

Mr. Speaker, the bill before us today, H.R. 3648, the Mortgage Forgiveness Debt Relief Act of 2007, is a necessary bill. Once again, it shows that the Democratic Congress is committed to addressing the mortgage crisis sweeping across our Nation. I want to thank Mr. RANGEL and his committee for bringing this bill to the floor.

Mr. Speaker, I urge a “yes” vote on the rule and on the previous question.

Mr. LEWIS of Georgia. Mr. Speaker, owning a home is part of the American dream. But it can become a nightmare when homeowners face foreclosure. In Metro Atlanta we have one of the highest foreclosure rates in the country—one in every 54 households is in foreclosure.

Too often these are people who have lost their jobs or are dealing with an illness. They have lost their home, they are out of money and they are suffering. They should not be hit with a huge tax bill from the IRS.

Cancelled debt is not income, and treating it like a paycheck adds insult to injury. Today we change the tax code to protect people who are losing their home from also having to pay a large tax penalty.

It is the right thing to do and I encourage my colleagues to support this bill.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 703 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the resolution (H. Res. 479) to amend the Rules of the House of Representatives to provide for enforcement of clause 9 of rule XXI of the Rules of the House of Representatives. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March

15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Democratic majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's “American Congressional Dictionary”: “If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.”

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

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

Mr. CARDOZA. Mr. Speaker, 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. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 3246, REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT ACT OF 2007

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 704 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 704

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3246) to amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 3246 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. ARCURI. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of this rule is for debate only.

GENERAL LEAVE

Mr. ARCURI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

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

Mr. Speaker, House Resolution 704 provides for consideration of H.R. 3246, the Regional Economic and Infrastructure Development Act of 2007. The rule provides 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

I rise today in strong support of this rule and H.R. 3246. I want to thank the distinguished chairwoman of the Economic Development, Public Buildings and Emergency Management Subcommittee, Ms. NORTON, Chairman OBERSTAR, and the ranking members, for drafting this legislation to authorize three new economic development commissions.

H.R. 3246 establishes the Northern Border, Southeast Crescent and Southwest Border Regional Commissions and reauthorizes the successful Delta and Northern Great Plains Regional Commissions. These five commissions will

help bring economic development to regions of our country that desperately need it.

Mr. Speaker, this bipartisan legislation creates a Northern Border Regional Commission that will bring much-needed job creation and economic development resources to the Northeast region. Maine, New Hampshire, Vermont and upstate New York will all benefit tremendously from the establishment of this commission because it will assess and address the very specific needs, assets and challenges of this region.

Over the last several decades, upstate New York, including my congressional district, has experienced a consistent pattern of economic distress resulting from substantial loss in the manufacturing sector, coupled with an aging infrastructure and lack of opportunities for a skilled workforce. My district alone has seen a staggering loss of more than 14,000 manufacturing jobs from 2000 to 2005. This has been devastating to our local communities; however, this loss isn't an anomaly. It is extremely characteristic of several States in the Northeast. A targeted regional approach like this one created by this bill can help bring economic vitality to this region.

The three new commissions are modeled after the highly successful Appalachian Regional Commission, ARC. The commission similar to the ARC will create Federal-State partnerships where local development districts and other nonprofits bring project ideas and priorities from the local level to the commissions to promote economic development.

Specifically, the Northern Border Regional Commission will be charged with investing \$40 million per year, rising to \$60 million per year by 2012, in Federal grants focused on local transportation and infrastructure projects, broadband development, alternative energy projects, agricultural development, and health care facilities. With regional planning, technical assistance, and funding of projects aimed at encouraging economic prosperity, this Commission will help local communities work together to support common developmental goals.

Simply put, the numbers speak for themselves. Since its creation, the ARC has reduced the number of distressed counties in its region from 219 to 100, cut the poverty rate from 31 percent to 15 percent, and has helped 1,400 businesses create 26,000 new jobs. In fiscal year 2005, each dollar of the ARC funding leveraged \$2.57 in other public funding and \$8.46 in private funding.

Speaking from personal experience, six counties in my upstate New York district have experienced similar success being a part of the ARC. The Village of Sherburne in Chenango County is a great example of how small ARC grants are extremely helpful in leveraging funds from State, local and private sources for economic development initiatives that create jobs. A

\$200,000 ARC grant to improve aging water infrastructure in Sherburne, New York, a problem that is plaguing many States in the Northeast, was able to leverage close to \$4 million in State and local community investment.

Mr. Speaker, the Northern Border Regional Commission will not only extend benefits to economically distressed counties in Maine, New Hampshire and Vermont; it will give upstate New York counties like Oneida, Herkimer, Cayuga and Seneca the opportunity to enjoy the same benefits their neighboring counties in the southern tier enjoy under the ARC.

We need to ensure that every American has access to job training, employment-related education and high-tech infrastructure so that we can retain and grow our global competitive edge. I am confident that the Regional Economic and Infrastructure Development Act will help us achieve that end.

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

The SPEAKER pro tempore. The gentleman from Washington is recognized for 30 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentleman from New York (Mr. ARCURI) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, this rule provides for consideration of the Regional Economic and Infrastructure Development Act, which would authorize \$1.25 billion to create three new regional commissions and replace two other regional commissions. These five regional commissions would be Federal-State partnerships that would provide grants to State and local governments to promote infrastructure and economic development.

While I believe that comprehensive, regional approaches to addressing infrastructure and economic development needs often can be beneficial, I am not convinced that creating five commissions and the layers of bureaucracy associated with them is necessary to provide grants to communities most in need.

The Regional Economic and Infrastructure Development Act was originally considered by the House on September 17 under suspension of the rules, which limits debate, bars amendments and requires a two-thirds vote for passage. Bills typically considered under suspension of the rules are bills and resolutions to name post offices and Federal buildings, congratulate sports teams and to raise general awareness of other issues.

Generally, bills authorizing \$1 billion in government expansion are not considered under a process with limited time for debate and no opportunity for amendment, but that is what the Democrat majority chose to do with the Regional Economic and Infrastructure Development Act last month.

Because of concerns either with the underlying bill or with the way in which this bill was originally considered, it failed to garner a two-thirds vote and did not pass under suspension of the rules. This closed rule does provide for more time to debate the merits of the underlying bill, but, unfortunately, it also shuts Members out from offering amendments to make this perhaps a better bill.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, I ask my friend from New York if he has any other speakers, and if not, I am prepared to yield back if he is.

Mr. ARCURI. We have no additional speakers.

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

Mr. Speaker, House Republicans believe that every earmark should be debatable on the House floor. Republican Leader Boehner has introduced a proposal to improve the House rules and allow the House to debate openly and honestly the validity and accuracy of earmarks contained in all bills.

To date, 196 Republicans have signed a discharge position to bring this measure to the House floor for a vote. Unfortunately, we are still 22 Members shy of what is needed. Therefore, I not only would encourage all Members of the House to sign the discharge position, but I will also be asking my colleagues to vote "no" on the previous question so that I can amend the rule to the House to allow the House to immediately consider House Resolution 479 introduced by Republican Leader BOEHNER.

It is vital that the House of Representatives act today and pass House Resolution 479 so that we can show American taxpayers we are serious when it comes to earmark transparency.

Mr. Speaker, I ask unanimous consent to have the text of the amendment inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. I urge my colleagues to oppose the previous question, Mr. Speaker, and I yield back the balance of my time.

Mr. ARCURI. Mr. Speaker, I thank my friend and colleague from the Rules Committee, Mr. HASTINGS. But I must say that I am a bit confused as to what earmarks and what the statements that he just made have to do with this rule.

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. ARCURI. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I will be more than happy to tell you. We

think that the intent on both sides of the aisle was to have all earmarks have a transparency to them so we know where those earmarks come from. Under this rule, we are self-executing an amendment, and that amendment is not covered, is not covered under the transparency. Now, I don't know if there is something within that bill that has earmarks that aren't being reported, but Leader BOEHNER's resolution simply would make this subject to transparency. That is all we are saying. That is all that we are saying.

I thank the gentleman for yielding on this point.

□ 1100

Mr. ARCURI. I thank the gentleman. With all due respect, I couldn't disagree more. While some of my colleagues on the other side continue to criticize our new earmark rule, the fact of the matter is that the House Democratic majority has implemented the most honest and open earmark rule in the history of the United States House of Representatives. But don't take my word for it. In this week's CQ Weekly, Ryan Alexander, president of Taxpayers for Common Sense is quoted as saying: "The House has given us more information than we have ever had before on earmarks, and they deserve credit for that."

Mr. Speaker, the other side continues to talk about their plan to modify the earmark rule, but what they don't tell you is that their earmark rule would not cover any measure not already covered by the earmark rule presently in effect. It is important to remember which side actually abused the earmark process, and who actually stepped up to the plate to reform the system and provide transparency. We didn't wait until 2 months before the election; we responded to the people's call for more openness on the first day of this Congress.

It seems quite clear to me that the minority is more concerned with obstructionism, while we are focused on actually meeting the needs of our constituents. That is exactly what this bill does and what the underlying rule does.

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. ARCURI. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding, and I appreciate that he has a little bit different view than I have. I would ask the gentleman, what bills are covered by the earmark rule, transparency rule, that you are talking about today? What bills?

Mr. ARCURI. This bill today.

Mr. HASTINGS of Washington. The rules only cover appropriation bills.

Mr. ARCURI. If I may reclaim my time, the bill today is covered by it. As I say, this bill is about helping Americans. This is about putting Americans back to work and about putting money back into the development of infra-

structure, into financing hospitals, and doing the kind of things that I was sent to Congress to do today.

Mr. Speaker, as I said earlier, passage of this bipartisan legislation, which this rule provides consideration of, is a critical step toward helping some of our neediest communities achieve economic parity with the rest of the country. The Regional Economic and Infrastructure Development Act authorizes the creation of five regional economic development commissions under a common framework of administration and management. These commissions are designed to address problems of systematic underdevelopment in their respective regions.

In general, the five commissions authorized in this bill will utilize the successful Appalachian Regional Commission model, which facilitates a bottom-up approach. Local development districts, nonprofit organizations, and others bring projects and ideas to the commission from the local level, ensuring that the actions of the commission reflect local and regional economic development needs and goals.

Mr. Speaker, as I mentioned a short while ago, the Northern Border Regional Commission created by this legislation builds on the success of the ARC. It would be charged with investing \$40 million each year in Federal resources for economic development and job creation in the most economically distressed border areas of Maine, New York, New Hampshire, and Vermont. This commission will help fund projects that both strengthen traditional sectors in the region's economy and help to diversify it. The Northern Border Regional Commission is focused on helping areas in the Northeast that have higher levels of unemployment, a significant loss of population, and significantly low household incomes.

This legislation is yet another example of true bipartisan cooperation often seen on the Transportation and Infrastructure Committee.

Mr. Speaker, I urge my colleagues on both sides of the aisle to vote "yes" on the previous question and the rule.

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

AMENDMENT TO H. RES. 704 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the resolution (H. Res. 479) to amend the Rules of the House of Representatives to provide for enforcement of clause 9 of rule XXI of the Rules of the House of Representatives. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit.

Mr. ARCURI. Mr. Speaker, 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 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, further proceedings on this question will be postponed.

MEJA EXPANSION AND ENFORCEMENT ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 702 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2740.

□ 1105

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2740) to require accountability for contractors and contract personnel under Federal contracts, and for other purposes, with Mr. ARCURI (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Wednesday, October 3, 2007, the amendments made in order pursuant to House Resolution 702 had been disposed of.

The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. Ross) having assumed the chair, Mr. ARCURI, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2740) to require accountability for contractors and contract personnel under Federal contracts, and for other purposes, pursuant to House Resolution 702, reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.