. TIPTON, Mr. QUAYLE, Mr. TERRY, Ms. ROYBAL-ALLARD, Mr. BONNER, Mr. HOLT, Mr. PAYNE, Mr. YOUNG of Indiana, Mr. GERLACH, Ms. WILSON of Florida, Mr. FITZPATRICK, Mr. HINCHEY, Mr. MICHAUD, Mr. DESJARLAIS, Mr. DAVIS of Kentucky, Mr. DONNELLY of Indiana, Mr. HARRIS, Mr. MEEKS, Mr. CRAVAACK, and Mr. CONAWAY.

H.R. 606: Mr. JOHNSON of Illinois.

H.R. 607: Ms. JACKSON-LEE of Texas, Mrs. MCCARTHY of New York, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 615: Mr. RAHALL, Mr. KISSELL, Mr. ROSS of Florida, Mr. TERRY, Mr. CRITZ, Mr. GINGREY of Georgia, and Mr. HELLER.

H.R. 618: Mr. LOEBSACK, Mr. BRALEY of Iowa, Mr. CONNOLLY of Virginia, Mr. ELLISON, Mr. JACKSON of Illinois, Mr. RANGEL, Mr. CARSON of Indiana, and Mr. MICHAUD.

H.R. 633: Mr. CHAFFETZ.

H.R. 634: Mr. WALSH of Illinois.

H.R. 644: Mr. MORAN.

H.R. 651: Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. HOLT, Mrs. MALONEY, Ms. MATSUI, Ms. RICHARDSON, and Ms. VELÁZQUEZ.

H.R. 653: Mr. GRIJALVA.

H.R. 654: Mr. GEORGE MILLER of California, Mr. GARAMENDI, Mr. MCGOVERN, Ms. ROYBAL-ALLARD, and Mr. COHEN.

H.R. 676: Mr. HOLT and Mr. CLEAVER.

H.R. 692: Mr. MCKINLEY and Mr. ROSS of Florida.

H.R. 709: Mr. GENE GREEN of Texas.

H.R. 713: Ms. WILSON of Florida.

H.R. 716: Ms. SUTTON and Mr. MARKEY.

H.R. 718: Mr. WITTMAN, Mrs. DAVIS of California, Mr. MORAN, Mrs. LOWEY, Mr. LATHAM, Ms. NORTON, Mr. CUMMINGS, Mr. GRIJALVA, Mr. NADLER, Mr. LYNCH, and Mr. HUNTER.

H.R. 719: Mr. BLUMENAUER and Mr. STARK.

H.R. 721: Mr. WILSON of South Carolina, Mr. SIMPSON, and Mr. CHANDLER.

H.R. 733: Mr. VAN HOLLEN, Mr. NUGENT, Mr. LOEBSACK, Mr. PASCRELL, and Mr. CARNAHAN.

H.R. 735: Mr. DUNCAN of South Carolina, Mr. YOUNG of Indiana, and Mrs. LUMMIS.

H.R. 743: Mr. HANNA and Mr. COURTNEY.

H.R. 745: Mrs. BLACK, Mr. HUELSKAMP, Mr. DUNCAN of South Carolina, and Mr. LANKFORD.

H.R. 763: Mr. JONES, Mr. BARTLETT, and Ms. PINGREE of Maine.

H.R. 764: Mr. SCHOCK.

H.R. 804: Ms. BORDALLO and Ms. SUTTON.

H.R. 806: Mr. PAYNE and Mr. BACA.

H.R. 807: Mr. GRIJALVA.

H.R. 809: Mr. PAYNE, Ms. BORDALLO, and Mr. MICHAUD.

H.R. 812: Ms. CLARKE of New York.

H.R. 814: Ms. BERKLEY, Ms. BORDALLO, and Mr. BACA.

H.R. 822: Mr. HENSARLING, Mr. YOUNG of Indiana, Mr. WOLF, Mr. TERRY, Mr. FRANKS of Arizona, and Mr. HECK.

H.R. 835: Mr. CAPUANO, Mr. COSTELLO, Mrs. DAVIS of California, Mr. ISRAEL, Mr. KILDEE, Mr. LANCE, Mr. LIPINSKI, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mr. LYNCH, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. POLIS, Mr. SARBANES, Mr. VAN HOLLEN, Mr. WU, Mr. JOHNSON of Ohio, Mr. FITZPATRICK, and Mr. ROTHMAN of New Jersey.

H.R. 862: Mr. KUCINICH and Mr. FRANK of Massachusetts.

H.R. 883: Mrs. LOWEY and Mr. ELLISON.

H.R. 900: Mr. DAVIS of Illinois.

H.R. 909: Mrs. HARTZLER and Mr. SAM JOHNSON of Texas.

H.R. 912: Mr. FRANK of Massachusetts.

H.R. 923: Mr. TOWNS, Ms. WILSON of Florida, Mr. BLUMENAUER, and Mr. RUSH.

H.R. 930: Mr. TOWNS, Mr. STARK, Ms. MOORE, and Ms. SUTTON.

H.R. 931: Mr. KLINE and Mr. SMITH of Nebraska.

H.R. 932: Mr. HUNTER.

H.R. 937: Mr. BURTON of Indiana.

H.R. 938: Mr. BOSWELL and Mr. WITTMAN.

H.R. 942: Ms. RICHARDSON, Mr. HIGGINS, Mr. HERGER, and Mr. SCHOCK.

H.R. 952: Ms. BERKLEY.

H.R. 960: Mr. DAVIS of Kentucky and Mr. LUETKEMEYER.

H.R. 965: Mr. ACKERMAN, Mr. LYNCH, Mrs. LOWEY, Mr. FRANK of Massachusetts, Mrs. NAPOLITANO, Mr. HOLT, Ms. SPEIER, Mr. POLIS, Mr. ISRAEL, Mr. ROTHMAN of New Jersey, and Mr. STARK.

H.R. 972: Mr. ROONEY and Mr. KING of Iowa.

H.R. 984: Mr. OLSON and Mr. REHBERG.

H.R. 985: Mr. BOREN.

H.R. 992: Ms. HIRONO.

H.R. 993: Mr. LATTA.

H.R. 998: Mr. HIGGINS, Ms. PELOSI, Mr. FATTAH, Mr. RYAN of Ohio, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SIRES, Ms. BROWN of Florida, Ms. BASS of California, Mrs. LOWEY, and Mr. CONNOLLY of Virginia.

H.R. 1002: Mr. RAHALL, Mr. DEUTCH, Mr. MANZULLO, Mr. HIGGINS, Mr. WU, Ms. BASS of California, Mr. MCHENRY, Mr. GINGREY of Georgia, Mr. COFFMAN of Colorado, Mrs. CAPITO, Mr. HERGER, Mr. WEBSTER, Mr. FLEMING, and Mr. DAVIS of Kentucky.

H.R. 1004: Mr. HIMES.

H.R. 1025: Mr. BOSWELL, Mr. BRALEY of Iowa, Ms. BORDALLO, Mr. COURTNEY, Mr. FILNER, Mr. KIND, Mr. LAMBORN, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MICHAUD, Mr. BILBRAY, Mr. BROUN of Georgia, Mr. CONNOLLY of Virginia, Mr. GONZALEZ, Mr. KING of Iowa, Mr. LOEBSACK, Mr. ROE of Tennessee, Ms. BROWN of Florida, Mr. HOLDEN, Mr. ROSS of Arkansas, Mrs. CHRISTENSEN, Ms. ROYBAL-ALLARD, Mr. FALEOMAVAEGA, Mr. RAHALL, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Ms. SUTTON, Mrs. DAVIS of California, Mr. KLINE, Ms. HAYWORTH, Mr. BASS of New Hampshire, and Mr. CARNEY.

H.R. 1041: Mrs. BACHMANN, Mr. BARLETTA, Mr. BILIRAKIS, Mr. BOSWELL, Ms. BROWN of Florida, Mr. COBLE, Mr. CRENSHAW, Mr. DENT, Mr. HALL, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KELLY, Mr. KILDEE, Mr. KING of New York, Mr. LANCE, Mr. LATOURETTE, Mr. LUETKEMEYER, Mr. MARINO, Mr. MICHAUD, Mr. PLATTS, Mr. POSEY, Mr. RAHALL, Mr. RENACCI, Mr. ROE of Tennessee, Mr. ROTHMAN of New Jersey, Ms. SEWELL, Mr. STIVERS, Ms. SUTTON, Mr. TURNER, Mr. VISCLOSKY, Mr. WHITFIELD, Mr. DUNCAN of Tennessee, and Mr. COHEN.

H.R. 1049: Mr. CALVERT, Mr. DESJARLAIS, Mr. ROE of Tennessee, Mr. MANZULLO, Mr. LAMBORN, Mr. BENISHEK, Mr. KINGSTON, Mr. KING of Iowa, Mr. FLORES, and Mrs. BLACKBURN.

H.R. 1057: Ms. BERKLEY, Mr. LYNCH, Mr. HINCHEY, Ms. ROYBAL-ALLARD, Ms. BALDWIN, Mr. GRIJALVA, Mr. LOEBSACK, Mr. PRICE of North Carolina, Mr. BISHOP of New York, Mr. MCNERNEY, Mr. ROTHMAN of New Jersey, Ms. SLAUGHTER, and Mr. COURTNEY.

H.R. 1058: Mr. ROONEY, Mr. NEUGEBAUER, Mr. MANZULLO, Mr. DESJARLAIS, Mr. FLORES, Mrs. SCHMIDT, Ms. GRANGER, and Mrs. BACHMANN.

H.R. 1070: Mr. STIVERS.

H.R. 1081: Mr. CRITZ, Mr. BUCSHON, Mr. GOWDY, Mrs. ELLMERS, Mr. RIVERA, Mr. WOLF and Mr. TERRY.

H.R. 1085: Mr. ACKERMAN, and Mr. Gonzalez.

H.R. 1089: Mr. LUJÁN, Mr. MCGOVERN, and Mr. LATOURETTE.

H.R. 1110: Mr. BISHOP of New York.

H.R. 1111: Mr. TERY, Mr. NEUGEBAUER, Mr. FRANKS of Arizona, and Mr. DUNCAN of Tennessee.

H.R. 1113: Ms. LINDA T. SÁNCHEZ of California.

H.R. 1118: Ms. NORTON.

H.R. 1119: Mr. WU.

H.R. 1140: Mr. MANZULLO.

H.R. 1154: Mr. KING of New York, Mr. JONES, Mr. ROSS of Florida, Ms. SUTTON, Mr. LUETKEMEYER, Mr. GRIFFIN of Arkansas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BURTON of Indiana, Mr. GIBSON, and Ms. WILSON of Florida.

H.R. 1167: Mrs. BLACKBURN, Mr. MULVANEY, Mr. HUELSKAMP, Mr. MILLER of Florida, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. WALBERG, and Mr. HUIZENGA of Michigan.

H.R. 1184: Mr. GOSAR.

H.R. 1185: Mr. GOSAR.

H.R. 1186: Mr. CANSECO and Mr. MARCHANT.

H.R. 1187: Mr. FILNER.

H.R. 1193: Mr. SARBANES, Mr. RUPPERSBERGER, and Ms. WASSERMAN SCHULTZ.

H.R. 1206: Mr. PLATTS, Mr. COBLE, Mr. GINGREY of Georgia, Mr. ROGERS of Kentucky, Mr. BOUSTANY, and Mr. HUIZENGA of Michigan.

H.R. 1207: Mr. FALEOMAVAEGA.

H.R. 1211: Mr. MILLER of Florida, Mr. WEST, and Mr. POE of Texas.

H.R. 1212: Mr. STARK and Mr. CAPUANO.

4H.R. 1229: Mr. MANZULLO, Mr. STIVERS, Mrs. NOEM, Mr. TERRY, Mrs. MCMORRIS RODGERS, and Mr. LEWIS of California.

H.R. 1230: Mr. MANZULLO, Mr. STIVERS, Mrs. NOEM, Mr. TERRY, Mrs. MCMORRIS RODGERS, and Mr. LEWIS of California.

H.R. 1231: Mr. MANZULLO, Mr. STIVERS, Mrs. NOEM, Mr. TERRY, Mrs. MCMORRIS RODGERS, and Mr. LEWIS of California.

H.R. 1236: Ms. JENKINS, Mr. BOUSTANY, and Mr. PAUL.

H.J. Res. 13: Mr. PEARCE and Mr. FORTENBERRY.

H. Con. Res. 12: Mr. PAULSEN, Mr. LYNCH, and Mr. BRADY of Pennsylvania.

H. Con. Res. 25: Mr. DAVIS of Kentucky, Mr. BUCHANAN, Mr. HENSARLING, and Mr. ROGERS of Kentucky.

H. Con. Res. 29: Mr. BUCHANAN.

H. Res. 34: Mr. CAPUANO and Ms. WILSON of Florida.

H. Res. 71: Mr. FORBES.

H. Res. 81: Mrs. MCCARTHY of New York.

H. Res. 95: Mr. MARINO and Mr. BASS of New Hampshire.

H. Res. 100: Mr. ELLISON, Ms. SCHAKOWSKY, Ms. EDWARDS, Ms. CHU, Mr. AL GREEN of Texas, Mr. QUIGLEY, Mrs. LOWEY, Ms. BASS of California, Mrs. CAPPS, and Mr. HONDA.

H. Res. 111: Mr. LIPINSKI, Mr. KLINE, and Mr. MCGOVERN.

H. Res. 134: Mr. COSTELLO, Mr. POE of Texas, and Mr. PRICE of North Carolina.

H. Res. 137: Ms. MOORE, Mr. MURPHY of Pennsylvania, Mr. GALLEGLY, Mr. VISCLOSKY, and Mr. REHBERG.

H. Res. 164: Mr. LIPINSKI, Mr. KELLY, and Mr. SHULER.

H. Res. 172: Mr. CARNEY.

H. Res. 183: Mr. HUNTER and Mr. KISSELL.

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:

OFFERED BY MR. MICA

The amendment I will offer to H.R. 658, the Federal Aviation Administration Reauthorization and Reform Act of 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.