

This legislation also fails to provide the agency with the option of a government-vehicle back-up should the commercial sector be unable to satisfactorily provide the services for which they were hired. The Augustine Commission—the Commission President Obama tasked with reviewing future human space flight plans—believed it would be too risky to rely solely on the commercial sector and suggested including a government back-up option.

Providing more money to the commercial sector without the necessary safety and regulatory safeguards could come at the expense of other in-house, long-lead research and development programs.

I cannot support legislation that provides the government with no other option than to rely exclusively on the commercial sector. I will continue to work with appropriators to preserve and protect civil servant jobs at NASA and I urge my colleagues to oppose this bill.

Mr. DEFAZIO. Mr. Speaker, today, I voted against S. 3729, the NASA Reauthorization Act because it will ultimately add \$230 billion to our deficit to under the ruse that we must land a man on Mars.

In 2004, President Bush announced his Mission to Mars initiative, with a goal of manned space flight to the moon and then to Mars. What President Bush didn't reveal was the future costs of Mission to Mars that would swell to astronomical levels and create further havoc with the federal budget.

With our economy still in a ditch and our national debt having doubled in the last 8 years, the United States cannot afford to begin a new space cowboy adventure. It is only reasonable that we reassess our budget priorities, just as millions of struggling Americans are reassessing theirs. Tough choices must be made, and manned space expeditions are not worth expanded deficit spending.

A 2008 report from the Government Accountability Office reported that NASA has estimated the total cost of the planned Mission to Mars, will have a final cost of over \$230 billion. That is not affordable in even the best of economic times.

In response to this breathtaking cost estimate, I attached an amendment to the 2008 NASA Reauthorization directing the Congressional Budget Office to update its budgetary analysis on NASA's near term exploration plans for the moon.

CBO reported that the average NASA program experiences a 50% cost growth over initial budget estimates, with some programs experiencing a final cost of almost 250% over initial estimates. It goes on to state that in order for NASA to meet its current schedule to get to the moon, it would have to spend \$110 billion through 2020.

Americans need to know that in these uncertain times we are doing everything we can to restore fiscal discipline and put our economy back on track. We've been to the moon, and we do not need to spend \$110 billion to go there again. We certainly can't afford the \$230 billion to go to Mars.

S. 3729, continues the costly Constellation program and specifically insists on the development of heavy-lift rockets. This bill keeps alive a program that should be eliminated.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise today to support our national

space industry. This industry is now facing a crisis point.

S. 3729, the NASA Authorization Act, gives NASA direction so the agency, contractors, and employees can plan for the future.

This bill will give NASA direction for foreseeable future. I am pleased that the ability to excite students and inspire our nation's youth to enter careers in STEM will continue. Being an astronaut or a rocket scientist are some of the most exciting job descriptions one can have. This bill allows children to dream of becoming one of them again.

The bill contains an extra \$50 million for the Space Technology Program led by NASA's new Chief Technology Officer, Bobby Braun, to include hundreds of scholarships allowing students to study math, science, and engineering. Minority education funding has been stable and this bill calls for the continuation of these programs. NASA and Administrator Bolden continue to actively support these programs and the Administration will work to ensure future funding is consistent with the President's request.

In addition this bill keeps shuttle employees and contractors in place for a while longer, sustains exploration funding. The country gains from launches and this bill continues those. This bill provides funding to upgrade critical infrastructure at Kennedy Space Center for the future of the space industry. Also, the bill extends the life of the International Space Station. The science we have received from the International Space Station is invaluable and this bill continues that project.

We need to pass this bill now. Science and space exploration wait for no one, not even politicians. We cannot let the perfect be the enemy of the good.

NASA serves a vital role in our economy and education system. Therefore, please join me in voting Yes on S. 3729.

Mr. WU. Mr. Speaker, it is with regret that I must rise in opposition to the NASA reauthorization bill we have before us today. The space program plays a critical role in driving innovation as well as inspiring our nation's young people to strive for careers in science, technology, engineering, and mathematics. Unfortunately, the bill before us today places these vital missions in jeopardy.

I strongly oppose the cancellation of the human spaceflight program. The Senate's bill, which was drafted without any House input, places too much faith in the private sector to deliver astronauts and cargo to space. By contrast, the bill approved by the House Science and Technology Committee ensured that there would continue to be a publicly owned human spaceflight capability developed following the retirement of the space shuttle. There are untold advancements in health care, energy, and environmental preservation to be gained from ongoing human research in space.

I am also concerned that the Senate's bill does not include language ensuring that retired space shuttles will be allocated fairly to museums and educational institutions across the country. The space program is a national treasure, supported with the tax dollars of each and every American. As such, I believe geographic diversity should be a consideration in the allocation of retired shuttles, so I offered an amendment that was adopted in committee

to ensure it would be. Unfortunately, the bill before us today includes no such protections, giving unfair preference to some regions while leaving much of the rest of the country effectively out of the running.

I urge my colleagues to join me in opposing S. 3729.

Mr. HALL of Texas. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, S. 3729.

The question was taken.

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

Ms. GIFFORDS. 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 3081, CONTINUING APPROPRIATIONS ACT, 2011

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111-655) on the resolution (H.Res. 1682) providing for consideration of the Senate amendments to the bill (H.R. 3081) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DELAYING MINIMUM WAGE INCREASE IN AMERICAN SAMOA AND NORTHERN MARIANA ISLANDS

Mr. GEORGE MILLER of California. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 3940) to authorize the Secretary of the Interior to extend grants and other assistance to facilitate a political status public education program for the people of Guam.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SENSE OF CONGRESS REGARDING POLITICAL STATUS EDUCATION IN GUAM.

It is the sense of Congress that the Secretary of the Interior may provide technical assistance to the Government of Guam under section 601(a) of the Act entitled "An Act to authorize appropriations for certain insular areas of the United States, and for other purposes", approved December 24, 1980 (48 U.S.C. 1469d(a)), for public education regarding political status options only

if the political status options are consistent with the Constitution of the United States.

SEC. 2. MINIMUM WAGE IN AMERICAN SAMOA AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) **DELAYED EFFECTIVE DATE.**—Section 8103(b) of the Fair Minimum Wage Act of 2007 (29 U.S.C. 206 note) (as amended by section 520 of division D of Public Law 111–117) is amended—

(1) in paragraph (1)(B), by inserting “(except 2011 when there shall be no increase)” after “thereafter” the second place it appears; and

(2) in paragraph (2)(C), by striking “except that, beginning in 2010” and inserting “except that there shall be no such increase in 2010 or 2011 and, beginning in 2012”.

(b) **GAO REPORT.**—Section 8104 of such Act (as amended) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

“(a) **REPORT.**—The Government Accountability Office shall assess the impact of minimum wage increases that have occurred pursuant to section 8103, and not later than September 1, 2011, shall transmit to Congress a report of its findings. The Government Accountability Office shall submit subsequent reports not later than April 1, 2013, and every 2 years thereafter until the minimum wage in the respective territory meets the federal minimum wage.”; and

(2) by redesignating subsection (c) as subsection (b).

Amend the title so as to read: “An Act to clarify the availability of existing funds for political status education in the Territory of Guam, and for other purposes.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GEORGE MILLER) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 3940 into the RECORD.

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

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of the Senate amendment to H.R. 3940. This amendment addresses two issues: The political status and education in Guam; and adjustment of the minimum wage schedules for two other Pacific territories, American Samoa and the Commonwealth of the Northern Mariana Islands.

Current law requires the minimum wage to increase in both of these territories by 50 cents per year until they reach the mainland’s Federal minimum wage. Current law also requires the GAO to submit annual reports to the Congress on economic conditions for the minimum wage in both of these territories. These GAO reports are intended to give Congress information so that, if necessary, Congress can adjust the minimum wage schedules in these

territories. The adjustments proposed in this bill are as a result of the GAO’s latest report.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we wind down this session of this Congress, it is probably fitting that this bill is in front of us, because the bill before us today is intended to provide economic relief to the Territories of American Samoa and the Northern Marianas. Specifically, these territories, which are each home to approximately 70,000 people, are appealing to us, to Congress, to forestall congressionally mandated increases in the minimum wage in their territories.

It was the Speaker Pelosi-led Congress in 2007 that imposed this job-killing policy. The impacts in these territories have been very real and very severe, especially in American Samoa, which has seen one of its two primary employers, tuna packing plants, shut down after the minimum wage policy went into effect.

□ 2150

The next increase in the minimum wage in these territories is slated to take effect at the end of this month, Mr. Speaker. That’s tomorrow, Thursday, September 30. So there is indeed an urgent need to act right now.

While I agree with the need to spare these territories from the economic havoc that this Democrat Congress has inflicted on them, there are other laws that this Democrat Congress has imposed over the objections, and against the will, of the American people. The most obvious one has been talked about for nearly a year—and that, of course, is the Big Government health care takeover that is threatening, among others, small businesses. It has also caused some seniors to lose their Medicare coverage and we are seeing costs in health care insurance premiums that are rising higher and higher. And the 2001 and 2003 tax relief that is slated to expire at the end of this year, of course, has not been addressed. Thousands of small businesses will be hit with this massive tax increase. In fact, rates will rise on all individual taxpayers. The child tax credit will be cut in half. The marriage penalty return and the death tax would revert back to its high rate. And yet, Mr. Speaker, this Congress has voted to adjourn and leave town without addressing these tax increases. This uncertainty we have seen across the country inflicts a terrible toll on our economy.

However, always a silver lining, Mr. Speaker. With this bill, the Democrat Congress admits that they were wrong, that the policies they imposed are costing real people their jobs. I’m glad that they admit here tonight what they have done. But I should say this as, again, we’re winding down, Mr. Speak-

er. Relief shouldn’t just come for American Samoa. Americans across the 50 States are losing jobs and hurting because of the actions of this Democrat Congress. They, too, Mr. Speaker, need relief.

With that, I reserve the balance of my time.

Mr. GEORGE MILLER of California. At this time I yield 3 minutes to the gentleman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Mr. Speaker, I thank the gentleman from California.

I rise in support of H.R. 3940, which clarifies the authority of the Secretary of the Interior to extend assistance to Guam for the purpose of public education regarding political status options available to the territory of Guam. I introduced H.R. 3940 in October of last year, and the House passed this bill last year by voice vote. The Senate recently made some changes to the bill, given the administration’s testimony on the bill before the Senate Energy and Commerce Committee on May 19 of this year.

H.R. 3940 represents an opportunity for Congress to fulfill its responsibility to Guam under the United States Constitution. The territorial clause in article IV of the United States Constitution vests with this body the power to dispose of and make all needful rules and regulations respecting the territories of the United States. Guam has been part of the United States now for over 111 years as an unincorporated territory and at the moment remains listed by the United Nations as one of several non-self-governing territories. Ceded to the United States by Spain, along with our sister territory Puerto Rico at the end of the Spanish American War, the people of Guam are ready to exercise their aspirations toward self-determination of their political status.

This bill is not meant to favor any particular political status option, nor is it meant to assert direct congressional involvement in this process. Ultimately, it is the sole responsibility of Congress to respond to the desires of the people of Guam on the question of status.

The bill is supported by the Governor of Guam, the Speaker of the Guam legislature, and several indigenous rights organizations on Guam. Further, the administration supports the enactment of H.R. 3940. I would also add that section 2 of the bill before us would make an adjustment to the implementation of public law 110–28 to American Samoa and the Northern Mariana Islands. This adjustment comes based on the thorough analysis of the Government Accountability Office at the request of American Samoa and the Northern Marianas. The gentleman from American Samoa (Mr. FALEOMAVAEGA) has worked steadfastly on this matter to ensure an appropriate balance is

struck. I, too, want to thank him for his diligence.

As chairwoman of the Subcommittee on Insular Affairs, Oceans, and Wildlife, and on behalf of my constituents, I ask that my colleagues support this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Washington for yielding.

I came down here to the floor out of support for Guam, half a day, where America's day begins. And the first cup of coffee in America is there on Guam. So I have a special place in my heart for Guam, and I support the educational components of this legislation. I also come here, Mr. Speaker, and I think it is a bit unusual, but I support the balance of this underlying legislation that was amended to the gentelady from Guam's bill in the Senate. I do that, but I also support the words of Mr. HASTINGS of Washington, who says that Democrats have admitted they were wrong.

We have to look at this legislation and see that the minimum wage was imposed upon the Northern Marianas and American Samoa in 2007. Two tuna canning factories; now one has closed as a direct result of the imposition of a minimum wage. And the sole garment factory in the Northern Marianas has also closed because of a direct result, at least in significant part, because of the imposition of minimum wage. It is a microcosm economy that anybody that understands free enterprise should know that when the government artificially raises the cost of wages, businesses that have to stay, therefore a profit, can't stay open unless they can operate from a profit.

Labor is, Mr. Speaker, a commodity. It is a commodity like gold or oil or corn or beans. Labor: it is a precious commodity. And the value of it needs to be determined by supply and demand in the marketplace, not by the United States Government.

And so here we are with a damaged economy out in the Pacific in America's territories and an example for all this Congress that if we continue to increase government-imposed regulations, government-imposed minimum wage, for example, and all of the burden that's been put upon the free enterprise system over here with this overmanagement and this Keynesian economist on steroids, which is our President's economic policy, we're going to pay the price in the United States of America the same way they're paying the price in American Samoa and the Northern Marianas.

I support the bill.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from California, the distinguished chairman of the Education and Labor Committee, and I also want to thank my good friend, the distinguished ranking member of our Resources Subcommittee on the other side of the aisle for their management of this bill.

Mr. Speaker, this legislation is of critical importance to the people of American Samoa. How ironic, Mr. Speaker, that last year, on this very day, September 29, American Samoa was hit by the most powerful earthquake, which struck below the ocean at about 140 miles south of the Samoa Islands. The earthquake, which registered 8.3 on the Richter scale, set off a massive tsunami that ended up with 20-foot waves and causing a lot of villages to be severely damaged. People died, sweeping cars out in the ocean. It was a terrible experience for the people.

Mr. Speaker, one day after this, one of our two major tuna processing companies closed its operations in American Samoa, displacing well over 2,000 workers whose jobs were outsourced basically to Thailand, where workers are paid seventy-five cents per hour or even less at that time.

Mr. Speaker, today I am asking my colleagues in the House to support this legislation. While I am fully aware that some of my friends on the other side of the aisle who represent rural communities have similar challenges, I am deeply appreciative of the support that I have received from the other side of the aisle, my Republican friends.

□ 2200

I also want to thank Majority Leader REID and the Senator from Arizona, Senator McCAIN, Senator DEMINT, and Senator COBURN for their support of this legislation on the other side, and especially my dear colleague from the territory of Guam and her chairmanship, and not only that but her sponsorship of this legislation, Congressman BORDALLO.

I thank Majority Leader HOYER, the chairman of our Education and Labor Committee, and Chairman RAHALL. And I also want to say that I need the support of my colleagues on this legislation.

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

Mr. GEORGE MILLER of California. I yield the gentleman an additional 30 seconds.

Mr. FALEOMAVAEGA. I want to say to my friend from the distinguished State of Washington that, again, I deeply, deeply appreciate his support and help in getting this legislation and making it for the consideration of the Members of this body.

With that, again, I urge my colleagues to support this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of my time.

I just want to say, Mr. Speaker, I urge my colleagues to support this legislation. This corrects actions that were done to these territories 3 years ago, and I think this is a very good policy. I wish we could have addressed this earlier rather than 1 day before the law would go into effect. So I urge my colleagues to support this much-needed legislation.

I yield back the balance of my time. Mr. GEORGE MILLER of California. I yield myself such time as I may consume.

As I mentioned in my opening statement, the adjustment proposed by this bill is the result of the GAO's recent report. The recent GAO report lays out in great detail the serious economic difficulties confronting each territory to varying degrees. These difficulties arise from a variety of factors, including recent global economic conditions, ongoing economic diversification issues within the territories.

The GAO report justifies an adjustment to the minimum wage scale. Accordingly, the bill adjusts the schedule over the next 2 years by foregoing the 2010 increase in American Samoa and foregoing to 2011 increase in both American Samoa and the CNMI, and then in 2012 the normal schedule will be resumed. Last year we took similar action, and I would hope that everybody would support this bill.

I have to say, however, we have to correct some history here. First of all, the gentleman from Washington—I thank him for his support of this legislation—indicated that the hardship has fallen mostly on American Samoa. As the gentleman from American Samoa pointed out, some of that was due to the tsunami, but I would also suggest that American Samoa was covered at the insistence of Mr. KIRK from Illinois in the Appropriations Committee who insisted that the original legislation apply to American Samoa. That was not the original intent of the bill when we introduced it.

Secondly, the jobs in the CNMI, of course, have been in decline for some years because of the changes in the Multi-Fiber Agreement, and those jobs started migrating to China. Most of those plants were Chinese-owned, and they started pulling the machinery out of those plants and moving the machinery to China. That was hastened because of the Jack Abramoff scandals, and many of the labels, the big international American labels that were having clothing made in those plants, did not want that association and they left those plants in haste. And now the CNMI has no further garment industry at all, but that's been migrating over the last couple of years.

The problem was that, in fact, as we know, they were using the CNMI to sew into the label of these shirts "Made in the USA" when, in fact, they were not and they were made with what turned

out to be, in many instances, slave labor from some of the poorest countries around the world. Many labels pulled out because they didn't want to be associated with those labor practices. They went off and had their clothes made in Indonesia or Mexico or the Caribbean or wherever. Others stayed and then things started getting worse. The final tier of the Multi-Fiber Agreement came along, and like so many other places in the Pacific, that's how that industry migrated to China, to Vietnam and elsewhere and left the CNMI.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman.

Mr. HASTINGS of Washington. Well, I appreciate the gentleman's giving some background on this, and I'm not going to refute that. However, it seems to me that the mere evidence of the remedy that we are proposing here is aimed at the minimum wage, which was passed in 2007, and the remedy addressing the minimum wage would certainly indicate to me that, at least in the real near term, the reason for this is the minimum wage, and so I stand by my remarks, but I know there's always more to it.

Mr. GEORGE MILLER of California. Certainly, the delegate from the CNMI continues to support the increase in the minimum wage. We're just trying to time it.

Mr. HASTINGS of Washington. If the gentleman will yield, I will just simply say that I find it remarkable that the remedy we are trying to pursue is prolonging an increase in the minimum wage.

Mr. GEORGE MILLER of California. We could have gone the other way, maybe more in keeping with the Republican doctrine. We could have lowered the wages to 70 cents an hour and then they could have kept the jobs from going to Malaysia, but I don't think they could support themselves in these territories with that, especially with the construction going on in Guam.

Mr. HASTINGS of Washington. If the gentleman will yield, I don't recall during the debate that there was a discussion of any level of minimum wage as the gentleman was referring to, but as was pointed out by the gentleman from Iowa, it simply is a matter of supply and demand, and we need to be cognizant of that.

So, with that, I thank the gentleman for yielding.

Mr. GEORGE MILLER of California. I am happy to yield to the gentleman.

Mr. KLINE of Minnesota. Mr. Speaker, I rise in support of the Senate amendment to H.R. 3940.

With great fanfare, this Democratic majority increased the federally mandated minimum wage as one of its first acts. At the time, many of us warned that without adequate financial

relief or transition time, especially for small businesses, workers would be harmed by a proposal that was intended to help them.

We warned that teens seeking their first job and the chance to build work experience would have fewer opportunities. We warned that unskilled workers would be replaced by a smaller number of more highly skilled workers. And we warned that regions with comparatively low wages and living expenses would be especially hard hit because of the added cost to job-creators.

With nearly 15 million Americans searching for work, it's a terrible time to have to say we told you so.

In July 2007, when the first phase of the wage hike took effect, the national unemployment rate was 4.6 percent. For teenagers, the unemployment rate was 15.3 percent.

Today, while the overall unemployment rate stands at an unacceptably high 9.6 percent, the figure for teens is far worse: more than one-quarter of all teens are unemployed, a total of 26.3 percent.

Young African-American men perhaps bear the greatest burden from this irresponsible tinkering with the free marketplace. At the time Democrats passed their minimum wage hike, 31 percent of African-American teen males were unemployed; today, these same young men have a 50–50 chance of being unemployed.

No one would suggest federal wage mandates are the sole cause of this spike in unemployment. But the difference between the overall jobless rate and the number of teens who cannot find work is startling and should not be ignored.

Economists from the University of California, Irvine and the Federal Reserve reviewed more than 100 academic studies on the impact of the minimum wage around the time these increases began. They found overwhelming evidence that the least skilled and the young suffer a loss of employment when the minimum wage is increased.

Similarly hard hit by the wage requirement are the territories of American Samoa and the Commonwealth of the Northern Mariana Islands. A major tuna cannery in American Samoa closed its doors last year, laying off some 2,000 workers—roughly 12 percent of the territory's workforce. The second cannery has already laid off hundreds of workers and its future remains in doubt.

In April of this year, the Government Accountability Office reported on the how the wage rate harms these territories:

In American Samoa . . . Many employers reported having taken cost-cutting actions, such as freezing hiring and cutting worker benefits, since the increases began. Employers also reported planning actions such as leaving American Samoa or closing by the end of 2010. More employers attributed their actions to the minimum wage increases than to other factors. . . . In discussion groups, workers generally said that their support for the wage increases had dwindled because of concerns about issues such as the cannery closure, job insecurity, and loss of benefits.

Today, the House is voting on a measure to temporarily suspend the destructive federal wage mandates. Another increase is scheduled to take effect tomorrow, which makes immediate action imperative.

But we can't pretend the negative consequences of the minimum wage hike wreaking havoc on businesses in American Samoa aren't equally damaging to businesses in Muncie, Indiana. Or Le Center, Minnesota. Or Pittsburgh, Pennsylvania. Or anywhere else a business is struggling to meet its payroll and provide opportunities for its workers.

I certainly support this small measure of relief for the territories. Congress should do everything it can to right any wrongs it imposes on the people we are here to serve. However, I hope we do not fail to learn the larger lesson: Federal laws that force one-size-fits-all mandates on vastly different workers, workplaces, and communities often do far more harm than good.

Mr. GEORGE MILLER of California. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WEINER). The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 3940.

The question was taken.

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

Mr. HASTINGS of Washington. 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.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

SEPTEMBER 28, 2010.

Hon. NANCY PELOSI,
Speaker of the House,
H-232, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to Section 214(a) of the Help America Vote Act of 2002 (42 U.S.C. 15344), I am pleased to reappoint Mr. Thomas A. Fuentes of Lake Forest, California to the Election Assistance Commission Board of Advisors.

Mr. Fuentes has expressed interest in continuing to serve in this capacity and I am pleased to fulfill his request.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

APPOINTMENT AS MEMBER TO BOARD OF DIRECTORS OF THE NATIONAL URBAN AIR TOXICS RESEARCH CENTER

The SPEAKER pro tempore. Pursuant to section 112 of the Clean Air Act (42 U.S.C. 7412), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following member on the part of